

## REENROLLED

## VIRGINIA ACTS OF ASSEMBLY - CHAPTER 781

An Act to amend Chapter 879, Acts of Assembly of 2008, which appropriated funds for the 2008-10 Biennium, and to provide a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2009, and the thirtieth day of June, 2010, submitted by the Governor of Virginia to the presiding officer of each house of the General Assembly of Virginia in accordance with the provisions of § 2.2-1509, Code of Virginia.

[H 1600]

Approved April 8, 2009

Be it enacted by the General Assembly of Virginia:

1. That Items 1, 2, 3, 4, 5, 6, 28.10, 29, 30, 31, 33, 38, 39, 40, 41, 42, 47, 48, 56, 63, 65, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 88, 89, 90, 93, 94, 95, 97, 98, 100, 103, 105, 108, 109, 110, 111, 112, 114, 117, 120, 121, 122, 123, 124, 125, 128, 129, 130, 132, 133, 134, 135, 136, 138, 139, 140, 141, 144, 146, 147, 148, 149, 151, 152, 153, 154, 155, 156, 157, 159, 160, 161, 164, 167, 168, 171, 172, 175, 176, 178, 179, 180, 183, 184, 185, 186, 187, 188, 190, 191, 192, 197, 198, 204, 205, 208, 209, 213, 214, 216, 219, 220, 222, 223, 224, 225, 226, 228, 230, 231, 232, 233, 236, 237, 242, 245, 251, 254, 254.10, 255, 256, 258, 259, 264, 265, 267, 268, 269, 270, 271, 273, 274, 275, 277, 280, 282, 283, 284, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 303, 304, 305, 306, 307, 309, 310, 311, 315, 316, 317, 319, 320, 321, 322, 323, 326, 327, 331, 332, 333, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 349, 350, 351, 353, 354, 356, 361, 362, 366, 367, 368, 369, 373, 374, 375, 376, 386, 387, 388, 389, 390, 391, 392, 395, 396, 397, 399, 400, 407, 408, 410, 411, 412, 414, 415, 416, 418, 419, 420, 424, 425, 426, 428, 430, 431.10, 432, 433, 436, 437, 438, 440, 441, 443, 446, 447, 449, 451, 454, 455, 464, 466.10, 467, 468, 472, 472.10, 473, 475.10, 477, 478, 479, 482, 483, 484, 485, 487, 489, 490, 493, § 2-0, C-12, C-14.20, C-16, C-36.10, C-36.30, C-47, C-59, C-66, C-89, C-103, C-104, C-117, C-123, C-161, C-162, C-166, C-173, C-176, C-177.20, C-179, C-180, C-181, C-181.10, C-182, C-182.10, § 3-1.01, § 3-2.03, § 3-3.01, § 3-3.02, § 3-3.04, § 3-5.04, § 3-5.05, § 4-0.01, § 4-1.05, § 4-2.02, § 4-3.03, § 4-4.01, § 4-5.01, § 4-5.02, § 4-5.04, § 4-6.01, § 4-6.04, § 4-8.01, § 4-9.01, § 4-9.02, and § 4-13.00, of Chapter 879 of the Acts of Assembly of 2008 be hereby amended and reenacted and that the cited chapter be further amended by adding Items 50.05, 54.05, 55.05, 58.05, 61.05, 63.05, 65.05, 68.05, 76.05, 77.05, 84.05, 85.05, 87.05, 88.05, 90.05, 91.05, 102.05, 103.05, 106.05, 108.05, 114.05, 118.05, 119.05, 122.05, 124.05, 130.05, 131.05, 138.05, 146.05, 151.05, 155.05, 159.05, 163.05, 166.05, 170.05, 174.05, 178.05, 182.05, 186.05, 190.05, 196.05, 200.05, 207.05, 212.05, 218.05, 223.05, 228.05, 229.05, 233.05, 234.05, 235.05, 236.05, 237.05, 241.05, 242.05, 244.05, 245.05, 247.05, 248.05, 249.05, 250.05, 251.05, 252.05, 253.05, 256.05, 263.05, 268.05, 273.05, 276.05, 282.05, 283.05, 287.05, 288.05, 301.05, 315.05, 315.10, 316.05, 322.05, 327.05, 330.05, 334.05, 336.05, 349.05, 357.05, 359.05, 360.05, 360.15, 364.05, 369.05, 375.05, 379.05, 380.05, 381.05, 382.05, 386.05, 391.05, 398.05, 404.05, 407.05, 408.05, 413.05, 418.05, 422.05, 427.05, 428.05, 429.05, 430.05, 435.05, 440.05, 443.05, 447.05, 447.10, 452.05, 462.05, 466.05, 475.25, 475.50, C-5.05, C-5.10, C-5.20, C-5.30, C-14.30, C-14.40, C-14.50, C-14.60, C-14.70, C-19.05, C-19.10, C-19.15, C-19.20, C-36.55, C-36.60, C-36.70, C-36.80, C-39.05, C-39.10, C-39.15, C-39.20, C-44.20, C-46.05, C-50.20, C-50.30, C-60.05, C-61.40, C-61.50, C-63.05, C-63.06, C-63.07, C-63.10, C-63.11, C-67.05, C-67.10, C-81.55, C-81.56, C-81.57, C-81.58, C-81.59, C-81.60, C-81.61, C-81.62, C-81.63, C-81.64, C-81.65, C-85.10, C-91.05, C-91.10, C-91.20, C-93.05, C-103.05, C-103.10, C-113.05, C-134.25, C-145.05, C-147.10, C-178.05, C-181.20, § 3-1.04, § 3-5.13, and § 4-1.08, and that the cited chapter be further amended by striking therefrom Items C-156, C-177.10, and § 3-3.03, and that the Code of Virginia is amended by adding a section numbered § 58.1-615.1.

4-2. §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, 2008	\$312,822,904 \$1,091,882,000	\$0	\$312,822,904 \$1,091,882,000
Additions to Balance	\$247,536,232 (\$520,929,566)	\$451,766 \$51,596,043	\$247,987,998 (\$469,333,523)
Official Revenue Estimates	\$16,089,898,276 \$14,613,939,287	\$17,190,053,876 \$15,261,984,687	\$33,279,952,152 \$29,875,923,974
Revenue Stabilization Fund	\$490,000,000	\$0	\$490,000,000
Transfers	\$384,786,174 \$406,889,844	\$387,464,871 \$441,825,286	\$772,251,045 \$848,515,130
Total General Fund Resources Available for Appropriation	\$17,035,043,586 \$16,081,581,565	\$17,577,970,513 \$15,755,406,016	\$34,613,014,099 \$31,836,987,581

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

	First Year	Second Year	Total
Balance, June 30, 2008	\$2,988,476,436 \$5,285,343,724	\$0	\$2,988,476,436 \$5,285,343,724
Official Revenue Estimates	\$19,943,213,693 \$20,534,761,089	\$20,317,611,219 \$21,061,960,368	\$40,260,824,912 \$41,596,721,457
Lottery Proceeds Fund	\$461,000,000 \$430,500,000	\$461,000,000 \$430,200,000	\$922,000,000 \$860,700,000
Bond Proceeds	\$1,343,293,373 \$1,438,201,373	\$240,000,000 \$621,145,000	\$1,583,293,373 \$2,059,346,373
Total Nongeneral Fund Revenues Available for Appropriation	\$24,735,983,502 \$27,688,806,186	\$21,018,611,219 \$22,113,305,368	\$45,754,594,721 \$49,802,111,554
TOTAL PROJECTED REVENUES	\$41,771,027,088 \$43,770,387,751	\$38,596,581,732 \$37,868,711,384	\$80,367,608,820 \$81,639,099,135

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

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

§ 6. When used in this act the term:

A. "Current biennium" means the period from the first day of July two thousand eight, through the thirtieth day of June two thousand ten, inclusive.

B. "Previous biennium" means the period from the first day of July two thousand six, through the thirtieth day of June two thousand eight, inclusive.

C. "Next biennium" means the period from the first day of July two thousand ten, through the thirtieth day of June two thousand twelve, inclusive.

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

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

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

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

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

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

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

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

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

<b>BIENNIUM 2008-10</b>			
	General Fund	Nongeneral Fund	Total
OPERATING EXPENSES	\$34,454,041,094	\$41,501,748,489	\$75,955,789,583
	\$32,035,701,533	\$42,872,094,898	\$74,907,796,431
LEGISLATIVE DEPARTMENT	\$138,166,928	\$7,977,268	\$146,144,196
	\$136,666,828		\$144,644,096
JUDICIAL DEPARTMENT	\$810,442,202	\$68,139,032	\$878,581,234
	\$814,937,904	68,243,312	\$883,181,216
EXECUTIVE DEPARTMENT	\$33,504,781,036	\$40,603,885,737	\$74,108,666,773
	\$31,083,545,873	\$41,975,777,970	\$73,059,323,843
INDEPENDENT AGENCIES	\$650,928	\$821,746,452	\$822,397,380
	\$550,928	\$820,096,348	\$820,647,276
STATE GRANTS TO NONSTATE AGENCIES	\$0	\$0	\$0
CAPITAL OUTLAY EXPENSES	\$105,300,000	\$1,711,161,373	\$1,816,461,373
	(\$248,650,000)	2,459,773,723	\$2,211,123,723
TOTAL	\$34,559,341,094	\$43,212,909,862	\$77,772,250,956
	\$31,787,051,533	\$45,331,868,621	\$77,118,920,154

§ 8. This chapter shall be known and may be cited as the "2009 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

## PART 1: OPERATING EXPENSES

## LEGISLATIVE DEPARTMENT

## § 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)

1.	Enactment of Laws (78200) a sum sufficient, estimated at .....			
	Legislative Sessions (78204) .....	\$32,545,351	\$32,545,351	\$32,545,351
	Fund Sources: General .....	\$32,545,351	\$32,545,351	

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded \$20,911,003 the first year and \$20,911,003 the second year from the general fund. The Senate is funded \$11,634,348 the first year and \$11,634,348 the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be \$36,321 per year. The salaries of other members of the House of Delegates shall be \$17,640 per year. The salaries of the members of the Senate shall be \$18,000 per year.

2. The annual salary of the Clerk of the House of Delegates, \$144,167 from July 1, 2008 to ~~November 24, 2008, \$147,050 from November 25, 2008 to November 24, 2009, and \$149,991 from November 25, 2009 to June 30, 2010.~~

3. The annual salary of the Clerk of the Senate, \$141,128 from July 1, 2008 to ~~November 24, 2008, \$143,951 from November 25, 2008 to November 24, 2009, and \$146,830 from November 25, 2009 to June 30, 2010.~~

4. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, \$16,200 each year, to be paid in equal monthly installments during the year.

5. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. \$92,244 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 472 of this act.

b. \$138,365 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 472 of this act.

c. \$37,871 per calendar year for the compensation of legislative assistants of each member of the General Assembly. Salary increases granted shall be governed by the provisions of Item 472 of this act.

d. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B 7, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session.

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For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

e. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

f. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

g. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

h. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.

i. \$15,000 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate. Salary increases shall be governed by the provisions of Item 472 of this act.

6. Compensation to members of the General Assembly, pursuant to § 30-19.12, Code of Virginia, and subject to the limitations and conditions stated therein, at a rate of \$200 per day, or for any part thereof, for the time actually engaged in the discharge of their duties. All other members of any legislative committee, commission or council established by the General Assembly, or a committee or subcommittee thereof shall receive compensation at the rate of \$50 per day, or for any part thereof. The Clerk of the House of Delegates and the Clerk of the Senate are authorized to provide reimbursements to legislative commissions for per diem payments made for studies requested by the chairmen of standing committees of the respective bodies.

7. Allowances for expenses of members of the General Assembly, either (a) an amount not exceeding \$75 per day for expenses which are vouchered or (b) an amount equaling the maximum daily amount permitted by the Internal Revenue Service.

8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of \$1,250 for each month of each calendar year. An additional \$500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate.

C. A legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph A 5, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and operating expenses during the current biennium shall be transferred to the account established for this purpose.</p>				
<p>E. An amount of up to \$10,000 per year shall be transferred from Item 32 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee.</p>				
<p>F.1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and to make recommendations to their respective committees. The objective of the review is to develop policies and formulas to provide the public institutions of higher education with an equitable funding methodology that: (a) recognizes differences in institutional mission; (b) provides incentives for achievement and productivity; (c) recognizes enrollment growth; and (d) establishes funding objectives in areas such as faculty salaries, financial aid, and the appropriate share of educational and general costs that should be borne by resident students. In addition, the review shall include the development of comparable cost data concerning the delivery of higher education through an analysis of the relationship of each public institution to its national peers. The public institutions of higher education and the staff of the State Council of Higher Education for Virginia are directed to provide technical assistance, as required, to the joint subcommittee.</p>				
<p>2. The Joint Subcommittee on Higher Education Funding Policies shall conduct an assessment of the adequacy of the current educational and general funding levels for Virginia's public institutions of higher education. The assessment shall be used to develop guidelines against which to measure funding requests for higher education. The assessment shall include, but not be limited to, the following components:</p>				
<p>a) Updated student-to-faculty ratios based on current practice or industry norms.</p>				
<p>b) Consideration of support staff needs and the changing requirements of support staff due to technology and privatization of services previously performed by the institutions.</p>				
<p>c) Costs of instruction, such as equipment, utilities, facilities maintenance, and other nonpersonal services expenses.</p>				
<p>d) Recognition of the individual mission of the institution, student characteristics, location, or other factors that may influence the costs of instruction.</p>				
<p>e) Benchmarking of the funding guidelines against a group of peer institutions, or other appropriate comparator group, to assess the validity of the guidelines.</p>				
<p>f) Means by which measures of institutional performance can be assessed and incorporated into funding and policy guidelines for higher education.</p>				
<p>3. The Joint Subcommittee on Higher Education Funding Policies shall develop a more precise methodology for determining funding needs at Virginia's public institutions of higher education related to enrollment growth. The methodology should take into consideration that support staff and operations may need to be expanded when enrollment growth reaches certain levels.</p>				
<p>4. The Joint Subcommittee may seek support from the staff of the Senate Finance and House Appropriations Committees, the public institutions of higher education, or other higher education or state agency representatives, as requested by the Joint Subcommittee. At its discretion, the Joint Subcommittee may contract for consulting services.</p>				
<p>5. The Joint Subcommittee is hereby continued to provide direction and oversight of higher education funding policies. The Joint Subcommittee shall review and articulate policies and funding methodologies on: (a) the appropriate share of educational and general costs that</p>				

ITEM 1.	Item Details(\$)		Appropriations(\$)	
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<p>should be borne by students; (b) student financial aid; (c) undergraduate medical education funding; (d) the mix of full-time and part-time faculty; (e) the mix of in-state and out-of-state students as it relates to tuition policy; and (f) the viability of statewide articulation agreements between four-year and two-year public institutions.</p> <p>6. a. It is the objective of the General Assembly that funding for Virginia's public colleges and universities shall be based primarily on the funding guidelines outlined in the November, 2001 report of the Joint Subcommittee on Higher Education Funding Policies.</p> <p>b. Based on the findings and recommendations of its November, 2001 report, the Joint Subcommittee shall coordinate with the State Council of Higher Education, the Secretary of Education, and the Department of Planning and Budget in incorporating the higher education funding guidelines into the development of budget recommendations.</p> <p>c. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly.</p> <p>G. The Chairmen of the Senate Finance and House Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review compensation of state agency heads and cabinet secretaries. The Department of Human Resource Management, the Virginia Retirement System and all other agencies and institutions of the Commonwealth are directed to provide technical assistance, as required, to the joint subcommittee.</p> <p>H. 1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint <del>four</del> <i>up to five</i> members from their respective committees to a joint subcommittee to provide on-going direction and oversight of Standards of Quality funding cost policies and to make recommendations to their respective committees <i>by December 1, 2009</i>.</p> <p>2. The Joint Subcommittee on Elementary and Secondary Education Funding shall: <i>1 a) study the Commonwealth's use of the prevailing salary and cost approaches to funding the Standards of Quality, as compared with alternative approaches, such as a fixed point in time salary base that is increased annually by some minimum percentage or funding the national average teacher salary; and 2 b) review the "federal revenue deduct" methodology, including the current use of a cap on the deduction; and c) review the methodology for establishing a consistent funding cap process for all state funded instructional and certain support positions.</i></p> <p>3. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee.</p> <p>I. Notwithstanding the salaries listed in Item 1, paragraph B.2., of this act, the Speaker of the House may establish a salary range for the Clerk of the House of Delegates.</p> <p>J. Notwithstanding the salaries listed in Item 1, paragraph B.3. of this act, the Senate Committee on Rules may establish a salary range for the Clerk of the Senate.</p> <p>K. Notwithstanding the salaries set out in Items 2, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in Item 4-6.01 of this act.</p>				
Total for General Assembly of Virginia.....			\$32,545,351	\$32,545,351
General Fund Positions.....	221.00	221.00		
Position Level .....	221.00	221.00		
Fund Sources: General.....	\$32,545,351	\$32,545,351		

ITEM 2.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

**§ 1-2. AUDITOR OF PUBLIC ACCOUNTS (133)**

2.	Legislative Evaluation and Review (78300).....			\$11,357,297	\$11,357,297
	Financial and Compliance Audits (78301) .....	\$11,357,297	\$11,357,297		
	Fund Sources: General .....	\$10,487,543	\$10,487,543		
	Special.....	\$869,754	\$869,754		

Authority: Article IV, Section 18, Constitution of Virginia; Title 30, Chapter 14, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Auditor of Public Accounts, \$159,907 from July 1, 2008 to ~~November 24, 2008~~, ~~\$163,105 from November 25, 2008 to November 24, 2009~~, and ~~\$166,367 from November 25, 2009 to June 30, 2010~~.

B. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year pursuant to § 2.2-1829, Code of Virginia. The Auditor shall, at the same time, provide his report on (i) the 10 percent limitation and the amount that could be paid into the Revenue Stabilization Fund and (ii) any amounts necessary for deposit into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

C. The specifications of the Auditor of Public Accounts for the independent certified public accountants auditing localities shall include requirements for any money received by the sheriff. These requirements shall include that the independent certified public accountant must submit a letter to the Auditor of Public Accounts annually providing assurance as to whether the sheriff has maintained a proper system of internal controls and records in accordance with the Code of Virginia. This letter shall be submitted along with the locality's audit report.

Total for Auditor of Public Accounts.....			<b>\$11,357,297</b>	<b>\$11,357,297</b>
General Fund Positions.....	120.00	120.00		
Nongeneral Fund Positions.....	10.00	10.00		
Position Level .....	130.00	130.00		
Fund Sources: General .....	\$10,487,543	\$10,487,543		
Special.....	\$869,754	\$869,754		

**§ 1-3. COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (413)**

3.	Ground Transportation System Safety (60500).....			\$1,945,003	\$1,945,003
	Ground Transportation Safety Promotion (60503) .....	\$1,945,003	\$1,945,003		
	Fund Sources: Special.....	\$1,445,003	\$1,445,003		
	Federal Trust.....	\$500,000	\$500,000		

Authority: §§ 18.2-271.1 and 18.2-271.2, Code of Virginia.

Out of this appropriation shall be paid the salary of the Executive Director, \$112,308 from July 1, 2008 to ~~November 24, 2008~~, ~~\$114,554 from November 25, 2008 to November 24, 2009~~, and ~~\$116,845 from November 25, 2009 to June 30, 2010~~.

Total for Commission on the Virginia Alcohol Safety Action Program.....			<b>\$1,945,003</b>	<b>\$1,945,003</b>
Nongeneral Fund Positions.....	11.50	11.50		
Position Level .....	11.50	11.50		
Fund Sources: Special.....	\$1,445,003	\$1,445,003		



ITEM 3.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Federal Trust.....	\$500,000	\$500,000		
	<b>§ 1-4. DIVISION OF CAPITOL POLICE (961)</b>				
4.	Administrative and Support Services (39900).....			<del>\$8,140,971</del>	<del>\$8,154,626</del>
	Security Services (39923).....	<del>\$8,140,971</del>	<del>\$8,154,626</del>	<del>\$7,414,921</del>	<del>\$7,428,576</del>
	Fund Sources: General.....	<del>\$8,140,971</del>	<del>\$8,154,626</del>		
		<del>\$7,414,921</del>	<del>\$7,428,576</del>		
	Authority: Title 30, Chapter 3.1, Code of Virginia.				
	A. Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol Police, which shall be within the range of \$86,528 and \$108,160 from July 1, 2008 to November 24, 2008; <del>\$88,259 and \$110,323 from November 25, 2008 to November 24, 2009; and \$90,024 and \$112,529 from November 25, 2009 to June 30, 2010.</del>				
	B. Included in this Item is \$726,050 the first year and \$726,050 the second year from the general fund, which shall be unallotted until such time as a staffing and compensation plan for the Division of Capitol Police is approved by the Joint Rules Committee.				
	C. Included in this Item is \$160,735 the first year and \$160,735 the second year from the general fund, which shall be unallotted until such time as an additional position class or other career development plan for the Division of Capitol Police shall be approved by the Committee on Joint Rules.				
	Total for Division of Capitol Police.....			<del>\$8,140,971</del>	<del>\$8,154,626</del>
				<del>\$7,414,921</del>	<del>\$7,428,576</del>
	General Fund Positions.....	<del>117.00</del>	<del>117.00</del>		
		<del>108.00</del>	<del>108.00</del>		
	Position Level .....	<del>117.00</del>	<del>117.00</del>		
		<del>108.00</del>	<del>108.00</del>		
	Fund Sources: General.....	<del>\$8,140,971</del>	<del>\$8,154,626</del>		
		<del>\$7,414,921</del>	<del>\$7,428,576</del>		
	<b>§ 1-5. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)</b>				
5.	Information Technology Development and Operations (82000) .....			\$3,418,543	\$3,418,543
	Computer Operations Services (82001) .....	\$3,418,543	\$3,418,543		
	Fund Sources: General.....	\$3,141,016	\$3,141,016		
	Special.....	\$277,527	\$277,527		
	Authority: Title 30, Chapter 3.2, Code of Virginia.				
	Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, \$141,779 from July 1, 2008 to November 24, 2008; <del>\$144,615 from November 25, 2008 to November 24, 2009; and \$147,507 from November 25, 2009 to June 30, 2010.</del>				
	Total for Division of Legislative Automated Systems.....			<b>\$3,418,543</b>	<b>\$3,418,543</b>
	General Fund Positions.....	16.00	16.00		
	Nongeneral Fund Positions.....	3.00	3.00		
	Position Level .....	19.00	19.00		

ITEM 5.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: General .....	\$3,141,016	\$3,141,016	
	Special .....	\$277,527	\$277,527	
<b>§ 1-6. DIVISION OF LEGISLATIVE SERVICES (107)</b>				
6.	Legislative Research and Analysis (78400) .....		\$5,815,489	<del>\$5,815,489</del> \$5,996,089
	Bill Drafting and Preparation (78401) .....	\$5,815,489	<del>\$5,815,489</del> \$5,996,089	
	Fund Sources: General .....	\$5,795,489	<del>\$5,795,489</del> \$5,976,089	
	Special .....	\$20,000	\$20,000	
Authority: Title 30, Chapter 2.2, Code of Virginia.				
Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, \$151,263 from July 1, 2008, to <del>November 24, 2008, \$154,288 from November 25, 2008, to November 24, 2009, and \$157,374 from November 25, 2009, to June 30, 2010.</del>				
	Total for Division of Legislative Services .....		<b>\$5,815,489</b>	<b><del>\$5,815,489</del> \$5,996,089</b>
	General Fund Positions .....	57.00	57.00	
	Position Level .....	57.00	57.00	
	Fund Sources: General .....	\$5,795,489	<del>\$5,795,489</del> \$5,976,089	
	Special .....	\$20,000	\$20,000	
<b>Capitol Square Preservation Council (820)</b>				
7.	Architectural and Antiquity Research Planning and Coordination (74800) .....		\$115,750	\$115,750
	Architectural Research (74801) .....	\$115,750	\$115,750	
	Fund Sources: General .....	\$115,750	\$115,750	
Authority: Title 30, Chapter 28, Code of Virginia.				
	Total for Capitol Square Preservation Council .....		<b>\$115,750</b>	<b>\$115,750</b>
	General Fund Positions .....	2.00	2.00	
	Position Level .....	2.00	2.00	
	Fund Sources: General .....	\$115,750	\$115,750	
<b>Chesapeake Bay Commission (842)</b>				
8.	Resource Management Research, Planning, and Coordination (50700) .....		\$232,502	\$232,502
	Resource Management Policy and Program Development (50701) .....	\$232,502	\$232,502	
	Fund Sources: General .....	\$232,502	\$232,502	
Authority: Title 30, Chapter 36, Code of Virginia.				
	Total for Chesapeake Bay Commission .....		<b>\$232,502</b>	<b>\$232,502</b>
	General Fund Positions .....	1.00	1.00	

ITEM 8.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Position Level .....	1.00	1.00		
	Fund Sources: General .....	\$232,502	\$232,502		
	<b>Virginia Disability Commission (837)</b>				
9.	Social Services Research, Planning, and Coordination (45000) .....			\$25,554	\$25,554
	Social Services Coordination (45001).....	\$25,554	\$25,554		
	Fund Sources: General .....	\$25,554	\$25,554		
	Authority: Title 30, Chapter 35, Code of Virginia.				
	Total for Virginia Disability Commission .....			<b>\$25,554</b>	<b>\$25,554</b>
	Fund Sources: General .....	\$25,554	\$25,554		
	<b>Dr. Martin Luther King, Jr. Memorial Commission (845)</b>				
10.	Human Relations Management (14600).....			\$50,349	\$50,349
	Human Relations Management (14601).....	\$50,349	\$50,349		
	Fund Sources: General .....	\$50,349	\$50,349		
	Authority: Title 30, Chapter 27, Code of Virginia.				
	Total for Dr. Martin Luther King, Jr. Memorial Commission .....			<b>\$50,349</b>	<b>\$50,349</b>
	Fund Sources: General .....	\$50,349	\$50,349		
	<b>Joint Commission on Health Care (844)</b>				
11.	Health Research, Planning, and Coordination (40600) .....			\$707,131	\$707,131
	Health Policy Research (40606).....	\$707,131	\$707,131		
	Fund Sources: General .....	\$707,131	\$707,131		
	Authority: Title 30, Chapter 18, Code of Virginia.				
	Total for Joint Commission on Health Care .....			<b>\$707,131</b>	<b>\$707,131</b>
	General Fund Positions.....	6.00	6.00		
	Position Level .....	6.00	6.00		
	Fund Sources: General .....	\$707,131	\$707,131		
	<b>Joint Commission on Technology and Science (847)</b>				
12.	Technology Research, Planning, and Coordination (53700) .....			\$206,904	\$206,904
	Technology Research (53701).....	\$206,904	\$206,904		
	Fund Sources: General .....	\$206,904	\$206,904		
	Authority: Title 30, Chapter 11, Code of Virginia.				
	Total for Joint Commission on Technology and Science.....			<b>\$206,904</b>	<b>\$206,904</b>

ITEM 12.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	General Fund Positions.....	2.00	2.00		
	Position Level .....	2.00	2.00		
	Fund Sources: General .....	\$206,904	\$206,904		
	<b>Commissioners for the Promotion of Uniformity of Legislation in the United States (145)</b>				
13.	Governmental Affairs Services (70100).....			\$62,500	\$62,500
	Interstate Affairs (70103).....	\$62,500	\$62,500		
	Fund Sources: General .....	\$62,500	\$62,500		
	Authority: Title 30, Chapter 29, Code of Virginia.				
	Total for Commissioners for the Promotion of Uniformity of Legislation in the United States.....			<b>\$62,500</b>	<b>\$62,500</b>
	Fund Sources: General .....	\$62,500	\$62,500		
	<b>State Water Commission (971)</b>				
14.	Environmental Policy and Program Development (51600) .....			\$10,160	\$10,160
	Environmental Policy and Program Development (51601) .....	\$10,160	\$10,160		
	Fund Sources: General .....	\$10,160	\$10,160		
	Authority: Title 30, Chapter 24, Code of Virginia.				
	Total for State Water Commission .....			<b>\$10,160</b>	<b>\$10,160</b>
	Fund Sources: General .....	\$10,160	\$10,160		
	<b>Virginia Coal and Energy Commission (118)</b>				
15.	Resource Management Research, Planning, and Coordination (50700).....			\$21,616	\$21,616
	Energy Conservation Advisory Services (50703).....	\$21,616	\$21,616		
	Fund Sources: General .....	\$21,616	\$21,616		
	Authority: Title 30, Chapter 25, Code of Virginia.				
	Total for Virginia Coal and Energy Commission .....			<b>\$21,616</b>	<b>\$21,616</b>
	Fund Sources: General .....	\$21,616	\$21,616		
	<b>Virginia Code Commission (108)</b>				
16.	Enactment of Laws (78200) .....			\$93,309	\$93,309
	Code Modernization (78201).....	\$93,309	\$93,309		
	Fund Sources: General .....	\$69,309	\$69,309		
	Special.....	\$24,000	\$24,000		
	Authority: Title 30, Chapter 15, Code of Virginia.				
	Total for Virginia Code Commission .....			<b>\$93,309</b>	<b>\$93,309</b>
	Fund Sources: General .....	\$69,309	\$69,309		

ITEM 16.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$24,000	\$24,000		
	<b>Virginia Commission on Youth (839)</b>				
17.	Social Services Research, Planning, and Coordination (45000) .....			\$327,401	\$327,401
	Social Services Research and Planning (45003) .....	\$327,401	\$327,401		
	Fund Sources: General .....	\$327,401	\$327,401		
	Authority: Title 30, Chapter 20, Code of Virginia.				
	Total for Virginia Commission on Youth .....			<b>\$327,401</b>	<b>\$327,401</b>
	General Fund Positions.....	3.00	3.00		
	Position Level .....	3.00	3.00		
	Fund Sources: General .....	\$327,401	\$327,401		
	<b>Virginia State Crime Commission (142)</b>				
18.	Criminal Justice Research, Planning and Coordination (30500) .....			\$669,584	\$669,584
	Criminal Justice Research (30503).....	\$669,584	\$669,584		
	Fund Sources: General .....	\$532,150	\$532,150		
	Federal Trust.....	\$137,434	\$137,434		
	Authority: Title 30, Chapter 16, Code of Virginia.				
	Included within this appropriation is \$88,000 the first year and \$88,000 the second year from the general fund to replace expired federal grants. Should the Crime Commission obtain additional federal funds during the fiscal year, an equal amount of these general fund dollars, not to exceed \$88,000 the first year, or \$88,000 the second year, shall revert to the general fund.				
	Total for Virginia State Crime Commission.....			<b>\$669,584</b>	<b>\$669,584</b>
	General Fund Positions.....	5.00	5.00		
	Nongeneral Fund Positions.....	4.00	4.00		
	Position Level .....	9.00	9.00		
	Fund Sources: General .....	\$532,150	\$532,150		
	Federal Trust.....	\$137,434	\$137,434		
	<b>Virginia Freedom of Information Advisory Council (834)</b>				
19.	Governmental Affairs Services (70100).....			\$182,034	\$182,034
	Public Information Services (70109) .....	\$182,034	\$182,034		
	Fund Sources: General .....	\$182,034	\$182,034		
	Authority: Title 30, Chapter 21, Code of Virginia.				
	Total for Virginia Freedom of Information Advisory Council .....			<b>\$182,034</b>	<b>\$182,034</b>
	General Fund Positions.....	1.50	1.50		
	Position Level .....	1.50	1.50		
	Fund Sources: General .....	\$182,034	\$182,034		

ITEM 20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Virginia Housing Commission (840)				
20.	Housing Assistance Services (45800).....			\$20,975	\$20,975
	Housing Research and Planning (45803).....	\$20,975	\$20,975		
	Fund Sources: General.....	\$20,975	\$20,975		
	Authority: Section 30-257, Code of Virginia.				
	Total for Virginia Housing Commission .....			\$20,975	\$20,975
	Fund Sources: General.....	\$20,975	\$20,975		
	Brown V. Board of Education (858)				
21.	Human Relations Management (14600).....			\$25,296	\$25,296
	Human Relations Management (14601).....	\$25,296	\$25,296		
	Fund Sources: General.....	\$25,296	\$25,296		
	Authority: Title 30, Chapter 34.1, Code of Virginia.				
	Pursuant to § 30-231.5, Code of Virginia, there is provided \$25,000 each year from the general fund to support the operations of the Brown v. Board of Education Scholarship Awards Committee. This operational support shall be used to provide for the expenses incurred by the members of the committee and may be used for such other services as deemed necessary to accomplish the purposes for which it was created.				
	Total for Brown V. Board of Education.....			\$25,296	\$25,296
	Fund Sources: General.....	\$25,296	\$25,296		
	Virginia Sesquicentennial of the American Civil War Commission (859)				
22.	Human Relations Management (14600).....			\$2,770,267	\$2,770,267
	Human Relations Management (14601).....	\$2,770,267	\$2,770,267		
	Fund Sources: General.....	\$2,170,267	\$2,170,267		
	Special.....	\$600,000	\$600,000		
	Authority: Title 30, Chapter 40, Code of Virginia.				
	Pursuant to the provisions of Chapter 465 of the Acts of Assembly of 2006, \$2,170,267 each year from the general fund and \$600,000 each year from nongeneral funds is appropriated to support the Virginia Sesquicentennial of the American Civil War Commission and Fund. Such funds shall be used for expenses incurred by the members of the commission, to appoint staff as may be deemed necessary to assist the commission in performing its duties, and to pay for the services of professional personnel, consultants, advisors, or other services which the commission may deem necessary to accomplish the purposes for which it was created.				
	Total for Virginia Sesquicentennial of the American Civil War Commission .....			\$2,770,267	\$2,770,267
	General Fund Positions.....	1.00	1.00		
	Position Level .....	1.00	1.00		
	Fund Sources: General.....	\$2,170,267	\$2,170,267		
	Special.....	\$600,000	\$600,000		

ITEM 23.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Commission on Unemployment Compensation (860)					
23.	Consumer Affairs Services (55000).....			\$6,000	\$6,000
	Consumer Assistance (55002).....	\$6,000	\$6,000		
	Fund Sources: General.....	\$6,000	\$6,000		
	Authority: Title 30, Chapter 33, Code of Virginia.				
	Total for Commission on Unemployment Compensation.....			\$6,000	\$6,000
	Fund Sources: General.....	\$6,000	\$6,000		
Small Business Commission (862)					
24.	Economic Development Services (53400).....			\$15,000	\$15,000
	Economic Development Research, Planning, and Coordination (53401).....	\$15,000	\$15,000		
	Fund Sources: General.....	\$15,000	\$15,000		
	Authority: Title 30, Chapter 22, Code of Virginia.				
	Total for Small Business Commission.....			\$15,000	\$15,000
	Fund Sources: General.....	\$15,000	\$15,000		
Commission on Electric Utility Restructuring (863)					
25.	Resource Management Research, Planning, and Coordination (50700).....			\$10,000	\$10,000
	Resource Management Policy and Program Development (50701).....	\$10,000	\$10,000		
	Fund Sources: General.....	\$10,000	\$10,000		
	Authority: Title 30, Chapter 31, Code of Virginia.				
	Total for Commission on Electric Utility Restructuring...			\$10,000	\$10,000
	Fund Sources: General.....	\$10,000	\$10,000		
Manufacturing Development Commission (864)					
26.	Economic Development Services (53400).....			\$12,000	\$12,000
	Economic Development Research, Planning, and Coordination (53401).....	\$12,000	\$12,000		
	Fund Sources: General.....	\$12,000	\$12,000		
	Authority: Title 30, Chapter 8.1, Code of Virginia.				
	Total for Manufacturing Development Commission.....			\$12,000	\$12,000
	Fund Sources: General.....	\$12,000	\$12,000		
Joint Commission on Administrative Rules (865)					
27.	Governmental Affairs Services (70100).....			\$10,000	\$10,000

ITEM 27.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Intragovernmental Services (70104).....	\$10,000	\$10,000		
	Fund Sources: General.....	\$10,000	\$10,000		
	Authority: Title 30, Code of Virginia.				
	Total for Joint Commission on Administrative Rules .....			<b>\$10,000</b>	<b>\$10,000</b>
	Fund Sources: General.....	\$10,000	\$10,000		
	<b>Commission on Prevention of Human Trafficking (866)</b>				
28.	Human Relations Management (14600).....			\$9,360	\$9,360
	Human Relations Management (14601).....	\$9,360	\$9,360		
	Fund Sources: General.....	\$9,360	\$9,360		
	Authority: Title 30, Chapter 8.1, Code of Virginia.				
	Total for Commission on Prevention of Human Trafficking.....			<b>\$9,360</b>	<b>\$9,360</b>
	Fund Sources: General.....	\$9,360	\$9,360		
	<b>Virginia Bicentennial of the American War of 1812 Commission (867)</b>				
28.10.	Human Relations Management (14600).....			\$8,640	\$8,640
	Human Relations Management (14601).....	\$8,640	\$8,640		
	Fund Sources: General.....	\$8,640	\$8,640		
	Authority: Discretionary Inclusion.				
	Total for Virginia Bicentennial of the American War of 1812 Commission .....			<b>\$8,640</b>	<b>\$8,640</b>
	Fund Sources: General.....	\$8,640	\$8,640		
	Grand Total for Division of Legislative Services .....			<b>\$11,407,821</b>	<b><del>\$11,407,821</del> \$11,588,421</b>
	General Fund Positions.....	78.50	78.50		
	Nongeneral Fund Positions.....	4.00	4.00		
	Position Level .....	82.50	82.50		
	Fund Sources: General.....	\$10,626,387	<del>\$10,626,387</del> \$10,806,987		
	Special.....	\$644,000	\$644,000		
	Federal Trust.....	\$137,434	\$137,434		
	<b>§ 1-7. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)</b>				
29.	Legislative Evaluation and Review (78300).....			\$3,530,103	\$3,390,103
	Performance Audits and Evaluation (78303).....	\$3,530,103	\$3,390,103		
	Fund Sources: General.....	\$3,415,187	\$3,275,187		
	Trust and Agency .....	\$114,916	\$114,916		
	Authority: Title 30, Chapters 7 and 8, Code of Virginia.				
	A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), \$160,919 from July 1, 2008 to <del>November 24, 2008,</del> <del>\$164,137 from November 25, 2008 to November 24, 2009,</del> and <del>\$167,420 from November 25,</del> <del>2009 to June 30, 2010.</del>				



ITEM 29.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

B. JLARC, upon request of the Department of Planning and Budget and approval of the Chairman, shall review and provide comments to the department on its use of performance measures in the state budget process. JLARC staff shall review the methodology and proposed uses of such performance measures and provide periodic status reports to the Commission.

C. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

D. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the Chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.

E. The Joint Legislative Audit and Review Commission (JLARC) shall examine the quality, cost, and value of the services provided to state agencies and public bodies by the Virginia Information Technologies Agency (VITA). This examination shall include the relationship between VITA and the Information Technology Investment Board, the procurement of information technology goods and services by VITA on behalf of other state agencies and institutions of higher education, the management of information technology projects by the agency's Project Management Division, and the role that VITA could perform, if any, in the governance and oversight of information technology maintenance and operations now under the purview of state agencies. Technical assistance in the performance of this examination shall be provided to JLARC by VITA. All agencies of the Commonwealth shall provide assistance to JLARC in conducting this examination upon request. JLARC shall submit an interim report by December 15, 2008, and a final report with its findings and recommendations by December 15, 2009.

*F. The Joint Legislative Audit and Review Commission (JLARC) shall review the funding of the District and Circuit Courts in Virginia, including courthouse construction, operation, and maintenance, including the extent to which the current fee structure provides an equitable, efficient and sufficient source of revenues for this purpose across the Commonwealth and report its findings by November 1, 2009.*

Total for Joint Legislative Audit and Review Commission.....			<b>\$3,530,103</b>	<b>\$3,390,103</b>
General Fund Positions.....	36.00	36.00		
Nongeneral Fund Positions.....	1.00	1.00		
Position Level .....	37.00	37.00		
Fund Sources: General .....	\$3,415,187	\$3,275,187		
Trust and Agency .....	\$114,916	\$114,916		

#### § 1-8. VIRGINIA COMMISSION ON INTERGOVERNMENTAL COOPERATION (105)

30.	Governmental Affairs Services (70100).....		\$683,039	<del>\$683,039</del> \$649,039
	Interstate Affairs (70103).....	\$683,039	<del>\$683,039</del> \$649,039	
	Fund Sources: General .....	\$683,039	<del>\$683,039</del> \$649,039	

Authority: Title 30, Chapter 19, Code of Virginia.

Out of this appropriation may be paid from the general fund the annual assessments:

1. To the National Conference of State Legislatures;
2. To the Council of State Governments; and

ITEM 30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
3. To the Southern Regional Education Board.				
Total for Virginia Commission on Intergovernmental Cooperation .....			\$683,039	<del>\$683,039</del> \$649,039
Fund Sources: General.....			\$683,039	<del>\$683,039</del> \$649,039
§ 1-9. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)				
31.	Across the Board Reductions (71400) .....		\$0	(\$194,600)
	Legislative Reversion Clearing Account (71401) .....		\$0	(\$194,600)
	Fund Sources: General.....		\$0	(\$194,600)
Authority: Discretionary Inclusion.				
A. On or before June 30, 2009, the Committee on Joint Rules shall authorize the reversion of \$1,000,000 to the Legislative Department Reversion Clearing Account, representing savings generated by legislative agencies in the first year of the biennium.				
B. On or before June 30, 2009, the Committee on Joint Rules shall authorize the reversion to the general fund of \$992,745, representing savings generated by legislative agencies in the first year. The total savings amount includes estimated savings within the legislative agencies of:				
	Legislative Agency		Estimated Savings	
	Capitol Police (961)		\$859,282	
	Joint Commission on Technology and Science (847)		\$27,112	
	Joint Legislative Audit and Review Commission (110)		\$54,371	
	Division of Legislative Automated Systems (109)		\$51,980	
C. On or before June 30, 2010, the Committee on Joint Rules shall authorize the reversion to the general fund of \$2,294,972 representing savings generated by legislative agencies in the first and second year. The total savings amount includes estimated savings within the legislative agencies of:				
	Legislative Agency		Estimated Savings	
	Auditor of Public Accounts (133)		\$1,048,754	
	Virginia Commission on Youth (839)		\$32,740	
	Virginia State Crime Commission (142)		\$53,216	
	Joint Commission on Health Care (844)		\$70,714	
	Joint Commission on Technology and Science (847)		\$10,000	
	Joint Legislative Audit and Review Commission (110)		\$300,000	
	Division of Legislative Automated Systems (109)		\$200,000	
	Division of Legislative Services (107)		\$579,548	
D. On or before June 30, 2010, the Committee on Joint Rules shall authorize the reversion to the general fund of \$1,000,000 from the Legislative Department Reversion Clearing Account.				
E. On or before June 30, 2010, the House Committee on Rules shall authorize the reversion to the general fund of \$1,100,000 from the Clerk of the House.				
F. On or before June 30, 2010, the Senate Committee on Rules shall authorize the reversion to the general fund of \$560,000 from the Clerk of the Senate.				
32.	Enactment of Laws (78200) .....		\$43,970	\$170,315
	Undesignated Support for Enactment of Laws Services (78205) .....		\$43,970	\$170,315
	Fund Sources: General.....		\$43,970	\$170,315
Authority: Discretionary Inclusion.				

ITEM 32.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
A. Transfers out of this appropriation may be made to fund unanticipated costs in the budgets of legislative agencies or other such costs approved by the Joint Rules Committee.				
B. Included in this Item is \$20,000 the first year and \$20,000 the second year from the general fund to support the Commission on Access and Diversity in Higher Education in Virginia as continued by HJR 202 of the 2000 Acts of Assembly.				
Total for Legislative Department Reversion Clearing Account.....			<b>\$43,970</b>	<b>\$170,315</b> <b>(\$24,285)</b>
Fund Sources: General .....	\$43,970	\$170,315 (\$24,285)		
TOTAL FOR LEGISLATIVE DEPARTMENT.....			<b>\$73,072,098</b> <b>\$72,346,048</b>	<b>\$73,072,098</b> <b>\$72,298,048</b>
General Fund Positions.....	588.50	588.50		
	579.50	579.50		
Nongeneral Fund Positions.....	29.50	29.50		
Position Level .....	618.00	618.00		
	609.00	609.00		
Fund Sources: General .....	\$69,083,464	\$69,083,464		
	\$68,357,414	\$68,309,414		
Special .....	\$3,236,284	\$3,236,284		
Trust and Agency .....	\$114,916	\$114,916		
Federal Trust.....	\$637,434	\$637,434		

ITEM 33.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<b>JUDICIAL DEPARTMENT</b>				
<b>§ 1-10. SUPREME COURT (111)</b>				
33.	Pre-Trial, Trial, and Appellate Processes (32100).....		\$12,158,723	<del>\$14,158,723</del> \$11,650,723
	Appellate Review (32101).....	\$7,947,823		<del>\$7,947,823</del> \$7,439,823
	Other Court Costs and Allowances (Criminal Fund) (32104) .....	\$4,210,900		<del>\$6,210,900</del> \$4,210,900
	Fund Sources: General .....	\$12,158,723		<del>\$14,158,723</del> \$11,650,723
<p>Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia.</p> <p>A. Out of the amounts for Appellate Review shall be paid:</p> <p>1. The annual salary of the Chief Justice, \$178,043 from July 1, 2008, to November 24, 2008, \$181,604 from November 25, 2008, to November 24, 2009, and <del>\$185,236</del> \$181,604 from November 25, 2009, to June 30, 2010.</p> <p>2. The annual salaries of the six (6) Associate Justices, each \$166,999 from July 1, 2008, to November 24, 2008, \$170,339 from November 25, 2008, to November 24, 2009, and <del>\$173,746</del> \$170,339 from November 25, 2009, to June 30, 2010.</p> <p>3. To each justice, \$13,500 the first year and \$13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.</p> <p>B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2008, in the appropriation made in Item 25, Chapter 847, Acts of Assembly of 2007, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2009.</p> <p>C. Out of the amounts appropriated in this Item, \$4,200,000 the first year and <del>\$6,200,000</del> \$4,200,000 the second year from the general fund is included for increased reimbursements for court-appointed counsel pursuant to § 19.2-163, Code of Virginia.</p> <p><i>D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations District Court judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies.</i></p>				
34.	Law Library Services (32300).....		\$943,029	\$943,029
	Law Library Services (32301).....	\$943,029		\$943,029
	Fund Sources: General .....	\$943,029		\$943,029
Authority: §§ 42.1-60 through 42.1-64, Code of Virginia.				
35.	Adjudicatory Research, Planning, and Coordination (32400) .....		\$25,000	\$25,000
	Adjudicatory Coordination (32401) .....	\$25,000		\$25,000
	Fund Sources: General .....	\$25,000		\$25,000
Authority: §§ 17.1-700 through 17.1-705, Code of Virginia.				
36.	Adjudication Training, Education, and Standards (32600) .....		\$899,140	\$899,140

ITEM 36.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Judicial Training (32603) .....	\$899,140	\$899,140		
	Fund Sources: General .....	\$899,140	\$899,140		
	Authority: Title 16.1, Chapter 9; Title 17.1, Chapter 7; §§ 2.2-4025, 19.2-38:1 and 19.2-43, Code of Virginia.				
37.	Regulation of Professions and Occupations (56000) .....			\$25,000	\$25,000
	Physician Regulation (56030).....	\$25,000	\$25,000		
	Fund Sources: Trust and Agency .....	\$25,000	\$25,000		
	Authority: Title 8.01, Chapter 21.1, Code of Virginia.				
38.	Administrative and Support Services (39900) .....			\$29,562,566	<del>\$29,337,566</del>
	General Management and Direction (39901).....	\$29,562,566	<del>\$29,337,566</del> \$29,441,846		<del>\$29,441,846</del>
	Fund Sources: General .....	\$17,666,459	\$17,666,459		
	Special .....	\$174,375	\$174,375		
	Trust and Agency.....	\$0	\$104,280		
	Dedicated Special Revenue .....	\$10,554,781	\$10,329,781		
	Federal Trust.....	\$1,166,951	\$1,166,951		
	Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.				
	A. The Executive Secretary of the Supreme Court shall submit a monthly summary to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.				
	B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.				
	C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.				
	D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairmen of the House and Senate Committees on Courts of Justice, and the House Appropriations and Senate Finance Committees.				
	E. Included in this Item is \$3,750,000 the first year and \$3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts.				
	F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairmen of the House and Senate Courts of Justice Committees, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System.				
	G. Included in the appropriation for this Item is \$225,000 the first year from the Drug Offender Assessment and Treatment Fund to provide a comprehensive evaluation of drug courts in the Commonwealth.				

ITEM 38.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*H. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.*

*I. Included in the appropriation for this item is \$104,280 the second year from the Circuit Court Clerks Technology Fund established pursuant to § 17.1-279.A, Code of Virginia.*

Total for Supreme Court.....			<b>\$43,613,458</b>	<b><del>\$45,388,458</del></b> <b>\$42,984,738</b>
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General Fund Positions.....	140.63	<del>140.63</del> 138.63
Nongeneral Fund Positions.....	5.00	<del>5.00</del> 6.00
Position Level .....	145.63	<del>145.63</del> 144.63

Fund Sources: General .....	\$31,692,351	<del>\$33,692,351</del> \$31,184,351
Special.....	\$174,375	\$174,375
Trust and Agency .....	\$25,000	<del>\$25,000</del> \$129,280
Dedicated Special Revenue .....	\$10,554,781	\$10,329,781
Federal Trust.....	\$1,166,951	\$1,166,951

#### Court of Appeals of Virginia (125)

39.	Pre-Trial, Trial, and Appellate Processes (32100).....			\$8,332,856	\$8,332,856
	Appellate Review (32101).....	\$8,327,856	\$8,327,856		
	Other Court Costs and Allowances (Criminal Fund) (32104) .....	\$5,000	\$5,000		
	Fund Sources: General .....	\$8,332,856	\$8,332,856		

Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia.

A. Out of the amounts for Appellate Review shall be paid:

1. 1. The annual salary of the Chief Justice, \$161,650 from July 1, 2008, to November 24, 2008, \$164,883 from November 25, 2008, to November 24, 2009, and ~~\$168,184~~ \$164,883 from November 25, 2009, to June 30, 2010.

2. The annual salaries of the ten (10) judges, each at \$158,649 from July 1, 2008, to November 24, 2008, \$161,822 from November 25, 2008, to November 24, 2009, and ~~\$165,058~~ \$161,822 from November 25, 2009, to June 30, 2010.

3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$3,000 annually.

4. To each judge, \$6,500 the first year and \$6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.

B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2008, in the appropriation made in Item 31, Chapter 847, Acts of Assembly of 2007, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2009.

C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the Court.

ITEM 39.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Court of Appeals of Virginia .....			<b>\$8,332,856</b>	<b>\$8,332,856</b>
General Fund Positions.....	69.13	69.13		
Position Level .....	69.13	69.13		
Fund Sources: General .....	\$8,332,856	\$8,332,856		

**Circuit Courts (113)**

40.	Pre-Trial, Trial, and Appellate Processes (32100).....		<b>\$96,535,870</b>	<b>\$96,455,870</b>
			<b>\$101,943,870</b>	<b>\$101,863,870</b>
	Trial Processes (32103) .....	\$42,738,456	\$42,738,456	
	Other Court Costs and Allowances (Criminal Fund)			
	(32104) .....	\$53,797,414	\$53,717,414	
		\$59,205,414	\$59,125,414	
	Fund Sources: General .....	\$96,235,870	\$96,155,870	
		\$101,643,870	\$101,563,870	
	Special .....	\$300,000	\$300,000	

Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.

A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid:

1. The annual salaries of Circuit Court judges, each at \$155,033 from July 1, 2008, to November 24, 2008, \$158,134 from November 25, 2008, to November 24, 2009, and ~~\$161,297~~ \$158,134 from November 25, 2009, to June 30, 2010. Such salaries shall represent the total compensation from all sources for Circuit Court judges.

2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding \$1,500 a year for each judge.

3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

4. *A circuit court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.*

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2008, in the appropriation made in Item 32, Chapter 847, Acts of Assembly of 2007, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2009.

D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total ~~\$101,561,076~~ \$106,969,076 the first year and ~~\$103,481,076~~ \$106,889,076 the second year in this item and Items 33, 39, 41, 42 and 43.

2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to the Criminal Fund will be allocated, consistent with statutory provisions in the Code of Virginia. It is the intent of the General Assembly that funds within these appropriations be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Furthermore, it is the intent of the General Assembly that, should this appropriation not be sufficient to fund fully all of the statutory caps

ITEM 40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable.

3. Out of the amount appropriated from the general fund for the Criminal Fund in this Item, there shall be transferred an amount not to exceed \$880,000 the first year and not to exceed \$880,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.

4. *Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.*

*F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643 or otherwise shall be delayed at the request of the local governing body in which the court is located until June 30, 2010. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008.*

Total for Circuit Courts.....			<b>\$96,535,870</b>	<b>\$96,455,870</b>
			<b>\$101,943,870</b>	<b>\$101,863,870</b>

General Fund Positions.....	164.00	164.00		
Position Level .....	164.00	164.00		

Fund Sources: General .....	\$96,235,870	\$96,155,870		
	\$101,643,870	\$101,563,870		
Special.....	\$300,000	\$300,000		

#### General District Courts (114)

41. Pre-Trial, Trial, and Appellate Processes (32100).....			<b>\$95,007,422</b>	<b>\$95,007,422</b>
			<b>\$95,617,498</b>	<b>\$95,617,498</b>
Trial Processes (32103) .....	\$77,396,937	\$77,396,937		
Other Court Costs and Allowances (Criminal Fund) (32104) .....	\$13,970,080	\$13,970,080		
Involuntary Mental Commitments (32105).....	<del>\$3,640,405</del>	<del>\$3,640,405</del>		
	\$4,250,481	\$4,250,481		
Fund Sources: General .....	<del>\$95,007,422</del>	<del>\$95,007,422</del>		
	<del>\$95,617,498</del>	<del>\$95,617,498</del>		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.

A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid:

1. The annual salaries of all General District Court judges, \$139,538 from July 1, 2008, to November 24, 2008, \$142,329 from November 25, 2008, to November 24, 2009, and ~~\$145,176~~ \$142,329 from November 25, 2009, to June 30, 2010. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2008, in the appropriation made in Item 33, Chapter 847 Acts of Assembly of 2007, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2009.



ITEM 41.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 41, 42, 43, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
E. Out of the amount appropriated from the general fund for the Criminal Fund in this Item, there shall be transferred an amount not to exceed \$40,000 the first year and not to exceed \$40,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.				
<i>F. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.</i>				
Total for General District Courts .....			<b>\$95,007,422</b>	<b>\$95,007,422</b>
			<b>\$95,617,498</b>	<b>\$95,617,498</b>
General Fund Positions.....	1,018.10	1,018.10		
Position Level .....	1,018.10	1,018.10		
Fund Sources: General .....	<b>\$95,007,422</b>	<b>\$95,007,422</b>		
	<b>\$95,617,498</b>	<b>\$95,617,498</b>		

#### Juvenile and Domestic Relations District Courts (115)

42.	Pre-Trial, Trial, and Appellate Processes (32100).....			\$75,852,401	\$75,852,401
	Trial Processes (32103) .....	\$52,438,888	\$52,438,888		
	Other Court Costs and Allowances (Criminal Fund) (32104) .....	\$23,106,158	\$23,106,158		
	Involuntary Mental Commitments (32105).....	\$307,355	\$307,355		
	Fund Sources: General .....	\$75,852,401	\$75,852,401		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.

A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid:

1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, \$139,538 from July 1, 2008, to November 24, 2008, \$142,329 from November 25, 2008, to November 24, 2009, and ~~\$145,176~~ \$142,329 from November 25, 2009, to June 30, 2010. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for Juvenile and Domestic Relations District Court Judges.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2008, in the appropriation made in Item 34, Chapter 847, Acts of Assembly of 2007, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2009.

C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 41, 42, 43, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

ITEM 42.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>E. Notwithstanding any other provision of law, when a Guardian ad Litem is appointed for a child by the Commonwealth, the juvenile and domestic relations district court or the circuit court, as the case may be, shall order the parent, parents, adoptive parent or adoptive parents of the child, or another party with a legitimate interest therein who has filed a petition with the court to reimburse the Commonwealth the costs of such services in an amount not to exceed the amount awarded the Guardian ad Litem by the court. If the court determines such party is unable to pay, the required reimbursement may be reduced or eliminated. In addition, it is the intent of the General Assembly that the Supreme Court actively administer the Guardian ad Litem program to ensure that payments made to Guardians ad Litem do not exceed that which is required. The Executive Secretary of the Supreme Court shall report August 1 and January 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on the amounts paid for Guardian ad Litem purposes, amounts reimbursed by parents and/or guardians, savings achieved, and management actions taken to further enhance savings under this program.</p> <p>F. Out of the amount appropriated from the general fund for the Criminal Fund in this Item, there shall be transferred an amount not to exceed \$870,000 the first year and not to exceed \$870,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.</p>				
Total for Juvenile and Domestic Relations District Courts .....			<b>\$75,852,401</b>	<b>\$75,852,401</b>
General Fund Positions.....	594.10	594.10		
Position Level .....	594.10	594.10		
Fund Sources: General .....	\$75,852,401	\$75,852,401		
<b>Combined District Courts (116)</b>				
43. Pre-Trial, Trial, and Appellate Processes (32100).....			\$22,096,468	\$22,096,468
Trial Processes (32103) .....	\$14,259,516	\$14,259,516		
Other Court Costs and Allowances (Criminal Fund) (32104) .....	\$6,471,524	\$6,471,524		
Involuntary Mental Commitments (32105).....	\$1,365,428	\$1,365,428		
Fund Sources: General .....	\$22,096,468	\$22,096,468		
<p>Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 16.1-226 through 16.1-334, 19.2-163, and 37.1-67.1 et seq., Code of Virginia.</p> <p>A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid the salaries of substitute judges and court personnel.</p> <p>B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2008, in the appropriation made in Item 35, Chapter 847, Acts of Assembly of 2007, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2009.</p> <p>C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 41, 42, 43, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.</p> <p>D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.</p> <p>E. Out of the amount appropriated from the general fund for the Criminal Fund in this Item, there shall be transferred an amount not to exceed \$95,000 the first year and not to exceed \$95,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.</p>				

ITEM 43.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Combined District Courts .....			<b>\$22,096,468</b>	<b>\$22,096,468</b>
General Fund Positions.....	204.55	204.55		
Position Level .....	204.55	204.55		
Fund Sources: General .....	\$22,096,468	\$22,096,468		
<b>Magistrate System (103)</b>				
44. Pre-Trial, Trial, and Appellate Processes (32100).....			\$27,498,173	\$28,185,653
Pre-Trial Assistance (32102) .....	\$27,498,173	\$28,185,653		
Fund Sources: General .....	\$27,498,173	\$28,185,653		
Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia.				
Total for Magistrate System.....			<b>\$27,498,173</b>	<b>\$28,185,653</b>
General Fund Positions.....	435.20	446.20		
Position Level .....	435.20	446.20		
Fund Sources: General .....	\$27,498,173	\$28,185,653		
Grand Total for Supreme Court .....			<b>\$368,936,648</b>	<b>\$371,319,128</b>
			<b>\$374,954,724</b>	<b>\$374,933,484</b>
General Fund Positions.....	2,625.71	<del>2,636.71</del>		
		2,634.71		
Nongeneral Fund Positions.....	5.00	<del>5.00</del>		
		6.00		
Position Level .....	2,630.71	<del>2,641.71</del>		
		2,640.71		
Fund Sources: General .....	<del>\$356,715,541</del>	<del>\$359,323,021</del>		
	\$362,733,617	\$362,833,097		
Special .....	\$474,375	\$474,375		
Trust and Agency .....	\$25,000	<del>\$25,000</del>		
		\$129,280		
Dedicated Special Revenue .....	\$10,554,781	\$10,329,781		
Federal Trust.....	\$1,166,951	\$1,166,951		
<b>§ 1-11. BOARD OF BAR EXAMINERS (233)</b>				
45. Regulation of Professions and Occupations (56000) .....			\$1,382,237	\$1,364,507
Lawyer Regulation (56019) .....	\$1,382,237	\$1,364,507		
Fund Sources: Special .....	\$1,382,237	\$1,364,507		
Authority: Title 54.1, Chapter 39, Articles 3 and 4 and §54.1-3934, Code of Virginia.				
The State Comptroller shall continue the Board of Bar Examiners Fund on the Commonwealth Accounting and Reporting System. Revenues collected from fees paid by applicants for admission to the bar shall be deposited into the Board of Bar Examiners Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners Fund. Interest generated by the fund shall be retained by the fund.				
Total for Board of Bar Examiners .....			<b>\$1,382,237</b>	<b>\$1,364,507</b>
Nongeneral Fund Positions.....	7.00	7.00		

ITEM 45.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Position Level .....	7.00	7.00		
	Fund Sources: Special.....	\$1,382,237	\$1,364,507		
<b>§ 1-12. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)</b>					
46.	Adjudication Training, Education, and Standards (32600) .....			\$568,368	\$568,368
	Judicial Standards (32602) .....	\$568,368	\$568,368		
	Fund Sources: General.....	\$568,368	\$568,368		
	Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia.				
	Total for Judicial Inquiry and Review Commission .....			<b>\$568,368</b>	<b>\$568,368</b>
	General Fund Positions.....	3.00	3.00		
	Position Level .....	3.00	3.00		
	Fund Sources: General.....	\$568,368	\$568,368		
<b>§ 1-13. INDIGENT DEFENSE COMMISSION (848)</b>					
47.	Legal Defense (32700).....			\$43,299,571	\$43,299,571
	Criminal Indigent Defense Services (32701).....	\$37,745,283	\$37,745,283		
	Capital Indigent Defense Services (32702) .....	\$2,746,792	\$2,746,792		
	Legal Defense Regulatory Services (32703).....	\$196,830	\$196,830		
	Administrative Services (32722) .....	\$2,610,666	\$2,610,666		
	Fund Sources: General.....	\$43,132,492	\$43,132,492		
	Special.....	\$167,079	\$167,079		
	Authority: §§ 19.2-163.1 through 19.2-163.8, Code of Virginia, as amended by Chapter 884 of the Acts of Assembly 2004.				
	A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the Commission.				
	B. Out of the amounts in this Item, \$200,000 the first year and \$200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.				
	C. Pursuant to Section 4-1.05.a.4. of this act, \$1,481,000 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.				
	Total for Indigent Defense Commission.....			<b>\$43,299,571</b>	<b>\$43,299,571</b>
	General Fund Positions.....	540.00	540.00		
	Position Level .....	540.00	540.00		
	Fund Sources: General.....	\$43,132,492	\$43,132,492		
	Special.....	\$167,079	\$167,079		
<b>§ 1-14. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)</b>					
48.	Adjudicatory Research, Planning, and Coordination (32400) .....			\$1,050,960	\$1,050,960
	Adjudicatory Research and Planning (32403) .....	\$1,050,960	\$1,050,960		
	Fund Sources: General.....	\$980,960	\$980,960		

ITEM 48.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

Special.....	\$70,000	\$70,000		
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Authority: Title 17.1, Chapter 8, Code of Virginia.

*A. For any fiscal impact statement prepared by the Virginia Criminal Sentencing Commission pursuant to § 30-19.1:4, Code of Virginia, for which the commission does not have sufficient information to project the impact, the commission shall assign a minimum fiscal impact of \$50,000 to the bill and this amount shall be printed on the face of each such bill, but shall not be codified. The provisions of § 30-19.1:4, paragraph H. shall be applicable to any such bill.*

*B. The Virginia Criminal Sentencing Commission shall review the status of all offenders housed in state facilities operated by the Virginia Department of Corrections who are subject to consideration for parole. The purpose of the review is to determine the numbers of such offenders who have already, or will within the next six years, serve an amount of time in prison which would be equal to or more than the amount of time for which they would have been sentenced for the same offense, and under the same circumstances, under the current sentencing guidelines system. The review shall include consideration of the numbers and types of older offenders who may be eligible for geriatric release. The Department of Corrections and the Virginia Parole Board shall provide all necessary information and assistance in carrying out this review. This review shall be presented to the Secretary of Public Safety, the Chairmen of the Senate and House Courts of Justice Committees, the Chairman of the Virginia State Crime Commission, and the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2009.*

Total for Virginia Criminal Sentencing Commission.....			<b>\$1,050,960</b>	<b>\$1,050,960</b>
General Fund Positions.....	10.00	10.00		
Position Level .....	10.00	10.00		
Fund Sources: General.....	\$980,960	\$980,960		
Special.....	\$70,000	\$70,000		

#### § 1-15. VIRGINIA STATE BAR (117)

49.	Legal Defense (32700).....			\$10,370,000	\$10,370,000
	Criminal Indigent Defense Services (32701).....	\$470,000	\$470,000		
	Indigent Defense, Civil (32704).....	\$9,900,000	\$9,900,000		
	Fund Sources: General.....	\$2,520,000	\$2,520,000		
	Special.....	\$7,850,000	\$7,850,000		

Authority: § 17.1-278, Code of Virginia.

*A. The Virginia State Bar and the Legal Services Corporation of Virginia shall not use funds provided for in this act, and those available from financial institutions pursuant to § 54.1-3916, Code of Virginia, to file lawsuits on behalf of aliens present in the United States in violation of law.*

*B. The amounts for Indigent Defense, Civil, include up to \$50,000 the first year and up to \$50,000 the second year from the general fund for the Community Tax Law Project, to provide indigent defense services in matters related to taxation disputes, and educational services involving the rights and responsibilities of taxpayers.*

*C. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairmen of the House Appropriations and Senate Finance Committees regarding the status of legal services assistance programs in the Commonwealth. The report shall include, but not be limited to, efforts to maintain and improve the accuracy of caseload data, case opening and case closure information, and program activity levels as it relates to clients.*

50.	Regulation of Professions and Occupations (56000) .....			\$12,500,458	\$12,500,458
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ITEM 50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Lawyer Regulation (56019).....	\$12,500,458	\$12,500,458		
Fund Sources: Dedicated Special Revenue.....	\$12,500,458	\$12,500,458		
Authority: Title 54.1, Chapter 39, Article 2 and §§ 54.1-3935 through 54.1-3938, Code of Virginia.				
A. It is the intention of the General Assembly that the Virginia State Bar strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that, insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes.				
B. Out of the amounts appropriated for this Item, \$1,000,000 the first year and \$1,000,000 the second year from revenues generated from the assessment of annual fees by the Supreme Court of Virginia upon members of the Virginia State Bar, pursuant to Chapter 847, 2007 Acts of Assembly, is provided for transfer to the Clients' Protection Fund of the Virginia State Bar.				
Total for Virginia State Bar .....			<b>\$22,870,458</b>	<b>\$22,870,458</b>
Nongeneral Fund Positions.....	89.00	89.00		
Position Level .....	89.00	89.00		
Fund Sources: General.....	\$2,520,000	\$2,520,000		
Special.....	\$7,850,000	\$7,850,000		
Dedicated Special Revenue.....	\$12,500,458	\$12,500,458		
<b>§ 1-15.1. JUDICIAL DEPARTMENT REVERSION CLEARING ACCOUNT (104)</b>				
50.05. Across the Board Reductions (71400) .....			(\$2,009,850)	(\$3,022,600)
Fund Sources: General.....	(\$2,009,850)	(\$3,022,600)		
Authority: Discretionary Inclusion.				
On or before June 30, 2010, the Director of Department of Planning and Budget shall authorize the reversion to the general fund of \$3,000,000 representing additional savings generated by judicial agencies in the first and second year above the amount shown in this Item.				
Total for Judicial Department Reversion Clearing Account.....			(\$2,009,850)	(\$3,022,600)
Fund Sources: General.....	(\$2,009,850)	(\$3,022,600)		
TOTAL FOR JUDICIAL DEPARTMENT .....			<b>\$438,108,242</b>	<b>\$440,472,992</b>
			<b>\$442,116,468</b>	<b>\$441,064,748</b>
General Fund Positions.....	3,178.71	<del>3,189.71</del> 3,187.71		
Nongeneral Fund Positions.....	101.00	<del>101.00</del> 102.00		
Position Level .....	3,279.71	<del>3,290.71</del> 3,289.71		
Fund Sources: General.....	<del>\$403,917,361</del> \$407,925,587	<del>\$406,524,841</del> \$407,012,317		
Special.....	\$9,943,691	\$9,925,961		
Trust and Agency .....	\$25,000	<del>\$25,000</del> \$129,280		

ITEM 50.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Dedicated Special Revenue .....	\$23,055,239	\$22,830,239		
Federal Trust .....	\$1,166,951	\$1,166,951		

ITEM 51.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
EXECUTIVE DEPARTMENT				
EXECUTIVE OFFICES				
§ 1-16. OFFICE OF THE GOVERNOR (121)				
51.	Administrative and Support Services (79900) .....			
	General Management and Direction (79901).....	\$4,017,496	\$4,017,496	\$4,017,496
	Fund Sources: General .....	\$3,835,421	\$3,835,421	
	Federal Trust.....	\$182,075	\$182,075	
	Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.			
	Out of this appropriation shall be paid the salary of the Governor, \$175,000 the first year and \$175,000 the second year.			
52.	Historic and Commemorative Attraction Management (50200) .....			
	Executive Mansion Operations (50207).....	\$452,584	\$452,584	\$452,584
	Fund Sources: General .....	\$452,584	\$452,584	
	Authority: Title 2.2, Chapter 1, Code of Virginia.			
53.	Governmental Affairs Services (70100).....			
	Intergovernmental Relations (70101) .....	\$460,435	\$460,435	\$460,435
	Fund Sources: General .....	\$319,902	\$319,902	
	Commonwealth Transportation .....	\$140,533	\$140,533	
	Authority: Title 2.2, Chapter 3, Code of Virginia.			
54.	Disaster Planning and Operations (72200) .....			a sum sufficient
	Disaster Operations (72202) .....	a sum sufficient		
	Disaster Assistance (72203).....	a sum sufficient		
	Authority: Title 44, Chapter 3.2, Code of Virginia.			
	A.1. The amount for Disaster Assistance is from all funds of the state treasury, not constitutionally restricted, and is to be effective only in the event of a declared state of emergency or authorization by the Governor of the sum sufficient, pursuant to § 44-146.28, Code of Virginia. Any appropriation authorized by this Item shall be transferred to state agencies for payment of eligible costs according to written directions of the Governor or by such other person or persons as may be designated by him for this purpose.			
	2. Any amount authorized for expenditure pursuant to § 44-146.28, Code of Virginia, shall be paid to eligible jurisdictions in accordance with guidelines and procedures established by the Department of Emergency Management, pursuant to § 44-146.28, Code of Virginia.			
	B. In the event of a Presidentially declared disaster, the state and local share of any federal assistance, hazard mitigation, or flood control programs in which the state participates will be determined in accordance with the procedures in the "Commonwealth of Virginia Emergency Operations Plan, Basic Plan," promulgated by the Department of Emergency Management. The state share of any such program shall be no less than 10 percent.			
54.05.	Executive Management (71300) .....			(\$567,321)
	Savings From Management Actions (71301).....	(\$567,321)	(\$943,753)	(\$943,753)
	Fund Sources: General.....	(\$962,285)	(\$1,446,171)	



ITEM 54.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Federal Trust .....</i>	\$394,964	\$502,418		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Office of the Governor .....			<b>\$4,930,515</b>	<b>\$4,930,515</b>
			<b>\$4,363,194</b>	<b>\$3,986,762</b>
General Fund Positions.....	39.67	39.67		
	28.67	28.67		
Nongeneral Fund Positions.....	4.33	4.33		
	4.33	4.33		
Position Level .....	41.00	41.00		
	33.00	33.00		
Fund Sources: General .....	\$4,607,907	\$4,607,907		
	\$3,645,622	\$3,161,736		
Commonwealth Transportation .....	\$140,533	\$140,533		
Federal Trust.....	\$182,075	\$182,075		
	\$577,039	\$684,493		

#### § 1-17. LIEUTENANT GOVERNOR (119)

55.	Administrative and Support Services (79900).....			\$368,148	\$368,148
	General Management and Direction (79901).....	\$368,148	\$368,148		
	Fund Sources: General.....	\$368,148	\$368,148		
Authority: Article V, Sections 13, 14, and 16, Constitution of Virginia; and Title 24.2, Chapter 2, Article 3, Code of Virginia.					
Out of this appropriation shall be paid:					
1. The salary of the Lieutenant Governor, \$36,321 the first year and \$36,321 the second year;					
2. Expenses of the Lieutenant Governor during sessions of the General Assembly on the same basis as for the members of the General Assembly;					
3. Salaries and benefits for compensation of up to three staff positions in the Office of the Lieutenant Governor.					
55.05.	Executive Management (71300).....			(\$27,937)	(\$11,000)
	Savings From Management Actions (71301).....	(\$27,937)	(\$11,000)		
	Fund Sources: General.....	(\$27,937)	(\$11,000)		
<i>Authority: Discretionary Inclusion</i>					
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>					
Total for Lieutenant Governor .....			<b>\$368,148</b>	<b>\$368,148</b>	
			<b>\$340,211</b>	<b>\$357,148</b>	
General Fund Positions.....	4.00	4.00			
Position Level .....	4.00	4.00			
Fund Sources: General .....	\$368,148	\$368,148			

ITEM 55.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	\$340,211	\$357,148		
<b>§ 1-18. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)</b>				
56.	Legal Advice (32000) .....		\$29,868,459	\$29,856,133
	State Agency/Local Legal Assistance and Advice (32002) .....	\$29,868,459    \$29,856,133		
	Fund Sources: General .....	\$21,525,976    \$21,528,327		
	Special .....	\$5,858,611    \$5,843,934		
	Dedicated Special Revenue .....	\$9,129    \$9,129		
	Federal Trust .....	\$2,474,743    \$2,474,743		
Authority: Title 2.2, Chapter 5, Code of Virginia.				
A. Out of this appropriation shall be paid:				
1. The salary of the Attorney General, \$150,000 the first year and \$150,000 the second year.				
2. Expenses of the Attorney General not otherwise reimbursed, \$9,000 each year in equal monthly installments.				
3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.				
B. Out of this appropriation, \$488,536 the first year and \$488,536 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 5 (§ 3.1-336.1, et seq.), Chapter 18, Title 3.1, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 5 (§ 3.1-336, et seq.) Chapter 18, Title 3.1, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 470, paragraphs A.2 and B.2, and § 3-1.01, Paragraph Q of this act.				
C. Upon notification by the Attorney General, agencies that administer programs which are funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services. The Attorney General shall determine the amounts for transfer.				
D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount from the Miscellaneous Contingency Reserve Account sufficient to pay the compensation, fees, and expenses of counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe.				
<i>E. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge.</i>				
57.	Medicaid Program Services (45600) .....		\$4,418,047	\$4,418,047
	Medicaid Fraud Investigation and Prosecution (45614)....	\$4,418,047    \$4,418,047		
	Fund Sources: Special .....	\$998,734    \$998,734		
	Federal Trust .....	\$3,419,313    \$3,419,313		
Authority: Title 32.1, Chapter 9, Code of Virginia.				
58.	Regulation of Business Practices (55200) .....		\$2,241,681	\$2,241,681

ITEM 58.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Regulatory and Consumer Advocacy (55201).....	\$2,241,681	\$2,241,681		
Fund Sources: General.....	\$1,341,681	\$1,341,681		
Special.....	\$900,000	\$900,000		
Authority: Title 2.2, Chapter 5, Code of Virginia.				
Included in this Item is \$900,000 the first year and \$900,000 the second year in special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the Fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 5 (§ 3.1-336.1 et seq.) and Article 6 (§ 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia. The Department of Law is also authorized to deposit to the Fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the Fund shall be retained in the Fund, provided, however, that any amounts contained in the Fund that exceed \$850,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the Fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the Fund may be used to pay costs associated with enforcement efforts pursuant to Article 5 (§ 3.1-336.1 et seq.) and Article 6 (§ 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.				
58.05. <i>Executive Management (71300) .....</i>			(\$1,794,482)	(\$2,175,747)
<i>Savings From Management Actions (71301).....</i>	(\$1,794,482)	(\$2,175,747)		
<i>Fund Sources: General.....</i>	(\$2,019,482)	(\$2,325,747)		
<i>Special.....</i>	\$225,000	\$150,000		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
59. Any judgment rendered pursuant to the Virginia Tort Claims Act shall be paid out of the state treasury under the direction of the Attorney General. Claims against agencies funded solely from the general fund shall be paid from the general fund. Claims against agencies funded by both general and nongeneral funds shall be paid from a combination of funds based upon the appropriations from such funds.				
Total for Attorney General and Department of Law .....			<b>\$36,528,187</b>	<b>\$36,515,861</b>
			<b>\$34,733,705</b>	<b>\$34,340,114</b>
General Fund Positions.....	249.10	249.10		
	247.60	247.60		
Nongeneral Fund Positions.....	72.90	72.90		
Position Level .....	322.00	322.00		
	320.50	320.50		
Fund Sources: General.....	\$22,867,657	\$22,870,008		
	\$20,848,175	\$20,544,261		
Special.....	\$7,757,345	\$7,742,668		
	\$7,982,345	\$7,892,668		
Dedicated Special Revenue.....	\$9,129	\$9,129		
Federal Trust.....	\$5,894,056	\$5,894,056		

ITEM 60.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Division of Debt Collection (143)					
60.	Collection Services (74000) .....			\$1,820,469	\$1,820,469
	State Collection Services (74001) .....	\$1,820,469	\$1,820,469		
	Fund Sources: Special.....	\$1,820,469	\$1,820,469		
	Authority: Title 2.2, Chapter 5, Code of Virginia.				
	A. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4806 of the Code of Virginia, except as provided otherwise therein or in this act.				
	B.1. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by it pursuant to paragraph A. to pay operating costs supported by the appropriation in this item.				
	2. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division may retain up to a \$400,000 balance in its operating accounts. Any amounts contained in the operating accounts that exceed \$400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.				
	3. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.2. if the Division of Debt Collection can show just cause.				
	C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than \$15,000.				
	Total for Division of Debt Collection .....			\$1,820,469	\$1,820,469
	Nongeneral Fund Positions.....	24.00	24.00		
	Position Level .....	24.00	24.00		
	Fund Sources: Special.....	\$1,820,469	\$1,820,469		
	Grand Total for Attorney General and Department of Law .....			\$38,348,656	\$38,336,330
				\$36,554,174	\$36,160,583
	General Fund Positions.....	249.10	249.10		
		247.60	247.60		
	Nongeneral Fund Positions.....	96.90	96.90		
	Position Level .....	346.00	346.00		
		344.50	344.50		
	Fund Sources: General.....	\$22,867,657	\$22,870,008		
		\$20,848,175	\$20,544,261		
	Special.....	\$9,577,814	\$9,563,137		
		\$9,802,814	\$9,713,137		
	Dedicated Special Revenue.....	\$9,129	\$9,129		
	Federal Trust.....	\$5,894,056	\$5,894,056		
§ 1-19. SECRETARY OF THE COMMONWEALTH (166)					
61.	Central Records Retention Services (73800) .....			\$1,999,415	\$1,999,415
	Appointments (73801) .....	\$1,548,794	\$1,548,794		
	Authentications (73802).....	\$144,925	\$144,925		
	Judicial Support Services (73803).....	\$141,387	\$141,387		

ITEM 61.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Lobbyist and Organization Registrations (73804) .....	\$132,975	\$132,975		
	Notaries Commissioning (73805) .....	\$31,334	\$31,334		
	Fund Sources: General .....	\$1,999,415	\$1,999,415		
	Authority: §§ 2.2-400 through 2.2-435, 2.2-3106, 2.2-3114 through 2.2-3117, 8.01-328 through 8.01-330, and Title 47.1, Code of Virginia.				
	A. Notwithstanding the provisions of § 2.2-409, Code of Virginia, or any other law to the contrary, the Secretary of the Commonwealth shall charge a fee of \$35.00 for issuing a commission to a notary for the Commonwealth at large, including seal tax.				
	B. The fee charged by the Secretary of the Commonwealth under the provisions of §2.2-409, Code of Virginia, for a Service of Process shall be \$28.00.				
61.05.	Executive Management (71300) .....			\$0	(\$5,241)
	Savings From Management Actions (71301) .....	\$0	(\$5,241)		
	Fund Sources: General .....	\$0	(\$5,241)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of the Commonwealth .....			\$1,999,415	\$1,999,415 \$1,994,174
	General Fund Positions .....	19.00	19.00		
	Position Level .....	19.00	19.00		
	Fund Sources: General .....	\$1,999,415	\$1,999,415 \$1,994,174		
<b>§ 1-20. OFFICE FOR SUBSTANCE ABUSE PREVENTION (853)</b>					
62.	Health Research, Planning, and Coordination (40600) .....			\$615,909	\$615,909
	Substance Abuse Research, Planning and Coordination (40604) .....	\$615,909	\$615,909		
	Fund Sources: Federal Trust .....	\$615,909	\$615,909		
	Authority: § 2.2-118, Code of Virginia.				
	Total for Office for Substance Abuse Prevention .....			\$615,909	\$615,909
	Nongeneral Fund Positions .....	3.00	3.00		
	Position Level .....	3.00	3.00		
	Fund Sources: Federal Trust .....	\$615,909	\$615,909		
<b>§ 1-21. VIRGINIA ENTERPRISE APPLICATIONS PROGRAM OFFICE (861)</b>					
63.	Enterprise Applications Services (74200) .....			\$1,104,196	\$1,104,196 \$0
	Enterprise Development Services (74201) .....	\$563,869	\$563,869 \$0		
	Administrative Services (74222) .....	\$540,327	\$540,327 \$0		
	Fund Sources: General .....	\$1,104,196	\$1,104,196		

ITEM 63.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

\$0

Authority: Discretionary Inclusion.

A.1. The amounts provided in this Item include funding for the Virginia Enterprise Applications Program (VEAP) Office. The VEAP Office shall be headed by a director, selected by the Governor to serve under a six-year contract. The VEAP Office Director shall be a state employee however his position shall not be considered an agency head for purposes of § 4-6.00 of this act. The Information Technology Investment Board shall review and approve the director's qualifications prior to finalizing the contract. The director shall report directly to the Governor.

2. The VEAP Office Director shall have all the powers necessary to direct the Commonwealth's efforts to modernize central administrative systems and common data repositories through the Enterprise Applications Services. Specifically, the director shall: (a) have authority to hire staff necessary to support the VEAP Office and such employees shall be considered state employees, except such positions shall be restricted to the life of the VEAP Office; (b) develop an implementation strategy with milestones, deliverables, and funding requirements for presentation to and approval by the Information Technology Investment Board and Governor; (c) plan, coordinate, monitor, and control individual agency involvement; (d) prioritize efforts and ensure the implementation strategy is executed as planned and approved; and (e) monitor development efforts and provide reports to the Governor, the Information Technology Investment Board, and the Chairmen of the House Appropriations and Senate Finance Committees, as requested.

3.a. All Executive Department agencies and institutions shall comply with the directives and requirements established by the VEAP Office Director. The Director shall provide written notification of unacceptable agency cooperation to the affected cabinet secretary, the Governor's Chief of Staff, and the Chairmen of the House Appropriations and Senate Finance Committees.

b. In addition to the processes and data standards used to support work performed for the Department of Transportation's system modernization effort, the VEAP Office Director shall identify major Commonwealth financial and information collection processes and establish data standards for each process. On December 1, 2008, and every six months thereafter, the VEAP Office Director shall report and recommend to the Chief Information Officer and the Information Technology Investment Board, the processes reviewed and the data standards established which merit adoption as part of § 2.2-2458, Code of Virginia. The VEAP Office Director shall also develop, along with the Chief Information Officer, a migration strategy to implement the data standards and provide such strategy to the Governor and the Information Technology Investment Board for their review beginning December 1, 2008. As part of the migration strategy and its implementation, the VEAP Office Director shall identify agencies and institutions which have sufficiently modern accounting systems that can adopt and implement these data standards. All agencies and institutions shall cooperate with the VEAP Office Director in implementing the data standards at those agencies and institutions with sufficiently modern accounting systems and the VEAP Office Director shall report, every six months after submitting the Plan to the Governor and the Information Technology Investment Board, those agencies and institutions having adopted the data standards and any agencies or institutions that have not cooperated with the implementation.

c. For agencies whose enterprise applications management efforts are the responsibility of the VEAP Office, the VEAP Office Director shall have responsibility for operational decisions relative to the enterprise applications efforts.

4. Legislative, Judicial, Independent agencies, and institutions of higher education shall work cooperatively with the VEAP Office Director to ensure the successful completion of the Enterprise Applications Services activities.

5. The director shall make reports no less than quarterly as follows: (i) to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on major aspects of the VEAP Office, including status of funding needs, areas of risk, and major problems and implications, and (ii) to the Information Technology Investment Board comparing actual performance to the milestones, deliverables, and funding in the approved implementation strategy.

ITEM 63.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>6. As part of the implementation of the statewide enterprise application, the VEAP Office, with assistance from the Department of Planning and Budget, Department of Accounts, and the Department of Human Resources Management, shall review Executive Branch agencies to determine which agencies might join the Payroll Service Bureau or Fiscal Service Bureau at the Department of Accounts.</p>				
<p>B. 1. The amounts provided in this Item include funds to support the Enterprise Applications Master Services Interim Agreement between the Commonwealth of Virginia and CGI Technologies &amp; Solutions, Inc. (CGI). Notwithstanding any other provision of law except the limitations imposed by §2.2-518, §2.2-4803 and §2.2-4806, Code of Virginia, Executive Department agencies and institutions may enter into management agreements with CGI for debt collection and cost recovery services pursuant to Statements of Work 6 and 7 of the Enterprise Applications Master Services Agreement. Work on enhanced collections and recoveries shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and General Assembly.</p>				
<p>2. Moneys resulting from enhanced collections and cost recoveries pursuant to this Item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023, Code of Virginia.</p>				
<p>C. Any amounts other than the general fund dollars appropriated in this Item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023, Code of Virginia, and shall only be available for the purpose of this Item after approval of their use by the Information Technology Investment Board.</p>				
<p>1. The VEAP Office Director shall prepare a budget of administrative cost for the Information Technology Investment Board to review and consider providing such amount does not exceed the amount appropriated in this Item and any other amounts appropriated subject to this Item. The budget shall include the amount, if any, of salary and other costs that participating agencies will incur for their involvement in the business process and activity as set forth in paragraph A.2. The Information Technology Investment Board shall review and approve the budget and thereby release the funds for such use. The VEAP Office Director shall prepare and submit quarterly reports to the Department of Planning and Budget and the Information Technology Investment Board of how the VEAP Office Director is spending these funds.</p>				
<p>2. Nothing in this Item shall prevent Executive Department agencies or institutions from committing resources to support the coordinated efforts of the VEAP Office. Such agency commitments shall be detailed in the VEAP Office Director's quarterly reports to the Department of Planning and Budget and the Information Technology Investment Board.</p>				
<p>D. There is hereby appropriated a working capital advance of up to \$30,000,000 to the VEAP Office in order to fund VEAP expenditures from anticipated revenues from enhanced collections and cost recoveries to be collected pursuant to this Item but which have not yet been deposited to the Virginia Technology Infrastructure Fund. The repayments of any such working capital advance shall be made from such enhanced collections and cost recoveries. No funds derived from this working capital advance shall be expended without the prior budget approval of the Information Technology Investment Board. The VEAP Office Director shall inform the Governor, the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees of the anticipated use.</p>				
<p>E. The Department of Planning and Budget shall not take any administrative actions to reduce these amounts without notification to the Chairmen of the House Appropriations and Senate Finance Committees.</p>				
<p>F. The VEAP Office Director shall submit a report to the Information Technology Investment Board and the Chairmen of the House Appropriations and Senate Finance Committees describing the progress that has been made to date in the development of enterprise-wide solutions to modernize the Commonwealth's central administrative systems and data repositories. This report shall describe the components of the existing central administrative systems, the proposed components or services to be included in any modernized administrative systems, the required timelines necessary for the implementation of the new administrative</p>				

ITEM 63.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	systems, the costs associated with the development and implementation of these new administrative systems, and the selection process that would be used for choosing sub-contractors to perform the development, implementation, and integration services necessary for the new administrative systems by no later than September 1, 2008.				
	<i>G. Effective July 1, 2009, the VEAP Office will cease as an agency and its activities will be moved, as a division, to the Information Technology Planning and Quality Control program under the Virginia Information Technologies Agency.</i>				
63.05.	Executive Management (71300) .....			(\$163,145)	\$0
	Savings From Management Actions (71301).....	(\$163,145)	\$0		
	Fund Sources: General.....	(\$163,145)	\$0		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Enterprise Applications Program Office.....			<b>\$1,104,196</b> <b>\$941,051</b>	<b>\$1,104,196</b> <b>\$0</b>
	General Fund Positions.....	3.00	<del>3.00</del> 0.00		
	Position Level .....	3.00	<del>3.00</del> 0.00		
	Fund Sources: General .....	<del>\$1,104,196</del> \$941,051	<del>\$1,104,196</del> \$0		
<b>§ 1-22. OFFICE OF COMMONWEALTH PREPAREDNESS (454)</b>					
64.	Disaster Planning and Operations (72200) .....			\$1,118,299	\$1,118,299
	Emergency Planning (72205) .....	\$1,118,299	\$1,118,299		
	Fund Sources: General .....	\$1,053,299	\$1,053,299		
	Federal Trust.....	\$65,000	\$65,000		
	Authority: Title 2.2, Chapter 3.1, Code of Virginia.				
	Total for Office of Commonwealth Preparedness .....			<b>\$1,118,299</b>	<b>\$1,118,299</b>
	General Fund Positions.....	9.00	9.00		
	Position Level .....	9.00	9.00		
	Fund Sources: General .....	\$1,053,299	\$1,053,299		
	Federal Trust.....	\$65,000	\$65,000		
<b>§ 1-23. INTERSTATE ORGANIZATION CONTRIBUTIONS (921)</b>					
65.	Governmental Affairs Services (70100).....			\$267,281	\$275,233
	Interstate Affairs (70103).....	\$267,281	\$275,233		
	Fund Sources: General .....	\$267,281	\$275,233		
	Authority: Discretionary Inclusion.				
	Out of the amounts for Interstate Affairs the estimated annual assessments are:				
	1. National Association of State Budget Officers, \$25,544 the first year and \$26,310 the second year;				
	2. National Governors' Association, \$159,200 the first year and \$165,600 the second year;				



ITEM 65.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	3. Southern Governors' Association, \$19,653 the first year and \$20,439 the second year;				
	4. Southern Growth Policies Board, \$51,384 the first year <del>and \$51,384 the second year</del> ; and				
	5. Federal Funds Information for States, \$11,500 the first year and \$11,500 the second year.				
65.05.	<i>Executive Management (71300)</i> .....			\$0	(\$51,384)
	<i>Savings From Management Actions (71301)</i> .....	\$0	(\$51,384)		
	<i>Fund Sources: General</i> .....	\$0	(\$51,384)		
	Total for Interstate Organization Contributions.....			\$267,281	<del>\$275,233</del> \$223,849
	Fund Sources: General .....	\$267,281	<del>\$275,233</del> \$223,849		
	TOTAL FOR EXECUTIVE OFFICES .....			<del>\$48,752,419</del> \$46,199,534	<del>\$48,748,045</del> \$44,456,724
	General Fund Positions.....	<del>323.77</del> 311.27	<del>323.77</del> 308.27		
	Nongeneral Fund Positions.....	<del>101.23</del> 104.23	<del>101.23</del> 104.23		
	Position Level .....	<del>425.00</del> 415.50	<del>425.00</del> 412.50		
	Fund Sources: General .....	<del>\$32,267,903</del> \$29,095,054	<del>\$32,278,206</del> \$27,334,467		
	Special .....	<del>\$9,577,814</del> \$9,802,814	<del>\$9,563,137</del> \$9,713,137		
	Commonwealth Transportation .....	\$140,533	\$140,533		
	Dedicated Special Revenue .....	\$9,129	\$9,129		
	Federal Trust.....	<del>\$6,757,040</del> \$7,152,004	<del>\$6,757,040</del> \$7,259,458		

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

## OFFICE OF ADMINISTRATION

## § 1-24. SECRETARY OF ADMINISTRATION (180)

66.	Administrative and Support Services (79900).....			\$1,262,883	\$1,262,883
	General Management and Direction (79901).....	\$638,694	\$638,694		
	Accounting and Budgeting Services (79903) .....	\$624,189	\$624,189		
	Fund Sources: General .....	\$1,262,883	\$1,262,883		
	Authority: Title 2.2, Chapter 2, Code of Virginia.				

**I VETO THIS ITEM.** /s/ **Timothy M. Kaine** (3/30/09) (Vetoed item is enclosed in brackets.)

67.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$3,457,686	<del>\$3,457,686</del> <del>\$2,457,686</del>
	Community Access to Educational, Economic, and Cultural Programming Through Public Television (14303) .....	\$2,841,279	<del>\$2,841,279</del> <del>\$2,019,551</del>		
	Community Access to Educational, Economic, and Cultural Programming Through Public Radio (14306).....	\$616,407	<del>\$616,407</del> <del>\$438,135</del>		
	Fund Sources: General .....	\$3,457,686	<del>\$3,457,686</del> <del>\$2,457,686</del>		
	Authority: Title 2.2, Chapter 24, Code of Virginia.				

A. Grants to public television stations shall be used to develop, acquire, produce and deliver programs and services which support preschool and adult education, disseminate information on governmental and public affairs issues, promote tourism and economic development within the Commonwealth, and inform, educate, and entertain families with program content which offers alternatives to commercialized television programming.

B. Out of this appropriation, \$10,000 the first year and \$10,000 the second year shall be set aside from the general fund for the expenses of the Virginia Public Broadcasting Board, with 75 percent of this amount to be taken from community service grants for public television and 25 percent of this amount to be taken from community service grants for public radio.

C. The funds herein appropriated are to be administered by the Secretary of Administration in accordance with such rules and regulations prescribed, provided that: (1) the Secretary of Administration shall certify that recipients of the community service grants provided for in paragraph A of this Item are noncommercial radio and television stations that are owned and operated by entities which qualified to receive community service grants from the Corporation for Public Broadcasting, and whose offices and studios are located in the Commonwealth and (2) the Secretary of Administration shall carry out purposes and functions and engage in activities in ways that will most effectively assure the maximum freedom of the aforesaid noncommercial radio and television entities and systems from interference with, or control of, program content or other activities.

D. Notwithstanding the provisions of paragraph C, of this item, out of the amounts for community service grants to public radio shall be paid \$39,000 the first year and \$39,000 the second year from the general fund to Allegheny Mountain Radio.

E. Community service grants to public television and public radio stations shall be paid in equal quarterly installments.

ITEM 68.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
68.	Financial Assistance for Public Education (Categorical) (17100) .....			\$2,903,707	\$2,903,707
	Financial Assistance for Educational Telecommunications (17111).....	\$2,746,631	\$2,746,631		
	Financial Assistance for Radio Reading Services (17116) .....	\$157,076	\$157,076		
	Fund Sources: General .....	\$2,903,707	\$2,903,707		
	Authority: Title 2.2, Chapter 24, Code of Virginia.				
	A. Payments out of this appropriation for educational telecommunications shall be authorized by the Secretary of Administration. The Department of Education shall participate in the negotiations and be a signatory to contracts for elementary and secondary educational telecommunications.				
	B. The Secretary of Administration is authorized to allocate and disburse state funds to public broadcasting stations and private nonprofit organizations to provide radio reading services for the benefit of print-disabled individuals. "Radio reading services" means the acquisition, production, and distribution by nonprofit organizations or by public broadcasting stations of noncommercial educational, instructional, informational, or cultural audio programs which may be transmitted by means of electronic communication for the benefit of print-disabled individuals, and any related equipment, materials, and services provided for the benefit of such individuals.				
68.05.	Executive Management (71300) .....			(\$318,070)	(\$640,719)
	Savings From Management Actions (71301).....	(\$318,070)	(\$640,719)		
	Fund Sources: General.....	(\$318,070)	(\$640,719)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Administration .....			<b>\$7,624,276</b>	<b>\$7,624,276</b>
				<b>\$7,306,206</b>	<b>\$5,983,557</b>
	General Fund Positions.....	12.00	12.00		
	Position Level .....	12.00	12.00		
	Fund Sources: General .....	\$7,624,276	\$7,624,276		
		\$7,306,206	\$5,983,557		

#### § 1-25. COMPENSATION BOARD (157)

69.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700) .....			\$413,155,963	\$424,067,636
	Financial Assistance for Regional Jail Operations (30710) .....	\$98,350,013	\$105,964,355	\$412,120,579	\$403,850,112
		\$97,314,629	\$102,012,322		
	Financial Assistance for Local Law Enforcement (30712) .....	\$91,502,373	\$91,502,373		
			\$86,680,208		
	Financial Assistance for Local Court Services (30713)....	\$45,940,669	\$45,940,669		
			\$43,305,863		
	Financial Assistance to Sheriffs (30716) .....	\$12,478,393	\$12,478,393		
			\$12,489,193		
	Financial Assistance for Local Jail Operations (30718) ...	\$164,884,515	\$168,181,846		

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				\$159,362,526
Fund Sources: General .....	\$413,155,963	\$424,067,636		
	\$406,120,579	\$397,850,112		
<i>Dedicated Special Revenue</i> .....	\$6,000,000	\$6,000,000		

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this Item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

	July 1, 2008 to November 30, 2008 June 30, 2009	December 1, 2008 July 1, 2009 to November 30, 2009	December 1, 2009 to June 30, 2010
<b>Law Enforcement and Jail Responsibility</b>			
Less than 10,000	\$64,798	<del>\$66,094</del> \$64,798	<del>\$67,416</del> \$64,798
10,000 to 19,999	\$74,480	<del>\$75,970</del> \$74,480	<del>\$77,489</del> \$74,480
20,000 to 39,999	\$81,847	<del>\$83,484</del> \$81,847	<del>\$85,154</del> \$81,847
40,000 to 69,999	\$88,964	<del>\$90,743</del> \$88,964	<del>\$92,558</del> \$88,964
70,000 to 99,999	\$98,849	<del>\$100,826</del> \$98,849	<del>\$102,843</del> \$98,849
100,000 to 174,999	\$109,833	<del>\$112,030</del> \$109,833	<del>\$114,271</del> \$109,833
175,000 to 249,999	\$115,613	<del>\$117,925</del> \$115,613	<del>\$120,284</del> \$115,613
250,000 and above	\$128,458	<del>\$131,027</del> \$128,458	<del>\$133,648</del> \$128,458
<b>Law Enforcement or Jail</b>			
Less than 10,000	\$63,501	<del>\$64,771</del> \$63,501	<del>\$66,066</del> \$63,501
10,000 to 19,999	\$72,989	<del>\$74,449</del> \$72,989	<del>\$75,938</del> \$72,989
20,000 to 39,999	\$80,209	<del>\$81,813</del> \$80,209	<del>\$83,449</del> \$80,209
40,000 to 69,999	\$87,184	<del>\$88,928</del> \$87,184	<del>\$90,707</del> \$87,184
70,000 to 99,999	\$96,872	<del>\$98,809</del> \$96,872	<del>\$100,785</del> \$96,872
100,000 to 174,999	\$107,635	<del>\$109,788</del> \$107,635	<del>\$111,984</del> \$107,635

ITEM 69.			Item Details(\$)		Appropriations(\$)	
			First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	175,000 to 249,999	\$113,301	<del>\$115,567</del> \$113,301		<del>\$117,878</del> \$113,301	
	250,000 and above	\$126,531	<del>\$129,062</del> \$126,531		<del>\$131,643</del> \$126,531	
<b>No Law Enforcement or Jail Responsibility</b>						
	Less than 10,000	\$59,667	<del>\$60,860</del> \$59,667		<del>\$62,077</del> \$59,667	
	10,000 to 19,999	\$66,296	<del>\$67,622</del> \$66,296		<del>\$68,974</del> \$66,296	
	20,000 to 39,999	\$73,661	<del>\$75,134</del> \$73,661		<del>\$76,637</del> \$73,661	
	40,000 to 69,999	\$81,847	<del>\$83,484</del> \$81,847		<del>\$85,154</del> \$81,847	
	70,000 to 99,999	\$90,942	<del>\$92,761</del> \$90,942		<del>\$94,616</del> \$90,942	
	100,000 to 174,999	\$101,045	<del>\$103,066</del> \$101,045		<del>\$105,127</del> \$101,045	
	175,000 to 249,999	\$106,361	<del>\$108,488</del> \$106,361		<del>\$110,658</del> \$106,361	
	250,000 and above	\$119,466	<del>\$121,855</del> \$119,466		<del>\$124,292</del> \$119,466	

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. Notwithstanding the provisions of § 53.1-120, or any other section of the Code of Virginia, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered for civil cases, not more than one deputy may be ordered for criminal cases in a district court, and not more than two deputies may be ordered for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 76, the Board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the Board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding in accordance with the Board's staffing standards for alternatives to incarceration programs or court services within the sheriff's office or among other jails in the Commonwealth.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Master Deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meets the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 Master Deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

H. There is hereby reappropriated the unexpended balance in this Item on June 30, 2008, and June 30, 2009.

I. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the Board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 76 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local Sheriff's offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

J. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 69 and 70, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

K.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by Sheriffs as part of their annual budget request to the Compensation Board, the Board shall increase the annual salary shown in Paragraph A of this Item by the percentage shown below for a twelve-month period effective the following July 1:

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program, *where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1*, and have achieved accreditation *by March 1* from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association, or,

b. For sheriffs that have not achieved one of the above accreditations:

1. 3.1 percent for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program; and

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
2.	3.1 percent additional increase for sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and operate a jail; and			
3.	3.1 percent additional increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and provide primary law enforcement services in the county.			
L.	Out of the amounts appropriated for Financial Assistance for Regional Jail Operations, \$1,461,181 the first year from the general fund is provided to the Western Virginia Regional Jail Authority to provide funding for the operations of this facility, which is expected to begin housing prisoners on March 9, 2009.			
M.	Out of the amounts appropriated for Financial Assistance for Regional Jail Operations, \$1,178,494 the first year and a reduction of \$60,622 the second year from the general fund is provided to the Rappahannock Regional Jail Authority to provide funding for the operations of this facility's expansion, which is expected to open in two phases beginning in August 2008.			
N.	<i>Pursuant to Section 4-1.05.a.4. of this act, \$1,601,505 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</i>			
O.	<i>Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$6,000,000 the first year and \$6,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.</i>			
P.	<i>Out of the amounts appropriated for Financial Assistance for Regional Jail Operations, \$291,195 the second year from the general fund is provided for the costs associated with the expansion of the Blue Ridge Regional Jail.</i>			
Q.	<i>This item is subject to the provisions of Item 475.50 of this act.</i>			
70.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			
			\$82,340,529	\$79,776,126
			\$80,140,529	\$71,735,798
	Financial Assistance for Local Jail Per Diem (35601) .....	\$55,960,952	\$53,396,549	
		\$54,465,770	\$48,014,917	
	Financial Assistance for Regional Jail Per Diem (35604) .....	\$26,379,577	\$26,379,577	
		\$25,674,759	\$23,720,881	
	Fund Sources: General .....	\$82,340,529	\$79,776,126	
		\$80,140,529	\$71,735,798	
	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, 2009, and June 1, 2010, 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.			

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

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—\$8 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 \$22 per inmate day.

2. For state responsible inmates:

a. Who are being held awaiting trial for additional felony charges—\$8 per inmate day.

b. With all pending charges adjudicated:

i. \$8 per inmate day for up to sixty days following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

ii. \$14 per inmate day on and after the sixty-first day following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

iii. \$14 per inmate day on and after the ninety-first day following the date of final sentence, if the final court order was not mailed by certified letter or electronic transmission to the Department of Corrections within thirty days after the order being issued.

c. Who remain incarcerated in a local correctional facility at the request of the locality—\$8 per inmate day.

F. For the payment specified in paragraph E1 of this Item for prisoners in alternative punishment or alternative to incarceration programs:

1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.

2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.

G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this Item, the Compensation Board shall reimburse any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of \$22 per day for local responsible inmates and \$28 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.



ITEM 70.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. Any locality covered by the provisions of this section shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the Board's opinion, the local sheriff fails to negotiate in good faith.</p> <p>H.1. The Compensation Board shall recover the state-funded <del>personnel</del> costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. <i>Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day costs provided by the Commonwealth, excluding payments otherwise provided for in this item, as identified in the most recent Jail Cost Report prepared by the Compensation Board.</i> If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.</p> <p>2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.</p> <p>3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H1.</p> <p>4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.</p> <p>5. Any sheriff or regional jail administrator who houses contract prisoners from other states, the District of Columbia, or the federal government for more than 48 hours, shall provide a monthly report to the Director, Department of Corrections, which shall include the classification of the level of security of each such contract inmate and the level of security of the housing unit in which such inmates are confined.</p> <p>6. The Compensation Board shall apply the cost recovery methodology set out in paragraph H1 of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.</p> <p>7. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.</p>				

ITEM 70.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

I.1. Local or regional jails receiving funds from the Compensation Board shall give priority to the housing of inmates in order of local-responsible, state-responsible, and state contract inmates. Within the limits of funds appropriated in this Item, local and regional jails shall enter into agreements with the Director, Department of Corrections, to house state-responsible offenders and effect transfers of convicted state felons between and among local and regional jails.

2. Such agreements shall be entered into for a period of one year, subject only to the limitations of available funding, with a minimum percentage of bedspace guaranteed by the local or regional jail and shall take precedence over contracts for housing federal prisoners, within the limits of bedspace availability as defined pursuant to standards of the Board of Corrections, except in any case where a federal agency has contributed a share of the capital cost of the facility in return for a guarantee of a proportional number of beds. Bedspace pursuant to such agreements shall be determined by the Director, Department of Corrections, based upon state prisoner intake compliance, operational capacity of the jail, and current and projected prisoner population of the jail.

3. Pursuant to such jail contract bed agreements, the Compensation Board is authorized to reimburse localities an amount not to exceed \$14 per state felon day, which shall be in addition to any such amounts otherwise authorized by this act. Any such funds received by the localities as a result of this provision shall be used for the maintenance and operation of the local or regional facility.

J. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 69 and 70, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

K. Projected growth in per diem payments for the support of prisoners in local and regional jails shall be based on actual inmate population counts up through the first quarter of the affected fiscal year.

L. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Mental Health, Mental Retardation and Substance Abuse Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by October 1, 2008, and *by November 1* each year thereafter to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees.

M. The Compensation Board shall conduct a feasibility study of developing an annual operating cost report for Commonwealth's Attorneys, Treasurers, and Commissioners of the Revenue, using a reporting format similar to that provided in the annual jail cost report. The feasibility study shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by January 1, 2009.

71.	Financial Assistance for Local Finance Directors (71700) .....			\$6,693,340	<del>\$6,693,340</del> \$6,840,130
	Financial Assistance to Local Finance Directors (71701) .....	\$635,090	\$635,090		
	Financial Assistance for Operations of Local Finance Directors (71702) .....	\$6,058,250	<del>\$6,058,250</del> \$6,205,040		
	Fund Sources: General .....	\$6,693,340	<del>\$6,693,340</del> \$6,840,130		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

ITEM 71.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2008 to November 30, 2008 June 30, 2009	December 1, 2008 July 1, 2009 to November 30, 2009	December 1, 2009 to June 30, 2010
Less than 10,000	\$58,345	<del>\$59,512</del> \$58,345	<del>\$60,702</del> \$58,345
10,000-19,999	\$64,830	<del>\$66,127</del> \$64,830	<del>\$67,450</del> \$64,830
20,000-39,999	\$72,034	<del>\$73,475</del> \$72,034	<del>\$74,945</del> \$72,034
40,000-69,999	\$80,035	<del>\$81,636</del> \$80,035	<del>\$83,269</del> \$80,035
70,000-99,999	\$88,929	<del>\$90,708</del> \$88,929	<del>\$92,522</del> \$88,929
100,000-174,999	\$98,808	<del>\$100,784</del> \$98,808	<del>\$102,800</del> \$98,808
175,000 to 249,999	\$104,011	<del>\$106,091</del> \$104,011	<del>\$108,213</del> \$104,011
250,000 and above	\$118,194	<del>\$120,558</del> \$118,194	<del>\$122,969</del> \$118,194

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this item.

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2008, and June 30, 2009.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A1 of this item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.

D. Pursuant to Section 4-1.05.a.4. of this act, \$9,207 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.

72.	Financial Assistance for Local Commissioners of the Revenue (77100) .....			\$20,225,910	<del>\$20,225,910</del> \$20,389,150
	Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101) .....	\$9,664,253	<del>\$9,664,253</del> \$9,674,153		
	Financial Assistance for Operations of Local Commissioners of the Revenue (77102) .....	\$9,392,815	<del>\$9,392,815</del> \$9,546,155		

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Financial Assistance for State Tax Services by Commissioners of the Revenue (77103).....	\$1,168,842	\$1,168,842		
Fund Sources: General .....	\$20,225,910	<del>\$20,225,910</del> \$20,389,150		

Authority: Title 15.2, Chapter 16, Article 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2008 to November 30, 2008 June 30, 2009	<del>December 1, 2008</del> July 1, 2009 to November 30, 2009	December 1, 2009 to June 30, 2010
Less than 10,000	\$58,345	<del>\$59,512</del> \$58,345	<del>\$60,702</del> \$58,345
10,000-19,999	\$64,830	<del>\$66,127</del> \$64,830	<del>\$67,450</del> \$64,830
20,000-39,999	\$72,034	<del>\$73,475</del> \$72,034	<del>\$74,945</del> \$72,034
40,000-69,999	\$80,035	<del>\$81,636</del> \$80,035	<del>\$83,269</del> \$80,035
70,000-99,999	\$88,929	<del>\$90,708</del> \$88,929	<del>\$92,522</del> \$88,929
100,000-174,999	\$98,808	<del>\$100,784</del> \$98,808	<del>\$102,800</del> \$98,808
175,000 to 249,999	\$104,011	<del>\$106,091</del> \$104,011	<del>\$108,213</del> \$104,011
250,000 and above	\$118,194	<del>\$120,558</del> \$118,194	<del>\$122,969</del> \$118,194

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2008, and June 30, 2009.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the Commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by Commissioners of the Revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A of this item by the amount shown herein for a 12-month period effective the following July 1. The salary supplement shall be based upon the levels of service offered by the Commissioner of the Revenue for his/her locality and shall be in accordance with the following schedule:

a. 4.7 percent increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program;

b. 2.3 percent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax or Real Estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Program; and

ITEM 72.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

c. 2.3 percent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax and Real Estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Program.

D.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners' Career Development Program.

2. For each Deputy Commissioner selected by the Commissioner of the Revenue for participation in the Deputy Commissioners' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the Commissioner of the Revenue's certification that the minimum requirements of the Deputy Commissioners' Career Development Program have been met, and provided that such certification is submitted by the Commissioner of the Revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1.

*E. Pursuant to Section 4-1.05.a.4. of this act, \$122,951 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.*

73.	Financial Assistance for Attorneys for the Commonwealth (77200).....			\$67,439,129	\$67,421,029 \$66,201,199
	Financial Assistance to Attorneys for the Commonwealth (77201).....	\$15,792,878	\$15,774,778		
	Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202).....	\$51,646,251	<del>\$51,646,251</del> \$50,426,421		
	Fund Sources: General.....	\$67,439,129	<del>\$67,421,029</del> \$66,201,199		

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2008 to November 30, 2008 June 30, 2009	December 1, 2008 July 1, 2009 to November 30, 2009	December 1, 2009 to June 30, 2010
Less than 10,000	\$51,706	<del>\$52,740</del> \$51,706	<del>\$53,795</del> \$51,706
10,000-19,999	\$57,458	<del>\$58,607</del> \$57,458	<del>\$59,779</del> \$57,458
20,000-34,999	\$63,202	<del>\$64,466</del> \$63,202	<del>\$65,755</del> \$63,202
35,000-44,999	\$113,760	<del>\$116,035</del> \$113,760	<del>\$118,356</del> \$113,760
45,000-99,999	\$126,397	<del>\$128,925</del> \$126,397	<del>\$131,504</del> \$126,397
100,000-249,999	\$131,139	<del>\$133,762</del> \$131,139	<del>\$136,437</del> \$131,139
250,000 and above	\$135,882	<del>\$138,600</del> \$135,882	<del>\$141,372</del> \$135,882

ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.</p> <p>3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.</p> <p>B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.</p> <p>C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.</p> <p>D. The provisions of this act notwithstanding, no Commonwealth's Attorney, Public Defender or employee of a Public Defender shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the Circuit Court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.</p> <p>E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the Board in Item 74 E of Chapters 912 and 924.</p> <p>F. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2008, and June 30, 2009.</p> <p>G. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's Attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for Clerks of the Courts and Commonwealth's Attorneys, the amount of unpaid fines and costs collected by this program.</p> <p>H. Out of this appropriation, \$389,165 the first year and \$389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's Attorney's Offices that shall be dedicated to prosecuting gang-related criminal activities. The Board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).</p> <p><i>I. Pursuant to Section 4-1.05.a.4. of this act, \$466,678 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</i></p>				
74.	Financial Assistance for Circuit Court Clerks (77300).....		\$52,860,106	<del>\$52,860,106</del>

ITEM 74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				\$56,290,306
Financial Assistance to Circuit Court Clerks (77301) .....	\$12,461,419	\$12,461,419		
Financial Assistance for Operations for Circuit Court Clerks (77302).....	\$19,247,060	<del>\$19,247,060</del> \$22,677,260		
Financial Assistance for Circuit Court Clerks' Land Records (77303).....	\$21,151,627	\$21,151,627		
Fund Sources: General .....	\$41,128,722	<del>\$41,128,722</del> \$42,060,709		
Trust and Agency .....	\$11,731,384	<del>\$11,731,384</del> \$14,229,597		

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

	July 1, 2008 to November 30, 2008 June 30, 2009	December 1, 2008 July 1, 2009 to November 30, 2009	December 1, 2009 to June 30, 2010
Less than 10,000	\$73,304	<del>\$74,770</del> \$73,304	<del>\$76,265</del> \$73,304
10,000 to 19,999	\$90,326	<del>\$92,133</del> \$90,326	<del>\$93,976</del> \$90,326
20,000-39,999	\$103,419	<del>\$105,487</del> \$103,419	<del>\$107,597</del> \$103,419
40,000-69,999	\$108,654	<del>\$110,827</del> \$108,654	<del>\$113,044</del> \$108,654
70,000-99,999	\$117,814	<del>\$120,170</del> \$117,814	<del>\$122,573</del> \$117,814
100,000-174,999	\$128,288	<del>\$130,854</del> \$128,288	<del>\$133,471</del> \$128,288
175,000-249,999	\$132,270	<del>\$134,915</del> \$132,270	<del>\$137,613</del> \$132,270
250,000 and above	\$136,146	<del>\$138,869</del> \$136,146	<del>\$141,646</del> \$136,146

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this Item.

3. Except as provided in Item 76 A 2, the annual salary herein prescribed shall be full compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this Item.

ITEM 74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the Board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's Attorney.

D. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2008, and June 30, 2009.

E. Included within this appropriation are Trust and Agency funds necessary to support one position to assist Circuit Court Clerks in implementing the recommendations of the Land Records Management Task Force Report dated January 1, 1998.

F. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.

G.1. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board may allocate up to \$1,489,213 the first year and ~~\$1,489,213~~ \$3,978,426 the second year of Technology Trust Fund moneys for operating expenses in the Clerks' offices.

*2. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the City of Newport News, whose Circuit Court Clerk's Technology Trust Fund is segregated from the statewide pool pursuant to § 17.1-288, may allocate up to \$100,000 the first year and \$200,000 the second year of its Technology Trust Fund moneys for operating expenses of the Newport News Circuit Court Clerk's office.*

H. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this Item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this Item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.

I.1. For audits of Clerks of the Circuit Court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the Clerks' office.

2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the Clerk shall provide the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The Clerk's response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the Clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.



ITEM 74.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>3. Notwithstanding the provisions of Item 472, paragraph J.1.a., the Compensation Board shall not provide any salary increase to any Circuit Court Clerk identified by the Auditor of Public Accounts who has not taken corrective action for the matters reported above.</p> <p>J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks' Career Development Program.</p> <p>2. Following receipt of a Clerk's certification that the minimum requirements of the Clerks' Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this Item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.</p> <p>K.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts' Career Development Program.</p> <p>2. For each Deputy Clerk selected by the Clerk for participation in the Deputy Clerks' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the Clerk's certification that the minimum requirements of the Deputy Clerks' Career Development Program have been met and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year.</p> <p>L. Upon request of the Attorney for the Commonwealth, the Clerk of the Circuit Court shall contemporaneously provide the Attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to §19.2-298.01 (E), Code of Virginia.</p> <p>M. The Compensation Board may obligate Trust and Agency funds in excess of the current biennium appropriation for the automation efforts of the clerks' offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.</p> <p>N. Pursuant to Section 4-1.05.a.4. of this act, \$322,699 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</p>				
75.	Financial Assistance for Local Treasurers (77400).....		\$19,912,939	\$19,912,939
	Financial Assistance to Local Treasurers (77401).....			\$20,242,929
	Financial Assistance for Operations of Local Treasurers (77402) .....	\$9,649,596	\$9,649,596	
		\$9,430,055	<del>\$9,430,055</del>	
			\$9,760,045	
	Financial Assistance for State Tax Services by Local Treasurers (77403) .....	\$833,288	\$833,288	
	Fund Sources: General .....	\$19,912,939	<del>\$19,912,939</del>	
			\$20,242,929	

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

July 1, 2008

December 1, 2008

December 1, 2009

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<i>July 1, 2009</i>			
	to <b>November 30, 2008</b>	to <b>November 30, 2009</b>	to <b>June 30, 2010</b>	
	<i>June 30, 2009</i>			
Less than 10,000	\$58,345	<del>\$59,512</del> \$58,345	<del>\$60,702</del> \$58,345	
10,000 to 19,999	\$64,830	<del>\$66,127</del> \$64,830	<del>\$67,450</del> \$64,830	
20,000-39,999	\$72,034	<del>\$73,475</del> \$72,034	<del>\$74,945</del> \$72,034	
40,000-69,999	\$80,035	<del>\$81,636</del> \$80,035	<del>\$83,269</del> \$80,035	
70,000-99,999	\$88,929	<del>\$90,708</del> \$88,929	<del>\$92,522</del> \$88,929	
100,000-174,999	\$98,808	<del>\$100,784</del> \$98,808	<del>\$102,800</del> \$98,808	
175,000-249,999	\$104,011	<del>\$106,091</del> \$104,011	<del>\$108,213</del> \$104,011	
250,000 and above	\$118,194	<del>\$120,558</del> \$118,194	<del>\$122,969</del> \$118,194	

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year FY 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2008, and June 30, 2009.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the Treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by Treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.

D.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.

2. For each Deputy Treasurer selected by the Treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the Treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the Treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>E. Pursuant to Section 4-1.05.a.4. of this act, \$142,793 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</i>				
76. Administrative and Support Services (79900).....			\$7,617,458	<del>\$6,927,484</del> \$6,167,458
General Management and Direction (79901).....	\$2,586,114	<del>\$1,967,202</del> \$3,285,902		
Information Technology Services (79902).....	\$1,530,993	\$1,459,931		
Training Services (79925) .....	\$145,611	\$145,611		
Liability Insurance (79940) .....	\$3,354,740	<del>\$3,354,740</del> \$1,276,014		
Fund Sources: General .....	\$7,617,458	<del>\$6,927,484</del> \$6,167,458		

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 69, 71, 72, 73, 74, and 75 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 69, 71, 72, 73, 74, and 75 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 69, 71, 72, 73, 74, and 75 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	FY 2009	FY 2010
Sheriffs	10,556	10,556
	10,258	10,790
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	725	725
		726
Commissioners of the Revenue	846	846
Treasurers	861	861
Directors of Finance	383	383
Commonwealth's Attorneys	1,266	1,266
Clerks of the Circuit Court	1,144	1,144
TOTAL	<del>15,781</del> 15,483	<del>15,781</del> 16,016

2. The Compensation Board is authorized to provide funding for 549 temporary positions the first year and 549 temporary positions the second year.

3. The Board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

ITEM 76.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002 shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 f 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System.

2. The rate specified in paragraph D 1 shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph D 1 shall be borne by the employer.

E. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

F.1 Any new positions established in Item 76 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 69 of this act.

2. *The Compensation Board shall convene a workgroup which will include designees, who may be staff, from the Chairmen of the House Appropriations and Senate Finance Committees and representatives from the constitutional officers to revise and update the methodologies used to determine the staffing standards. The workgroup shall complete the review and update the standards on the following schedule: for Commonwealth's Attorneys' offices, by November 15, 2009; for Sheriffs' offices, by June 30, 2010; and for Circuit Court Clerks, Treasurers, Commissioners of the Revenue and Compensation Board funded Directors of Finance, by November 15, 2010.*

G. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

H. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the Board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

ITEM 76.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>I. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Administration certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item <del>380</del> 388 of this act.</p> <p>J. Out of this appropriation \$118,110 the first year and \$118,110 the second year from the general fund is designated for executive management, lawful employment practices, and new deputy and jail management training for constitutional officers, their employees, and regional jail superintendents.</p> <p>K. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.</p> <p>L.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.</p> <p>2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.</p> <p>3. If any sheriff, superintendent, county administrator or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the Chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.</p> <p>M. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 69, 72, 73, 74, and 75 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph F of this Item, any positions in the constitutional offices of the former city which are available for reallocation as a result of the transition shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county, as provided in § 15.2-1302, Code of Virginia.</p> <p>N. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.</p> <p>O. The Compensation Board is hereby authorized to deduct, from the first reimbursements made each year to localities out of the amounts in Items 69, 71, 72, 73, 74, and 75 of this act, an amount equal to fifty percent of each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.</p> <p>P. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of</p>				

ITEM 76.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

Q. There is hereby reappropriated the unexpended balance remaining in the Liability Insurance service area on June 30, 2008, and June 30, 2009.

R. Included in this appropriation is \$1,004,500 the first year and \$1,004,500 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Notification (SAVIN) system, to provide for SAVIN program coordination, and the Virginia Sex Offender Registry.

S. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from the first reimbursements made each year to localities out of the amounts in Items 69, 71, 72, 73, 74, and 75 of this act, an amount equal to fifty percent *in the first year and 100 percent in the second year* of each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

T. The Compensation Board, in conjunction with the Office of the Secretary of Public Safety, the Department of Corrections, and the Department of Criminal Justice Services, shall report on the feasibility and resource requirements to review the operational capacity and staffing needs of each local and regional jail facility in the Commonwealth. The report shall include requirements to complete such a review within a two-year period, to develop a standard for the establishment of operational capacity based upon facility design standards, and to establish a baseline staffing standard for each facility and a standard to accommodate growth in inmate populations in excess of established capacities. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008.

76.05.	<i>Executive Management (71300)</i> .....			(\$553,028)	(\$437,064)
	<i>Savings From Management Actions (71301)</i> .....	(\$553,028)	(\$437,064)		
	<i>Fund Sources: General</i> .....	(\$553,028)	(\$437,064)		
	Total for Compensation Board .....			<b>\$670,245,374</b>	<b>\$677,884,570</b>
				<b>\$666,456,962</b>	<b>\$651,280,018</b>
	General Fund Positions .....	23.00	23.00		
	Nongeneral Fund Positions .....	1.00	1.00		
	Position Level .....	24.00	24.00		
	Fund Sources: General .....	\$658,513,990	\$666,153,186		
		\$648,725,578	\$631,050,421		
	Trust and Agency .....	\$11,731,384	\$11,731,384		
			\$14,229,597		
	<i>Dedicated Special Revenue</i> .....	\$6,000,000	\$6,000,000		

**§ 1-26. DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION (962)**

77.	Personnel Management Services (70400) .....			\$1,406,610	\$1,406,610
				\$1,470,715	
	Employee Grievance, Mediation, Training, and Consultation Services (70416) .....	\$1,406,610	\$1,406,610		
		\$1,470,715			
	Fund Sources: General .....	\$1,106,641	\$1,106,641		

ITEM 77.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$299,969 \$364,074	\$299,969		
	Authority: Title 2.2, Chapters 10 and 30, Code of Virginia.				
77.05.	Executive Management (71300) .....			(\$163,506)	(\$163,506)
	Savings From Management Actions (71301).....	(\$163,506)	(\$163,506)		
	Fund Sources: General.....	(\$163,506)	(\$163,506)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Employment Dispute Resolution.....			<b>\$1,406,610</b> <b>\$1,307,209</b>	<b>\$1,406,610</b> <b>\$1,243,104</b>
	General Fund Positions.....	12.50	12.50		
	Nongeneral Fund Positions.....	5.50	5.50		
	Position Level .....	18.00	18.00		
	Fund Sources: General.....	\$1,106,641	\$1,106,641		
		\$943,135	\$943,135		
	Special.....	\$299,969 \$364,074	\$299,969		

#### § 1-27. DEPARTMENT OF GENERAL SERVICES (194)

78.	Laboratory Services (72600) .....			\$28,015,357	\$28,113,328
	Statewide Laboratory Services (72604) .....	\$28,015,357	\$28,113,328		
	Fund Sources: General.....	\$11,912,146	\$12,010,117		
	Enterprise.....	\$6,981,598	\$6,981,598		
	Internal Service.....	a sum sufficient			
	Federal Trust.....	\$9,121,613	\$9,121,613		

Authority: Title 2.2, Chapter 11, Article 2, Code of Virginia.

A. The provisions of § 2.2-1104, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services shall ensure that no individual is denied the benefits of laboratory tests mandated by the Department of Health for reason of inability to pay for such services.

B.1. Statewide Laboratory Services include an internal service fund which shall be paid from revenues derived from charges to the Department of Environmental Quality and the Department of Agriculture and Consumer Services. The estimated internal service fund cost is \$2,100,000 the first year and \$2,200,000 the second year.

2. Statewide Laboratory Services include an internal service fund, which shall be paid by transfers from the Virginia Department of Transportation for motor fuel testing as stated in § 3-1.02 A of this act, and fees collected from governmental entities for sample testing. The estimated internal service fund cost is \$329,868 the first year and \$329,868 the second year.

C. The provisions of § 2.2-1104 B, Code of Virginia, notwithstanding, the Division of Consolidated Laboratories may charge a fee for the limited and specific purpose of analyses of water samples where:

1. testing is required by Department of Health regulations pursuant to Phase II and Phase V regulations of the federal Safe Drinking Water Act, and
2. funding to support such testing is not otherwise provided for in this act.

ITEM 78.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

D. Out of this Item is provided, \$296,900 the first year and ~~\$622,900~~ \$27,293 the second year from the general fund for lease payments through the Master Equipment Lease Program for laboratory equipment.

E. This Item includes savings from the closure of the laboratory located in Abingdon. The Department of General Services is directed to sell the property. Laboratory operating costs and equipment relocation costs incurred by the Department of General Services after closure will be paid from the proceeds received from the sale of the property.

79.	Real Estate Services (72700).....			\$1,196,849	\$1,196,849
	Statewide Leasing and Disposal Services (72705).....	\$1,196,849	\$1,196,849		
	Fund Sources: General .....	\$828,142	\$828,142		
	Special.....	\$368,707	\$368,707		
	Internal Service.....	a sum sufficient			

Authority: Title 2.2, Chapter 11, Article 4, § 2.2-1156, Code of Virginia.

A. This appropriation includes an internal service fund to support a program of Real Estate Services. This internal service fund may include rent payments or fees to be paid by state agencies and institutions for their occupancy of facilities and for the agency's management of real property transactions, including, but not necessarily limited to, leases of non-state owned office space throughout the Commonwealth for use by such agencies and institutions. Also included are funds to pay costs associated with the disposal of state-owned real property and interests therein. The costs paid for each sale shall be returned to the fund upon sale of the property in an amount calculated at 115 percent of such costs. The estimated cost for this service area is \$59,200,000 the first year and ~~\$59,200,000~~ \$48,000,000 the second year. In implementing the program, the department may utilize brokerage services, portfolio management strategies, personnel policies, and compensation practices generally consistent with prevailing industry best practices.

B. The Director, Department of Planning and Budget, is authorized to transfer general fund appropriations from this Item to agencies paying the Department of General Services' real estate service charges from general fund appropriations based on real estate surcharge rates approved by the Joint Legislative Audit and Review Commission.

*C. The Department of General Services shall produce a report in which it reviews and details the administrative expenditures, revenue sources, and financial obligations of the Division of Real Estate Services. This report shall develop and detail a plan for reducing the fees it charges to agencies and institutions by 15 percent in FY 2010. The report shall be provided to the Director, Department of Planning and Budget, by July 15, 2009.*

80.	Procurement Services (73000).....			<del>\$22,304,235</del>	<del>\$22,304,235</del>
	Statewide Procurement Services (73002).....	<del>\$22,304,235</del>	<del>\$22,304,235</del>	\$22,886,807	\$22,886,807
		\$22,886,807	\$22,886,807		
	Surplus Property Programs (73007).....	a sum sufficient			
	Statewide Cooperative Procurement and Distribution Services (73008).....	a sum sufficient			
	Fund Sources: General .....	\$3,883,810	\$3,883,810		
	Special.....	<del>\$503,053</del>	<del>\$503,053</del>		
		\$1,085,625	\$1,085,625		
	Enterprise .....	\$17,917,372	\$17,917,372		
	Internal Service.....	a sum sufficient			

Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.

A. The amounts for Surplus Property Programs shall be paid solely from revenues derived from charges for services. The estimated cost for sales of federal surplus property is ~~\$1,030,000~~ \$975,000 first year and ~~\$1,030,000~~ \$975,000 the second year. The estimated cost for sales of state surplus property is ~~\$1,500,000~~ \$1,715,000 the first year and ~~\$1,600,000~~ \$1,715,000 the second year.



ITEM 80.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

B. The amount for statewide cooperative procurement and distribution services shall be paid solely from revenues derived from charges for services. The estimated cost is \$31,800,000 the first year and \$32,000,000 the second year.

~~C. The Division of Purchases and Supply within the Department of General Services shall standardize the general delegation of procurement authority to be the same for all goods and non-professional services, including certain information technology goods and services, across the Executive Branch of government.~~

D.4. The Commonwealth's electronic procurement system will be financed by fees assessed to state agencies and institutions of higher education and vendors. These fees will be determined by the Department of General Services in consultation with the Department of Planning and Budget and the State Comptroller.

~~2. Through June 30, 2009, the Department of General Services is authorized to use excess revenues generated in this paragraph, to supplement funding of procurement services authorized in Item 80D; with approval by the Director, Department of Planning and Budget.~~

*E. The Department of General Services shall allow nonprofit food banks operating in Virginia and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from the Virginia Distribution Center.*

81.	Physical Plant Management Services (74100).....			\$5,559,723	\$5,559,723
	Parking Facilities Management (74105) .....	\$3,328,104	\$3,328,104		
	Statewide Building Management (74106).....	\$1,118,205	\$1,118,205		
	Statewide Engineering and Architectural Services (74107) .....	\$457,107	\$457,107		
	Seat of Government Mail Services (74108) .....	\$656,307	\$656,307		
	Fund Sources: General .....	\$1,745,177	\$1,745,177		
	Special .....	\$3,814,546	\$3,814,546		
	Internal Service .....	a sum sufficient			

Authority: Title 2.2, Chapter 11, Articles 4 and 6; § 58.1-3403, Code of Virginia.

A.1. Statewide Building Management includes an internal service fund. The amounts for this service area shall be paid solely from revenues derived for services. The estimated cost is \$7,132,931 the first year and \$7,239,493 the second year.

2. Also in Statewide Building Management is an internal service fund supported from revenues derived from rental charges assessed to occupants for seat-of-government buildings controlled, maintained and operated by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department. The estimated cost for this service area is ~~\$26,845,376~~ \$30,408,000 the first year and ~~\$27,959,505~~ \$30,408,000 the second year for facilities at the seat of government, and a sum sufficient for maintenance and operation of such other state-owned facilities as the Governor or department may direct, as otherwise provided by law.

3. Further, out of the estimated cost for this service area, amounts estimated at \$1,640,000 the first year and \$1,640,000 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for the sum sufficient, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

	FY 2009	FY 2010
Department of Alcoholic Beverage Control	\$58,702	\$58,702
	\$1,650	\$1,650
Department of Forensics	\$218,644	\$218,644
	\$200,475	\$200,475
Department of Game and Inland Fisheries	\$13,688	\$13,688
	\$27,333	\$27,333

ITEM 81.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Department of Military Affairs	\$16,760		\$16,760	
	\$17,586		\$17,586	
Department of Motor Vehicles	\$165,799		\$165,799	
	\$194,847		\$194,847	
Department of State Police	\$528		\$528	
	\$670		\$670	
Department of Taxation	\$20,828		\$20,828	
	\$24,478		\$24,478	
Department of Transportation	\$189,688		\$189,688	
	\$215,000		\$215,000	
Department for the Blind and Vision Impaired	\$3,158		\$3,158	
	\$3,313		\$3,313	
State Corporation Commission	\$173,542		\$173,542	
	\$44,242		\$44,242	
Virginia Employment Commission	\$51,819		\$51,819	
	\$54,373		\$54,373	
Virginia Housing Development Authority	\$93,209		\$93,209	
	\$128,362		\$128,362	
Virginia Museum of Fine Arts	\$158,513		\$158,513	
Virginia Retirement System	\$33,322		\$33,322	
	\$35,050		\$35,050	
<i>Veterans Affairs</i>	\$136,352		\$136,352	
<b>TOTAL</b>	<b>\$1,198,200</b>		<b>\$1,198,200</b>	
	\$1,242,244		\$1,242,244	

B.1. Statewide Engineering and Architectural Services include an internal service fund to support the Bureau of Capital Outlay Management. This internal service fund shall consist of the fees imposed upon state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects. The estimated total amount to be collected by this fund is a sum sufficient estimated at \$3,350,000 in the first year and \$3,500,000 in the second year.

2. Under the internal service fund, the Department of General Services shall review 85 percent of all capital outlay projects within 14 calendar days, 95 percent within 21 calendar days, and 100 percent within 28 days of submission. The Department of General Services also shall work with its client agencies and institutions to develop estimated budgetary standards for the hours and associated costs of review that will be required for different project types.

3. In administering this internal service fund, the Department of General Services may dedicate a full-time position to conduct fire and life safety code reviews for any institution of higher education that generates a high volume of capital outlay projects on a routine basis. This dedicated reviewer shall report to the Director, Bureau of Capital Outlay Management but may be located at the institution of higher education. The cost of the dedicated reviewer shall be borne by the higher education institution.

C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall be added to the fund as earned.

D. Included in this Item is \$311,004 the first year and \$311,004 the second year from the general fund to maintain and oversee the Facility Inventory Condition and Assessment system.

The general fund dollars are to be supplemented by fees assessed to state agencies and institutions of higher education. The Department of General Services, in conjunction with the Department of Planning and Budget, shall develop guidelines for these fees.

E. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound processing location or locations, and the enhancement of mail security capabilities within these location(s).

F. All new and renovated state-owned facilities, if the renovations are in excess of 50 percent of the structure's assessed value, that are over 5,000 gross square feet shall be designed and constructed consistent with energy performance standards at least as stringent as the U.S. Green Building Councils LEED rating system or the Green Globes rating system.

ITEM 81.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p><i>G. Effective July 1, 2009, the total service charge for the property known as the General Assembly Building and the State Capitol Building shall not exceed \$70,000 per fiscal year.</i></p>				
82.	Printing and Reproduction (82100).....		a sum	sufficient
	Statewide Graphic Design Services (82101) .....	a sum sufficient		
	Fund Sources: Internal Service.....	a sum sufficient		
<p>Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.</p> <p>The amounts in this Item shall be paid solely from revenues derived from charges for services. The estimated cost is \$405,752 the first year and \$415,705 the second year.</p>				
83.	Transportation Pool Services (82300).....		a sum	sufficient
	Statewide Vehicle Management Services (82302) .....	a sum sufficient		
	Fund Sources: Internal Service.....	a sum sufficient		
<p>Authority: Title 2.2, Chapter 11, Article 7; § 2.2-120, Code of Virginia.</p> <p>A. Included in statewide vehicle management services is an internal service fund derived from charges to agencies for those services. The estimated cost for this internal service fund is \$16,500,000 the first year and <del>\$16,800,000</del> \$18,750,000 the second year.</p> <p>B. In addition to providing services to state agencies and institutions, fleet management services may also be provided to local public bodies on a fee for service basis in accordance with established Department of General Services Fleet Management policies and procedures.</p> <p>C. The Department of General Services shall advance the consolidation of bulk and commercial fuel purchases into a single procurement action as recommended in the Vehicle Fleet Operational Review conducted in 2007. The intent of this consolidation will be to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume into a single procurement action to achieve the most favored pricing from private sector fuel providers. The Department shall release a solicitation to consolidate the purchase of fuel no later than September 1, 2009. The Department shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the status of the solicitation and any potential savings from the consolidation by November 1, 2009.</p>				
84.	Administrative and Support Services (79900).....		\$5,633,645	\$5,633,645
			\$5,666,645	\$5,666,645
	General Management and Direction (79901).....	\$3,468,389	\$3,468,389	
	Information Technology Services (79902).....	<del>\$2,165,256</del>	<del>\$2,165,256</del>	
		\$2,198,256	\$2,198,256	
	Fund Sources: General.....	\$5,633,645	\$5,633,645	
	Special.....	\$33,000	\$33,000	
<p>Authority: Title 2.2, Chapter 11 and Chapter 24, Articles 1, 3, and 13, Code of Virginia.</p>				
84.05.	Executive Management (71300).....		(\$767,072)	(\$2,036,480)
	Savings From Management Actions (71301).....	(\$767,072)	(\$2,036,480)	
	Fund Sources: General.....	(\$767,072)	(\$2,036,480)	
<p>Authority: Discretionary Inclusion</p> <p>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</p>				
Total for Department of General Services.....			\$62,709,809	\$62,807,780

ITEM 84.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			\$62,558,309	\$61,386,872
General Fund Positions.....	264.00	266.00		
	254.00	256.00		
Nongeneral Fund Positions.....	408.50	408.50		
Position Level .....	672.50	674.50		
	662.50	664.50		
Fund Sources: General .....	\$24,002,920	\$24,100,891		
	\$23,235,848	\$22,064,411		
Special.....	\$4,686,306	\$4,686,306		
	\$5,301,878	\$5,301,878		
Enterprise .....	\$24,898,970	\$24,898,970		
Federal Trust.....	\$9,121,613	\$9,121,613		

**§ 1-28. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)**

85.	Personnel Management Services (70400) .....		\$9,995,987	\$9,995,987
	Agency Human Resource Services (70401) .....	\$1,896,962	\$1,896,962	
	Equal Employment Services (70403).....	\$842,215	\$842,215	
	Health Benefits Services (70406).....	\$2,776,537	\$2,776,537	
	Personnel Development Services (70409).....	\$803,777	\$803,777	
	State Employee Services (70417).....	\$211,138	\$211,138	
	State Employee Workers' Compensation Services (70418) .....	\$1,178,426	\$1,178,426	
	Administrative and Support Services (70419).....	\$2,286,932	\$2,286,932	
	Fund Sources: General .....	\$5,424,537	\$5,424,537	
	Special.....	\$3,398,895	\$3,398,895	
	Trust and Agency .....	\$1,172,555	\$1,172,555	

Authority: Title 2.2, Chapters 12, 28, and 29, Code of Virginia.

A. Administration of any health benefit plan or plans provided for state employees pursuant to § 2.2-2818, Code of Virginia, shall be subject to the review of the Virginia Council on Human Resources, which is provided for in § 2.2-2675, Code of Virginia. Additionally, the department shall report any proposed changes in premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees at least sixty days prior to implementation.

B.1. The Department of Human Resource Management shall operate a human resource service center to support the human resource needs of those agencies identified by the Secretary of Administration in consultation with the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Human Resource Management by transferring such records and functions as may be required.

2. The Department of Human Resource Management shall recover the cost of the human resource service center's services in a manner determined by the Director, Department of Planning and Budget and the State Comptroller.

3. Nothing in this paragraph shall prohibit additional agencies from using the services of the center; however, these additional agencies' use of the human resource service center shall be subject to approval by the affected cabinet secretary and the Secretary of Administration.

C. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01).

D.1. To ensure fair and equitable performance reviews, the Department of Human Resource Management, within available resources, is directed to provide performance management training to agencies and institutions of higher education with classified employees.

2. Agency heads in the Executive Department are directed to require appropriate performance management training for all agency supervisors and managers.

ITEM 85.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	E. The Department of Human Resource Management shall take into account the claims experience of each agency and institution when setting premiums for the workers' compensation program.				
	F. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2009, of its recommended workers' compensation premiums for state agencies for the following biennium. This report shall also include the basis for the department's recommendations, the number and amount of workers' compensation settlements concluded in the previous fiscal year, and the impact of those settlements on the workers' compensation program's reserves.				
	G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 15, of each year, the renewal cost of the state employee health insurance program premiums that will go into effect on July 1, 2009 and July 1, 2010. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.				
85.05.	<i>Executive Management (71300) .....</i>			<i>(\$215,955)</i>	<i>(\$200,453)</i>
	<i>Savings From Management Actions (71301).....</i>	<i>(\$215,955)</i>	<i>(\$200,453)</i>		
	<i>Fund Sources: General.....</i>	<i>(\$755,976)</i>	<i>(\$764,769)</i>		
	<i>Special.....</i>	<i>\$401,508</i>	<i>\$428,397</i>		
	<i>Trust and Agency.....</i>	<i>\$138,513</i>	<i>\$135,919</i>		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Department of Human Resource Management..			<b>\$9,995,987</b>	<b>\$9,995,987</b>
				<b>\$9,780,032</b>	<b>\$9,795,534</b>
	General Fund Positions.....	55.00	55.00		
		54.00	54.00		
	Nongeneral Fund Positions.....	40.00	40.00		
	Position Level .....	95.00	95.00		
		94.00	94.00		
	Fund Sources: General .....	\$5,424,537	\$5,424,537		
		\$4,668,561	\$4,659,768		
	Special.....	\$3,398,895	\$3,398,895		
		\$3,800,403	\$3,827,292		
	Trust and Agency .....	\$1,172,555	\$1,172,555		
		\$1,311,068	\$1,308,474		
	<b>Administration of Health Insurance (149)</b>				
86.	Personnel Management Services (70400).....			\$165,350,000	\$165,350,000
	Health Benefits Services (70406).....	a sum sufficient			
	Local Health Benefit Services (70407).....	\$165,000,000	\$165,000,000		
	Administrative and Support Services (70419).....	\$350,000	\$350,000		
	Fund Sources: Enterprise .....	\$165,000,000	\$165,000,000		
	Internal Service.....	a sum sufficient			
	Trust and Agency .....	\$350,000	\$350,000		
	Authority: § 2.2-2818, Code of Virginia.				
	A. The amounts for Health Benefits Services are from all funds appropriated to state agencies for this purpose. It is an internal service fund for appropriation purposes. Revenues will be paid from state agencies to the Department of Human Resource Management.				

ITEM 86.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.</p> <p>C.1. In the event that the total of all eligible claims exceeds the balance in the state employee medical reimbursement account, there is hereby appropriated a sum sufficient from the general fund of the state treasury to enable the payment of such eligible claims.</p> <p>2. The term "employee medical reimbursement account" means the account administered by the Department of Human Resource Management pursuant to § 125 of the Internal Revenue Code in connection with the health insurance program for state employees (§ 2.2-2818, Code of Virginia).</p> <p>D. No amounts shall be obligated or expended from the reserved component of the Employee Health Insurance Fund unless prior approval is obtained from the Secretary of Finance and the Secretary of Administration. The Department of Planning and Budget shall notify the Chairmen of the House Appropriations and Senate Finance Committees of any disbursements made from or commitments against the reserved component.</p>				
Total for Administration of Health Insurance .....			<b>\$165,350,000</b>	<b>\$165,350,000</b>
Fund Sources: Enterprise .....	\$165,000,000	\$165,000,000		
Trust and Agency .....	\$350,000	\$350,000		
Grand Total for Department of Human Resource Management .....			<b>\$175,345,987</b>	<b>\$175,345,987</b>
			<b>\$175,130,032</b>	<b>\$175,145,534</b>
General Fund Positions.....	55.00	55.00		
	54.00	54.00		
Nongeneral Fund Positions.....	40.00	40.00		
Position Level .....	95.00	95.00		
	94.00	94.00		
Fund Sources: General .....	\$5,424,537	\$5,424,537		
	\$4,668,561	\$4,659,768		
Special.....	\$3,398,895	\$3,398,895		
	\$3,800,403	\$3,827,292		
Enterprise .....	\$165,000,000	\$165,000,000		
Trust and Agency .....	\$1,522,555	\$1,522,555		
	\$1,661,068	\$1,658,474		
<b>§ 1-29. HUMAN RIGHTS COUNCIL (170)</b>				
87. Personnel Management Services (70400) .....			\$489,325	\$489,325
Compliance and Enforcement (70414).....	\$489,325	\$489,325		
Fund Sources: General .....	\$463,125	\$463,125		
Federal Trust.....	\$26,200	\$26,200		
<p>Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.</p>				
87.05. Executive Management (71300) .....			(\$51,637)	(\$51,637)
Savings From Management Actions (71301).....	(\$51,637)	(\$51,637)		
Fund Sources: General.....	(\$51,637)	(\$51,637)		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

ITEM 87.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Human Rights Council.....			<del>\$489,325</del> \$437,688	<del>\$489,325</del> \$437,688
General Fund Positions.....	6.00 5.00	6.00 5.00		
Position Level .....	6.00 5.00	6.00 5.00		
Fund Sources: General .....	\$463,125	\$463,125		
Federal Trust.....	\$411,488 \$26,200	\$411,488 \$26,200		
<b>§ 1-30. DEPARTMENT OF MINORITY BUSINESS ENTERPRISE (232)</b>				
88. Economic Development Services (53400) .....			<del>\$2,260,281</del> \$2,290,281	\$2,260,281
Minority Business Enterprise Procurement Reporting and Coordination (53406).....	\$509,417	\$509,417		
Minority Business Enterprise Outreach (53407) .....	<del>\$1,156,681</del> \$1,186,681	\$1,156,681		
Minority Business Enterprise Certification (53414).....	\$531,402	\$531,402		
Capital Access Fund for Disadvantaged Businesses (53417) .....	\$62,781	\$62,781		
Fund Sources: General .....	\$753,413	\$753,413		
Commonwealth Transportation .....	\$783,413 \$1,506,868	\$783,413 \$1,506,868		
Authority: Title 2.2, Chapter 14; Title 56, Chapter 57, Article 3, Code of Virginia.				
The Department of Minority Business Enterprise, in conjunction with the Department of General Services, the Virginia Employment Commission, and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities, or private industry in the acquisition of goods and services. The department also is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this effort.				
88.05. Executive Management (71300) .....			(\$124,433)	(\$93,325)
Savings From Management Actions (71301).....	(\$124,433)	(\$93,325)		
Fund Sources: General.....	(\$124,433)	(\$93,325)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Department of Minority Business Enterprise.....			<del>\$2,260,281</del> \$2,165,848	<del>\$2,260,281</del> \$2,166,956
General Fund Positions.....	10.50 9.50	10.50 9.50		
Nongeneral Fund Positions.....	18.50	18.50		
Position Level .....	29.00 28.00	29.00 28.00		

ITEM 88.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

Fund Sources: General .....	\$753,413	\$753,413		
	\$658,980	\$660,088		
Commonwealth Transportation .....	\$1,506,868	\$1,506,868		

**§ 1-31. STATE BOARD OF ELECTIONS (132)**

89.	Electoral Services (72300).....		\$18,777,928	\$13,777,928
			\$18,889,767	
	Electoral Uniformity, Legality, and Quality Assurance Services (72302).....	\$557,001	\$557,001	
	Statewide Voter Registration System Services (72304)....	\$6,128,900	\$6,128,900	
	Campaign Finance Disclosure Administration Services (72309) .....	\$290,944	\$290,944	
	Election Administration Services (72310) .....	<del>\$10,035,507</del>	\$5,035,507	
		\$10,147,346		
	Voter Services (72311) .....	\$428,495	\$428,495	
	Administrative Services (72312) .....	\$1,337,081	\$1,337,081	
	Fund Sources: General .....	\$3,700,061	\$3,700,061	
	Trust and Agency .....	<del>\$15,077,867</del>	\$10,077,867	
		\$15,189,706		

Authority: Title 24.2, Chapter 1, Code of Virginia.

*A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § 24.2-712, Code of Virginia will use electronic pollbooks for elections held beginning in November, 2010.*

*B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be responsible for entering voting credit as provided in § 24.2-668.*

*C. Municipalities will pay all expenses associated with May elections after June 30, 2009, including those costs incurred by the State Board of Elections.*

90.	Financial Assistance for Electoral Services (78000).....		\$7,392,674	\$7,392,674
	Financial Assistance for General Registrar Compensation (78001).....	\$6,081,901	\$6,081,901	
	Financial Assistance for Local Electoral Board Compensation and Expenses (78002) .....	\$1,310,773	\$1,310,773	
	Fund Sources: General .....	\$7,392,674	\$7,392,674	

Authority: Title 24.2, Chapter 1, Code of Virginia.

A.1.a. In determining the salary and normal days of service per week for each general registrar, the State Board of Elections shall use the most recent provisional population estimate from the Center for Public Service of the University of Virginia. The State Board of Elections shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary or normal days of service per week by reason of a decline in population during the terms in which the incumbent general registrar remains in office.

b. The annual salaries of general registrars authorized to work five normal days of service per week in accordance with the provisions of § 24.2-111, Code of Virginia shall be as hereinafter prescribed.

**Population**

**July 1, 2008**

**December 1, 2008  
July 1, 2009**

**December 1, 2009**



ITEM 90.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	to <b>November 30, 2008</b> <i>June 30, 2009</i>	to <b>November 30, 2009</b>	to <b>June 30, 2010</b>	
0-25,000	\$43,363	<del>\$44,230</del> \$43,363	\$45,115	\$43,363
25,001-50,000	\$47,647	<del>\$48,600</del> \$47,647	\$49,572	\$49,572
50,001-100,000	\$52,220	<del>\$53,246</del> \$52,220	\$54,329	\$52,220
100,001-150,000	\$58,359	<del>\$59,526</del> \$58,359	\$60,717	\$58,359
150,001-200,000	\$63,914	<del>\$65,192</del> \$63,914	\$66,496	\$63,914
200,001 and above	\$84,476	<del>\$86,166</del> \$84,476	\$87,889	\$84,476

c. The annual salaries of general registrars authorized to work three normal days of service per week shall be fixed at 60 percent of the salary prescribed above for the population range in which the locality falls.

d. Any locality required to supplement the salary of a general registrar on June 30, 1981, shall continue that supplement at the identical annual amount as paid in FY 1982. This supplement shall continue as long as the incumbent general registrar on July 1, 1982, continues in office. Further, any locality may supplement the annual salary of the general registrar. There shall be no reimbursement out of the state treasury for such supplements.

e. Normal days of service per week for each general registrar shall be fixed on July 1 each year by the State Board of Elections as hereinafter prescribed.

Population	Days of Service per Week
0 - 9,999	3
10,000 and above	5

No general registrar's normal days of service per week shall be less than that which was previously authorized as of June 1, 1981.

f. All general registrars whose normal days of service are less than five days per week shall be required to be open five days a week during August, September, October, November, and December of each year. Such registrars shall be compensated accordingly.

2. General registrars in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park shall receive a cost of competition supplement equal to 15 percent of the salaries authorized in paragraph A1a. The cost of this supplement shall be paid out of the general fund of the state treasury.

B.1.a. The State Board of Elections shall set the annual compensation for secretaries and members of local electoral boards on July 1 of each year. In determining such compensation, the State Board of Elections shall use the most recent population estimate from the United States Bureau of the Census. However, should more recent population estimates from the Center for Public Service of the University of Virginia indicate that the population of any county or city has, since the last United States census, increased so as to entitle such county or city to be placed in a higher compensation bracket, such county or city shall be considered as being within the higher bracket for the purpose of fixing the annual compensation.

b. The annual compensation of the secretary of each local electoral board shall be as hereinafter prescribed, except that the secretary of an electoral board in any county with election responsibilities for more than seven towns shall receive, in addition to the annual compensation listed below, \$50 per year for each town over seven.

**July 1, 2008**

**December 1, 2008**

**December 1, 2009**

ITEM 90.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<i>July 1, 2009</i>			
	to <del>November 30, 2008</del> <i>June 30, 2009</i>	to November 30, 2009	to June 30, 2010	
Population Size of Locality	Counties with Election Responsibilities For			
	No Towns			
0-10,000	\$2,007	<del>\$2,047</del> \$2,007	<del>\$2,088</del> \$2,007	
10,001-25,000	\$3,007	<del>\$3,067</del> \$3,007	<del>\$3,128</del> \$3,007	
25,001-50,000	\$4,009	<del>\$4,089</del> \$4,009	<del>\$4,171</del> \$4,009	
50,001-100,000	\$5,012	<del>\$5,112</del> \$5,012	<del>\$5,214</del> \$5,012	
100,001-150,000	\$6,012	<del>\$6,132</del> \$6,012	<del>\$6,255</del> \$6,012	
150,001-200,000	\$7,030	<del>\$7,171</del> \$7,030	<del>\$7,314</del> \$7,030	
200,001-350,000	\$8,023	<del>\$8,183</del> \$8,023	<del>\$8,347</del> \$8,023	
Above 350,000	\$9,020	<del>\$9,200</del> \$9,020	<del>\$9,384</del> \$9,020	
	1 Town			
0-10,000	\$2,506	<del>\$2,556</del> \$2,506	<del>\$2,607</del> \$2,506	
10,001-25,000	\$3,508	<del>\$3,578</del> \$3,508	<del>\$3,650</del> \$3,508	
25,001-50,000	\$4,515	<del>\$4,605</del> \$4,515	<del>\$4,697</del> \$4,515	
50,001-100,000	\$5,513	<del>\$5,623</del> \$5,513	<del>\$5,735</del> \$5,513	
100,001-150,000	\$6,521	<del>\$6,651</del> \$6,521	<del>\$6,784</del> \$6,521	
150,001-200,000	\$7,517	<del>\$7,667</del> \$7,517	<del>\$7,820</del> \$7,517	
200,001-350,000	\$8,517	<del>\$8,687</del> \$8,517	<del>\$8,861</del> \$8,517	
Above 350,000	\$9,522	<del>\$9,712</del> \$9,522	<del>\$9,906</del> \$9,522	
	2 or More Towns			
0-10,000	\$2,757	<del>\$2,812</del> \$2,757	<del>\$2,868</del> \$2,757	
10,001-25,000	\$3,756	<del>\$3,831</del> \$3,756	<del>\$3,908</del> \$3,756	
25,001-50,000	\$4,757	<del>\$4,852</del> \$4,757	<del>\$4,949</del> \$4,757	
50,001-100,000	\$5,766	<del>\$5,881</del> \$5,766	<del>\$5,999</del> \$5,766	
100,001-150,000	\$6,764	<del>\$6,899</del> \$6,764	<del>\$7,037</del> \$6,764	

ITEM 90.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
150,001-200,000	\$7,767	<del>\$7,922</del> \$7,767	<del>\$8,080</del> \$7,767	
200,001-350,000	\$8,767	<del>\$8,942</del> \$8,767	<del>\$9,121</del> \$8,767	
Above 350,000	\$9,772	<del>\$9,967</del> \$9,772	<del>\$10,166</del> \$9,772	
<b>Cities</b>				
0-10,000	\$2,757	<del>\$2,812</del> \$2,757	<del>\$2,868</del> \$2,757	
10,001-25,000	\$3,756	<del>\$3,831</del> \$3,756	<del>\$3,908</del> \$3,756	
25,001-50,000	\$4,757	<del>\$4,852</del> \$4,757	<del>\$4,949</del> \$4,757	
50,001-100,000	\$5,766	<del>\$5,881</del> \$5,766	<del>\$5,999</del> \$5,766	
100,001-150,000	\$6,764	<del>\$6,899</del> \$6,764	<del>\$7,037</del> \$6,764	
150,001-200,000	\$7,767	<del>\$7,922</del> \$7,767	<del>\$8,080</del> \$7,767	
200,001-350,000	\$8,767	<del>\$8,942</del> \$8,767	<del>\$9,121</del> \$8,767	
Above 350,000	\$9,772	<del>\$9,967</del> \$9,772	<del>\$10,166</del> \$9,772	

c. The annual compensation of other members of local electoral boards shall be fixed at one-half the annual compensation provided to the secretary of the board.

d. The governing body of any county or city may pay to a full-time secretary of an electoral board such supplemental compensation as it deems appropriate. There shall be no reimbursement out of the state treasury for such supplements.

2. Nothing herein contained shall prevent the governing body of any county or city from paying the secretary of its electoral board such additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the state treasury for such expenses.

3. As authorized by § 24.2-108, Code of Virginia, each county and city shall be reimbursed for mileage paid to members of electoral boards. Mileage reimbursements shall be limited to the extent that funds are available in this act and shall be paid by the State Board of Elections only after submission of satisfactory evidence that such expenses were actually incurred and paid by a local governing body.

C. Included in the appropriation for this Item is \$30,900 the first year and \$30,900 the second year from the general fund to provide temporary full-time status for part-time general registrars. Such temporary full-time status may be granted by the Board of Elections, upon request of the Local Electoral Board, in recognition of temporary or permanent increases in workload. In making its determination, the Board of Elections shall consider elections, if any, required to be conducted by the locality during January through July, and evidence submitted by the Local Electoral Board to document increases in workload. Such evidence shall include specific data with comparisons, by transaction type and by month experienced, of past and present workloads. Temporary full-time status, if granted, may include all or part of the time normally worked on a part-time basis.

90.05.	<i>Executive Management (71300) .....</i>			<i>(\$337,358)</i>	<i>(\$292,907)</i>
	<i>Savings From Management Actions (71301).....</i>	<i>(\$337,358)</i>	<i>(\$292,907)</i>		
	<i>Fund Sources: General.....</i>	<i>(\$337,358)</i>	<i>(\$393,679)</i>		

ITEM 90.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Special</i> .....	\$0	\$100,772		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for State Board of Elections .....			<b>\$26,170,602</b>	<b>\$21,170,602</b>
			<b>\$25,945,083</b>	<b>\$20,877,695</b>
General Fund Positions.....	30.00	30.00		
Nongeneral Fund Positions.....	7.00	7.00		
Position Level .....	37.00	37.00		
Fund Sources: General .....	<del>\$11,092,735</del>	<del>\$11,092,735</del>		
	<del>\$10,755,377</del>	<del>\$10,699,056</del>		
<i>Special</i> .....	\$0	\$100,772		
Trust and Agency .....	<del>\$15,077,867</del>	<del>\$10,077,867</del>		
	<del>\$15,189,706</del>			
TOTAL FOR OFFICE OF ADMINISTRATION .....			<b>\$946,252,264</b>	<b>\$948,989,431</b>
			<b>\$941,307,337</b>	<b>\$918,521,424</b>
General Fund Positions.....	<del>413.00</del>	<del>415.00</del>		
	<del>400.00</del>	<del>402.00</del>		
Nongeneral Fund Positions.....	480.50	480.50		
Position Level .....	<del>893.50</del>	<del>895.50</del>		
	<del>880.50</del>	<del>882.50</del>		
Fund Sources: General .....	<del>\$708,981,637</del>	<del>\$716,718,804</del>		
	<del>\$696,705,173</del>	<del>\$676,471,924</del>		
Special .....	<del>\$8,385,170</del>	<del>\$8,385,170</del>		
	<del>\$9,466,355</del>	<del>\$9,529,911</del>		
Commonwealth Transportation .....	\$1,506,868	\$1,506,868		
Enterprise .....	\$189,898,970	\$189,898,970		
Trust and Agency .....	<del>\$28,331,806</del>	<del>\$23,331,806</del>		
	<del>\$28,582,158</del>	<del>\$25,965,938</del>		
<i>Dedicated Special Revenue</i> .....	<del>\$6,000,000</del>	<del>\$6,000,000</del>		
Federal Trust .....	<del>\$9,147,813</del>	<del>\$9,147,813</del>		

ITEM 91.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF AGRICULTURE AND FORESTRY					
§ 1-32. SECRETARY OF AGRICULTURE AND FORESTRY (193)					
91.	Administrative and Support Services (79900).....			\$449,174	\$449,174
	General Management and Direction (79901).....	\$449,174	\$449,174		
	Fund Sources: General.....	\$449,174	\$449,174		
	Authority: Title 2.2, Chapter 2, Article2.1; § 2.2-203.3, Code of Virginia.				
91.05.	Executive Management (71300) .....			\$0	(\$1,835)
	Savings From Management Actions (71301).....	\$0	(\$1,835)		
	Fund Sources: General.....	\$0	(\$1,835)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Agriculture and Forestry.....			\$449,174	<del>\$449,174</del> \$447,339
	General Fund Positions.....	3.00	3.00		
	Position Level .....	3.00	3.00		
	Fund Sources: General.....	\$449,174	<del>\$449,174</del> \$447,339		
§ 1-33. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)					
92.	Nutritional Services (45700).....			\$2,081,108	\$2,081,108
	Distribution of USDA Donated Food (45708) .....	\$2,081,108	\$2,081,108		
	Fund Sources: General .....	\$333,188	\$333,188		
	Federal Trust.....	\$1,747,920	\$1,747,920		
	Authority: Title 3.1, Chapter 26, Code of Virginia.				
93.	Animal and Poultry Disease Control (53100) .....			<del>\$6,889,621</del> \$7,075,527	<del>\$6,885,601</del> \$7,085,739
	Animal Disease Prevention and Control (53101).....	\$3,238,993	\$3,238,993		
	Diagnostic Services (53102).....	<del>\$3,451,379</del>	<del>\$3,451,379</del>		
		\$3,637,285	\$3,651,517		
	Animal Welfare (53104).....	\$199,249	\$195,229		
	Fund Sources: General .....	\$4,466,466	\$4,462,446		
	Special.....	<del>\$1,360,246</del>	<del>\$1,360,246</del>		
		\$1,546,152	\$1,560,384		
	Federal Trust.....	\$1,062,909	\$1,062,909		
	Authority: Title 3.1, Chapters 27 and 27.4, Code of Virginia.				
94.	Agricultural Industry Marketing, Development, Promotion, and Improvement (53200).....			<del>\$16,449,507</del> \$16,532,237	<del>\$16,949,507</del> \$17,096,717
	Grading and Certification of Virginia Products (53201) ..	<del>\$5,754,518</del> \$5,837,248	<del>\$5,754,518</del> \$5,901,728		

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Milk Marketing Regulation (53204) .....	\$755,801	\$755,801		
Marketing Research (53205) .....	\$573,866	\$573,866		
Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206) .....	\$3,526,937	\$3,526,937		
Agricultural Commodity Boards (53208) .....	\$4,530,619	\$4,530,619		
Agribusiness Development Services and Farmland Preservation (53209) .....	\$1,307,766	\$1,807,766		
Fund Sources: General .....	\$6,541,579	\$7,041,579		
Special .....	\$108,125	\$108,125		
Trust and Agency .....	<del>\$5,147,837</del>	<del>\$5,147,837</del>		
	\$5,230,567	\$5,295,047		
Dedicated Special Revenue .....	\$4,331,966	\$4,331,966		
Federal Trust .....	\$320,000	\$320,000		

Authority: Title 3.1, Chapters 1.1, 4.7, 6, 9, 18, 23, 24, 25.1, 25.2, 25.3, 25.4, 26, 27, 27.1, 40, 42.1, 43, and 44; Title 28.2, Chapter 2; and Title 61.1, Chapter 4, Code of Virginia.

A. Agricultural Commodity Boards shall be paid from the special fund taxes levied in the following estimated amounts:

1. To the Bright Flue-Cured Tobacco Board, \$135,000 the first year and \$135,000 the second year.
2. To the Corn Board, \$390,000 the first year and \$390,000 the second year.
3. To the Dark-Fired Tobacco Board, \$8,000 the first year and \$8,000 the second year.
4. To the Egg Board, \$210,000 the first year and \$210,000 the second year.
5. To the Pork Industry Board, \$254,237 and 1.0 position the first year and \$254,237 and 1.0 position the second year.
6. To the Soybean Board, \$480,000 the first year and \$480,000 the second year.
7. To the Peanut Board, \$220,000 the first year and \$220,000 the second year.
8. To the Cattle Industry Board, \$425,000 the first year and \$425,000 the second year.
9. To the Virginia Small Grains Board, \$200,000 the first year and \$200,000 the second year.
10. To the Virginia Horse Industry Board, \$320,000 the first year and \$320,000 the second year.
11. To the Virginia Sheep Industry Board, \$35,000 the first year and \$35,000 the second year.
12. To the Virginia Irish Potato Board, \$25,000 the first year and \$25,000 the second year.
13. To the Virginia Cotton Board, \$180,000 the first year and \$180,000 the second year.
14. To the State Apple Board, \$257,650 the first year and \$257,650 the second year.

B. Out of the amounts for this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, \$436,278 and 3.0 positions the first year and \$436,278 and 3.0 positions the second year.

C. Each Commodity Board is authorized to expend funds in accordance with its authority as stated in the Code. Such expenditures will be limited to available revenue levels.

D. Out of this appropriation shall be set aside an amount not to exceed \$580,679 the first year and \$580,679 the second year from the general fund for the Virginia Wine Board. The funds shall be deposited into the Virginia Wine Promotion Fund.

ITEM 94.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>E. Each Commodity Board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the Board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the Board's past year activities. The manner of notification shall be determined by each Board.</p> <p><del>F. Out of the amounts for this Item shall be provided \$100,000 the first year and \$100,000 the second year from the general fund to be transferred to Virginia Polytechnic Institute and State University and Virginia State University for additional research and field tests of specialty crops to determine which crops are best suited to Virginia conditions.</del></p> <p>G. Out of the amounts for this Item shall be provided \$194,095 the first year and \$194,095 the second year from the general fund to develop and implement a program to facilitate the development and marketing of high-value specialty agricultural production. The program will gather data on specialty crop production in Virginia, identify resources to help farmers enter into new production, provide marketing support for specialty and value-added agricultural products and, through existing funding sources, provide matching low-interest loans to farmers or cooperatives for pilot projects for new specialty crop ventures.</p> <p>H. Out of the amounts for this Item, the Commissioner is authorized to expend from the general fund amounts not to exceed \$25,000 the first year and \$25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.</p>				
95.	Plant Pest and Disease Control (53500).....		\$5,015,303	\$5,015,303
	Plant Pest and Disease Prevention and Control Services (53504) .....	\$5,015,303	\$5,015,303	
	Fund Sources: General .....	\$2,053,034	\$2,053,034	
	Special .....	\$1,186,926	\$1,186,926	
	Federal Trust .....	\$1,775,343	\$1,775,343	
<p>Authority: Title 3.1, Chapters 13, 17, 17.2, 22.1, 22.2, 38, and 39; Title 15.2, Chapter 18, Code of Virginia.</p> <p>Out of the amounts included for Plant Pest and Disease Control, \$150,000 in the first year <del>and \$150,000 in the second year</del> from the general fund is appropriated to support the eradication of hydrilla on Lake Gaston, Smith Mountain Lake, Lake Anna and the Potomac River.</p>				
96.	Agriculture and Food Homeland Security (54100).....		\$436,616	\$436,616
	Agricultural and Food Emergencies Prevention and Response (54101).....	\$436,616	\$436,616	
	Fund Sources: General .....	\$329,114	\$329,114	
	Special .....	\$107,502	\$107,502	
<p>Authority: Title 3.1 Chapters 13, 20, and 27.</p>				
97.	Consumer Affairs Services (55000).....		\$2,164,795	<del>\$2,164,795</del> \$2,304,818
	Consumer Affairs - Regulation and Consumer Education (55001).....	\$2,164,795	<del>\$2,164,795</del> \$2,304,818	
	Fund Sources: General .....	\$284,012	\$284,012	
	Special .....	\$1,880,783	<del>\$1,880,783</del> \$2,020,806	
<p>Authority: Title 3.1, Chapter 3.1; Title 57, Chapters 3 and 5; Title 59.1, Chapters 24, 25, 25.1, 33, 34, 35, 36, and 46 Code of Virginia.</p>				

ITEM 97.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

**I VETO THIS ITEM. /s/ Timothy M. Kaine (3/30/09) (Vetoed item is enclosed in brackets.)**

98.	Regulation of Business Practices (55200) .....			\$2,773,166	<del>\$2,773,166</del> \$1,523,166
	Regulation of Grain Commodity Sales (55207) .....	\$81,863	\$81,863		
	Regulation of Weights and Measures and Motor Fuels (55212) .....	\$2,691,303	<del>\$2,691,303</del> \$1,441,303		
	Fund Sources: General .....	\$2,564,047	<del>\$2,564,047</del> \$1,314,047		
	Special .....	\$209,119	\$209,119		

Authority: Title 3.1, Chapters 19, 26, 35, 35.1, and 36; Title 61.1, Chapter 7; and Title 59.1, Chapter 12 Code of Virginia.

*A. Beginning January 1, 2010, any person whose weights and measures, as defined in § 3.2-5600 of the Code of Virginia, which are used for a commercial purpose, shall provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner of such weights and measures shall report to the Commissioner of Agriculture and Consumer Services on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices. The owner shall have the weights and measures inspected and tested at least annually by a service agency that is registered pursuant to § 3.2-5702 of the Code of Virginia. Weights and measures that have been rejected by a service agency, shall not again be used commercially until they have been officially reexamined by the rejecting authority, and found to be in compliance with Chapter 56 of Title 3.2 Code of Virginia.*

*B. Beginning January 1, 2010, and notwithstanding the provisions of § 59.1-152, the Commissioner of Agriculture and Consumer Services shall require and prescribe the testing of motor fuel and lubricating oil by manufacturers, wholesalers, jobbers and retailers subject to the provisions of Chapter 12 of Title 59.1 and shall require the submission of said test results to the Commissioner in a manner and frequency no less than annually, as prescribed by the Commissioner.*

*C. Any person found by the Commissioner to be in violation of this item shall be subject to the penalties provided in §§ 3.2-5645, 3.2-5646 and 59.1-163 of the Code of Virginia.*

*D. The Commissioner may take such action as necessary to recover all direct and reasonable costs related to any investigation which results in a finding of a violation of the provisions of Chapter 56 of Title 3.2 or Chapter 12 of Title 59.1 Code of Virginia.*

*E. If the Board of Agriculture and Consumer Services determines that regulations are necessary to carry out the provisions of this item, the Board shall adopt emergency regulations to implement the provisions of this item to be effective within 180 days of its enactment. The Board shall adopt permanent regulations prior to the expiration of the emergency regulations.*

*F. The Commissioner shall provide a report on progress made toward the privatization of the weights and measures program to the Governor and the Chairman of the House Appropriations Committee, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Finance Committee, and the Senate Committee on Agriculture, Conservation and Natural Resources by November 1, 2009. Included in the report shall be recommendations for any statutory changes necessary for the further implementation of the provisions of this item.*



ITEM 99.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
99.	Food Safety and Security (55400) .....			\$7,260,816	\$7,260,816
	Regulation of Food Establishments and Processors (55401) .....	\$2,852,112	\$2,852,112		
	Regulation of Meat Products (55402).....	\$3,215,541	\$3,215,541		
	Regulation of Milk and Dairy Industry (55403) .....	\$1,193,163	\$1,193,163		
	Fund Sources: General .....	\$4,796,984	\$4,796,984		
	Special .....	\$583,785	\$583,785		
	Federal Trust.....	\$1,880,047	\$1,880,047		

Authority: Title 3.1, Chapters 20, 21, 23, 27, 30, and 32, Code of Virginia.

A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.

B. The Commissioner of Agriculture and Consumer Services is authorized to collect an annual inspection fee, not to exceed \$40, to be collected from all establishments that are subject to inspection pursuant to Chapter 20 of Title 3.1 of the Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally-imposed fee, when combined, do not exceed \$40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee.

100.	Regulation of Products (55700) .....			\$6,038,209	\$6,038,209
				\$6,214,538	\$6,259,585
	Pesticide Regulation and Applicator Certification (55704) .....	\$3,727,495	\$3,727,495		
	Regulation of Feed, Seed, and Fertilizer Products (55706) .....	\$2,310,714	\$2,310,714		
		\$2,487,043	\$2,532,090		
	Fund Sources: General .....	\$697,221	\$697,221		
	Dedicated Special Revenue .....	\$4,521,454	\$4,521,454		
		\$4,697,783	\$4,742,830		
	Federal Trust.....	\$819,534	\$819,534		

Authority: Title 3.1, Chapters 1, 3, 10.1, 11.1, 14.1, 16, 19, 26, 28.1, and 29; Title 18.2, Chapter 6; and Title 59.1, Chapter 12, Code of Virginia.

101.	Regulation of Charitable Gaming Organizations (55900) .....			\$2,635,229	\$2,635,229
	Gaming Organization Licensing (55901).....	\$306,388	\$306,388		
	Charitable Gaming Management Training (55902).....	\$64,518	\$64,518		
	Gaming Organization Audits (55903).....	\$702,603	\$702,603		
	Gaming Organization Enforcement (55904).....	\$410,662	\$410,662		
	Gaming Organization Inspection (55905).....	\$345,938	\$345,938		
	Administrative Services (55906) .....	\$805,120	\$805,120		
	Fund Sources: General .....	\$2,635,229	\$2,635,229		

A. The amount in this Item represents appropriations transferred to the department from the Department of Charitable Gaming. The Director, Department of Planning and Budget, shall submit an operating plan for the combined agencies to the Chairmen of the House Appropriations and Senate Finance Committees no later than July 1, 2008.

B. Out of this appropriation, the members of the Charitable Gaming Board shall receive compensation and reimbursement for their reasonable expenses in performance of their duties, as provided in § 2.2-2104, Code of Virginia.

ITEM 101.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	C. Notwithstanding § 18.2-340.31, Code of Virginia, any and all fees paid by any organization conducting charitable gaming under a permit issued by the department, including audit and administrative fees and permit fees, shall be deposited to the general fund.				
	D. The department shall deposit into the Investigation Fund any assets it receives as a result of a law enforcement seizure and subsequent forfeiture by either a state or federal court. The fund shall be used to defray the expenses of investigation and enforcement actions and to purchase equipment for enforcement purposes.				
102.	Administrative and Support Services (59900).....			\$8,717,818	\$8,717,818
	General Management and Direction (59901).....	\$8,717,818	\$8,717,818		
	Fund Sources: General.....	\$7,508,582	\$7,508,582		
	Special.....	\$974,641	\$974,641		
	Trust and Agency.....	\$151,534	\$151,534		
	Federal Trust.....	\$83,061	\$83,061		
	Authority: Title 3.1, Chapters 1, 3, 4.1, 4.3, and 5; Title 10.1, Chapter 5, Code of Virginia.				
	Out of the amounts in this Item shall be transferred to the Agricultural Education Program in the College of Agriculture and Life Sciences at Virginia Polytechnic Institute and State University \$150,000 and three positions in the first year and \$150,000 and three positions in the second year from the general fund to support agricultural educational specialists to be located in the eastern and western portions of Virginia.				
102.05.	Executive Management (71300).....			(\$1,757,276)	(\$3,179,652)
	Savings From Management Actions (71301).....	(\$1,757,276)	(\$3,179,652)		
	Fund Sources: General.....	(\$1,757,276)	(\$3,179,652)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Agriculture and Consumer Services.....			<b>\$60,462,188</b> <b>\$59,149,877</b>	<b>\$60,958,168</b> <b>\$57,237,263</b>
	General Fund Positions.....	365.99	365.99		
		348.69	336.69		
	Nongeneral Fund Positions.....	172.01	172.01		
		177.31	182.31		
	Position Level.....	538.00	538.00		
		526.00	519.00		
	Fund Sources: General.....	\$32,209,456	\$32,705,436		
		\$30,452,180	\$28,275,784		
	Special.....	\$6,411,127	\$6,411,127		
		\$6,597,033	\$6,751,288		
	Trust and Agency.....	\$5,299,371	\$5,299,371		
		\$5,382,101	\$5,446,581		
	Dedicated Special Revenue.....	\$8,853,420	\$8,853,420		
		\$9,029,749	\$9,074,796		
	Federal Trust.....	\$7,688,814	\$7,688,814		
	<b>§ 1-34. DEPARTMENT OF FORESTRY (411)</b>				
103.	Forest Management (50100).....			\$28,874,448	\$28,874,448 \$31,215,818

ITEM 103.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Reforestation Incentives to Private Forest Land Owners (50102) .....	\$2,643,826	\$2,643,826		
Forest Conservation, Wildfire & Watershed Services (50103) .....	\$22,172,084	<del>\$22,172,084</del> \$24,138,454		
Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104).....	\$3,758,538	\$3,758,538		
Financial Assistance for Forest Land Management (50105) .....	\$300,000	<del>\$300,000</del> \$675,000		
Fund Sources: General .....	\$18,604,326	\$18,604,326		
Special .....	\$7,369,386	\$7,369,386		
Trust and Agency .....	\$100,000	\$100,000		
Dedicated Special Revenue .....	\$145,000	<del>\$145,000</del> \$211,370		
Federal Trust.....	\$2,655,736	<del>\$2,655,736</del> \$4,930,736		

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 473 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. This appropriation includes annual membership dues to the Southeast Interstate Forest Fire Protection Compact, \$1,000 the first year and \$1,000 the second year, from nongeneral funds.

D. The Department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the Department may charge an administrative fee for this service.

E. The Department of Forestry, in cooperation with the Department of Corrections, shall increase the use of inmate labor for routine and special work projects in state forests.

F. The Department shall report by December 15 of each year on the progress of implementing the silvicultural water quality laws in Virginia. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees.

G. The appropriation in Reforestation Incentives to Private Forest Land Owners include \$1,145,140 the first year and \$1,145,140 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia.

H. Out of this appropriation, \$579,629 the first year and \$579,629 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

I. The Department is authorized to enter into an agreement with a private entity for a pilot program to place a communication tower on Department-owned property that is designed to blend with the surrounding landscape to the greatest extent practicable. Notwithstanding any other provision of law, any revenues received from such an agreement shall be retained by the Department and used for forest land management.

103.05.	Executive Management (71300) .....		(\$1,899,833)	(\$2,292,692)
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ITEM 103.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Savings From Management Actions (71301).....</i>	<i>(\$1,899,833)</i>	<i>(\$2,292,692)</i>		
<i>Fund Sources: General.....</i>	<i>(\$1,899,833)</i>	<i>(\$2,292,692)</i>		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Forestry .....			<b>\$28,874,448</b>	<b>\$28,874,448</b>
			<b>\$26,974,615</b>	<b>\$28,923,126</b>
General Fund Positions.....	218.77	218.77		
	206.77	187.39		
Nongeneral Fund Positions.....	104.61	104.61		
	112.61	112.61		
Position Level .....	323.38	323.38		
	319.38	300.00		
Fund Sources: General .....	\$18,604,326	\$18,604,326		
	\$16,704,493	\$16,311,634		
Special.....	\$7,369,386	\$7,369,386		
Trust and Agency .....	\$100,000	\$100,000		
Dedicated Special Revenue .....	\$145,000	\$145,000		
		\$211,370		
Federal Trust.....	\$2,655,736	\$2,655,736		
		\$4,930,736		
<b>§ 1-35. VIRGINIA AGRICULTURAL COUNCIL (307)</b>				
104. Agricultural and Seafood Product Promotion and Development Services (53000).....			\$490,334	\$490,334
Grants for Agriculture, Research, Education and Services (53001).....	\$490,334	\$490,334		
Fund Sources: Dedicated Special Revenue .....	\$490,334	\$490,334		
Authority: Title 3.1, Chapter 4.1, Code of Virginia.				
Total for Virginia Agricultural Council .....			<b>\$490,334</b>	<b>\$490,334</b>
Fund Sources: Dedicated Special Revenue .....	\$490,334	\$490,334		
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			<b>\$90,276,144</b>	<b>\$90,772,124</b>
			<b>\$87,064,000</b>	<b>\$87,098,062</b>
General Fund Positions.....	587.76	587.76		
	558.46	527.08		
Nongeneral Fund Positions.....	276.62	276.62		
	289.92	294.92		
Position Level .....	864.38	864.38		
	848.38	822.00		
Fund Sources: General .....	\$51,262,956	\$51,758,936		
	\$47,605,847	\$45,034,757		
Special.....	\$13,780,513	\$13,780,513		
	\$13,966,419	\$14,120,674		
Trust and Agency .....	\$5,399,371	\$5,399,371		
	\$5,482,101	\$5,546,581		

ITEM 104.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Dedicated Special Revenue .....	<del>\$9,488,754</del>	<del>\$9,488,754</del>		
	<del>\$9,665,083</del>	<del>\$9,776,500</del>		
Federal Trust .....	<del>\$10,344,550</del>	<del>\$10,344,550</del>		
		<del>\$12,619,550</del>		

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

## OFFICE OF COMMERCE AND TRADE

## § 1-36. SECRETARY OF COMMERCE AND TRADE (192)

105.	Economic Development Services (53400).....		\$24,580,966	\$18,730,966
	Financial Assistance for Economic Development (53410) .....	\$24,580,966	\$18,730,966	\$12,486,055
		\$23,846,722	\$12,486,055	
	Fund Sources: General .....	\$24,580,966	\$18,730,966	
		\$23,846,722	\$12,111,055	
	Special .....	\$0	\$375,000	

Authority: Discretionary Inclusion.

A. Any unexpended balance remaining in this Item on June 30, 2009, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the current biennium. Any unexpended balance remaining in this Item on June 30, 2010, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.

B.1. Out of the amounts in this Item, \$7,600,000 the first year and ~~\$7,500,000~~ \$11,911,055 the second year from the general fund shall be deposited to the Governor's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. *The Governor shall restore \$588,945 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.* Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects to locate or expand in Virginia.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law. In accordance with Chapters 1019 and 1044 of the Acts of Assembly of 2000, the project list is amended to include state road improvements for the APM terminal to address costs beyond the funding capability of existing programs. In accordance with Chapter 655 of the Acts of Assembly of 2005, the Commonwealth Transportation Board is authorized to provide funding for state road improvements for the State Fair of Virginia to address costs beyond the funding capability of existing programs and private contributions.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Governor's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund.</p>				
<p><del>6. From the amounts appropriated in paragraph B-1., the Governor may provide up to \$13,750,000 in the biennium to honor any written commitments for the acceleration of payments for semiconductor manufacturing pursuant to § 59.1-284 et. seq., Code of Virginia. The Secretary of Commerce and Trade shall notify the Chairmen of the House Appropriations and Senate Finance committees upon agreement to accelerate these payments.</del></p>				
<p><i>6. Out of the amounts in paragraph B of this item, up to \$1,500,000 the second year from the general fund may be provided to offset training expenses for a major automotive employer operating a diesel assembly and test facility in the City of Newport News, contingent upon such employer entering into a performance agreement with the Virginia Economic Development Partnership describing the employer's commitments regarding job creation and retention. The funds shall be administered in a manner similar to existing training grant programs permitted under § 2.2-902, Code of Virginia. The major automotive employer shall certify to the Secretary of Commerce and Trade that it has retained at least 500 jobs in the Commonwealth and has taken actions to increase employment by at least 250 new full-time jobs in the Commonwealth.</i></p>				
<p>C. Out of the appropriation for this Item, \$3,720,000 the first year from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Fund to be used to pay semiconductor memory or logic wafer manufacturing performance grants in accordance with § 59.1-284.14, Code of Virginia.</p>				
<p>D. Out of the appropriation for this Item, \$11,750,000 the first year <del>and \$8,750,000 the second year</del> from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Fund II to be used to pay semiconductor manufacturing performance grants in accordance with §§ 59.1-284.15 and 59.1-284.15:1, Code of Virginia.</p>				
<p>E. Out of the appropriation for this Item, <del>\$1,340,966</del> \$576,722 the first year <del>and \$2,280,966</del> from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia. <i>The Governor shall restore \$1,562,756 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.</i></p>				
<p>F. Out of the appropriation for this Item, \$200,000 the first year and \$200,000 the second year from the general fund shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. <i>In addition to these amounts, \$375,000 in nongeneral fund revenues shall be deposited to the Fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.</i></p>				
<p>G. The Secretary of Commerce and Trade shall evaluate the efficacy of and the financial and programmatic efficiencies that could be generated by consolidating the Department of Business Assistance into an appropriate agency within the Commerce and Trade Secretariat. Agencies that the Secretary shall consider consolidating the Department of Business Assistance into shall include, but not be limited to, the Virginia Economic Development Partnership and the Department of Minority Business Enterprises. As part of this evaluation, the Secretary shall develop a process to transfer the workforce-related service activities at the Department of Business Assistance to the Virginia Economic Development Partnership. The evaluation shall include, but not be limited to, establishing the goals of the new agency; measurable objectives to assess the future performance of the agency; the strategies to carry out the objectives; and identification and description of the activities and services to be reorganized, enhanced, curtailed, or eliminated. The Secretary of Commerce and Trade shall report its findings to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2008, with a detailed review of the plan for completing the consolidation.</p>				

ITEM 106.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
106.	Administrative and Support Services (79900).....			\$834,355	\$834,355
	General Management and Direction (79901).....	\$834,355	\$834,355		
	Fund Sources: General.....	\$834,355	\$834,355		

Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.

A. It is the intent of the General Assembly that state programs providing financial, technical, or training assistance to local governments for economic development projects or directly to businesses seeking to relocate or expand operations in Virginia should not be used to help a company relocate or expand its operations in one or more Virginia communities when the same company is simultaneously closing facilities in other Virginia communities. It is the responsibility of the Secretary of Commerce and Trade to enforce this policy and to inform the Chairmen of the Senate Finance and House Appropriations Committees in writing of the justification to override this policy for any exception.

B. The Secretary shall report to the Chairmen of the Senate Finance and the House Appropriations and Finance Committees by October 30 of each year, on the use and efficacy of state incentives in creating investments and jobs in Virginia in the prior fiscal year. The two-part report shall identify, by planning districts, the following items using the most recent data available: (1) the number of companies receiving business incentives; (2) the dollar amounts received by each company for each incentive; (3) the number of jobs to be created; (4) the average salary; and (5) the amount of investment agreed upon by the state and the company as a condition for receiving the incentives. For the purposes of this report, the incentives to be reviewed in the study are those incentives included in the Virginia Economic Development Partnership publication, "Virginia Business Incentives 1997-98" as well as business incentive programs authorized and funded by the General Assembly since the 1999 Session. The first part of the study shall not identify by name the companies participating in the state's incentive programs. In the second part of the report, organized by planning district, the Secretary shall include the actual number of jobs created, average salary, and level of investments made by each company awarded incentives in the prior fiscal year; if not prohibited by state law or by memorandum of agreement or understanding between the Commonwealth and the company, the names of the companies awarded incentives shall be included. In addition, the report shall also identify the specific actions taken by the state as part of its business incentive program to create private investments and jobs in rural areas of the state and the success of these actions.

C. The Secretary of Commerce and Trade shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the work undertaken to support high speed broadband deployment in the Hampton Roads (Planning District II) region pursuant to the appropriation of funding for such purpose in Chapter 847 of the Acts of Assembly of 2007. Such report shall also include a feasibility assessment of the implementation of a broadband infrastructure that should include, but not be limited to, services such as a load-balanced 20-gigabit capacity to all site locations; fully redundant, fault-tolerant data networking; unlimited bandwidth without monthly recurring charges; disaster recovery planning and services; internet streaming video services; network-based telephone services; electronic software distribution, inventory and maintenance systems; network security and intrusion prevention systems; video teleconferencing; community wireless "hot spots"; system co-location and maintenance; and electronic, network-based, building security systems made available to all federal, state, and local government agencies, medical facilities, and other commercial and private entities. Such assessment should include an estimate of the project's full costs as well as the availability of funding to implement said proposal from federal, state and other sources. The report, including the feasibility assessment of implementing the broadband network, should be submitted no later than December 1, 2008.

106.05.	Executive Management (71300) .....			\$0	(\$3,314)
	Savings From Management Actions (71301).....	\$0	(\$3,314)		
	Fund Sources: General.....	\$0	(\$3,314)		

Authority: Discretionary Inclusion



ITEM 106.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Secretary of Commerce and Trade.....			<del>\$25,415,321</del> <b>\$24,681,077</b>	<del>\$19,565,321</del> <b>\$13,317,096</b>
General Fund Positions.....	8.00	8.00		
Position Level .....	8.00	8.00		
Fund Sources: General .....	<del>\$25,415,321</del>	<del>\$19,565,321</del>		
	<del>\$24,681,077</del>	<del>\$12,942,096</del>		
<i>Special</i> .....	<del>\$0</del>	<del>\$375,000</del>		

### § 1-37. BOARD OF ACCOUNTANCY (226)

107.	Regulation of Professions and Occupations (56000) .....			\$918,136	\$919,454
	Accountant Regulation (56001).....	\$918,136	\$919,454		
	Fund Sources: Dedicated Special Revenue .....	\$918,136	\$919,454		
	Authority: Title 54.1, Chapter 44, Code of Virginia.				
	Total for Board of Accountancy .....			<b>\$918,136</b>	<b>\$919,454</b>
	Nongeneral Fund Positions.....	8.00	8.00		
	Position Level .....	8.00	8.00		
	Fund Sources: Dedicated Special Revenue .....	\$918,136	\$919,454		

### § 1-38. DEPARTMENT OF BUSINESS ASSISTANCE (325)

108.	Economic Development Services (53400) .....			\$12,469,124	<del>\$12,469,124</del> <b>\$12,497,519</b>
	Virginia Jobs Investment Program (53403).....	\$8,446,790	<del>\$8,446,790</del> <del>\$8,478,390</del>		
	Business Formation Services (53418).....	\$337,351	<del>\$337,351</del> <del>\$636,434</del>		
	Administrative Services (53422) .....	\$1,429,421	<del>\$1,429,421</del> <del>\$1,453,561</del>		
	Financial Services for Economic Development (53423)...	\$1,425,352	<del>\$1,425,352</del> <del>\$1,463,297</del>		
	Existing Business Services (53424) .....	\$830,210	<del>\$830,210</del> <del>\$465,837</del>		
	Fund Sources: General .....	\$11,223,521	\$11,223,521		
	Special .....	\$350,253	<del>\$350,253</del> <del>\$378,648</del>		
	Dedicated Special Revenue .....	\$895,350	\$895,350		

Authority: Title 2.2, Chapter 9; Chapter 22, Article 7; and Chapter 24, Article 7, Code of Virginia.

A. The Virginia Small Business Financing Authority is authorized to withdraw revenues of up to \$50,000 the first year and \$50,000 the second year from the accrued interest balances of the Virginia Small Business Growth Fund in order to cover the costs of administering the Virginia Capital Access Program.

B.1. Out of the amounts for Economic Development Services shall be provided \$141,235 the first year and ~~\$141,235~~**\$134,173** the second year from the general fund to the Virginia-Israel Advisory Board.

2. The Virginia-Israel Advisory Board shall report by January 15 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the Board's activities and expenditure of state funds.

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C. Any monies remaining in the Virginia Jobs Investment Program at the end of fiscal years 2009 and 2010 shall not revert to the general fund of the state treasury but shall be deposited to the Workforce Retraining Fund and be available for allocation in the ensuing fiscal years.

D. To meet changing financing needs of small businesses, the Executive Director of the Virginia Small Business Financing Authority with the approval of the Director of the Department of Business Assistance may transfer moneys between funds managed by the Authority. These include the Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund (§ 2.2-2309, Code of Virginia); and the Insurance or Guarantee Fund (§ 2.2-2290, Code of Virginia). The Executive Director of the Virginia Small Business Financing Authority shall report, by fund, the transfers made by January 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees.

108.05.	Executive Management (71300) .....			(\$661,799)	(\$752,291)
	Savings From Management Actions (71301) .....	(\$661,799)	(\$752,291)		
	Fund Sources: General .....	(\$661,799)	(\$752,291)		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

Total for Department of Business Assistance .....			<b>\$12,469,124</b>	<b>\$12,469,124</b>
			<b>\$11,807,325</b>	<b>\$11,745,228</b>

General Fund Positions .....	41.00	41.00
	38.00	38.00
Nongeneral Fund Positions .....	7.00	7.00
Position Level .....	48.00	48.00
	45.00	45.00

Fund Sources: General .....	<del>\$11,223,521</del>	<del>\$11,223,521</del>
	\$10,561,722	\$10,471,230
Special .....	\$350,253	<del>\$350,253</del>
		\$378,648
Dedicated Special Revenue .....	\$895,350	\$895,350

#### § 1-39. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)

109.	Housing Assistance Services (45800) .....		\$44,987,336	<del>\$44,987,336</del>	<del>\$45,237,336</del>
	Housing Assistance (45801) .....	\$24,672,572	<del>\$24,672,572</del>	\$24,722,572	
	Homeless Assistance (45804) .....	\$17,314,764	<del>\$17,314,764</del>	\$17,514,764	
	Financial Assistance for Housing Services (45805) .....	\$3,000,000	\$3,000,000		
	Fund Sources: General .....	\$8,896,311	<del>\$8,896,311</del>	\$9,146,311	
	Special .....	\$344,537	\$344,537		
	Dedicated Special Revenue .....	\$100,000	\$100,000		
	Federal Trust .....	\$35,646,488	\$35,646,488		

Authority: Title 36, Chapters 1.4, 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia.

A. The amounts for Housing Assistance Services include ~~\$3,265,220~~\$3,115,200 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from the federal trust fund the first year and ~~\$3,365,220~~\$3,115,220 from the general fund, \$100,000 from dedicated special revenue, and \$3,427,000 from the federal trust fund the second year to support emergency shelters and housing for populations with special needs, and \$4,500,000 the first year and \$4,500,000 the second year from the general fund for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each

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year for program administration. The amounts allocated for emergency shelters shall be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended at the close of business on June 30, 2009, and June 30, 2010, shall not revert to the general fund, but shall be carried forward and reappropriated.

B. The amounts for Housing Assistance Services include \$15,800,000 from federal funds the first year and \$15,800,000 from federal funds the second year to support Virginia affordable housing programs and the Indoor Plumbing Program.

C. Out of the amounts in this Item shall be provided \$500,000 the first year and \$500,000 the second year from the general fund for a child service coordinator referral system in domestic violence and homeless shelters serving minor children.

D. The Department shall report to the Chairmen of the Senate Finance, the House Appropriations Committees, and the Director, Department of Planning and Budget by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, and (iv) homeless intervention programs supported by state funding on a locality and statewide basis. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the Department shall consult with localities and community-based groups.

*E. Out of the amounts for this Item, \$250,000 the second year from the general fund shall be provided to support foreclosure counseling services across the Commonwealth. Funding will be used to provide grants to nonprofit organizations to support new or expanded foreclosure prevention counseling services targeted to areas and populations at greatest risk. Funds may also be used to provide training and technical assistance to counselors specializing in foreclosure prevention, loss mitigation and consumer rights. Any balances for the purposes specified in this paragraph which are unexpended at the close of business on June 30, 2010, shall not revert to the general fund, but shall be carried forward and reappropriated.*

110.	Community Development Services (53300) .....			\$49,090,566	\$47,703,913 \$58,214,951
	Community Development and Revitalization (53301) .....	\$6,040,462	<del>\$5,800,462</del> \$5,778,449		
	Financial Assistance for Regional Cooperation (53303)...	\$3,590,570	<del>\$3,390,570</del> \$3,390,583		
	Financial Assistance for Community Development (53305) .....	\$39,459,534	<del>\$38,512,881</del> \$49,045,919		
	Fund Sources: General .....	\$16,663,130	\$15,316,477		
	Special .....	\$152,012	\$152,012		
	Dedicated Special Revenue .....	\$7,000,000	\$7,000,000		
	Federal Trust .....	\$25,275,424	<del>\$25,235,424</del> \$35,746,462		

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia.

A. This appropriation includes annual membership dues to the Appalachian Regional Commission, \$287,000 the first year and \$287,000 the second year, from the general fund. These dues are payable from the amounts for Community Development and Revitalization.

B.1. Any unexpended balances in the Indoor Plumbing Program at the close of business on June 30, 2009 and June 30, 2010 shall not revert to the general fund, but shall be carried forward and reappropriated.

2. The Department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.

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C. Out of the amounts for Community Development Services shall be paid from the general fund in four equal quarterly installments each year:				
1. To the Lenowisco Planning District Commission,	<del>\$122,180</del>	<del>\$120,346</del>		
the first year and \$122,180 the second year, which includes \$38,610 the first year and \$38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.				
2. To the Cumberland Plateau Planning District Commission,	<del>\$125,771</del>	<del>\$123,883</del>		
and \$125,771 the second year, which includes \$42,390 the first year and \$42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.				
3. To the Mount Rogers Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
4. To the New River Valley Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
5. To the Roanoke Valley-Alleghany Regional Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
6. To the Central Shenandoah Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
7. To the Northern Shenandoah Valley Regional Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
8. To the Northern Virginia Regional Commission,	<del>\$288,324</del>	<del>\$283,998</del>		
the first year and \$288,324 the second year.				
9. To the Rappahannock-Rapidan Regional Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
10. To the Thomas Jefferson Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
11. To the Region 2000 <del>Regional Commission</del> <i>Local Government Council</i> ,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
12. To the West Piedmont Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
13. To the Southside Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
14. To the <del>Piedmont Planning District Commission</del> <i>Commonwealth Regional Council</i> ,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
15. To the Richmond Regional Planning District Commission,	<del>\$157,013</del>	<del>\$154,656</del>		
the first year and \$157,013 the second year.				
16. To the <del>RADCO Planning District</del> <i>George Washington Regional</i> Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
17. To the Northern Neck Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
18. To the Middle Peninsula Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				
19. To the Crater Planning District Commission,	<del>\$85,500</del>	<del>\$84,217</del>		
the first year and \$85,500 the second year.				

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20. To the Accomack-Northampton Planning District Commission, <del>\$85,500</del> \$84,217 the first year and <del>\$85,500</del> \$77,720 the second year.				
21. To the Hampton Roads Planning District Commission <del>\$279,295</del> \$275,104 the first year, and <del>\$279,295</del> \$253,879 the second year.				
D. Out of the amounts provided to the Department shall be provided <del>\$1,484,956</del> \$1,462,956 the first year and <del>\$1,484,956</del> \$1,262,487 the second year from the general fund for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The Department shall disburse the total payment each year in twelve equal monthly installments.				
E. Any remaining balances in the Virginia Enterprise Initiative shall not revert to the general fund, but shall be carried forward and reappropriated.				
F. 1. Out of the amounts in this Item shall be provided \$95,000 the first year and \$95,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the Center.				
2. Out of the amounts in this item \$25,000 in the first year from the general fund shall be available to the Center for Rural Virginia, contingent upon receipt of private foundation and/or non-profit grants for community development activities in rural communities.				
3. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing rural economic development problems. Any unexpended balance for the Center for Rural Virginia at the close of business on June 30, 2009, and June 30, 2010, shall not revert to the general fund but shall be carried forward and reappropriated.				
G. Any unexpended balances to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts on June 30, 2009, and June 30, 2010, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted. The department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.				
H.1. Out of the amounts for Community Development Services shall be provided <del>\$200,000</del> \$50,000 the first year from the general fund to support a community development financial institution to provide business and housing loans in distressed communities and to distressed populations.				
2. The Director, Department of Housing and Community Development, and another appointee of the Governor shall serve as members of the board of directors of the community development financial institution.				
I. Any unexpended balances on June 30, 2009 and June 30, 2010, from the amount appropriated in Item 112.10, paragraph D of Chapter 951 of the Acts of Assembly of 2005 for two regional consortium grants to support specifically identified current and future workforce training needs of existing businesses in distressed regions of the state shall not revert to the general fund but shall be carried forward and reappropriated.				
J. Any unexpended balances on June 30, 2009 and June 30, 2010. from amounts appropriated in Item 112.10, paragraph F and Item 506, paragraph V of Chapter 951 of the Acts of Assembly of 2005 to develop regional artisan centers shall not revert to the general fund but shall be carried forward and reappropriated.				
K. Out of the amounts for Community Development Services shall be provided \$71,250 the first year and \$71,250 the second year from the general fund to support The Crooked Road: Virginia's Heritage Music Trail.				

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L.1. Out of the amounts in this item shall be provided ~~\$921,653~~\$828,688 in the first year from the general fund for the Commonwealth's share of the estimated fiscal year 2009 operating expenses of the Fort Monroe Federal Area Development Authority. ~~This~~ *The FY 2009* appropriation represents 75 percent of the authority's estimated fiscal year 2009 operating expenses that may not be reimbursed by the federal government— ~~This amount~~ and shall be reduced by any federal funding the authority may receive for expenditures within the 75 percent estimate that may ultimately qualify for federal reimbursement. *The Governor shall restore \$1,556,934 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009. The FY 2010 appropriation represents 50 percent of the authority's estimated FY 2010 operating expenses.* Amounts for this purpose shall be paid from the general fund in no more than four quarterly installments.

2. ~~During FY 2009, the~~ *the* Department of Housing and Community Development is authorized to act as fiscal agent for the Fort Monroe Federal Area Development Authority (FMFADA) created pursuant to § 15.2-6304.1, Code of Virginia (Chapters 707 and 740 of the Acts of Assembly of 2007). As fiscal agent, the department is authorized to conduct payroll, fiscal, procurement, and any other business activities requested by the Board of Commissioners for the FMFADA that are necessary to support the administration of the FMFADA. When acting in its capacity as fiscal agent for the FMFADA, the department shall have discretion regarding the transactions it performs on behalf of the FMFADA. Further, the department may employ staff on behalf of the FMFADA as requested by the Board of Commissioners for the FMFADA. Any such employees shall be placed in restricted positions and shall serve at the pleasure of the Board of Commissioners for the FMFADA.

3. *The Board of Commissioners for the FMFADA shall develop and adopt a plan, to include the applicable policies and procedures, for the FMFADA to conduct payroll, fiscal, procurement, human resources, and any other business activities of the FMFADA beginning July 1, 2009. Contingent upon the adoption and implementation of such a plan by the Board of Commissioners, beginning July 1, 2009, the Department of Housing and Community Development will no longer act as fiscal agent for the FMFADA. Beginning July 1, 2009, all moneys of the FMFADA, from whatever source derived, shall be paid to the treasurer of the FMFADA. The Auditor of Public Accounts or his legally authorized representatives, shall annually examine the accounts of the books of the FMFADA.*

4. *Employees of the FMFADA shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.*

5. *For the purposes of § 2.2-2708, the board of commissioners of the Fort Monroe Federal Area Development Authority created pursuant to § 15.1-6304.1 shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708. Electronic communication shall mean the same as that term is defined in § 2.2-3701.*

M. Included in this appropriation is \$7,000,000 the first year and \$7,000,000 the second year from the Water Quality Improvement Fund for grants to communities located outside the Chesapeake Bay watershed for: 1) the construction of mandated water quality improvement facilities at publicly owned treatment works for projects that would otherwise result in a financial hardship for the residential users of the facilities; 2) the design and construction of managed on-site community wastewater treatment systems in isolated areas that cannot be addressed through active treatment facilities; and 3) planning grants to develop regional or county wide wastewater treatment strategies in areas that have not previously completed planning and engineering studies. Priority will be given to the elimination of straight piping of household wastewater into the Commonwealth's waterways. The Department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Out of the amounts appropriated in this paragraph, up to \$500,000 the first year from the amounts transferred from the Water Quality Improvement Fund shall be designated for Wise County to support construction of wastewater treatment facilities to serve the Remote Area Medical (RAM).

N. Included in this item is ~~\$200,000~~\$197,000 the first year from the general fund for the Commonwealth Regional Council for regional economic development efforts.

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<p>O. Included in this item is <del>\$95,500</del>\$94,067 in the first year and <del>\$95,500</del>\$86,810 in the second year from the general fund for the Lenowisco Planning District Commission.</p> <p>P. Included in this item is <del>\$30,000</del>\$29,550 in the first year and <del>\$30,000</del>\$27,270 in the second year from the general fund for the George Washington Regional <del>Council</del>Commission.</p> <p>Q. Included in this item is <del>\$30,000</del>\$29,550 in the first year and <del>\$30,000</del>\$27,270 in the second year from the general fund for the Rappahannock-Rapidan Regional Commission.</p> <p>R. Included in this item is <del>\$169,500</del>\$166,957 in the first year and <del>\$169,500</del>\$154,076 in the second year from the general fund for the Northern Virginia Regional Commission.</p>				
111.	Economic Development Services (53400).....		\$15,678,467	\$15,678,467
	Financial Assistance for Economic Development (53410) .....	\$15,678,467	\$15,678,467	
	Fund Sources: General.....	\$15,678,467	\$15,678,467	
<p>Authority: Title 59.1, Chapter 22, Code of Virginia.</p> <p>This Item includes <del>\$15,400,000</del>\$ 14,293,900 the first year and <del>\$15,400,000</del>\$13,150,000 the second year from the general fund to carry out the provisions of §§ 59.1-282.1 and 59.1-282.2, Code of Virginia, related to the Enterprise Zone Act. Should actual grants to be awarded in each fiscal year be less than the above amounts, the excess shall revert to the general fund on June 30, 2009, and June 30, 2010. Notwithstanding the provisions of §§ 59.1-282.1 and 59.1-282.2, Code of Virginia, the Department is authorized to prorate, with no payment of the unpaid portion of the grant necessary in the next fiscal year, the amount of awards each business receives to match the appropriation for this Item.</p>				
112.	Regulation of Structure Safety (56200) .....		\$3,099,647	<del>\$3,099,647</del> \$2,960,385
	State Building Code Administration (56202) .....	\$3,099,647	<del>\$3,099,647</del> \$2,960,385	
	Fund Sources: General .....	\$616,557	\$616,557	
	Special .....	\$2,043,828	\$2,043,828	
	Dedicated Special Revenue .....	\$300,000	\$300,000	
	Federal Trust.....	\$139,262	<del>\$139,262</del> \$0	
<p>Authority: Title 15.2, Chapter 9; Title 27, Chapters 1, 6, and 9; Title 36, Chapters 4, 4.1, 4.2, 6, and 8; Title 58.1, Chapter 36, Article 5; and Title 63.2, Chapter 17, Code of Virginia.</p> <p>The Department of Housing and Community Development shall recover from the Virginia Department of Health all costs associated with federal life safety code inspections and enforcement services.</p>				
113.	Governmental Affairs Services (70100).....		\$363,966	\$363,966
	Intergovernmental Relations (70101) .....	\$363,966	\$363,966	
	Fund Sources: General .....	\$363,966	\$363,966	
<p>Authority: Title 15.2, Subtitle III, Code of Virginia.</p>				
114.	Administrative and Support Services (59900).....		<del>\$2,834,220</del> \$2,890,630	<del>\$2,834,220</del> \$3,036,651
	General Management and Direction (59901).....	<del>\$2,834,220</del> \$2,890,630	<del>\$2,834,220</del> \$3,036,651	
	Fund Sources: General .....	<del>\$2,322,707</del>	<del>\$2,322,707</del>	

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	Special.....	\$2,379,117 \$511,513	\$2,525,138 \$511,513		
	Authority: Title 36, Chapter 8, Code of Virginia.				
114.05.	Executive Management (71300) .....			(\$3,817,068)	(\$5,800,214)
	Savings From Management Actions (71301).....	(\$3,817,068)	(\$5,800,214)		
	Fund Sources: General.....	(\$3,817,068)	(\$5,800,214)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Housing and Community Development.....			<b>\$116,054,202</b> <b>\$112,293,544</b>	<b>\$114,667,549</b> <b>\$119,691,542</b>
	General Fund Positions.....	87.50 82.50	87.50 82.50		
	Nongeneral Fund Positions.....	22.50 23.50	22.50 23.50		
	Position Level .....	110.00 106.00	110.00 106.00		
	Fund Sources: General .....	\$44,541,138 \$40,780,480	\$43,194,485 \$37,846,702		
	Special.....	\$3,051,890	\$3,051,890		
	Dedicated Special Revenue .....	\$7,400,000	\$7,400,000		
	Federal Trust.....	\$61,061,174	<del>\$61,021,174</del> \$71,392,950		
<b>§ 1-40. DEPARTMENT OF LABOR AND INDUSTRY (181)</b>					
115.	Economic Development Services (53400).....			\$919,977	\$919,977
	Apprenticeship Program (53409).....	\$919,977	\$919,977		
	Fund Sources: General .....	\$919,977	\$919,977		
	Authority: Title 40.1, Chapter 6, Code of Virginia.				
116.	Regulation of Business Practices (55200) .....			\$839,627	\$839,627
	Labor Law Services (55206).....	\$839,627	\$839,627		
	Fund Sources: General .....	\$839,627	\$839,627		
	Authority: Title 40.1, Chapters 1, 3, 4, and 5, Code of Virginia.				
117.	Regulation of Individual Safety (55500) .....			\$9,037,139	\$9,037,139
	Virginia Occupational Safety and Health Services (55501) .....	<del>\$8,800,501</del> \$8,806,247	<del>\$8,800,501</del> \$8,806,247		
	Asbestos and Lead Safety Services (55502).....	<del>\$236,638</del> \$230,892	<del>\$236,638</del> \$230,892		
	Fund Sources: General .....	\$3,696,014	\$3,696,014		
	Special.....	\$440,224	\$440,224		
	Federal Trust.....	\$4,900,901	\$4,900,901		
	Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				



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	Notwithstanding § 40.1-49.4 D, Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to \$116,000 in civil penalties assessed pursuant to § 40.1-49.4 as the required federal grant match for voluntary compliance programs.				
118.	Regulation of Structure Safety (56200) .....			\$567,003	\$567,003
	Boiler and Pressure Vessel Safety Services (56201) .....	\$567,003	\$567,003		
	Fund Sources: General .....	\$567,003	\$567,003		
	Authority: Title 40.1, Chapter 3.1, Code of Virginia.				
118.05.	Personnel Management Services (70400) .....			\$0	\$0
	Compliance and Enforcement (70414) .....	\$0	\$0		
	Fund Sources: General .....	\$0	\$0		
	Federal Trust .....	\$0	\$0		
	Authority: Discretionary Inclusion.				
119.	Administrative and Support Services (59900) .....			\$3,106,140	\$3,106,085
	General Management and Direction (59901) .....	\$3,106,140	\$3,106,085		
	Fund Sources: General .....	\$2,435,583	\$2,435,528		
	Special .....	\$670,557	\$670,557		
119.05.	Executive Management (71300) .....			(\$465,000)	(\$298,616)
	Savings From Management Actions (71301) .....	(\$465,000)	(\$298,616)		
	Fund Sources: General .....	(\$465,000)	(\$298,616)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Labor and Industry .....			<b>\$14,469,886</b>	<b>\$14,469,831</b>
				<b>\$14,004,886</b>	<b>\$14,171,215</b>
	General Fund Positions .....	<del>114.04</del>	<del>114.04</del>		
		119.31	119.31		
	Nongeneral Fund Positions .....	<del>68.96</del>	<del>68.96</del>		
		63.69	63.69		
	Position Level .....	183.00	183.00		
	Fund Sources: General .....	<del>\$8,458,204</del>	<del>\$8,458,149</del>		
		\$7,993,204	\$8,159,533		
	Special .....	\$1,110,781	\$1,110,781		
	Federal Trust .....	\$4,900,901	\$4,900,901		
<b>§ 1-41. DEPARTMENT OF MINES, MINERALS AND ENERGY (409)</b>					
120.	Minerals Management (50600) .....			\$28,145,080	<del>\$28,145,080</del>
					\$28,558,642
	Geologic and Mineral Resource Investigations, Mapping, and Utilization (50601) .....	\$2,134,655	\$2,134,655		
	Mineral Mining Environmental Protection, Worker Safety and Land Reclamation (50602) .....	\$2,719,244	\$2,719,244		
	Gas and Oil Environmental Protection, Worker Safety and Land Reclamation (50603) .....	\$1,134,408	<del>\$1,134,408</del>		
			\$1,234,408		

ITEM 120.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Coal Environmental Protection and Land Reclamation (50604) .....	\$17,518,234	<del>\$17,518,234</del> \$17,831,796		
Coal Worker Safety (50605) .....	\$4,638,539	\$4,638,539		
Fund Sources: General .....	\$10,345,678	\$10,345,678		
Special .....	\$5,007,075	<del>\$5,007,075</del> \$5,107,075		
Trust and Agency .....	\$525,000	\$525,000		
Dedicated Special Revenue .....	\$173,000	\$173,000		
Federal Trust .....	\$12,094,327	<del>\$12,094,327</del> \$12,407,889		
Authority: Title 3.1, Chapters 6, 9, 23, and 26; Title 45.1, Chapters 14.2, 14.3, 14.4, 14.5, 14.6, 14.7, 15.1, 16, 18, 20, 21, 22.1, 24, and 25; Title 61.1, Chapter 4, Code of Virginia.				
A. Out of this appropriation, \$21,419 the first year and \$21,419 the second year from special funds shall be provided for annual membership dues to the Interstate Mining Compact Commission.				
B. Out of this appropriation shall be provided reimbursement for expenses associated with administrative and judicial review when so ordered by a court of competent jurisdiction.				
C. Out of this appropriation, \$6,100 the first year and \$6,100 the second year from the general fund shall be provided for annual membership dues to the Interstate Oil and Gas Compact Commission.				
121. Resource Management Research, Planning, and Coordination (50700) .....			\$2,327,323	<del>\$2,459,840</del> \$2,641,840
Energy Conservation and Alternative Energy Supply Programs (50705) .....	\$2,327,323	<del>\$2,459,840</del> \$2,641,840		
Fund Sources: General .....	\$550,277	<del>\$682,794</del> \$864,794		
Federal Trust .....	\$1,777,046	\$1,777,046		
Authority: Title 45.1, Chapter 26, Code of Virginia.				
Out of this appropriation, \$38,362 the first year and \$38,362 the second year from the general fund shall be provided for dues and expenses for the Southern States Energy Board.				
122. Administrative and Support Services (59900) .....			\$3,284,494	<del>\$3,284,494</del> \$3,346,492
General Management and Direction (59901) .....	\$3,284,494	<del>\$3,284,494</del> \$3,346,492		
Fund Sources: General .....	\$2,016,094	\$2,016,094		
Special .....	\$1,000,000	<del>\$1,000,000</del> \$1,038,698		
Dedicated Special Revenue .....	\$268,400	<del>\$268,400</del> \$291,700		
Authority: Title 45.1, Chapter 14.1, Code of Virginia.				
122.05. Executive Management (71300) .....			(\$809,116)	(\$1,078,125)
Savings From Management Actions (71301) .....	(\$809,116)	(\$1,078,125)		
Fund Sources: General .....	(\$809,116)	(\$1,078,125)		
Authority: Discretionary Inclusion				

ITEM 122.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Mines, Minerals and Energy.....			<b>\$33,756,897</b> <b>\$32,947,781</b>	<b>\$33,889,414</b> <b>\$33,468,849</b>
General Fund Positions.....	171.62 157.62	171.62 157.62		
Nongeneral Fund Positions.....	71.38 76.38	71.38 76.38		
Position Level .....	243.00 234.00	243.00 234.00		
Fund Sources: General .....	\$12,912,049 \$12,102,933	\$13,044,566 \$12,148,441		
Special .....	\$6,007,075	\$6,007,075 \$6,145,773		
Trust and Agency .....	\$525,000	\$525,000		
Dedicated Special Revenue .....	\$441,400	\$441,400 \$464,700		
Federal Trust.....	\$13,871,373	\$13,871,373 \$14,184,935		
<b>§ 1-42. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)</b>				
123. Regulation of Professions and Occupations (56000) .....			<b>\$19,558,546</b> <b>\$19,656,606</b>	<b>\$19,551,410</b> <b>\$20,985,230</b>
Licensure, Certification, and Registration of Professions and Occupations (56046).....	\$5,699,470	\$5,677,959 \$6,105,449		
Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047) .....	\$7,088,241	\$7,078,320 \$7,442,432		
Administrative Services (56048) .....	\$6,770,835 \$6,868,895	\$6,795,131 \$7,437,349		
Fund Sources: Special .....	\$348,370	\$348,370 \$1,009,366		
Dedicated Special Revenue .....	\$18,875,176 \$18,973,236	\$18,868,040 \$19,640,864		
Federal Trust.....	\$335,000	\$335,000		
Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 14, 15, 17, 18, 20.1, 21, 22, 22.1, 23, 23.1, and 23.2; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.				
Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.				
Total for Department of Professional and Occupational Regulation.....			<b>\$19,558,546</b> <b>\$19,656,606</b>	<b>\$19,551,410</b> <b>\$20,985,230</b>
Nongeneral Fund Positions.....	186.00	186.00 202.00		
Position Level .....	186.00	186.00 202.00		
Fund Sources: Special .....	\$348,370	\$348,370 \$1,009,366		

ITEM 123.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Dedicated Special Revenue .....	\$18,875,176	\$18,868,040		
	\$18,973,236	\$19,640,864		
Federal Trust .....	\$335,000	\$335,000		

**§ 1-43. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)**

124.	Economic Development Services (53400) .....		\$17,076,010	\$17,026,010
	Financial Assistance for Economic Development (53410) .....	\$145,000	\$95,000	
	Economic Development Services (53412) .....	\$16,931,010	\$16,931,010	
	Fund Sources: General .....	\$17,076,010	\$17,026,010	

Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of Virginia.

A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.

B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all Partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

C. In developing the criteria for any pay for performance plan, the Board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically located in more than one contiguous locality, the highest Fiscal Stress Index of the participating localities will be used.

D.1. The Virginia Economic Development Partnership shall report before the General Assembly convenes in January of each year on the status of the implementation of the state's comprehensive economic development strategy, and shall recommend legislative actions related to the implementation of the comprehensive economic development strategy. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, and shall include the number of site visits made by employees of the Virginia Economic Development Partnership with potential economic development prospects.

2. The Virginia Economic Development Partnership shall identify and target industries suited for location in the southside and southwest regions of the state.

E. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director of the Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

F. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2010, or until the Authority is able to provide such services.

G. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairmen of the Senate Finance and House Appropriations Committees on the Governor's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the Fund, total grants awarded, cash balances, and balances available for future commitments.

ITEM 124.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
H. The Virginia Coalfield Economic Development Authority is authorized to spend funds provided by Chapters 91 and 1066 of the Acts of Assembly of 2000, which extended the coalfield employment enhancement tax credit, for workforce development and training.				
I. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.				
J. The amounts for Economic Development Services include \$500,000 the first year and \$500,000 the second year from the general fund to market distressed areas of the Commonwealth.				
K. Out of the amounts for Economic Development Services shall be provided <del>\$95,000</del> \$92,150 the first year and <del>\$95,000</del> \$87,875 the second year from the general fund to the Virginia Commercial Space Flight Authority.				
L. Out of the amounts for Economic Development Services shall be provided \$215,000 the first year and \$215,000 the second year from the general fund to assist small manufacturers with the export of advanced manufacturing products.				
M.1. Out of the amounts for Economic Development Services shall be provided <del>\$484,500</del> \$445,700 the first year and <del>\$484,500</del> \$448,130 the second year from the general fund for operations of the Virginia National Defense Industrial Authority.				
2. Employees of the Authority shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.				
<del>N. It is the intent of the General Assembly to fulfill the commitment made to the Virginia Advanced Shipbuilding and Carrier Integration Center to support the Center's operating costs, as stipulated in § 2.2-2444, Code of Virginia.</del>				
O. Out of the amounts for Economic Development Services shall be provided \$50,000 in the first year from the general fund to the Virginia Biotechnology Research Partnership Authority.				
124.05.	Executive Management (71300) .....		(\$1,000,000)	(\$543,553)
	Savings From Management Actions (71301).....	(\$1,000,000)	(\$543,553)	
	Fund Sources: General.....	(\$1,000,000)	(\$543,553)	
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Virginia Economic Development Partnership....			<b>\$17,076,010</b>	<b>\$17,026,010</b>
			<b>\$16,076,010</b>	<b>\$16,482,457</b>
Fund Sources: General .....			\$17,076,010	\$17,026,010
			\$16,076,010	\$16,482,457

#### § 1-44. VIRGINIA EMPLOYMENT COMMISSION (182)

125.	Workforce Systems Services (47000) .....		\$576,962,309	<del>\$581,962,310</del> \$950,562,310
	Job Placement Services (47001).....	\$34,876,661	\$37,376,662	
	Unemployment Insurance Services (47002) .....	\$536,685,648	<del>\$539,185,648</del> \$907,785,648	
	Workforce Development Services (47003) .....	\$5,400,000	\$5,400,000	
	Fund Sources: General .....	\$487	\$487	

ITEM 125.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Special.....	\$375,000	<del>\$375,000</del> \$5,375,000		
Trust and Agency .....	\$576,586,822	<del>\$581,586,823</del> \$945,186,823		

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to support essential services of the Commission, particularly in the event of reductions in federal funding; 2) to finance the cost of capital projects; and 3) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.

B. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission and shall not be subject to the requirements of § 60.2-305 of the Code of Virginia.

C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, \$8,300,000 in the first year and \$8,300,000 in the second year of Reed Act funds to be used under the direction of the Virginia Employment Commission, and subject to the requirements of § 60.2-305, Code of Virginia, for the purpose of administering the federal Wagner-Peyser Job Service Grant and the federal Unemployment Insurance Grant.

D. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the \$51,061,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, *to include staff costs. This appropriation is* subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.

126.	Economic Development Services (53400).....			\$3,258,552	\$3,258,552
	Economic Information Services (53402).....	\$3,258,552	\$3,258,552		
	Fund Sources: Special.....	\$529,000	\$529,000		
	Trust and Agency .....	\$2,729,552	\$2,729,552		

Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.

127. For payment to the Secretary of the Treasury of the United States to the credit of the federal unemployment trust fund established by the Social Security Act, to be held for the state upon the terms and conditions provided in the said Social Security Act, there is hereby appropriated the amount remaining in the clearing account of the Unemployment Compensation Fund created by § 60.2-301, Code of Virginia, after deducting the refunds payable therefrom pursuant to § 60.2-301, Code of Virginia, a sum sufficient.

Total for Virginia Employment Commission .....			\$580,220,861	<del>\$585,220,862</del> \$953,820,862
Nongeneral Fund Positions.....	865.00	865.00		
Position Level .....	865.00	865.00		
Fund Sources: General .....	\$487	\$487		
Special.....	\$904,000	<del>\$904,000</del> \$5,904,000		
Trust and Agency .....	\$579,316,374	<del>\$584,316,375</del>		

ITEM 127.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
					\$947,916,375
	<b>§ 1-45. VIRGINIA RACING COMMISSION (405)</b>				
128.	Economic Development Services (53400).....			\$2,100,000	<del>\$2,100,000</del> \$1,400,000
	Financial Assistance to the Horse Breeding Industry (53411) .....	\$2,100,000	<del>\$2,100,000</del> \$1,400,000		
	Fund Sources: Special.....	\$2,100,000	<del>\$2,100,000</del> \$1,400,000		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				
129.	Regulation of Horse Racing and Pari-Mutuel Betting (55800) .....			<del>\$2,947,817</del> \$2,532,725	<del>\$2,947,817</del> \$1,910,644
	License and Regulate Horse Racing and Pari-Mutuel Wagering (55801) .....	\$2,247,817	<del>\$2,247,817</del> \$1,910,644		
	Promote the Horse Industry (55802).....	<del>\$700,000</del> \$284,908	<del>\$700,000</del> \$0		
	Fund Sources: Special.....	<del>\$2,947,817</del> \$2,532,725	<del>\$2,947,817</del> \$1,910,644		

Authority: Title 59.1, Chapter 29, Code of Virginia.

A. Out of this appropriation, the members of the Virginia Racing Commission shall receive compensation and reimbursement for their reasonable expenses in the performance of their duties, as provided in § 2.2-2104, Code of Virginia.

B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to \$255,000 the first year and \$255,000 the second year shall be transferred to Virginia Polytechnic Institute and State University to support the Virginia-Maryland Regional College of Veterinary Medicine.

C. Any revenues received during the biennium and which are due to the Commission pursuant to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the Commission as appropriated in this Item. Any change in operating expenses as herein appropriated requires the approval of the Department of Planning and Budget. Any revenues in excess of amounts required for Commission operations as appropriated under the provisions of this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in paragraphs B and D of this Item, shall revert to the general fund.

D. Out of these amounts, the obligations set out in § 59.1-392 D. 5. and D. 6., Code of Virginia, shall be fully funded.

E. The Virginia Racing Commission is authorized to expend up to ~~\$700,000~~ \$284,908 the first year and ~~\$700,000~~ the second year of this appropriation to develop programs or award grants for the promotion and marketing, sustenance and growth of the Virginia horse industry, including horse breeding. Any unexpended balance remaining on June 30, 2009, of the ~~\$700,000~~ \$284,908 appropriated for fiscal year 2009 shall be carried forward on the books of the Comptroller and shall be available for expenditure during the second year of the current biennium. ~~Any unexpended balance remaining on June 30, 2010, of the \$700,000 appropriated for fiscal year 2010 shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.~~ In no event, however, shall any funds be expended or carried forward for that purpose that would cause the reversion to the general fund required by Paragraph C above to fall below \$815,870 the first year and ~~\$815,870~~ \$734,356 the second year.

ITEM 129.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Virginia Racing Commission.....			<b>\$5,047,817</b> <b>\$4,632,725</b>	<b>\$5,047,817</b> <b>\$3,310,644</b>
Nongeneral Fund Positions.....	10.00	10.00		
Position Level .....	10.00	10.00		
Fund Sources: Special.....	<b>\$5,047,817</b> <b>\$4,632,725</b>	<b>\$5,047,817</b> <b>\$3,310,644</b>		

**§ 1-46. VIRGINIA TOURISM AUTHORITY (320)**

130.	Tourist Promotion (53600) .....		\$14,469,330	<b>\$14,469,330</b> <b>\$16,969,330</b>
	Financial Assistance for Tourist Promotion (53606) .....	\$408,750	<b>\$408,750</b> <b>\$150,000</b>	
	Tourist Promotion Services (53607) .....	\$14,060,580	<b>\$14,060,580</b> <b>\$16,819,330</b>	
	Fund Sources: General .....	\$14,469,330	<b>\$14,469,330</b> <b>\$16,969,330</b>	

Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.

A.1. The Department of Transportation shall pay to the Virginia Tourism Authority \$1,100,000 each year for continued operation of the Welcome Centers. The Department of Transportation shall fund maintenance at each facility based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation. Included in the amounts in this paragraph is \$100,000 each year for maintenance of the Danville Welcome Center.

2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the Welcome Centers.

B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation.

C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all Authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

E. Out of the amounts for Tourist Promotion shall be provided \$1,700,000 the first year and \$1,700,000 the second year from the general fund to promote the Virginia tourism industries. These funds shall be used, among other purposes, to initiate strategies to expand growth tourism industries such as Virginia history tours, wine and epicurean tours and other packaged travel itineraries.

F. Out of the amounts for Tourist Promotion shall be provided \$425,000 the first year and \$425,000 the second year from the general fund for grants to regional and local tourism authorities and other tourism entities to support their efforts.

G. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.



ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
H. Out of the amounts provided for Tourist Promotion, <del>\$100,000</del> \$95,000 the first year and <del>\$100,000</del> \$95,000 the second year from the general fund shall be provided to the cooperative advertising program operated by the Outdoor Advertising Association of Virginia. The Outdoor Advertising Association of Virginia shall provide a total of at least <del>\$300,000</del> \$285,000 in advertising value each year to promote tourism in Virginia.				
I. Out of the amounts provided for Tourist Promotion, <del>\$225,000</del> \$213,750 the first year and <del>\$225,000</del> \$213,750 the second year from the general fund shall be provided to "See Virginia First," a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism. The Virginia Association of Broadcasters shall provide a total of at least <del>\$675,000</del> \$641,250 in television and radio advertising value to promote tourism in Virginia in each fiscal year.				
J. Out of the amounts for Tourist Promotion shall be provided \$50,000 in the first year and \$50,000 in the second year from the general fund for the Coalfield Regional Tourism Authority.				
K. Out of the amounts for Tourist Promotion shall be provided \$100,000 the first year and \$100,000 the second year from the general fund for the Daniel Boone Visitor Center.				
L. Out of the amounts for Tourist Promotion shall be provided \$2,500,000 the second year from the general fund to expand targeted tourism promotion as follows:				
1. \$1,000,000 to expand radio and television advertising to promote tourism in the Commonwealth, of which \$400,000 shall be matched by the Virginia Association of Broadcasters for an in-state radio and television campaign, and \$600,000 of which shall be used to purchase media in the Washington, D.C. and Baltimore, Maryland markets;				
2. \$800,000 to expand electronic marketing of Virginia tourism and conduct major media events with travel industry partners and maintain Welcome Center operations;				
3. \$500,000 to support the micro-tourism leverage funds with Virginia tourism industry partners across the Commonwealth; and				
4. \$200,000 to support film incentives.				
130.05. Executive Management (71300) .....			(\$800,000)	(\$818,209)
Savings From Management Actions (71301).....	(\$800,000)	(\$818,209)		
Fund Sources: General.....	(\$800,000)	(\$818,209)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Virginia Tourism Authority .....			<b>\$14,469,330</b> \$13,669,330	<b>\$14,469,330</b> \$16,151,121
Fund Sources: General .....	\$14,469,330 \$13,669,330	\$14,469,330 \$16,151,121		
TOTAL FOR OFFICE OF COMMERCE AND TRADE.....			<b>\$839,456,130</b> \$830,908,281	<b>\$837,296,122</b> \$1,204,063,698
General Fund Positions.....	422.16 405.43	422.16 405.43		
Nongeneral Fund Positions.....	1,238.84 1,239.57	1,238.84 1,255.57		

ITEM 130.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Position Level .....	<del>1,661.00</del> 1,645.00	1,661.00		
Fund Sources: General .....	\$134,096,060	\$126,981,869		
	\$125,865,243	\$114,202,067		
Special.....	<del>\$16,820,186</del> \$16,405,094	<del>\$16,820,186</del> \$21,286,102		
Trust and Agency .....	\$579,841,374	<del>\$584,841,375</del> \$948,441,375		
Dedicated Special Revenue .....	<del>\$28,530,062</del> \$28,628,122	<del>\$28,524,244</del> \$29,320,368		
Federal Trust .....	\$80,168,448	<del>\$80,128,448</del> \$90,813,786		

ITEM 131.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF EDUCATION					
§ 1-47. SECRETARY OF EDUCATION (185)					
131.	Administrative and Support Services (79900).....			\$654,068	\$654,068
	General Management and Direction (79901).....	\$654,068	\$654,068		
	Fund Sources: General.....	\$654,068	\$654,068		
Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.					
A. The Secretary of Education is hereby authorized to make allocations to qualified zone academies of the portion of the national zone academy bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to Section 1397E of the Internal Revenue Code of 1986, as amended, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary of Education is directed to give priority to allocation requests for qualified zone academies having at least 35 percent free lunch participation or either located in federal enterprise communities or located in cities and counties within which federal enterprise communities are located.					
B. The Secretary of Education is hereby authorized to make allocations of the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 (PL 107-16)(Section 142(k)(5) of the Internal Revenue Code of 1986, as amended) for the development of education facilities using public-private partnerships, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary is directed to give priority to public-private partnership proposals that will serve as demonstration projects concerning the leveraging of private sector contributions and resources, the achievement of economies or efficiencies associated with private sector innovation, and other benefits that are or may be derived from public-private partnerships in contrast to more traditional approaches to public school construction and renovation. The Secretary is directed to report annually not later than August 31 to the Chairmen of the Senate Finance and House Appropriations Committees regarding any guidelines implemented and any allocations made pursuant to this paragraph.					
131.05.	Executive Management (71300) .....			\$0	(\$2,865)
	Savings From Management Actions (71301).....	\$0	(\$2,865)		
	Fund Sources: General.....	\$0	(\$2,865)		
Authority: Discretionary Inclusion					
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.					
	Total for Secretary of Education.....			\$654,068	\$654,068 \$651,203
	General Fund Positions.....	6.00	6.00		
	Position Level .....	6.00	6.00		
	Fund Sources: General.....	\$654,068	\$654,068 \$651,203		
§ 1-48. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)					
132.	Instructional Services (18100).....			\$31,137,554	\$31,137,554
	Public Education Instructional Services (18101).....	\$22,230,719	\$22,230,719	\$31,958,811	\$31,768,982

ITEM 132.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	\$22,350,718	\$21,481,864		
Program Administration and Assistance for Instructional Services (18102).....	\$7,013,914	\$7,013,914		
	\$7,715,172	\$8,394,197		
Compliance and Monitoring of Instructional Services (18103) .....	\$13,500	\$13,500		
Adult Education and Literacy (18104).....	\$1,879,421	\$1,879,421		
Fund Sources: General .....	\$6,187,395	\$6,187,395		
Special.....	\$1,464,565	\$1,464,565		
Commonwealth Transportation .....	\$240,942	\$240,942		
Trust and Agency .....	\$3,869	\$3,869		
Federal Trust.....	\$23,240,783	\$23,240,783		
	\$24,062,040	\$23,872,211		
Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.				
Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.				
Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.				
Adult Education and Literacy: §§ 2.2-2670, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code.				
A. The Superintendent of Public Instruction is encouraged to implement school/community team training.				
B. The appropriation for Public Education Instructional Services includes \$20,000 the first year and \$20,000 the second year from the general fund to provide technical assistance to localities in developing a comprehensive, coordinated, quality preschool program for serving at-risk four-year-old children.				
C. Out of the amounts for Public Education Instructional Services, \$296,000 the first year and \$296,000 the second year from the general fund is provided for the Virginia VIEWS Program.				
D. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.				
E. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.				
F. Notwithstanding § 4-1.05 b 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.				
G. Out of this appropriation, \$356,512 the first year and \$356,512 the second year from the general fund is designated for administrative and contractual services for the support of Project Graduation.				
133.	Special Education and Student Services (18200).....		\$15,630,335	\$15,630,335
			\$15,813,571	\$15,813,571
	Special Education Instructional Services (18201) .....	\$6,331,223	\$6,331,223	

ITEM 133.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	\$6,514,459	\$6,514,459		
Special Education Administration and Assistance Services (18202).....	\$701,428	\$701,428		
Special Education Compliance and Monitoring Services (18203) .....	\$2,214,949	\$2,214,949		
Student Assistance and Guidance Services (18204).....	\$6,382,735	\$6,382,735		
Fund Sources: General .....	\$181,965	\$181,965		
Special .....	\$144,411	\$144,411		
Federal Trust.....	<del>\$15,303,959</del>	<del>\$15,303,959</del>		
	\$15,487,195	\$15,487,195		
<p>Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.</p> <p>Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.</p> <p>Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.</p> <p>Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2, 22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.1, 22.1-209.2, Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.</p> <p>A. The Department of Education, in collaboration with the Office of Comprehensive Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the special education services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local school divisions. In addition, the Department of Education shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.</p> <p>B. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.</p> <p>C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.</p>				
134.	Pupil Assessment Services (18400) .....		\$44,398,406	\$44,398,406
	Test Development and Administration (18401).....	\$44,398,406	\$44,398,406	
	Fund Sources: General .....	\$29,977,864	\$29,977,864	
	Federal Trust.....	\$14,420,542	\$14,420,542	
<p>Authority: § 22.1-253.13:3, sections C and E, Code of Virginia; P.L. 107-110, Federal Code.</p> <p>A. Out of this appropriation, <del>\$29,341,571</del> \$28,080,678 the first year and <del>\$28,084,128</del> \$28,080,678 the second year from the general fund is provided to support the costs of contracts for test development, administration, scoring, and reporting as well as other program-related costs of the Standards of Learning testing program.</p> <p>B. Notwithstanding any contrary provisions of law, the Department of Education shall not be required to administer the Stanford 9 norm-referenced test.</p>				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
135.	School and Division Assistance (18500).....			\$4,319,459	\$4,319,459
	School Improvement (18501).....	\$2,608,459	\$2,608,459		
	School Nutrition (18502).....	\$1,505,231	\$1,505,231		
	Pupil Transportation (18503).....	\$205,769	\$205,769		
	Fund Sources: General.....	\$2,510,243	\$2,510,243		
	Special.....	\$30,436	\$30,436		
	Federal Trust.....	\$1,778,780	\$1,778,780		
	Authority: School Improvement: §22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.				
	School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 108-265, Federal Code.				
	Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.				
	A. Out of this appropriation, \$274,573 the first year and \$274,573 the second year from the general fund is designated to support the Partnership for Achieving Successful Schools initiative.				
	B. This appropriation includes <del>\$790,503</del> \$482,170 from the general fund and <del>\$200,000</del> \$508,333 from federal funds the first year and <del>\$790,503</del> \$590,503 from the general fund and <del>\$200,000</del> \$400,000 from federal funds the second year for contractual services related to assisting schools that do not meet the Standards of Accreditation as prescribed by the Board of Education.				
	C. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia. Commencing in fiscal year 2006, when a school division elects to undergo a school efficiency review pursuant to this provision, the school division shall not be charged the 25 percent for the costs of such review. However, a school division shall pay a separate 25 percent of the total costs of such review if the school division's superintendent or superintendent's designee has not certified that at least half of the recommendations have been initiated within 24 months after the completion of the review.				
136.	Technology Assistance Services (18600).....			\$2,026,333	\$2,026,333
				\$2,106,333	\$2,106,333
	Instructional Technology (18601).....	<del>\$1,142,600</del>	<del>\$1,142,600</del>		
		<del>\$1,222,600</del>	<del>\$1,222,600</del>		
	Distance Learning and Electronic Classroom (18602).....	\$883,733	\$883,733		
	Fund Sources: General.....	\$1,674,631	\$1,674,631		
	Special.....	\$2,866	\$2,866		
	Trust and Agency.....	\$154,684	\$154,684		
	Federal Trust.....	<del>\$194,152</del>	<del>\$194,152</del>		
		<del>\$274,152</del>	<del>\$274,152</del>		
	Authority: Instructional Technology: §§ 2.2-2426, 22.1-70.2, 22.1-199.1, 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 107-110, Federal Code.				
	Distance Learning and Electronic Classroom: § 22.1-212.2, Code of Virginia.				
137.	Teacher Licensure and Education (56600).....			\$2,966,399	\$2,966,399
	Teacher Licensure and Certification (56601).....	\$2,601,739	\$2,601,739		
	Teacher Education and Assistance (56602).....	\$364,660	\$364,660		
	Fund Sources: General.....	\$223,770	\$223,770		

ITEM 137.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$2,742,629	\$2,742,629	
	Authority: Teacher Licensure and Certification: §§ 22-1.16, 22.1-298, 22.1-299, 299.2, 22.1-299.3, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code.			
	Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, 23-9.2:3.4, Code of Virginia; P. L. 108-446 and P. L. 107-110, Federal Code.			
	A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.			
	B. The Board of Education is authorized to approve changes in the licensure fee amounts charged to school personnel pursuant to 8VAC20-22-40 A.2.			
138.	Administrative and Support Services (1990).....		\$19,834,690	\$19,834,690
			\$20,130,178	\$20,234,690
	General Management and Direction (19901).....	\$5,886,879	\$5,886,879	
			\$6,086,879	
	Information Technology Services (19902).....	\$8,983,804	\$8,983,804	
		\$9,279,292	\$9,183,804	
	Accounting and Budgeting Services (19903) .....	\$3,320,539	\$3,320,539	
	Policy, Planning, and Evaluation Services (19929) .....	\$1,643,468	\$1,643,468	
	Fund Sources: General .....	\$15,660,799	\$15,660,799	
			\$15,860,799	
	Special.....	\$1,445,512	\$1,445,512	
	Trust and Agency .....	\$121,110	\$121,110	
	Federal Trust.....	\$2,607,269	\$2,607,269	
		\$2,902,757	\$2,807,269	
	Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10, 12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters 4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9, Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.			
	A. Out of this appropriation, \$90,500 the first year and \$90,500 the second year from the general fund, is designated to support annual membership dues to the Education Commission of the States.			
	In addition, \$5,000 the first year and \$5,000 the second year from the general fund is designated to pay registration and travel expenses of citizens appointed as either Virginia commissioners for the Education Commission of the States or to the Southern Regional Education Board.			
	B. Out of this appropriation, \$9,000 the first year and \$9,000 the second year from the general fund, is designated to support annual membership dues to the Southern Regional Education Board.			
	C. The Department of Education shall collect annually, as part of the financial section of the Annual School Report, data on the expenditures of local school divisions for educational technology, to include hardware, software, and required infrastructure modifications.			
	<del>D. Out of this appropriation, \$81,000 the first year and \$81,000 the second year from the general fund is provided for expenses associated with the Commission on Civics Education, established pursuant to Chapter 786 of the Acts of Assembly of 2005.</del>			
	E. The Department of Education, in conjunction with the Inter-Industry Conference on Auto Collision Repair (I-CAR), shall examine the issue of I-CAR standards for entry-level students and report their findings to the Chairmen of the Senate and House Education Committees no later than December 1, 2008.			

ITEM 138.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	F. The Superintendent of Instruction shall review the current Standards of Learning to determine whether these standards inhibit students from pursuing career and technical education programs and/or seeking industry certifications.				
	<i>G. Out of this appropriation \$200,000 the second year from the general fund is provided for the personnel, fees and travel expenses associated with the Interstate Compact on Educational Opportunity for Military Children, established pursuant to House Bill 1727 (2009).</i>				
138.05.	Executive Management (71300) .....			(\$4,273,961)	(\$3,947,150)
	Savings From Management Actions (71301).....	(\$4,273,961)	(\$3,947,150)		
	Fund Sources: General.....	(\$4,273,961)	(\$3,947,150)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Education, Central Office Operations.....			<b>\$120,313,176</b> <b>\$117,419,196</b>	<b>\$120,313,176</b> <b>\$117,660,690</b>
	General Fund Positions.....	<del>164.50</del> 141.50	<del>164.50</del> 142.50		
	Nongeneral Fund Positions.....	175.50	175.50		
	Position Level .....	<del>340.00</del> 317.00	<del>340.00</del> 318.00		
	Fund Sources: General .....	<del>\$56,416,667</del> \$52,142,706	<del>\$56,416,667</del> \$52,669,517		
	Special.....	\$5,830,419	\$5,830,419		
	Commonwealth Transportation .....	\$240,942	\$240,942		
	Trust and Agency .....	\$279,663	\$279,663		
	Federal Trust.....	<del>\$57,545,485</del> \$58,925,466	<del>\$57,545,485</del> \$58,640,149		
	<b>Direct Aid to Public Education (197)</b>				
139.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$6,915,750	<del>\$6,608,250</del> \$7,541,620
	Financial Assistance for Supplemental Education (14304) .....	\$6,915,750	<del>\$6,608,250</del> \$7,541,620		
	Fund Sources: General .....	\$6,915,750	<del>\$6,608,250</del> \$7,541,620		
	Authority: Discretionary Inclusion.				
	A. Out of this appropriation, the Department of Education shall provide \$500,000 the first year and <del>\$500,000</del> \$439,737 the second year from the general fund for the Jobs for Virginia Graduates initiative.				
	B.1. Out of this appropriation, the Department of Education shall provide \$900,000 the first year and \$900,000 the second year from the general fund for Project Discovery. These funds are to fund approximately one-half of the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery.				



ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. The Department of Education shall determine the Project Discovery funding distributions to each community action agency. The contract with Project Discovery, Inc. should specify the allocations to each local Project Discovery program. Allocations shall be on a per pupil basis for students enrolled in the program.</p>				
<p>C. Out of this appropriation, the Department of Education shall provide \$200,000 the first year and <del>\$200,000</del> \$145,895 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 \$97,750 the first year and <del>\$97,750</del> \$84,528 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.</p>				
<p>D. This appropriation includes \$95,000 the first year and <del>\$95,000</del> \$69,300 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.</p>				
<p>E. An additional state payment of \$200,000 the first year and <del>\$200,000</del> \$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.</p>				
<p>F. Out of this appropriation, \$400,000 in the first year and <del>\$400,000</del> \$291,790 in 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.</p>				
<p>G. 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 from the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000 the first year of the certificate and \$2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at \$3,665,000 the first year and <del>\$3,457,500</del> \$4,470,000 the second year from the general fund for the purpose of paying these bonuses. By September 30 of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year who hold such certification.</p>				
<p>H.1. This appropriation includes \$708,000 the first year and \$708,000 the second year from the general fund for the Virginia Teaching Scholarship Loan Program. These scholarships shall be for undergraduate students at or beyond the sophomore year in college with a cumulative grade point average of at least 2.7 who are nominated by their college and students at the graduate level and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for (i) critical teacher shortage disciplines, such as special education, chemistry, physics, earth and space science, foreign languages, or technology education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia, who have been identified by a local school board to teach in any discipline or at any grade level in which the school board has determined that a shortage of teachers exists; however, such persons shall meet the qualifications for awards granted pursuant to this item; <i>or (iii) those students seeking degrees in Career and Technical education.</i> Minority students may be enrolled in any content area for teacher preparation and male students may be enrolled in any approved elementary or middle school teacher preparation program; therefore, this provision shall satisfy the requirements for the Diversity in Teaching Initiative and Fund, pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of Assembly of 2000. Scholarship recipients may fulfill the teaching obligation by accepting a teaching position (i) in one of the critical teacher shortage disciplines; or (ii) regardless of teaching discipline, in a school with a high concentration of students eligible for free or reduced price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or (iv) in a rural or urban region of the state with a teacher shortage. For the purposes of this item, "critical teacher shortage area and discipline" means subject areas and grade levels identified by the Board of Education in which the demand for classroom teachers exceeds the supply of teachers, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on \$3,720 per year for full-time students, and shall be prorated for part-time students based on the number</p>				

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

of credit hours. The Board of Education is authorized to recover total funds awarded as scholarships or the appropriate proportion thereof in the event that scholarship recipients fail to honor the stipulated teaching obligation. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.

*2. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.*

23. The Board of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation. Any funds collected by the Board on behalf of this program shall revert to the general fund on June 30 each year. Such reversion shall be the net of any administrative or legal fees associated with the collection of these funds.

I. This appropriation includes \$100,000 the first year from the general fund for the planning of a new regional Governor's School to serve Manassas City, Manassas Park City, and Prince William County.

J. Out of the amounts for this Item, shall be provided \$50,000 the first year and ~~\$50,000~~ \$36,474 the second year from the general fund for the Virginia Career Education Foundation.

*K. Out of this appropriation, \$250,000 the second year from the general fund shall be distributed to the Greater Richmond Area Scholarship Program, Incorporated (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.*

140.	State Education Assistance Programs (17800) .....		\$6,367,116,328	\$6,499,130,835
			\$6,262,966,291	\$5,868,676,915
	Standards of Quality for Public Education (SOQ) (17801) .....	\$5,716,985,892	\$5,762,112,060	
		\$5,645,966,677	\$5,367,252,013	
	Financial Incentive Programs for Public Education (17802) .....	\$96,786,422	\$180,912,770	
		\$95,866,935	\$15,665,828	
	Financial Assistance for Categorical Programs (17803) ...	\$64,844,019	\$67,606,011	
		\$63,132,677	\$55,559,074	
	Financial Assistance for School Facilities (17804) .....	\$27,499,995	\$27,499,994	
		\$27,500,002	\$0	
	Distribution of Lottery Funds (17805) .....	\$461,000,000	\$461,000,000	
		\$430,500,000	\$430,200,000	
	Fund Sources: General .....	\$5,716,890,293	\$5,923,904,800	
		\$5,600,677,363	\$5,312,399,880	
	Special .....	\$795,000	\$795,000	
	Commonwealth Transportation .....	\$2,173,000	\$2,173,000	
	Trust and Agency .....	\$647,258,035	\$572,258,035	
		\$659,320,928	\$553,309,035	

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through 22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-101, 22.1-108, 22.1-199 through 22.1-212.2:3, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of

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Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.				
Financial Assistance for School Facilities (17804): §§ 58.1-638, 58.1-638.1, and 58.1-4022, Code of Virginia.				
<b>Appropriation Detail of Education Assistance Programs (17800)</b>				
<b>Standards of Quality (17801)</b>	<b>FY 2009</b>		<b>FY 2010</b>	
Basic Aid	\$3,433,344,481		\$3,415,961,658	
	\$3,456,786,337		\$3,120,359,684	
Sales Tax	\$1,194,705,900		\$1,255,203,540	
	\$1,107,900,000		\$1,135,200,000	
Textbooks	\$79,672,278		\$79,970,113	
	\$79,182,158		\$79,314,230	
Vocational Education	\$66,922,136		\$67,060,062	
	\$66,499,855		\$66,449,807	
Gifted Education	\$30,942,343		\$31,074,500	
	\$30,753,138		\$30,826,115	
Special Education	\$373,450,629		\$374,419,869	
	\$371,490,370		\$371,802,769	
Prevention, Intervention, and Remediation	\$69,725,259		\$69,542,608	
	\$69,441,065		\$69,143,636	
VRS Retirement	\$228,442,981		\$229,264,407	
	\$227,084,829		\$226,574,274	
Social Security	\$176,663,664		\$177,357,842	
	\$175,612,392		\$175,963,239	
Group Life	\$7,628,272		\$7,656,997	
	\$7,583,118		\$6,233,115	
English as a Second Language	\$38,729,879		\$43,335,018	
	\$36,189,226		\$38,885,716	
Remedial Summer School	N/A		\$28,347,411	
<b>Total</b>	<b>\$5,700,227,821</b>		<b>\$5,750,846,614</b>	
	\$5,628,522,488		\$5,349,099,996	
<b>Incentive Programs (17802)</b>				
Regional Alternative Education	\$6,724,960		\$6,977,930	
	\$6,717,848		\$0	
Compensation Supplement	\$0		\$77,644,363	
			\$0	
Governor's School	\$13,815,916		\$14,460,368	
	\$13,099,408		\$14,161,347	
ISAEP	\$2,247,581		\$2,247,581	
			\$0	
Clinical Faculty	\$375,000		\$375,000	
Career Switcher Mentoring Grants	\$329,392		\$329,392	
No Child Left Behind/ Education for a Lifetime	\$4,749,675		\$4,749,675	
			\$0	
Project Graduation	\$2,774,478		\$2,774,478	
			\$0	
Special Education - Inservice	\$600,000		\$600,000	
Special Education - Regional Tuition	\$63,668,168		\$68,963,690	
	\$64,151,293		\$0	
Special Education - Vocational Education	\$200,089		\$200,089	

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Supplemental Basic Aid	\$613,036		\$581,928	
	\$622,171		\$0	
<b>Total</b>	<b>\$96,098,295</b>		<b>\$179,904,494</b>	
	\$95,866,935		\$15,665,828	
<b>Categorical Programs (17803)</b>				
Adult Education	\$1,051,800		\$1,051,800	
Adult Literacy	\$2,652,500		\$2,652,500	
Electronic Classroom	\$2,256,908		\$2,256,908	
Virtual Virginia				
American Indian Treaty Commitment	\$53,805		\$53,805	
	\$64,957		\$73,514	
School Lunch	\$5,801,932		\$5,801,932	
Special Education - Homebound	\$5,765,312		\$6,255,827	
	\$5,256,381		\$5,597,006	
Special Education - Jails	\$2,954,553		\$2,954,553	
	\$3,119,538		\$3,517,152	
Special Education - State Operated Programs	\$33,906,381		\$37,177,857	
	\$32,527,833		\$34,608,262	
Vocational Education - Categorical	\$10,400,829		\$10,400,829	
			\$0	
<b>Total</b>	<b>\$64,844,020</b>		<b>\$68,606,011</b>	
	\$63,132,678		\$55,559,074	
<b>School Facilities (17804)</b>				
School Construction	\$27,499,995		\$27,499,994	
	\$27,500,002		\$0	
<b>Total</b>	<b>\$27,499,995</b>		<b>\$27,499,994</b>	
	\$27,500,002		\$0	
<b>Lottery (17805)</b>				
Remedial Summer School	\$28,831,021		\$30,057,658	
	\$27,229,866		\$0	
Foster Care	\$11,739,134		\$12,639,727	
	\$11,566,251		\$12,614,070	
Enrollment Loss	\$12,151,570		\$11,137,821	
	\$16,285,103		\$11,389,914	
At-Risk	\$67,028,394		\$66,581,683	
	\$66,800,404		\$60,942,727	
VPI Program	\$59,911,534		\$68,117,517	
Virginia Preschool Initiative	\$58,627,132		\$68,761,162	
Early Reading Intervention	\$17,023,401		\$17,065,484	
	\$14,586,354		\$14,600,277	
Mentor Teacher	\$1,000,000		\$1,000,000	
K-3 Primary Class Size Reduction	\$92,462,661		\$92,161,519	
	\$91,640,740		\$91,703,847	
School Breakfast Program	\$1,699,557		\$1,996,551	
	\$1,755,486		\$2,085,617	
SOL Algebra Readiness	\$8,981,870		\$8,968,398	
	\$8,806,825		\$8,769,321	
Additional Support for School Construction and Operating Costs	\$160,170,858		\$151,273,642	
	\$132,201,839		\$60,815,976	
Regional Alternative Education	N/A		\$7,293,262	
ISAEF	N/A		\$2,247,581	
Special Education - Regional Tuition	N/A		\$69,499,410	
Vocational Education - Categorical	N/A		\$10,400,829	
No Child Left Behind/Education for a Lifetime	N/A		\$4,749,675	
Project Graduation	N/A		\$2,774,478	
Supplemental Basic Aid	N/A		\$551,854	

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<b>Total</b>	<b>\$461,000,000</b>	<b>\$430,500,000</b>	<b>\$461,000,000</b>	<b>\$430,200,000</b>
Technology - VPSA	\$60,184,000	\$59,274,000	\$60,496,000	\$59,898,000

Note: The above distributions do not include projected VPSA Technology Grants.

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

#### A. Definitions

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

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

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at ~~1,200,102~~ 1,195,385.31 the first year and ~~1,207,692~~ 1,203,537.75 the second year.

c. March 31 ADM adjusted for half-day kindergarten at 85 percent of March 31 ADM, is estimated at ~~1,199,370~~ 1,194,670.15 the first year and ~~1,206,914~~ 1,202,781.36 the second year.

d. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course shall be counted in the funded fall membership and March 31 ADM of the relevant school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.

e. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 D shall be counted in the March 31 Average Daily Membership of the relevant school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.

2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.

3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), school nurses, operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.

b. ~~The amount~~ *state and local shares of funding* resulting from the support cost calculation for school nurses shall be specifically identified as such and reported to school divisions annually. School divisions will allocate these funds for licensed school nurse positions employed by the school division or for licensed nurses contracted by the local school division to provide school health services.

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4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality.

The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2005-2006 school year and 1/3 of the index of wealth per capita (population estimates for 2005 as determined by the Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2005 - 50 percent; (2) adjusted gross income for the calendar year 2005 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2005 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2007.

b. For any locality whose total calendar year 2005 Virginia Adjusted Gross Income is comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.

c.1) ~~Pursuant to § 15.2-1302, Code of Virginia, and in~~ In the event that two or more school divisions become one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be paid Standard of Quality payments for all pupils in the combined division on the basis of a composite index ~~determined established~~ by the Board of Education, which shall ~~not be less than equal~~ the lowest ~~nor higher than the highest~~ composite index of any of the individual school divisions involved in such consolidation. In the event of a consolidation of local governments *which shall include the transition of a city to town status*, this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index figure as set forth above. The Governor shall approve the composite index determined by the Board of Education prior to disbursement of funds under such index. The department shall report to the Chairmen of the House Appropriations and Senate Finance Committees the composite indices approved by the Governor and the Board in the event this provision is implemented.

2) In the case of the consolidation of Clifton Forge and Alleghany County school divisions, the fifteen year period for the application of a new composite index pursuant to paragraph c.1) above shall apply beginning with the fiscal year that starts on July 1, 2004.

3) Pursuant to paragraph c.1) above, if the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.

d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.

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e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.

5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the triennial census of school age population, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.

6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery, School Facilities and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.

7. "Planning District Eight"—The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.

8. "State Share for the Standards of Quality" - The state share for a locality shall be equal to the cost for that locality less the locality's estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the triennial census of school age population, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins and less the required local expenditure.

9. In the event that the general fund appropriations in Item 139 and Item 140 are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of each Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total appropriations after such transfers remain insufficient to meet the entitlements of any program, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in the program where such shortfall occurred.

10. The Department of Education is directed to apply a cap on inflation rates in the same manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school divisions during the biennial rebenchmarking process.

#### **B. General Conditions**

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

Instructional Position	First Year Salary	Second Year Salary
Elementary Teachers	\$44,337	\$44,337
Elementary Assistant Principals	\$62,556	\$62,556
Elementary Principals	\$77,259	\$77,259
Secondary Teachers	\$46,230	\$46,230
Secondary Assistant Principals	\$66,907	\$66,907
Secondary Principals	\$84,326	\$84,326
Instructional Aides	\$15,875	\$15,875

a.1) Payment by the state to a local school division shall be based on the state share of fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the composite index.

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<p>2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing fringe benefit funds under this provision.</p> <p>3) The state payment to each school division for retirement, social security, and group life insurance costs for non-instructional personnel is included in and distributed through Basic Aid.</p> <p>b. Payments to school divisions from this Item shall be calculated using March 31 Average Daily Membership adjusted for half-day kindergarten programs.</p> <p>c. Payments for health insurance fringe benefits are included in and distributed through Basic Aid.</p> <p>2. Each locality shall offer a school program for all its eligible pupils which is acceptable to the Department of Education as conforming to the Standards of Quality program requirements.</p> <p>3. In the event the statewide number of pupils in March 31 ADM exceeds the number estimated as the basis for this appropriation, the locality's state share of the Basic Operation Cost and the required local share shall be reduced proportionately so that this appropriation will not be exceeded.</p> <p>4. The Department of Education shall make equitable adjustments in the computation of indices of wealth and in other state-funded accounts for localities affected by annexation, 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 be adjusted.</p> <p>5. In the event that the actual revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item (both of which are returned on the basis of the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year) for sales in the fiscal year in which the school year begins are different from the number estimated as the basis for this appropriation, the estimated state sales and use tax revenues shall not be adjusted.</p> <p>6. This appropriation shall be apportioned to the public schools with guidelines established by the Department of Education consistent with legislative intent as expressed in this act.</p> <p>7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 2); Education of the Gifted, 1.0 professional instructional position (C 3); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 4 and C 5) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C8).</p> <p>b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.</p> <p>c. Appropriations in this Item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 &amp; 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.</p> <p>d. <i>To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data</i></p>				



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*coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.*

*e. To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.*

*f. To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.*

8.a. The Department of Education shall make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure. The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. The Department of Education shall specify the calculations to determine if a school division has appropriated and expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:

b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs or escrow accounts will be calculated.

c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.

d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a. above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.

e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then

f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.

g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.

h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.

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<p>9.a. Any sum which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.</p> <p>b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a, the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:</p> <ol style="list-style-type: none"> <li>1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;</li> <li>2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;</li> <li>3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the Department of Education for review and approval;</li> <li>4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and</li> <li>5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.</li> </ol> <p>c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.</p> <p>10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has appropriated and expended the local funds required to support the actual local match based on all Lottery, School Facilities, and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery, School Facilities or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by October 1 each fiscal year in a manner prescribed by the Department of Education. Upon receipt of the certifications, the Department of Education shall make calculations to ensure that school divisions have appropriated adequate local funds, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery, School Facilities, and Incentive programs in which the school division has elected to participate. If the Department of Education's calculations indicate that insufficient local funds are appropriated to meet the required local funding match for one or more programs, state funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall also make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.</p> <p>11. Any sum of local matching funds for Lottery, School Facilities, and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.</p>				

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<p>12. The Superintendent of Public Instruction shall provide a report annually on the status of teacher salaries, by local school division, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.</p> <p>13. All local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.</p> <p>14. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.</p> <p>15. School divisions may choose to use state payments provided for Standards of Quality Prevention, Intervention, and Remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program.</p> <p>16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the establishment and maintenance of the public schools.</p> <p>17. At the Department of Education's option, fees for audio-visual services may be deducted from state aid payments for individual local school divisions.</p> <p>18. For distributions not otherwise specified, the Department of Education, at its option, may use prior year data to calculate actual disbursements to individual localities.</p> <p>19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four approximately equal bimonthly installments at the middle and end of each month.</p> <p>20. The Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund based on the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year of the biennium.</p> <p>The State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund based on the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year of the biennium.</p> <p>21. In the second year, the school divisions within the Tobacco Region, as defined by the Tobacco Indemnification and Community Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.</p> <p>22. This item includes appropriations totaling an estimated <del>\$461,000,000</del> \$430,500,000 the first year and <del>\$461,000,000</del> \$430,200,000 the second year from the revenues deposited to the Lottery Proceeds Fund. <i>The appropriation for the first year includes an additional \$300,000 from Lottery proceeds that were earned in fiscal year 2008.</i> These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this Fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the Fund. To the extent that actual revenues</p>				

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deposited to the Lottery Proceeds Fund are not sufficient to meet the appropriations listed provided in ~~this item~~ the Lottery Service Area, payments to school divisions described in paragraph C. 28 Additional Support for School Construction and Operating Costs shall be reduced on a proportional basis.

23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds as state funds.

24. Any locality that has met its required local effort for the Standards of Quality accounts for fiscal year 2009 or that has met its required local match for incentive, school construction, or Lottery-funded programs in which the locality elected to participate in fiscal year 2009 may carry over into fiscal year 2010 any remaining state fund balances available to help minimize any fiscal year 2010 revenue adjustments that may occur in state funding to that locality.

25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum.

### C. Apportionment

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.

#### 2. School Employee Retirement Contributions

a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.

b. Notwithstanding § 51.1-1401 of the Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional positions, distributed based on the composite index of the local ability-to-pay.

c. As a part of the review of the Virginia Retirement System pursuant to House Joint Resolution No. 34 the joint subcommittee shall review: 1) the Commonwealth's responsibilities for funding the teacher retirement system beyond the actuarial normal rate and 2) the Commonwealth's appropriate share for retirement payments by school divisions. In making this review, the joint subcommittee shall review the impact of the blended retirement rates on the retirement system, school divisions, and the Commonwealth.

~~d. Appropriations for contributions in Paragraphs 2 include payments from funds derived from the principal of the Literary Fund in accordance with Article VIII, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes are approximately \$186,128,935 the first year and \$111,128,935 the second year.~~

#### 3. School Employee Social Security Contributions

This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.

3.1. ~~Appropriations for contributions in paragraphs 2 and 3 above include payments from funds derived from the principal of the Literary Fund in accordance with Article VIII, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes shall not exceed \$228,691,828 the first year and \$122,979,935 the second year.~~

#### 4. School Employee Insurance Contributions

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This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.

5. Basic Aid Payments

a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM (adjusted for half-day kindergarten programs).

2) This appropriation includes funding to recognize the common labor market in the Washington -Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District 8. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District 8.

b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax (returned on the basis of the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.

c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.

d.1) In accordance with the provisions of §§ 22.1-281 and 37.1-96, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Mental Health, Mental Retardation and Substance Abuse Services from the locality's Basic Aid appropriation.

2) The amounts deducted from Basic Aid for the education of mentally retarded persons shall be transferred to the Department of Mental Health, Mental Retardation, and Substance Abuse Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Mental Health, Mental Retardation, and Substance Abuse Services and for Special Education categorical payments.

The amount of the actual transfers will be based on data accumulated during the prior school year.

e.1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of the basic operation cost in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.

2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

f. Textbooks

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<p>1) The appropriation in this Item includes <del>\$79,672,278</del> <del>\$79,182,158</del> the first year and <del>\$79,970,113</del> <del>\$79,314,230</del> the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of \$118.52 the first year and \$118.52 the second year. <i>A school division shall appropriate these funds for textbooks or any other public education expenditure by the school division only in the second year. No local match is required to receive these state funds in the second year only and such local match shall be excluded from the determination of required local effort in the second year pursuant to Item 140 B.8a. through h. and § 22.1-97, Code of Virginia.</i> The state's distributions for textbooks shall be based on adjusted March 31 ADM.</p> <p>2) School divisions shall provide free textbooks to all students.</p> <p>3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials.</p> <p>4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2009, or June 30, 2010, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose.</p> <p>5) <i>For purposes of calculating rebenchmarking costs for textbooks for the 2012-2014 biennium, the Department of Education shall include the higher of the fiscal year 2009 or fiscal year 2010 division-level textbook per pupil amount in calculating the base year statewide prevailing per pupil amount. For this one year calculation, the Department of Education shall adjust, with one additional year of inflation, any fiscal year 2009 division-level per pupil textbook expenditure data used in calculating the base year statewide prevailing per pupil amount.</i></p> <p>g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities on the basis of the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year as specified in this Item shall be reflected in each locality's annual budget for educational purposes as a separate revenue source for the then current fiscal year.</p> <p>h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at <del>\$242,050,000</del> <del>\$218,400,000</del> the first year and <del>\$255,750,000</del> <del>\$224,800,000</del> the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act which are derived from the 1/4 cent increase in the state sales and use tax levied pursuant to Chapter 3, 2004 Special Session I. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.</p> <p>i. From the total amounts in paragraph h. above, an amount estimated at <del>\$121,950,000</del> <del>\$109,200,000</del> the first year and <del>\$128,850,000</del> <del>\$112,400,000</del> the second year (approximately 1/8 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 &amp; 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.</p> <p>j. From the total amounts in paragraph h. above, an amount estimated at <del>\$120,100,000</del> <del>\$108,100,000</del> the first year and <del>\$126,900,000</del> <del>\$110,700,000</del> the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund on the basis of the 2005 triennial census of school age population in the first year and the 2008 triennial census in the second year as specified in this Item.</p> <p>k.1) <i>For the purposes of funding certain support positions in Basic Aid in the second year, a cap is used which is based upon the prevailing ratio of support positions to SOQ funded instructional positions as contained in this item in House Bill 1600/Senate Bill 850, as</i></p>				

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*introduced in the 2009 Session. For the purposes of making the required spending adjustments in the second year, the appropriation and distribution of Basic Aid shall reflect this methodology. Local school divisions shall have the discretion as to where the adjustment may be made, consistent with the Standards of Quality funded in this Act.*

*2) The Department of Education shall make its calculation for the total cost of rebenchmarking for the fiscal year 2010-2012 biennium to be consistent with the following methodologies: (i) using the 'support position funding cap' methodology change contained in House Bill 1600/Senate Bill 850, as introduced in the 2009 Session; and (ii) using the rebenchmarking methodology which was contained within Chapter 879, from the 2008 Session. The Department of Education shall report the final calculations and related costs derived from each of these methodologies to the Governor, the Chairmen of House Appropriations and Senate Finance Committees, and the Board of Education prior to September 1, 2009.*

*3) The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing ratio standards for support positions, with the objective of maximizing resources devoted to the instructional program. The findings of this review, its associated costs, and its final recommendations for rebenchmarking shall be submitted to the Governor, the Chairmen of House Appropriations and Senate Finance Committees and the Joint Subcommittee on Elementary and Secondary Education Funding established pursuant to Item 1, paragraph H. of this Act no later than November 1, 2009.*

*4) The Department of Education shall review state laws, regulations, and procedures that could be modified, reduced, or eliminated in an effort to minimize the administrative burden on local school divisions and the Department of Education. The findings from this review shall be submitted to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.*

*l. The purpose of the support funding cap included in House Bill 1600 / Senate Bill 850, as introduced was to establish a support personnel ratio to the number of funded Standards of Quality instructional positions. Localities shall not reduce instructional positions below the number of positions required by the Standards of Quality as a result of the support cap. Further, localities shall meet the required local effort amount to fund state funded instructional positions as defined in this item.*

#### **6. Compensation Supplements**

**a.** The appropriation in this item includes \$77,644,363 the second year from the general fund for an equivalent payment for the following salary increase and related fringe benefit costs for funded SOQ instructional and support positions and other funded incentive program positions:

**1)** For the second year, the state share of a payment equivalent to a 2.0 percent salary increase effective July 1, 2009, for all funded positions.

**2)** It is the intent of the General Assembly that the average instructional position salaries be improved throughout the state by at least 2.0 percent the second year.— Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 2.0 percent salary increase for all funded positions effective July 1, 2009, to school divisions which certify to the Department of Education that equivalent increases have been granted in the second year.

**b.** These funds shall be matched by the local government, based on the composite index of local ability to pay.

**c.** This funding is not intended as a mandate to increase salaries.

#### **7. Education of the Gifted Payments**

**a.** An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.

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b. Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.

#### 8. Occupational-Vocational Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. An amount estimated at \$110,339,507 the first year and \$111,149,327 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.

#### 9. Special Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.

#### 10. Enrollment Loss

An additional state payment in each year equal to the state share per pupil of Basic Aid for each locality, for a percentage of the enrollment loss (as determined below) in March 31 ADM from the prior year.

Composite Index	Percentage
0.0000-0.1999	85%
0.2000-0.3499	70%
0.3500-0.4999	45%
0.5000 or more	30%

#### 11. Remedial Education Payments

a. An additional payment estimated at ~~\$69,725,259~~ \$69,441,065 the first year and ~~\$69,542,608~~ \$69,143,636 the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality prevention, intervention, and remediation program adopted in June 2003.

b. The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year average failure rates for English and math Standards of Learning test scores to 18:1 for those divisions with the lowest combined three year average failure rates for English and math Standards of Learning test scores.

c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

*d. To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the SOQ Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner*



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*is intended to supplement the instructional services provided through the SOQ staffing standard of 17 instructional positions per 1,000 limited English proficiency students. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.*

~~de.~~ An additional state payment estimated at ~~\$67,028,394~~ \$66,800,404 the first year and ~~\$66,581,683~~ \$60,942,727 the second year from the Lottery Proceeds Fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:

1) A minimum one percent add-on, as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program; and

2) An addition to the add-on, based on the concentration of children qualifying for the federal Free Lunch Program. Based on its percentage of Free Lunch participants, each school division will receive between 1 and 12 percent in additional basic aid per Free Lunch participant. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3a) Local school divisions are required to spend the established at-risk payment (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local shares of the at-risk payment will be used to support approved programs for students who are educationally at risk and shall submit, in a format specified by the Department of Education, the school division's comprehensive strategy for intervention, prevention, and remediation, including the number of students served and review of available data. These programs may include: Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak English as a second language, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. Further, any new funds a school division receives in excess of the amounts received in fiscal year 2008 may be used first to provide data coordinators or to purchase similar services for schools that have not met Adequate Yearly Progress (AYP) under the federal No Child Left Behind Act or are not fully accredited under the Standards of Accreditation. The data coordinator position is intended to provide schools with needed support in the area of data analysis and interpretation for instructional purposes, as well as overall data management and the administration of state assessments. The position would primarily focus on data related to instruction and school improvement, including: student assessment, student attendance, student/teacher engagement, behavior referrals, suspensions, retention, and graduation rates.

~~e.f.~~ Regional Alternative Education Programs

1) An additional state payment of ~~\$6,724,960~~ \$6,717,848 the first year *from the general fund* and ~~\$6,977,930~~ \$7,293,262 the second year from the ~~general fund~~ Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.

2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological, and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.

3)a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership.

It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students.

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Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.

b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.

1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.

2. However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.

3. The Department of Education shall report by June 30 each year, to the Chairmen of the House Appropriations and Senate Finance Committees, the number of available student slots, students placed, the request of unused slots, and the number of unused slots subsequently used by each school division for each Regional Alternative Education program.

4) The Department of Education shall provide assistance for the state share of the incremental cost of Regional Alternative Education program operations based on the composite index of local ability-to-pay.

£.g. Remedial Summer School

1) This appropriation includes ~~\$28,831,021~~ \$27,229,866 the first year *from the Lottery Proceeds Fund* and ~~\$30,057,658~~ \$28,347,411 the second year from the ~~Lottery Proceeds Fund~~ *general fund* for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

#### 12. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at ~~\$92,462,661~~ \$91,640,740 the first year and ~~\$92,161,519~~ \$91,703,847 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive ~~payment~~ for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

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Qualifying School Percentage of Students  
Approved

	Grades K-3 School Ratio	Maximum Individual K-3 Class Size
Eligible for Free Lunch		
16% but less than 30%	20 to 1	25
30% but less than 45%	19 to 1	24
45% but less than 55%	18 to 1	23
55% but less than 65%	17 to 1	22
65% but less than 70%	16 to 1	21
70% but less than 75%	15 to 1	20
75% or more	14 to 1	19

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. Special education teachers shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

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.

### 13. Literary Fund Subsidy Program *Payments*

a. The Board 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 Board 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 Board 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.

b. The Virginia Public School Authority shall provide an interest rate subsidy program in fiscal year 2009 and fiscal year 2010 for projects that are on the Board of Education's First Priority Waiting List. Projects on the Literary Fund Second Priority Waiting List may participate in the Interest Rate Subsidy Program if unused subsidy appropriation remains once the participation of projects on the First Priority Waiting List is confirmed. However, the cost of the subsidy shall not exceed ~~\$30,000,000~~ \$8,631,107 in the first year and ~~\$20,000,000~~ in the second year including the subsidy payments and related issuance costs.

c. The Board 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.

d.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.

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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.

e. 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 shall include provisions for the payment of debt service pursuant to paragraph 1) above.

#### 14. Educational Technology Payments

a. Any unobligated amounts transferred to the educational technology fund shall be disbursed on a pro rata basis to localities. The additional funds shall be used for technology needs identified in the division's technology plan approved by the Department of Education.

b. The Board of Education shall authorize amounts estimated at \$12,656,800 the first year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2004.

c. The Board of Education shall authorize amounts estimated at \$12,634,750 the first year and \$12,636,750 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2005.

d.1) The Board of Education shall authorize amounts estimated at \$12,821,000 the first year and \$12,822,250 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2006.

2) It is the intent of the General Assembly to authorize sufficient appropriate Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2010-12 biennial budget for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in fiscal year 2011.

e.1) The Board of Education shall authorize amounts estimated at \$12,986,500 the first year and \$12,977,250 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2007.

2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2010-12 biennial budget for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in fiscal year 2011 and fiscal year 2012.

f.1) The Board of Education shall authorize amounts estimated at ~~\$13,483,288~~ \$13,370,420 the first year and ~~\$13,485,869~~ \$13,482,000 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2008.

2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2010-12 and 2012-14 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in fiscal years 2011, 2012, and 2013.

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<p>g. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at <del>\$60,184,000</del> \$59,274,000 in fiscal year 2009 and <del>\$60,496,000</del> \$59,898,000 in fiscal year 2010. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools.</p> <p>2) The Board of Education shall authorize amounts estimated at \$13,485,869 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in fiscal year 2009.</p> <p>3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs in fiscal year 2009 and in fiscal year 2010. In developing the proposed 2010-12, 2012-2014, and 2014-2016 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2011, 2012, 2013, 2014, and 2015.</p> <p>4) Grant funds from the issuance of <del>\$60,184,000</del> \$59,274,000 in fiscal year 2009 and <del>\$60,496,000</del> \$59,898,000 in fiscal year 2010 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools shall include those reporting membership in grades K through 12 as of September 30, 2008, for the fiscal year 2009 issuance, and September 30, 2009, for the fiscal year 2010 issuance as well as district and regional centers including vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Schools for the Deaf and the Blind. Schools and district centers that serve only pre-kindergarten students shall not be eligible for this grant.</p> <p>5) Localities are required to provide a match for these funds equal to 20 percent of the grant amount. At least 25 percent of the local match shall be used for teacher training in the use of technology. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Schools for the Deaf and the Blind are exempt from the match requirement.</p> <p>6) The goal of the program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions.</p> <p>7) Funds shall be used in the following manner:</p> <p>a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.</p> <p>b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.</p> <p>c) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.</p> <p>8) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.</p>				

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h. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program. The Department of Education shall report on the implementation of this program to the Chairmen of the Senate Finance and House Appropriations Committees by September 1 of each year.

i.1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, 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 available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.

2) 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 and notes of the VPSA issued and projected to be issued during such biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

j. Unspent proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes.

k.1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with the best rates obtained in other parts of the state.

2) The State Corporation Commission, in its consideration of the discount for services provided to elementary schools, secondary schools, and libraries and the universal service funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby encouraged to make the discounts for intrastate services provided to elementary schools, secondary schools, and libraries for educational purposes as large as is prudently possible and to fund such discounts through the universal fund as provided in § 254. The Commission shall proceed as expeditiously as possible in implementing these discounts and the funding mechanism for intrastate services, consistent with the rules of the Federal Communications Commission aimed at the preservation and advancement of universal service.

#### 15. Virginia Preschool Initiative *Payments*

a.1) It is the intent of the General Assembly that a payment estimated at ~~\$59,911,534~~ \$58,627,132 the first year and ~~\$68,117,517~~ \$68,761,162 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds unserved by Head Start program funding. In no event shall distributions from the Lottery Proceeds Fund be made directly to community-based or private providers.

2) These grants shall be used to provide programs for at-risk four-year-old children which include quality preschool education, health services, social services, parental involvement and transportation. Programs must provide full-day or half-day and, at least, school-year services.

3) The Department of Education, in cooperation with the Council on Child Day Care and Early Childhood Programs, shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating school division and the school divisions must certify that the Virginia Preschool Initiative

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program follows the established standards in order to receive the funding for quality preschool education and criteria for the service components. Such guidelines shall be consistent with the findings of the November 1993 study by the Board of Education, the Department of Education, and the Council on Child Day Care and Early Childhood Programs.

4)a) Grants shall be distributed based on an allocation formula providing the state share of a \$6,000 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. Programs operating half-day shall receive state funds based on a fractional basis determined by the pro-rata portion of a full-day, school year program provided. In determining the state and local shares of funding, the composite index of local ability-to-pay is capped at 0.5000 the second year.

b) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days.

b.1) Any locality which desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year.

The chief administrator, in conjunction with the school superintendent, shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk children which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children.

2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups identified by the lead agency.

3) A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality.

However, in the event a locality is prohibited from continuing the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such prohibition may occur due to amendments to the allocation formula in the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a percentage reduction in a locality's Title I allocation in 2007-2008 or 2008-2009. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:

1) "Wraparound Services" — methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.

2) "Wrapout Services" — methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.

3) "Expansion of Service" — methods for using grant funds to purchase slots within existing programs, such as Head Start, which provide comprehensive services to at-risk four-year-old children.

Local plans must indicate the number of at-risk four-year-old children to be served, and the criteria by which they will be determined to be at risk.

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d.1) The Department of Education and the Council on Child Day Care and Early Childhood Programs shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program for serving at-risk four-year-old children.

2) A pre-application session shall be provided by the Department and the Council on Child Day Care and Early Childhood Programs prior to the proposal deadline. The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk four-year-old population is currently unserved.

c. ~~The Department of Education is authorized to expend unobligated balances out of the Lottery Proceeds Fund if participation in the Virginia Preschool Initiative is greater than projected.~~ The Department of Education is also authorized to expend unobligated balances in this program's adopted budget allocations for grants to qualifying school divisions for one-time expenses, other than capital, related to start-up or expansion of programs.

#### 16. Early Reading Intervention *Payments*

a. An additional ~~incentive~~ payment of ~~\$17,023,404~~ *\$14,586,354* the first year and ~~\$17,065,484~~ *\$14,600,277* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These ~~incentive~~ 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 five to one. The estimated number of students in each school division in each year shall be determined by multiplying the projected number of students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3 by the percent of students who are determined to need services based on diagnostic tests administered in the previous year in that school division and adjusted in the following manner:

	Year 1	Year 2
Kindergarten	100%	100%
Grade 1	100%	100%
Grade 2	100%	100%
Grade 3	25%	25%

c. These ~~incentive~~ 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. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these ~~incentive~~ payments are required to match these funds based on the composite index of local ability-to-pay.

#### 17. Standards of Learning Algebra Readiness *Payments*



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a. An additional ~~incentive~~ payment of ~~\$8,981,870~~ \$8,806,825 the first year and ~~\$8,968,398~~ \$8,769,321 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These ~~incentive~~ 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.

c. These ~~incentive~~ 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 ~~incentive~~ payments are required to match these funds based on the composite index of local ability-to-pay.

#### 18. School Construction Grants Program *Payments*

a. This appropriation includes an amount estimated at ~~\$27,499,995~~ \$27,500,002 the first year and ~~\$27,499,994~~ the second year from the general fund to provide grants to school divisions for nonrecurring expenditures by the relevant school division. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, payments to escrow accounts pursuant to Chapter 391, Acts of Assembly of 1999, school safety equipment or school safety renovations, and debt service payments on school projects completed during the last ten years.

b. School divisions are encouraged to utilize value engineering in school construction projects funded with these grant proceeds.

c. Any funds provided to school divisions for school construction that are unexpended as of June 30, 2009, ~~and June 30, 2010~~, shall be carried on the books of the locality to be appropriated to the school division the following year for use for the same purpose.

d. Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be paid School Construction Grant payments on the basis of having the same number of school divisions as existed prior to September 30, 2000.

e. From such funds as are made available from appropriations from the School Construction Grants Program, any locality which has 2,000 or more personnel moving into the locality, pursuant to the 2005 Defense Base Realignment and Closure Commission's Closure and Realignment Recommendations List, shall first use these funds, which have been allocated specifically to that locality, to construct schools or address school facility needs due to the in-migration of the BRAC-related personnel, that will serve the areas within the locality which will receive the new personnel.

*f. Notwithstanding the requirements of Section 22.1-175.5 of the Code of Virginia, school divisions are permitted in the second year of the biennium 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 in the second year. Localities are not required to provide a local match of the withdrawn funds.*

#### 19. English as a Second Language Payments

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A payment of ~~\$38,729,879~~ \$36,189,226 the first year and ~~\$43,335,018~~ \$38,885,716 the second year from the general 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.

20. Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

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 ~~\$63,668,168~~ \$64,151,293 the first year *from the general fund* and ~~\$68,963,690~~ \$69,499,410 the second year from the ~~general fund~~ *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.

c. Out of the amounts for Financial Assistance for Categorical Programs, ~~\$33,906,381~~ \$32,527,833 the first year and ~~\$37,177,857~~ \$34,608,262 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 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.

21. Vocational Education Instruction Payments

a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

b. This appropriation includes \$1,800,000 ~~each year~~ *the first year* from the general fund *and \$1,800,000 the second year from the Lottery Proceeds Fund* for secondary vocational-technical equipment. A base allocation of \$2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality.

22. Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.

23. General Education Payments

a. This appropriation includes \$4,749,675 the first year *from the general fund* and \$4,749,675 the second year from the ~~general fund~~ *Lottery Proceeds Fund* for targeted education initiatives to improve student achievement and teacher quality, including a mentoring program for teachers with no experience working in schools that are at-risk of not meeting adequate yearly progress, a middle school math teacher initiative in at-risk schools, virtual Advanced Placement courses, student acquisition of industry certifications and GED tests as required by the No Child Left Behind Act.

b. This appropriation includes \$2,774,478 the first year *from the general fund* and \$2,774,478 the second year from the ~~general fund~~ *Lottery Proceeds Fund* to support Project Graduation.

24. Virtual Virginia Payments

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a. From appropriations in this Item, the Department of Education shall provide assistance for the Virtual Virginia program.

b. The local share of costs associated with the operation of the Virtual Virginia program shall be computed using the composite index of local ability-to-pay.

#### 25. Individual Student Alternative Education Program (ISAEP) *Payments*

Out of this appropriation, \$2,247,581 the first year *from the general fund* and \$2,247,581 in the second year from the ~~general fund~~ *Lottery Proceeds Fund* shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly. The Department of Education shall report the status of this program along with any recommendations for determining the cost of this program to the Governor and the Chairmen of the Senate Finance, Senate Education and Health, House Appropriations, and House Education Committees and the Department of Planning and Budget no later than October 15 of each year.

#### 26. Foster Children Education Payments

a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil *of school age as defined in § 22.1-1, Code of Virginia*, not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home.

b. This appropriation provides ~~\$11,739,134~~ *\$11,566,251* the first year and ~~\$12,639,727~~ *\$12,614,070* the second year from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the department is authorized to expend unobligated balances in this Item for this support.

#### 27. Sales Tax *Payments*

a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).

b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.

c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.

#### 28. Additional Support for School Construction and Operating Costs *Payments*

a. This is a sum sufficient appropriation for distribution to counties, cities, and towns of the net portion of the Lottery Proceeds Funds not otherwise distributed in this item to counties, cities, and towns in support of public education, pursuant to Article X, Section 7-A, Constitution of Virginia.

b. Out of this appropriation, an amount estimated at ~~\$160,170,858~~ *\$132,201,839* the first year and ~~\$151,273,642~~ *\$60,815,976* the second year shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated ~~\$238.26~~ *\$197.87* per pupil the first year and ~~\$224.19~~ *\$90.87* per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. ~~These~~ *For the first year only, these* funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational

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purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2008-10 biennial Standards of Quality expenditure data were based; provided however, that no locality shall be required to maintain a per pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2008-10 biennial Standards of Quality expenditure data were based. *To receive this funding, the locality in which the school division is located shall appropriate these funds for any public education expenditure of the school division in the second year. Localities shall not be required to provide a local match in the second year in order to receive the state funds.*

c. Of the amounts listed above *for the first year*, no more than 50 percent shall be used for recurring costs and at least 50 percent shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.

d. *Out of the second year appropriation for the Lottery service area, the Department of Education shall distribute to local school divisions any balance from the Lottery Proceeds Fund that exists after all other second year accounts that are supported by Lottery funds have been fully funded. The payments shall be based on the state share of the per pupil amount in adjusted March 31 average daily membership and the second year balance in the Lottery Proceeds Fund. To receive this funding, the locality in which the school division is located shall appropriate these funds for expenditures of the school division. Localities shall not be required to provide a local match in order to receive the state funds.*

~~d.e.~~ Any lottery funds provided to school divisions from this Item that are unexpended as of June 30, 2009, and June 30, 2010, shall be carried on the books of the locality to be appropriated to the school division in the following year.

f. *Notwithstanding the requirements of Section 22.1-100.1 of the Code of Virginia, school divisions are permitted in the second year of the biennium to withdraw funds from local escrow accounts established pursuant to Section 22.1-100.1 to pay for recurring operational expenses incurred by the school division in the second year. Localities are not required to provide a local match of the withdrawn funds.*

#### 29. Adult Literacy Payments

a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College, and \$125,000 the first year and \$125,000 the second year from the general fund will be transferred to the Department of Housing and Community Development to support workforce literacy and training.

b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year and \$100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.

c. Out of this appropriation, the Department of Education shall provide \$47,500 the first year and \$47,500 the second year from the general fund to Virginia Tech as the fiscal agent for the Virginia Educational Technology Alliance to provide teacher training opportunities in the effective use of educational technologies to full-time, part-time and volunteer teachers involved in adult education and literacy programs in the Commonwealth.

#### 30. Governor's School Payments

a. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed students for participation in this program.

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b. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed students for participation in this program if they are enrolled in a public school.

c. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.

d. The Board of Education shall not take any action that would increase the state's share of costs associated with the Governor's Schools as set forth in this Item. This provision shall not prohibit the Department of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.

e.1) Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,500 students per Governor's School the first year and a cap of 1,600 students per Governor's School beginning with fiscal year 2010. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.

2) Students attending a revolving Academic Year Governor's School program for only one semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30th and January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor's School programs that admit students on a semester basis.

3) Students attending a continuous, non-revolving Academic Year Governor's School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor's School program will be adjusted based upon actual September 30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor's School programs that only admit students at the beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.

### 31. School Nutrition *Payments*

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

### 32. School Breakfast *Payments*

1. Out of this appropriation, ~~\$1,699,557~~ \$1,755,486 the first year and ~~\$1,996,551~~ \$2,085,617 the second year from the Lottery Proceeds Fund is included for the purpose of establishing a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school

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division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be \$0.20; however, the department is authorized to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

2. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.

### 33. Clinical Faculty and Mentor Teacher Programs *Payments*

This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Clinical Faculty and Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation *also* includes \$375,000 the first year and \$375,000 the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:

- a. An application process for localities and school/higher education partnerships that wish to participate in the programs;
- b. Provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;
- c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;
- d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and
- e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding.

### 34. Career Switcher/Alternative Licensure *Payments*

Appropriations in this Item include \$329,392 the first year and \$329,392 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.

141.	Federal Education Assistance Programs (17900) .....			\$834,092,100	\$834,092,100
	Federal Assistance to Local Education Programs (17901) .....	\$834,092,100	\$834,092,100		
	Fund Sources: Federal Trust.....	\$834,092,100	\$834,092,100		

Authority: PL 107-110, PL 108-446, PL 105-332, PL 105-220, PL 105-220, Federal Code.

- a. The appropriation to support payments to school divisions from federal program grant funds is contained in this Item.

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<p><i>b. The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures.</i></p> <p><i>c. The Department of Education shall allocate the Elementary and Secondary Education portion of the State Fiscal Stabilization Fund in the second year to the local school divisions based upon the proportion that each school division represents to the statewide total funding reduced from Item 140 of House Bill 1600/ Senate Bill 850, as introduced for the change in the support position funding methodology, the elimination of the school construction grants program, and elimination of the school construction component funded from the Lottery Proceeds Fund.</i></p>				
Total for Direct Aid to Public Education .....			<b>\$7,208,124,178</b>	<b>\$7,339,831,185</b>
			<b>\$7,103,974,141</b>	<b>\$6,710,310,635</b>
Fund Sources: General .....	\$5,723,806,043	\$5,930,513,050		
	\$5,607,593,113	\$5,319,941,500		
Special .....	\$795,000	\$795,000		
Commonwealth Transportation .....	\$2,173,000	\$2,173,000		
Trust and Agency .....	<del>\$647,258,035</del>	<del>\$572,258,035</del>		
	\$659,320,928	\$553,309,035		
Federal Trust .....	\$834,092,100	\$834,092,100		
<b>Virginia School for the Deaf, Blind and Multi-Disabled at Hampton (219)</b>				
142. Instruction (19700) .....			\$1,070,202	\$0
Classroom Instruction (19701) .....	\$1,070,202	\$0		
Fund Sources: General .....	\$1,070,202	\$0		
Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
143. Administrative and Support Services (19900) .....			\$2,498,022	\$0
General Management and Direction (19901) .....	\$2,498,022	\$0		
Fund Sources: General .....	\$2,498,022	\$0		
Authority: Title 22.1, Chapter 19, Code of Virginia.				
Any appropriation from the general fund in the first year shall be administered by the Department of Education. An operation plan for funds in the first year shall be submitted to the Department of Planning and Budget to be approved by the Secretary of Finance. Such funds may be used for, but are not limited to, personnel, necessary upkeep to the facility, and student placement expenditures associated with consolidation of the Schools for the Deaf, Blind and Multi-Disabled.				
Total for Virginia School for the Deaf, Blind and Multi-Disabled at Hampton .....			<b>\$3,568,224</b>	<b>\$0</b>
Fund Sources: General .....	\$3,568,224	\$0		
<b>Virginia School for the Deaf and the Blind at Staunton (218)</b>				
144. Instruction (19700) .....			<b>\$5,661,409</b>	<b>\$5,865,574</b>
			<b>\$5,761,409</b>	<b>\$5,965,574</b>
Classroom Instruction (19701) .....	<del>\$5,385,373</del>	<del>\$5,589,538</del>		
	\$5,485,373	\$5,689,538		
Occupational-Vocational Instruction (19703) .....	\$151,836	\$151,836		
Outreach and Community Assistance (19710) .....	\$124,200	\$124,200		
Fund Sources: General .....	\$4,901,578	\$5,105,942		

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	Special.....	\$235,785	\$235,785		
	Federal Trust.....	\$524,046	\$523,847		
		\$624,046	\$623,847		
	Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
145.	Residential Support (19800).....			\$5,094,944	\$5,094,944
	Food and Dietary Services (19801).....	\$416,409	\$416,409		
	Medical and Clinical Services (19802).....	\$422,138	\$422,138		
	Physical Plant Services (19803).....	\$1,477,370	\$1,477,370		
	Residential Services (19804).....	\$2,348,548	\$2,348,548		
	Transportation Services (19805).....	\$430,479	\$430,479		
	Fund Sources: General.....	\$4,512,589	\$4,512,589		
	Special.....	\$318,862	\$318,862		
	Federal Trust.....	\$263,493	\$263,493		
	Authority: Title 22.1, Chapter 19, Code of Virginia.				
146.	Administrative and Support Services (19900).....			\$1,610,759	\$1,324,238
	General Management and Direction (19901).....	\$1,610,759	\$1,324,238		
	Fund Sources: General.....	\$1,610,759	\$1,324,238		
	Authority: Title 22.1, Chapter 19, Code of Virginia.				
	<i>It is the intention of the General Assembly that student enrollment will remain at the October 9, 2008, level.</i>				
146.05.	Executive Management (71300).....			\$0	(\$580,825)
	Savings From Management Actions (71301).....	\$0	(\$580,825)		
	Fund Sources: General.....	\$0	(\$756,741)		
	Special.....	\$0	\$175,916		
	Authority: Discretionary Inclusion				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Virginia School for the Deaf and the Blind at Staunton.....			<del>\$12,367,112</del> <b>\$12,467,112</b>	<del>\$12,284,756</del> <b>\$11,803,931</b>
	General Fund Positions.....	190.00	<del>190.00</del> 180.50		
	Position Level .....	190.00	<del>190.00</del> 180.50		
	Fund Sources: General.....	\$11,024,926	<del>\$10,942,769</del> \$10,186,028		
	Special.....	\$554,647	<del>\$554,647</del> \$730,563		
	Federal Trust.....	<del>\$787,539</del> \$887,539	<del>\$787,340</del> \$887,340		
	Grand Total for Department of Education, Central Office Operations.....			<del>\$7,344,372,690</del> <b>\$7,237,428,673</b>	<del>\$7,472,429,117</del> <b>\$6,839,775,256</b>
	General Fund Positions.....	354.50	354.50		



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	331.50	323.00		
Nongeneral Fund Positions.....	175.50	175.50		
Position Level .....	<del>530.00</del>	<del>530.00</del>		
	507.00	498.50		
Fund Sources: General .....	<del>\$5,794,815,860</del>	<del>\$5,997,872,486</del>		
	<del>\$5,674,328,969</del>	<del>\$5,382,797,045</del>		
Special .....	\$7,180,066	<del>\$7,180,066</del>		
		\$7,355,982		
Commonwealth Transportation .....	\$2,413,942	\$2,413,942		
Trust and Agency .....	<del>\$647,537,698</del>	<del>\$572,537,698</del>		
	<del>\$659,600,591</del>	<del>\$553,588,698</del>		
Federal Trust .....	<del>\$892,425,124</del>	<del>\$892,424,925</del>		
	<del>\$893,905,105</del>	<del>\$893,619,589</del>		

**§ 1-49. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)**

147.	Higher Education Student Financial Assistance (10800) ..		\$67,785,295	<del>\$67,891,295</del> \$66,698,295
	Scholarships (10810).....	\$67,588,655	<del>\$67,694,655</del> \$66,501,655	
	Regional Financial Assistance for Education (10813) .....	\$196,640	\$196,640	
	Fund Sources: General .....	\$65,806,323	<del>\$65,912,323</del> \$64,719,323	
	Special .....	\$10,000	\$10,000	
	Dedicated Special Revenue .....	\$250,000	\$250,000	
	Federal Trust .....	\$1,718,972	\$1,718,972	

Authority: College Scholarship Assistance Program: Title 23, Chapter 4.4, Code of Virginia; Tuition Assistance Grant Program: Title 23, Chapter 4.1, Code of Virginia, Regional Grants and Contracts: Discretionary Inclusion; Undergraduate and Graduate Assistance: Discretionary Inclusion; § 23-38.19:1; § 23-31.1; and § 23-7.4:1.

A. Appropriations in this Item are subject to the conditions specified in paragraphs B, C, D, E, F and G hereof.

B. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

C.1. Out of the amounts for Scholarships the following sums shall be made available for:

a.1) College Scholarship Assistance Program, \$4,413,750 from the general fund and \$1,718,972 in federal funds the first year and \$4,413,750 from the general fund and \$1,718,972 in federal funds the second year.

2) Any general fund amounts designated for the College Scholarship Assistance Program not required for federal maintenance of effort dollars shall be used for Virginia's discretionary financial aid program. Allocations of the discretionary financial aid funds shall be based on the need-based model approved by the State Council of Higher Education for Virginia.

b. Tuition Assistance Grant Program, \$60,025,933 the first year and ~~\$60,131,933~~ \$58,031,933 the second year from the general fund is designated for full-time undergraduate and graduate students.

c. Virginia Space Grant Consortium Scholarships, \$170,000 the first year and ~~\$170,000~~ \$245,000 the second year from the general fund.

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<p>d. <del>Optometry scholarships, \$26,640 the first year, and \$26,640 the second year from the general fund. The State Council of Higher Education shall determine if the number of contract slots with schools and colleges of optometry meets the State's optometric needs. Additionally, the State Council of Higher Education shall determine the cost effectiveness and benefits of contracting directly with schools and colleges of optometry for slots for Virginia students rather than contracting through the Southern Regional Educational Board.</del></p> <p><i>d. Out of this appropriation, \$32,000 the second year from the general fund is designated to provide grants of up to \$2,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to set up practice in the Commonwealth for a period of not less than two years upon completion of instruction.</i></p> <p>2. No amount, or part of an amount, listed for any program specified in paragraph C 1 above shall be expended for any other program in this appropriation except for the amounts identified in C 1 a2).</p> <p>D. College Scholarship Assistance Program payments to students out of this appropriation shall not exceed \$5,000 each year per undergraduate and graduate student.</p> <p>E. Tuition Assistance Grant Program</p> <p>1. Payments to students out of this appropriation shall not exceed \$3,200 for qualified undergraduate students and \$2,200 for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with §§ 23-38.12 through 23-38.19, Code of Virginia.</p> <p>2. Any appropriations in the Tuition Assistance Grant Program which are unexpended at the close of business on June 30, 2008, and June 30, 2009, shall be reappropriated for use in the program in the following year.</p> <p>3. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the Council that such notification has been completed and shall indicate the method by which it was carried out.</p> <p>4. Institutions participating in this program must submit annually to the Council copies of audited financial statements.</p> <p>5. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by July 31. Returning students who received the award in the previous year will be prioritized with the July 31 award. Applications for a fall or full-year award received after July 31 but no later than September 14 will be held for consideration if funds are available after July 31 and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.</p> <p>6. Students at the Virginia Women's Institute for Leadership at Mary Baldwin College are not eligible for Tuition Assistance Grants.</p> <p>7. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.</p>				

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<p>8. All eligible institutions not previously approved by the State Council of Higher Education to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program or by the Commission on Osteopathic College Accreditation of the American Osteopathic Association in the case of freestanding institutions of higher education that offer the Doctor of Osteopathic Medicine (DO) as the sole degree program.</p> <p>9. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.</p> <p><i>10. The Tuition Assistance Grant Program is reduced by \$1,300,000 from the general fund the second year to begin a phase-out of the awards for all graduate students except those in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine. Beginning July 1, 2009, no new awards shall be provided to new graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine.</i></p> <p>F.1. Regional Grants and Contracts: Out of this appropriation, \$170,000 the first year and \$170,000 the second year from the general fund is designated to support Virginia's participation in the Southern Regional Education Board initiative to increase the number of minority doctoral graduates.</p> <p>2. The amounts listed in paragraph 1 shall be expended in accordance with the agreements between the Commonwealth of Virginia and the Southern Regional Education Board.</p> <p>G.1. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund is designated for the Virginia Military Survivors and Dependents program, § 23-7.4:1, Code of Virginia, to provide up to a \$1,500 annual stipend to offset the costs of room, board, books and supplies for qualified survivors and dependents of military service members.</p> <p>2. The amount of the stipend is an estimate depending on the number of students eligible under § 23-7.4:1, Code of Virginia. Changes that increase or decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.</p> <p>3. The Director, State Council of Higher Education for Virginia, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.</p> <p>4. Each institution of higher education shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the Chairmen of the House Appropriations and Senate Finance Committees by May 15 of each year.</p> <p>5. The Department of Veterans Services shall consult with the State Council of Higher Education for Virginia prior to the dissemination of any information related to the financial benefits provided under this program.</p> <p>6. Any appropriations in the Virginia Military Survivors and Dependents Education Fund which are unexpended at the close of business on June 30, 2008, and June 30, 2009, shall be reappropriated for use in the program in the following year.</p>				
148.	Financial Assistance for Educational and General Services (11000).....		\$6,101,466	\$6,101,466
	Eminent Scholars (11001) .....	\$6,026,466	<del>\$6,026,466</del> \$4,017,644	\$4,092,644
	Outstanding Faculty Recognition (11009) .....	\$75,000	\$75,000	
	Fund Sources: General .....	\$6,026,466	<del>\$6,026,466</del>	

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Special.....	\$75,000	\$4,017,644 \$75,000
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Authority: Eminent Scholars: Discretionary Inclusion; Outstanding Faculty Recognition Program: Discretionary Inclusion.

A. No amount, or part of an amount, listed for any subprogram in this appropriation shall be expended for any other service level in this appropriation.

Appropriations in this Item are subject to the conditions specified in paragraphs B, and C, hereof.

#### B. Eminent Scholars

1. Out of this appropriation, \$6,026,466 the first year ~~and \$6,026,466~~ \$4,017,644 the second year from the general fund is designated for attracting and retaining eminent scholars in institutions of higher education.

2. These sums shall be appropriated, in accordance with plans approved by the Secretary of Education, to institutions of higher education, to match interest by endowments created for this purpose after June 30, 1966. Community college foundations will also be eligible to create endowments for which the investment earnings on qualified gifts by donors would be eligible for up to a 100 percent match by the state, if such endowments are created for the purpose of enhancing selected academic offerings to provide education and training for high cost or demand occupations identified as critical to the economic vitality of the Commonwealth. The Virginia Community College System shall report annually to the State Council of Higher Education for Virginia the name of the community college foundation created, and the amount contributed and interest earnings for each endowment.

3. This stipulation shall not prohibit the appropriation and expenditure of interest earned on these endowments that exceed the match for the state appropriation.

#### C. Outstanding Faculty Recognition Program

1. The State Council of Higher Education for Virginia shall annually provide a grant to faculty members selected to be honored under this program from such private funds as may be designated for this purpose.

2. The faculty members shall be selected from public and private institutions of higher education in Virginia, but recipients of Outstanding Faculty Recognition Awards shall not be eligible for the awards in subsequent years.

149.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....			\$11,779,318 \$12,180,017	\$11,779,318 \$11,790,318
	Higher Education Coordination and Review (11104) .....	\$10,953,952 \$11,354,651	\$10,953,952 \$10,964,952		
	Regulation of Private and Out-Of-State Institutions (11105) .....	\$825,366	\$825,366		
	Fund Sources: General .....	\$10,953,952	\$10,953,952 \$10,689,952		
	Special .....	\$825,366	\$825,366 \$950,366		
	Federal Trust .....	\$400,699	\$150,000		

Authority: §§ 23-9.3, 23-9.6:1, 23-20, , 23-38.13, and 23-38.45, Code of Virginia; SJR 22 (1949).

A. 1. It is the intent of the General Assembly to provide general fund support to contract *at a level equivalent to the Tuition Assistance Grant undergraduate award* with Mary Baldwin College for Virginia women resident students to participate in the Virginia Women's Institute for Leadership at Mary Baldwin College.

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2. The amounts included in this Item is \$571,899 the first year and ~~\$571,899~~ \$307,899 the second year from the general fund for the programmatic administration of this program.

3. General fund appropriations provided under this contract include financial incentive for the participating students at Mary Baldwin College in the Virginia Women's Institute for Leadership program. Students receiving this financial incentive will not be eligible for Tuition Assistance Grants.

B. The State Council of Higher Education for Virginia (SCHEV), with direction from the Secretary of Education, shall develop a six-year statewide strategic plan for higher education. As part of this planning process and consistent with the provisions of Chapters 933 and 945, 2005 Acts of Assembly, Virginia's public colleges and universities shall develop six-year financial, enrollment, and academic plans that include strategies to meet statewide higher education goals. In this planning process and consistent with the provisions of Chapters 933 and 945, 2005 Acts of Assembly, SCHEV shall also require institutions to provide annual updates on their strategic plans. Such reports shall include (i) progress in meeting both state and institutional goals and (ii) specific actions to restructure institutional activities and programs to meet state and institutional goals.

C. In discharging the responsibilities specified in § 23-272 D, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, copartnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

D. Out of this appropriation, \$91,493 the first year and one position from the general fund and \$91,493 and one position from the general fund the second year is designated for the purpose of coordination of articulation activities from the state's community colleges and Richard Bland College to ensure compliance with the 2005 Restructured Higher Education Financial and Administrative Operations Act.

E. Out of the appropriation for Higher Education Coordination and Review, \$6,003,177 the first year and \$6,003,177 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, \$396,785 in each year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

F.1. The State Council of Higher Education for Virginia and the Secretary of Education, in conjunction with the three medical schools, University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, shall monitor the results of the Generalist Initiative, especially the decisions of graduates from the undergraduate medical programs to enter generalist residencies, and the composition of the residencies in the two associated academic health centers. The three medical schools shall report biennially to the State Council by October 1. It is the intent of the General Assembly that:

a. The three medical schools shall maintain the efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, the medical schools shall support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

b. The three medical schools shall jointly collect and report on their production of generalist residents to the Secretary of Education and the State Council of Higher Education biennially.

c. The State Council of Higher Education for Virginia shall set forth the reporting requirements in consultation with the three medical schools.

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<p>d. The State Council shall, in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, provide a summary of the biennial report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.</p>				
<p>G. Out of this appropriation, \$825,366 the first year and <del>four</del> <i>seven</i> positions from nongeneral funds and \$825,366 the second year and <del>four</del> <i>seven</i> positions from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23-276.9, Code of Virginia.</p>				
<p>H.1. Out of this appropriation, \$586,870 and six positions each year from the general fund are provided in recognition of the increased role that the State Council of Higher Education must play in: (i) coordinating Virginia's system of higher education; (ii) aligning statewide enrollment demand with institutional enrollment projections; (iii) providing guidance and oversight in the development and routine update of six-year financial, academic, and enrollment plans; and (iv) making policy recommendations to the Governor and General Assembly that ensure the Commonwealth's needs with respect to higher education are met consistently.</p>				
<p>2. Specifically, these funds are provided to enhance the agency's capacity to: (i) collect and analyze data; (ii) conduct rigorous policy reviews, as needed; and (iii) evaluate and make recommendations related to resource needs, allocations, and systemwide funding policies. In addition to these funds, existing agency resources shall be reallocated and reprioritized in order to meet the needs of the Governor and General Assembly for routine assessments of the academic program and strategic planning efforts of Virginia's colleges and universities.</p>				
<p>I. The State Council of Higher Education for Virginia (SCHEV), in consultation with the House Appropriations Committee, the Senate Finance Committee, the Department of General Services and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.</p>				
<p>J. The Executive Director of the State Council of Higher Education for Virginia (SCHEV) may appoint an advisory committee to assist the Council with technology-enriched learning initiatives. The advisory committee may assist the Council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.</p>				
<p>K.1. In consultation with the Secretary of Education and the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, the State Council of Higher Education for Virginia shall review the impact of enrollment patterns on salary recommendations where the percentage of graduate degrees conferred has increased by more than 10 percentage points between 1997 and 2007 and a like decrease has occurred in the percentage of undergraduate degrees conferred during the same period based on data used in the salary benchmark analysis.</p>				
<p>2. The State Council shall report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2008.</p>				
<p>L.1. In consultation with the Secretary of Education and the Chairmen of the House Appropriations Committee and Senate Finance Committee, or their designees, and representatives from the state-supported medical schools, the State Council of Higher Education for Virginia (SCHEV) shall review the programmatic, personnel, financial, oversight, organizational and governance issues of Eastern Virginia Medical School (EVMS) that will</p>				

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ensure EVMS' continued success in addressing the health workforce, patient care and biomedical research needs of the Commonwealth. The Virginia Retirement System, Department of Human Resource Management, State Comptroller, State Treasurer, and any other appropriate state agency, as determined by SCHEV, shall cooperate in this evaluation.				
2. The State Council shall submit its findings for consideration by the Governor and the General Assembly no later than November 15, 2008.				
<i>M. Out of this appropriation, \$400,699 from nongeneral funds the first year and \$150,000 from nongeneral funds the second year is designated to cover the costs of federal education support programs. These funds shall be expended out of fund 0280.</i>				
150.	Higher Education Federal Programs Coordination (11200) .....		\$2,440,426	\$2,440,426
	Higher Education Federal Programs Coordination (11201) .....			
		\$2,440,426	\$2,440,426	
	Fund Sources: Federal Trust.....	\$2,440,426	\$2,440,426	
Authority: Title 23, Chapter 20, Code of Virginia.				
Out of this appropriation, \$2,440,426 the first year from nongeneral funds and \$2,440,426 the second year from nongeneral funds is designated for grants to improve teacher quality (No Child Left Behind Act).				
151.	Financial Assistance for Public Education (Categorical) (17100) .....		\$2,623,635	\$2,623,635
			\$3,000,000	\$3,000,000
	Early Awareness and Readiness Programs (17117) .....	\$2,623,635	\$2,623,635	
		\$3,000,000	\$3,000,000	
	Fund Sources: Federal Trust.....	\$2,623,635	\$2,623,635	
		\$3,000,000	\$3,000,000	
Authority: Discretionary Inclusion.				
Out of this appropriation, <del>\$2,623,635</del> \$3,000,000 the first year from nongeneral funds and <del>\$2,623,635</del> \$3,000,000 the second year from nongeneral funds is designated for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.				
151.05.	Executive Management (71300) .....		(\$1,771,455)	(\$148,858)
	Savings From Management Actions (71301).....		(\$1,771,455)	(\$148,858)
	Fund Sources: General.....	(\$1,771,455)	(\$148,858)	
Authority: Discretionary Inclusion				
<i>Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The State Council of Higher Education for Virginia may initiate reduction strategies other than those listed in § 4-1.08 after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees. However, no reduction to amounts listed in Item 147 c. and Item 147 d. shall be initiated unless specifically authorized in this act.</i>				
Total for State Council of Higher Education for Virginia.....			\$90,730,140	\$90,836,140
			\$89,735,749	\$87,872,825
General Fund Positions.....			39.00	39.00
				36.00

ITEM 151.05.	Item Details(\$)		Appropriations(\$)	
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Nongeneral Fund Positions.....	15.00	15.00		
Position Level .....	54.00	<del>54.00</del> 51.00		
Fund Sources: General .....	<del>\$82,786,741</del> \$81,015,286	<del>\$82,892,741</del> \$79,278,061		
Special.....	\$910,366	<del>\$910,366</del> \$1,035,366		
Dedicated Special Revenue .....	\$250,000	\$250,000		
Federal Trust .....	<del>\$6,783,033</del> \$7,560,097	<del>\$6,783,033</del> \$7,309,398		

**§ 1-50. CHRISTOPHER NEWPORT UNIVERSITY (242)**

152.	Educational and General Programs (10000).....		\$51,980,887	<del>\$53,297,420</del> \$53,867,420
	Higher Education Instruction (100101).....	\$27,837,856	<del>\$29,154,139</del> \$29,724,139	
	Higher Education Public Services (100103).....	\$8,299	\$8,299	
	Higher Education Academic Support (100104).....	\$8,170,780	\$8,170,780	
	Higher Education Student Services (100105).....	\$4,443,968	\$4,444,218	
	Higher Education Institutional Support (100106).....	\$5,371,592	\$5,371,592	
	Operation and Maintenance of Plant (100107).....	\$6,148,392	\$6,148,392	
	Fund Sources: General .....	\$28,382,048	<del>\$28,382,048</del> \$28,952,048	
	Higher Education Operating.....	\$23,598,839	\$24,915,372	

Authority: Title 23, Chapter 5.3, Code of Virginia.

A. This item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation, \$159,840 the first year and \$159,840 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

153.	Higher Education Student Financial Assistance (10800) ..		\$3,773,990	<del>\$3,773,990</del> \$3,924,950
	Scholarships (10810).....	\$3,773,990	<del>\$3,773,990</del> \$3,924,950	
	Fund Sources: General .....	\$3,773,990	<del>\$3,773,990</del> \$3,924,950	

Authority: Title 23, Chapter 5.3, Code of Virginia.

154.	Financial Assistance for Educational and General Services (11000).....		\$3,537,720	<del>\$3,537,720</del> \$3,662,720
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ITEM 154.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Sponsored Programs (11004) .....	\$3,537,720	<del>\$3,537,720</del> \$3,662,720		
Fund Sources: General .....	\$237,500	<del>\$237,500</del> \$362,500		
Higher Education Operating.....	\$3,300,220	\$3,300,220		
Authority: Title 23, Chapter 5.3, Code of Virginia.				
The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the University to cover sponsored program operations.				
155. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at .....			<del>\$50,885,481</del> \$51,669,968	<del>\$50,885,481</del> \$51,784,396
Food Services (80910).....	<del>\$8,992,980</del> \$9,126,075	<del>\$8,992,980</del> \$9,126,075		
Bookstores and other Stores (80920).....	\$4,709,300	\$4,709,300		
Residential Services (80930) .....	<del>\$17,722,784</del> \$17,973,497	<del>\$17,722,784</del> \$17,987,528		
Parking and Transportation Systems and Services (80940) .....	\$1,249,238	\$1,249,238		
Recreational and Intramural Programs (80980).....	\$135,000	\$135,000		
Other Enterprise Functions (80990).....	<del>\$10,078,617</del> \$10,211,471	<del>\$10,078,617</del> \$10,211,471		
Intercollegiate Athletics (80995) .....	<del>\$7,997,562</del> \$8,265,387	<del>\$7,997,562</del> \$8,365,784		
Fund Sources: Higher Education Operating.....	<del>\$40,189,718</del> \$40,706,380	<del>\$40,189,718</del> \$40,706,380		
Debt Service.....	<del>\$10,695,763</del> \$10,963,588	<del>\$10,695,763</del> \$11,078,016		
Authority: Title 23, Chapter 5.3, Code of Virginia.				
155.05. Executive Management (71300) .....			(\$1,430,977)	(\$4,332,608)
Savings From Management Actions (71301).....	(\$1,430,977)	(\$4,332,608)		
Fund Sources: General.....	(\$1,430,977)	(\$4,332,608)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Christopher Newport University.....			<del>\$110,178,078</del> \$109,531,588	<del>\$111,494,611</del> \$108,906,878
General Fund Positions.....	330.96	330.96		
Nongeneral Fund Positions.....	455.78	473.78		
Position Level .....	786.74	804.74		
Fund Sources: General .....	<del>\$32,393,538</del> \$30,962,561	<del>\$32,393,538</del> \$28,906,890		
Higher Education Operating.....	<del>\$67,088,777</del> \$67,605,439	<del>\$68,405,310</del> \$68,921,972		
Debt Service.....	<del>\$10,695,763</del> \$10,963,588	<del>\$10,695,763</del> \$11,078,016		

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

**§ 1-51. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)**

156.	Educational and General Programs (10000).....			\$131,108,297	\$131,108,297
				<del>\$140,588,878</del>	<del>\$140,588,878</del>
	Higher Education Instruction (100101).....	\$72,980,730	\$72,980,730		
		\$75,874,730	\$75,874,730		
	Higher Education Research (100102) .....	\$1,427,772	\$1,427,772		
		\$1,502,772	\$1,502,772		
	Higher Education Public Services (100103).....	\$8,298	\$8,298		
	Higher Education Academic Support (100104).....	\$22,892,870	\$22,892,870		
		\$23,891,870	\$23,891,870		
	Higher Education Student Services (100105).....	\$5,859,330	\$5,859,330		
		\$6,606,330	\$6,606,330		
	Higher Education Institutional Support (100106).....	\$13,603,220	\$13,603,220		
		\$14,639,740	\$14,639,740		
	Operation and Maintenance of Plant (100107).....	\$14,336,077	\$14,336,077		
		\$18,065,138	\$18,065,138		
	Fund Sources: General .....	\$48,874,460	\$48,874,460		
	Higher Education Operating.....	\$81,982,618	\$81,982,618		
		\$88,211,693	\$88,211,693		
	Debt Service.....	\$251,219	\$251,219		
		\$3,502,725	\$3,502,725		

Authority: Title 23, Chapter 5, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of the amounts for Higher Education Research, \$342,201 the first year and \$342,201 the second year from the general fund shall be made available as administrative support for the operation of the Thomas Jefferson National Accelerator Facility (Jefferson Lab).

C. Out of this appropriation, \$279,072 the first year and \$279,072 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

157.	Higher Education Student Financial Assistance (10800) ..			\$8,097,981	\$8,097,981
				<del>\$8,845,451</del>	<del>\$8,954,786</del>
	Scholarships (10810).....	\$7,113,662	\$7,113,662		
		\$7,596,286	\$7,705,621		
	Fellowships (10820).....	\$984,319	\$984,319		

ITEM 157.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	\$1,249,165	\$1,249,165		
Fund Sources: General .....	\$3,417,694	\$3,417,694		
		\$3,527,029		
Higher Education Operating.....	\$4,680,287	\$4,680,287		
	\$5,427,757	\$5,427,757		
Authority: Title 23, Chapter 5, Code of Virginia.				
Higher education operating funds appropriated in this program may be allocated for need-based aid to Virginia undergraduate students to enhance the quality and diversity of the student body.				
158.	Financial Assistance for Educational and General Services (11000).....		\$31,821,609	\$31,821,609
	Eminent Scholars (11001) .....	\$2,355,581	\$2,355,581	
	Sponsored Programs (11004) .....	\$29,466,028	\$29,466,028	
Fund Sources: General .....	\$75,000	\$75,000		
Higher Education Operating.....	\$31,561,415	\$31,561,415		
Debt Service.....	\$185,194	\$185,194		
Authority: Title 23, Chapter 5, Code of Virginia.				
A. Out of this appropriation, \$75,000 each year from the general fund and \$400,000 each year from nongeneral funds is designated to build research capacity in biomedical research and biomaterials engineering.				
B. The College of William and Mary shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.				
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the college to cover sponsored program operations.				
159.	Higher Education Auxiliary Enterprises (80900)			
	a sum sufficient, estimated at.....		\$55,834,029	\$55,834,029
			\$62,225,999	\$64,093,529
	Food Services (80910).....	\$9,834,700	\$9,834,700	
		\$11,665,545	\$12,048,700	
	Bookstores and other Stores (80920).....	\$1,289,618	\$1,289,618	
		\$2,075,918	\$2,475,918	
	Residential Services (80930) .....	\$17,941,130	\$17,941,130	
		\$20,272,930	\$21,075,680	
	Parking and Transportation Systems and Services (80940) .....	\$1,924,715	\$1,924,715	
	Telecommunications Systems and Services (80950).....	\$4,548,498	\$4,548,498	
	Student Health Services (80960).....	\$2,171,074	\$2,171,074	
		\$3,364,099	\$3,605,724	
	Student Unions and Recreational Facilities (80970) .....	\$5,629,570	\$5,629,570	
	Recreational and Intramural Programs (80980).....	\$458,349	\$458,349	
		\$708,349	\$748,349	
	Other Enterprise Functions (80990).....	\$4,218,433	\$4,218,433	

ITEM 159.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

Intercollegiate Athletics (80995) .....	\$7,817,942	\$7,817,942		
Fund Sources: Higher Education Operating.....	<del>\$44,277,768</del>	<del>\$44,277,768</del>		
	\$50,669,738	\$52,537,268		
Debt Service.....	\$11,556,261	\$11,556,261		

Authority: Title 23, Chapter 5, Code of Virginia.

Nongeneral fund revenue in excess of operating costs for the National Planned Giving Institute may be transferred to the Endowment Association of The College of William and Mary in Virginia in accordance with the wishes of the donor. At the close of each fiscal year, the College shall notify the Director, Department of Planning and Budget, of the amount transferred.

159.05.	Executive Management (71300) .....			(\$3,426,462)	(\$7,395,210)
	Savings From Management Actions (71301).....	(\$3,426,462)	(\$7,395,210)		
	Fund Sources: General.....	(\$3,426,462)	(\$7,395,210)		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

Total for The College of William and Mary in Virginia..			<del>\$226,861,916</del>	<del>\$226,861,916</del>
			\$240,055,475	\$238,063,592

General Fund Positions.....	542.66	542.66		
Nongeneral Fund Positions.....	859.79	859.79		
Position Level .....	1,402.45	1,402.45		
Fund Sources: General .....	<del>\$52,367,154</del>	<del>\$52,367,154</del>		
	\$48,940,692	\$45,081,279		
Higher Education Operating.....	<del>\$162,502,088</del>	<del>\$162,502,088</del>		
	\$175,870,603	\$177,738,133		
Debt Service.....	<del>\$11,992,674</del>	<del>\$11,992,674</del>		
	\$15,244,180	\$15,244,180		

#### Richard Bland College (241)

160.	Educational and General Programs (10000).....			\$9,213,482	<del>\$9,213,482</del>
	Higher Education Instruction (100101).....	\$3,651,944	<del>\$3,651,944</del>		\$9,258,482
			\$3,696,944		
	Higher Education Public Services (100103).....	\$4,500	\$4,500		
	Higher Education Academic Support (100104).....	\$508,800	\$508,800		
	Higher Education Student Services (100105).....	\$1,008,422	\$1,008,422		
	Higher Education Institutional Support (100106).....	\$2,734,373	\$2,734,373		
	Operation and Maintenance of Plant (100107).....	\$1,305,443	\$1,305,443		
	Fund Sources: General .....	\$6,017,200	<del>\$6,017,200</del>		
			\$6,062,200		
	Higher Education Operating.....	\$3,196,282	\$3,196,282		

Authority: Title 23, Chapter 5, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

ITEM 160.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	B. Out of this appropriation \$109,256 from the general fund and \$54,056 from nongeneral funds the first year and \$109,256 from the general fund and \$54,056 from nongeneral funds the second year is provided for the third and fourth of five annual payments for the procurement of several information technology support items totaling \$720,000. The annual payment in year five is expected to be \$109,256 from the general fund and \$54,056 from nongeneral funds.				
	C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
161.	Higher Education Student Financial Assistance (10800) ..			\$291,144	<del>\$291,144</del>
	Scholarships (10810).....	\$291,144	<del>\$291,144</del> \$313,819		<del>\$313,819</del>
	Fund Sources: General .....	\$291,144	<del>\$291,144</del> \$313,819		
	Authority: Title 23, Chapter 5, Code of Virginia.				
162.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at .....			\$335,110	\$335,110
	Sponsored Programs (11004) .....	\$335,110	\$335,110		
	Fund Sources: Higher Education Operating.....	\$335,110	\$335,110		
	Authority: Title 23, Chapter 5, Code of Virginia.				
163.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at .....			\$1,284,000	\$2,722,000
	Food Services (80910).....	\$6,000	\$6,000		
	Bookstores and other Stores (80920).....	\$200,000	\$200,000		
	Residential Services (80930) .....	\$956,500	\$2,394,500		
	Parking and Transportation Systems and Services (80940) .....	\$83,500	\$83,500		
	Recreational and Intramural Programs (80980).....	\$4,000	\$4,000		
	Other Enterprise Functions (80990).....	\$34,000	\$34,000		
	Fund Sources: Higher Education Operating.....	\$1,284,000	\$2,722,000		
	Authority: Title 23, Chapter 5, Code of Virginia.				
163.05.	Executive Management (71300) .....			(\$295,397)	(\$597,006)
	Savings From Management Actions (71301).....	(\$295,397)	(\$597,006)		
	Fund Sources: General.....	(\$295,397)	(\$597,006)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Richard Bland College.....			<del>\$11,123,736</del> \$10,828,339	<del>\$12,561,736</del> \$12,032,405

ITEM 163.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
General Fund Positions.....	70.43	70.43		
Nongeneral Fund Positions.....	40.73	40.73		
Position Level .....	111.16	111.16		
Fund Sources: General.....	\$6,308,344	\$6,308,344		
	\$6,012,947	\$5,779,013		
Higher Education Operating.....	\$4,815,392	\$6,253,392		

**Virginia Institute of Marine Science (268)**

164.	Educational and General Programs (10000).....			\$22,873,826	\$22,961,326
	Higher Education Instruction (100101).....	\$1,895,895	\$1,983,395		
	Higher Education Research (100102) .....	\$10,166,934	\$10,166,934		
	Higher Education Academic Support (100104).....	\$4,318,074	\$4,318,074		
	Higher Education Institutional Support (100106).....	\$2,893,343	\$2,893,343		
	Operation and Maintenance of Plant (100107).....	\$3,599,580	\$3,599,580		
	Fund Sources: General.....	\$21,112,638	\$21,200,138		
	Higher Education Operating.....	\$1,761,188	\$1,761,188		

Authority: Title 23, Chapter 5, and Title 28.2, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. If sufficient appropriations are not made available by the Commonwealth, it shall not be necessary for the Virginia Institute of Marine Science to reallocate funds from existing research projects to provide the funding for research mandated in the Code of Virginia or in the Appropriation Act.

C. Out of this appropriation, \$280,000 and four positions the first year and \$280,000 and four positions the second year from the general fund is designated to support an Aquaculture Genetics and Breeding Technology Center at the Virginia Institute of Marine Science. The center shall coordinate its efforts with the repletion program of the Virginia Marine Resources Commission.

D. It is the intent of the General Assembly that the development of a disease resistant native oyster remains a high priority for oyster-related research activities at the Virginia Institute of Marine Science.

E. Out of this appropriation, \$90,000 the first year and \$90,000 the second year from the general fund is provided for the continuation of the Clean Marina Program. This additional funding will allow the Virginia Institute of Marine Science to provide education, outreach, and technical assistance to the Commonwealth's marinas in an effort to improve water quality.

F. Out of this appropriation, \$185,000 the first year and \$185,000 the second year from the general fund is designated for the monitoring of the Chesapeake Bay's blue crab population. This additional support will permit the Virginia Institute of Marine Science to generate the data necessary to develop fishery management plans, determine in-danger habitats, and project the annual blue crab catch.

G. Notwithstanding Chapter 719, 1999 Acts of Assembly, out of this appropriation, \$210,000 the first year and \$210,000 the second year from the general fund shall be provided to the Virginia Institute of Marine Science to support the Fishery Resource Grant Fund and Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the President of the College of William and Mary.

ITEM 164.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<i>H. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.</i>				
165.	Higher Education Student Financial Assistance (10800)..			\$238,527	\$238,527
	Fellowships (10820).....	\$238,527	\$238,527		
	Fund Sources: General.....	\$238,527	\$238,527		
166.	Financial Assistance for Educational and General Services (11000).....			\$23,054,059	\$23,054,059
	Sponsored Programs (11004) .....	\$23,054,059	\$23,054,059		
	Fund Sources: Higher Education Operating.....	\$23,054,059	\$23,054,059		
	Authority: Title 23, Chapter 5 and Title 28.2, Chapter 11, Code of Virginia.				
	A. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the Institute to cover sponsored program operations.				
	B. Out of the amounts for sponsored programs \$50,000 the first year and \$50,000 the second year in nongeneral funds shall be paid from the Marine Fishing Improvement Fund to support the Mariculture and Marine Product Advisory Program.				
166.05.	Executive Management (71300) .....			(\$1,477,885)	(\$2,300,808)
	Savings From Management Actions (71301).....	(\$1,477,885)	(\$2,300,808)		
	Fund Sources: General.....	(\$1,477,885)	(\$2,300,808)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Institute of Marine Science.....			<del>\$46,166,412</del> \$44,688,527	<del>\$46,253,912</del> \$43,953,104
	General Fund Positions.....	270.77	270.77		
	Nongeneral Fund Positions.....	99.30	99.30		
	Position Level .....	370.07	370.07		
	Fund Sources: General.....	<del>\$21,351,165</del> \$19,873,280	<del>\$21,438,665</del> \$19,137,857		
	Higher Education Operating.....	\$24,815,247	\$24,815,247		
	Grand Total for The College of William and Mary in Virginia.....			<del>\$284,152,064</del> \$295,572,341	<del>\$285,677,564</del> \$294,049,101
	General Fund Positions.....	883.86	883.86		
	Nongeneral Fund Positions.....	999.82	999.82		
	Position Level .....	1,883.68	1,883.68		
	Fund Sources: General.....	<del>\$80,026,663</del> \$74,826,919	<del>\$80,114,163</del> \$69,998,149		
	Higher Education Operating.....	<del>\$192,132,727</del> \$205,501,242	<del>\$193,570,727</del> \$208,806,772		

ITEM 166.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Debt Service.....	\$11,992,674	\$11,992,674		
	\$15,244,180	\$15,244,180		

**§ 1-52. GEORGE MASON UNIVERSITY (247)**

167.	Educational and General Programs (10000).....		\$342,684,030	\$342,684,030
			\$342,709,030	\$358,434,030
	Higher Education Instruction (100101).....	\$203,230,763	\$203,230,763	
		\$203,255,763	\$209,224,531	
	Higher Education Public Services (100103).....	\$1,486,323	\$1,486,323	
	Higher Education Academic Support (100104).....	\$50,964,706	\$50,964,706	
			\$54,014,243	
	Higher Education Student Services (100105).....	\$17,431,349	\$17,431,349	
			\$18,239,882	
	Higher Education Institutional Support (100106).....	\$41,060,402	\$41,060,402	
			\$41,996,106	
	Operation and Maintenance of Plant (100107).....	\$28,510,487	\$28,510,487	
			\$33,472,945	
	Fund Sources: General.....	\$138,863,610	\$138,863,610	
		\$138,888,610	\$139,213,610	
	Higher Education Operating.....	\$203,820,420	\$203,820,420	
			\$219,220,420	

Authority: Title 23, Chapter 9.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation, an amount estimated at \$289,614 from the general fund and \$124,120 from nongeneral funds the first year and \$289,614 from the general fund and \$124,120 from nongeneral funds the second year is designated for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.

C. Out of this appropriation, \$459,125 the first year and \$459,125 the second year from the general fund is designated for the Institute for Conflict Analysis.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. Out of this appropriation, \$25,000 the first year and \$50,000 the second year from the General Fund shall be provided to support the Belmont Bay Science Center.

F. Out of this appropriation, \$300,000 the second year from the general fund is designated to present and create innovative performing arts programs for the enrichment and education of diverse audiences and participants in collaboration with regional performing arts organizations.

168.	Higher Education Student Financial Assistance (10800) ..		\$14,229,203	\$14,229,203
	Scholarships (10810).....	\$12,608,485	\$12,608,485	\$15,484,136



ITEM 168.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fellowships (10820).....	\$1,620,718	<del>\$13,863,418</del> \$1,620,718		
	Fund Sources: General.....	\$13,029,203	<del>\$13,029,203</del> \$14,284,136		
	Higher Education Operating.....	\$1,200,000	\$1,200,000		
	Authority: Title 23, Chapter 9.1, Code of Virginia.				
169.	Financial Assistance for Educational and General Services (11000).....			\$162,937,223	\$162,937,223
	Eminent Scholars (11001) .....	\$1,000,000	\$1,000,000		
	Sponsored Programs (11004) .....	\$161,937,223	\$161,937,223		
	Fund Sources: General.....	\$1,125,000	\$1,125,000		
	Higher Education Operating.....	\$161,812,223	\$161,812,223		
	Authority: Title 23, Chapter 9.1, Code of Virginia.				
	A. Out of this appropriation, \$1,125,000 each year from the general fund and \$5,850,000 each year from nongeneral funds is designated to build research capacity in biomedical research and biomaterials engineering.				
	B. George Mason University shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.				
	C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
170.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			\$123,311,732	\$136,611,732
	Food Services (80910).....	\$10,400,000	\$11,400,000		
	Bookstores and other Stores (80920).....	\$2,235,319	\$2,235,319		
	Residential Services (80930) .....	\$34,957,620	\$38,328,810		
	Parking and Transportation Systems and Services (80940) .....	\$7,617,088	\$10,917,088		
	Telecommunications Systems and Services (80950).....	\$4,458,252	\$4,458,252		
	Student Health Services (80960).....	\$2,293,467	\$2,543,467		
	Student Unions and Recreational Facilities (80970) .....	\$14,999,579	\$16,699,579		
	Recreational and Intramural Programs (80980).....	\$5,923,103	\$5,923,103		
	Other Enterprise Functions (80990).....	\$28,114,918	\$31,793,728		
	Intercollegiate Athletics (80995) .....	\$12,312,386	\$12,312,386		
	Fund Sources: Higher Education Operating.....	\$111,369,532	\$124,669,532		
	Debt Service.....	\$11,942,200	\$11,942,200		
	Authority: Title 23, Chapter 9.1, Code of Virginia.				
170.05.	Executive Management (71300) .....			(\$9,799,203)	(\$21,168,493)
	Savings From Management Actions (71301).....	(\$9,799,203)	(\$21,168,493)		
	Fund Sources: General.....	(\$9,799,203)	(\$21,168,493)		
	Authority: Discretionary Inclusion				

ITEM 170.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

Total for George Mason University .....			<b>\$643,162,188</b>	<b>\$656,462,188</b>
			<b>\$633,387,985</b>	<b>\$652,298,628</b>
General Fund Positions.....	1,081.14	<del>1,081.14</del>		<del>1,082.14</del>
Nongeneral Fund Positions.....	2,383.57	<del>2,383.57</del>		<del>2,478.57</del>
Position Level .....	3,464.71	<del>3,464.71</del>		<del>3,560.71</del>
Fund Sources: General .....	<del>\$153,017,813</del>	<del>\$153,017,813</del>		
	<del>\$143,243,610</del>	<del>\$133,454,253</del>		
Higher Education Operating.....	<del>\$478,202,175</del>	<del>\$491,502,175</del>		
		<del>\$506,902,175</del>		
Debt Service.....	<del>\$11,942,200</del>	<del>\$11,942,200</del>		

**§ 1-53. JAMES MADISON UNIVERSITY (216)**

171.	Educational and General Programs (10000).....			<del>\$205,408,100</del>	<del>\$205,408,100</del>
				<del>\$211,519,561</del>	<del>\$224,347,013</del>
	Higher Education Instruction (100101).....	<del>\$120,540,561</del>	<del>\$120,540,561</del>		
		<del>\$124,714,474</del>	<del>\$130,523,011</del>		
	Higher Education Research (100102) .....	<del>\$322,538</del>	<del>\$322,538</del>		
		<del>\$348,617</del>	<del>\$351,774</del>		
	Higher Education Public Services (100103).....	<del>\$868,559</del>	<del>\$868,559</del>		
		<del>\$872,852</del>	<del>\$878,504</del>		
	Higher Education Academic Support (100104).....	<del>\$23,052,078</del>	<del>\$23,052,078</del>		
		<del>\$23,537,174</del>	<del>\$24,784,003</del>		
	Higher Education Student Services (100105).....	<del>\$9,545,870</del>	<del>\$9,545,870</del>		
		<del>\$9,726,570</del>	<del>\$10,698,921</del>		
	Higher Education Institutional Support (100106).....	<del>\$29,109,906</del>	<del>\$29,109,906</del>		
		<del>\$29,692,015</del>	<del>\$31,881,602</del>		
	Operation and Maintenance of Plant (100107).....	<del>\$21,968,588</del>	<del>\$21,968,588</del>		
		<del>\$22,627,859</del>	<del>\$25,229,198</del>		
	Fund Sources: General .....	<del>\$77,821,713</del>	<del>\$77,821,713</del>		
			<del>\$78,821,713</del>		
	Higher Education Operating.....	<del>\$126,336,957</del>	<del>\$126,336,957</del>		
		<del>\$132,448,418</del>	<del>\$144,275,870</del>		
	Debt Service.....	<del>\$1,249,430</del>	<del>\$1,249,430</del>		

Authority: Title 23, Chapter 12.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. The University is authorized to continue offering its existing doctoral degree in psychology and a limited number of other doctoral programs in specialized areas with approval from the State Council of Higher Education for Virginia. These doctoral programs are niche programs, consistent with the comprehensive mission of the University, and are targeted to meet critical needs in the Commonwealth.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing

ITEM 171.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
172.	Higher Education Student Financial Assistance (10800) ..			\$8,470,546	\$8,470,546
				\$8,726,615	\$9,566,308
	Scholarships (10810).....	\$8,080,324	\$8,080,324		
		\$8,336,393	\$9,176,086		
	Fellowships (10820).....	\$390,222	\$390,222		
	Fund Sources: General.....	\$6,463,204	\$6,463,204		
			\$6,724,848		
	Higher Education Operating.....	\$2,007,342	\$2,007,342		
		\$2,263,411	\$2,841,460		
	Authority: Title 23, Chapter 12.1, Code of Virginia.				
173.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			\$36,936,471	\$36,936,471
	Eminent Scholars (11001) .....	\$39,031	\$39,031		
	Sponsored Programs (11004) .....	\$36,897,440	\$36,897,440		
	Fund Sources: Higher Education Operating.....	\$36,936,471	\$36,936,471		
	Authority: Title 23, Chapter 12.1, Code of Virginia.				
174.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			\$126,990,633	\$139,483,265
	Food Services (80910).....	\$39,086,766	\$43,575,019		
	Bookstores and other Stores (80920).....	\$1,308,654	\$1,308,654		
	Residential Services (80930) .....	\$23,401,771	\$26,327,907		
	Parking and Transportation Systems and Services (80940) .....	\$5,123,484	\$5,271,992		
	Telecommunications Systems and Services (80950).....	\$894,669	\$894,669		
	Student Health Services (80960).....	\$3,666,761	\$3,997,575		
	Student Unions and Recreational Facilities (80970) .....	\$5,738,246	\$6,154,724		
	Recreational and Intramural Programs (80980).....	\$5,426,758	\$6,056,049		
	Other Enterprise Functions (80990) .....	\$17,470,492	\$17,783,528		
	Intercollegiate Athletics (80995) .....	\$24,873,032	\$28,113,148		
	Fund Sources: Higher Education Operating.....	\$110,745,044	\$117,901,161		
	Debt Service.....	\$16,245,589	\$21,582,104		
	Authority: Title 23, Chapter 12.1, Code of Virginia.				
174.05.	Executive Management (71300) .....			(\$5,447,520)	(\$11,777,832)
	Savings From Management Actions (71301).....	(\$5,447,520)	(\$11,777,832)		
	Fund Sources: General.....	(\$5,447,520)	(\$11,777,832)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for James Madison University.....			\$377,805,750	\$390,298,382
				\$378,725,760	\$398,555,225
	General Fund Positions.....	947.33	947.33		

ITEM 174.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Nongeneral Fund Positions.....	1,843.61	1,871.11		
	1,887.49	1,949.99		
Position Level .....	2,790.94	2,818.44		
	2,834.82	2,897.32		
Fund Sources: General .....	\$84,284,917	\$84,284,917		
	\$78,837,397	\$73,768,729		
Higher Education Operating.....	\$276,025,814	\$283,181,931		
	\$282,393,344	\$301,954,962		
Debt Service.....	\$17,495,019	\$22,831,534		

**§ 1-54. LONGWOOD UNIVERSITY (214)**

175.	Educational and General Programs (10000).....		\$49,517,104	\$49,517,104
				\$54,107,936
	Higher Education Instruction (100101).....	\$23,756,934	<del>\$23,756,934</del>	
			\$28,347,766	
	Higher Education Public Services (100103).....	\$596,948	\$596,948	
	Higher Education Academic Support (100104).....	\$6,638,192	\$6,638,192	
	Higher Education Student Services (100105).....	\$2,981,077	\$2,981,077	
	Higher Education Institutional Support (100106).....	\$10,627,166	\$10,627,166	
	Operation and Maintenance of Plant (100107).....	\$4,916,787	\$4,916,787	
	Fund Sources: General .....	\$28,136,529	<del>\$28,136,529</del>	
			\$28,991,971	
	Higher Education Operating.....	\$21,380,575	<del>\$21,380,575</del>	
			\$25,115,965	

Authority: Title 23, Chapter 15, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation \$999,000 from the general fund and \$70,925 from nongeneral funds the first year and \$999,000 from the general fund and \$70,925 from nongeneral funds the second year is provided to assist with the third and fourth of five annual payments for the purchase and installation of the university's administrative information system.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

*D. Out of this appropriation, \$240,442 and three positions the second year from the general fund is provided to begin the implementation of a Bachelor of Science in nursing program.*

176.	Higher Education Student Financial Assistance (10800) ..		\$3,330,194	\$3,330,194
				\$3,523,147
	Scholarships (10810).....	\$3,330,194	<del>\$3,330,194</del>	
			\$3,523,147	
	Fund Sources: General .....	\$3,330,194	<del>\$3,330,194</del>	
			\$3,523,147	

Authority: Title 23, Chapter 15, Code of Virginia.

ITEM 177.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
177.	Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at.....			\$3,153,393	\$3,153,393
	Sponsored Programs (11004) .....	\$3,153,393	\$3,153,393		
	Fund Sources: Higher Education Operating.....	\$3,153,393	\$3,153,393		
	Authority: Title 23, Chapter 15, Code of Virginia.				
178.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			\$35,723,795	<del>\$35,723,795</del> \$42,833,795
	Food Services (80910).....	\$5,294,929	\$5,294,929		
	Bookstores and other Stores (80920).....	\$1,000	\$1,000		
	Residential Services (80930) .....	\$7,952,214	\$7,952,214		
	Parking and Transportation Systems and Services (80940) .....	\$720,410	\$720,410		
	Telecommunications Systems and Services (80950).....	\$1,165,972	\$1,165,972		
	Student Health Services (80960).....	\$413,424	\$413,424		
	Student Unions and Recreational Facilities (80970) .....	\$386,003	\$386,003		
	Recreational and Intramural Programs (80980).....	\$134,838	\$134,838		
	Other Enterprise Functions (80990).....	\$15,122,078	<del>\$15,122,078</del> \$22,232,078		
	Intercollegiate Athletics (80995) .....	\$4,532,927	\$4,532,927		
	Fund Sources: Higher Education Operating.....	\$28,336,484	<del>\$28,336,484</del> \$35,446,484		
	Debt Service.....	\$7,387,311	\$7,387,311		
	Authority: Title 23, Chapter 15, Code of Virginia.				
178.05.	Executive Management (71300) .....			(\$1,356,876)	(\$4,104,225)
	Savings From Management Actions (71301).....	(\$1,356,876)	(\$4,104,225)		
	Fund Sources: General.....	(\$1,356,876)	(\$4,104,225)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Longwood University.....			<del>\$91,724,486</del> \$90,367,610	<del>\$91,724,486</del> \$99,514,046
	General Fund Positions.....	268.89	<del>268.89</del> 271.89		
	Nongeneral Fund Positions.....	371.67	371.67		
	Position Level .....	640.56	<del>640.56</del> 643.56		
	Fund Sources: General .....	<del>\$31,466,723</del> \$30,109,847	<del>\$31,466,723</del> \$28,410,893		
	Higher Education Operating.....	\$52,870,452	<del>\$52,870,452</del> \$63,715,842		
	Debt Service.....	\$7,387,311	\$7,387,311		
<b>§ 1-55. NORFOLK STATE UNIVERSITY (213)</b>					
179.	Educational and General Programs (10000) .....			\$80,314,158	<del>\$80,314,158</del> \$81,014,158

ITEM 179.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Higher Education Instruction (100101).....	\$35,944,214	<del>\$35,944,214</del> \$36,644,214		
Higher Education Research (100102) .....	\$196,673	\$196,673		
Higher Education Public Services (100103).....	\$805,034	\$805,034		
Higher Education Academic Support (100104).....	\$10,026,907	\$10,026,907		
Higher Education Student Services (100105).....	\$5,258,695	\$5,258,695		
Higher Education Institutional Support (100106).....	\$16,643,605	\$16,643,605		
Operation and Maintenance of Plant (100107).....	\$11,439,030	\$11,439,030		
Fund Sources: General .....	\$46,786,432	<del>\$46,786,432</del> \$47,486,432		
Higher Education Operating.....	\$33,527,726	\$33,527,726		

Authority: Title 23, Chapter 13.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$5,350,128 the first year and \$5,350,128 the second year from the general fund is designated for the recently initiated Bachelor of Science academic programs in Electronics Engineering and Optical Engineering and Master of Science academic programs in Electronics Engineering, Optical Engineering, Computer Science, and Criminal Justice.

2. Out of the amounts for programs listed in paragraph B.1. above, shall be provided \$273,486 the first year and \$273,486 the second year from the general fund for lease payments through the Master Equipment Leasing Program for educational and general equipment.

3. Out of the amounts for Educational and General Programs, \$37,500 the first year and \$37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

4. In conjunction with the Secretary of Education, Norfolk State University shall develop the following:

- a. a timetable for implementing the academic programs funded in B.1. above, including a plan for recruiting faculty, staff, and students;
- b. a means by which to assess the effectiveness toward meeting the goals of the new programs; and
- c. periodic reports on the expenditures of the funds provided.

C.1. Out of the amounts for Educational and General Programs, a maximum of \$70,000 the first year and \$70,000 the second year from the general fund is designated for the Dozoretz National Institute for Minorities in Applied Sciences. No allotment of these funds shall be made until Norfolk State University has certified to the Secretary of Education that funds, in cash, are available to match all or any part of the amount herein made available from the general fund.

2. Any unexpended balances in paragraphs B.1., B.2., B.3., and C.1. in this Item at the close of business on June 30, 2008 and June 30, 2009 shall not revert to the surplus of the general fund, but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year.

D. Out of this appropriation, \$94,222 the first year and \$94,222 the second year from the general fund is designated to assist the University in improving graduation and retention rates.

E. Out of this appropriation, \$78,200 the first year and \$78,200 the second year from the general fund is designated to maintain an enrollment management plan.

ITEM 179.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	F. Out of this appropriation, \$11,756 the first year and \$11,756 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.				
	G. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
180.	Higher Education Student Financial Assistance (10800) ..			\$11,018,746	\$11,018,746
	Scholarships (10810).....	\$11,018,746	<del>\$11,018,746</del> \$11,654,328		<del>\$11,018,746</del> \$11,654,328
	Fund Sources: General .....	\$6,118,746	<del>\$6,118,746</del> \$6,754,328		
	Higher Education Operating.....	\$4,900,000	\$4,900,000		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
181.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			\$24,686,497	\$24,686,497
	Sponsored Programs (11004) .....	\$24,686,497	\$24,686,497		
	Fund Sources: Higher Education Operating.....	\$24,686,497	\$24,686,497		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
182.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			\$33,605,988	\$33,605,988
	Food Services (80910).....	\$2,341,243	\$2,341,243		
	Bookstores and other Stores (80920).....	\$393,740	\$393,740		
	Residential Services (80930) .....	\$15,847,530	\$15,847,530		
	Parking and Transportation Systems and Services (80940) .....	\$458,180	\$458,180		
	Student Unions and Recreational Facilities (80970) .....	\$2,936,031	\$2,936,031		
	Other Enterprise Functions (80990) .....	\$4,818,970	\$4,818,970		
	Intercollegiate Athletics (80995) .....	\$6,810,294	\$6,810,294		
	Fund Sources: Higher Education Operating.....	\$28,571,806	\$28,571,806		
	Debt Service.....	\$5,034,182	\$5,034,182		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
182.05.	Executive Management (71300) .....			(\$2,044,145)	(\$6,186,892)
	Savings From Management Actions (71301).....	(\$2,044,145)	(\$6,186,892)		
	Fund Sources: General.....	(\$2,044,145)	(\$6,186,892)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Norfolk State University .....			\$149,625,389	\$149,625,389

ITEM 182.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			<b>\$147,581,244</b>	<b>\$144,774,079</b>
General Fund Positions.....	483.70	<del>483.70</del> 493.70		
Nongeneral Fund Positions.....	498.67	498.67		
Position Level .....	982.37	<del>982.37</del> 992.37		
Fund Sources: General .....	<del>\$52,905,178</del>	<del>\$52,905,178</del>		
	\$50,861,033	\$48,053,868		
Higher Education Operating.....	\$91,686,029	\$91,686,029		
Debt Service.....	\$5,034,182	\$5,034,182		

**§ 1-56. OLD DOMINION UNIVERSITY (221)**

183.	Educational and General Programs (10000).....		\$210,655,003	<del>\$210,655,003</del> \$218,417,768
	Higher Education Instruction (100101).....	\$115,709,369	<del>\$115,709,369</del> \$118,885,291	
	Higher Education Research (100102) .....	\$2,227,190	\$2,227,190	
	Higher Education Public Services (100103).....	\$473,267	\$473,267	
	Higher Education Academic Support (100104).....	\$45,226,060	<del>\$45,226,060</del> \$49,812,903	
	Higher Education Student Services (100105).....	\$8,620,750	\$8,620,750	
	Higher Education Institutional Support (100106).....	\$22,569,572	\$22,569,572	
	Operation and Maintenance of Plant (100107).....	\$15,828,795	\$15,828,795	
	Fund Sources: General .....	\$109,917,966	<del>\$109,917,966</del> \$111,007,966	
	Higher Education Operating.....	\$100,737,037	<del>\$100,737,037</del> \$107,409,802	

Authority: Title 23, Chapter 5.2, Code of Virginia.

A.1. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

2. Out of this appropriation, the University may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school.

B. Out of this appropriation shall be expended an amount estimated at \$431,013 from the general fund and \$198,244 from nongeneral funds the first year and \$431,013 from the general fund and \$198,244 from nongeneral funds the second year for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.

C. Out of this appropriation \$4,017,308 and 23.88 positions the first year from the general fund and \$1,440,000 and 12.62 positions the first year from nongeneral funds and \$4,017,308 and 23.88 positions the second year from the general fund and \$1,440,000 and 12.62 positions the second year from nongeneral funds is designated to operate distance learning sites across the Commonwealth.

D.1. Out of this appropriation, \$425,088 the first year and \$425,088 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.

2. The lease agreement shall be approved by the Governor, pursuant to § 2.2-1149, Code of Virginia and the agreement shall provide for a long-term lease to support the work associated with the activities referred to in D.1.



ITEM 183.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>E.1. Out of this appropriation, \$2,610,000 from the general fund and \$2,610,000 from nongeneral funds the first year and \$2,610,000 from the general fund and \$2,610,000 from nongeneral funds the second year are provided for the development and support of a Technology Workforce Training Center designed to train workers in the field of information technology.</p> <p>2. Out of this appropriation, \$2,015,280 and 10 positions the first year and \$2,015,280 and 10 positions the second year from the general fund is provided to support workforce development in engineering and computer science. The University shall actively promote and recruit high school and community college students to consider engineering and computer science programs for their college careers. In carrying out the workforce development program, the University shall take into consideration that the General Assembly will be studying the advantages and disadvantages of incentive scholarships and their role in the Commonwealth's financial aid program.</p> <p>F. Out of this appropriation, \$1,165,196 and two positions the first year and \$1,165,196 and two positions the second year from the general fund is designated to enhance the use of instructional technology in the classroom.</p> <p>G. Notwithstanding § 55-297, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.</p> <p>H. Notwithstanding § 23-7.4:2, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.</p> <p>I. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p> <p>J. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for a Center for Teacher Quality and Educational Leadership at Old Dominion University. The Center will serve as a professional development facility that focuses on improving teacher quality and educational leadership through intensive, research-based, professional development for teachers and administrators in school divisions that have not met all of the standards for Virginia Standards of Learning accreditation and the requirements of the No Child Left Behind Act.</p> <p>K. Old Dominion University shall collaborate with the Virginia Maritime Foundation in support of its maritime and sailing programs in the College of Arts and Letters, the College of Science and the Athletics Department. To that end, the General Assembly authorizes Old Dominion University to accept and utilize assets of the Virginia Maritime Foundation.</p>				
184.	Higher Education Student Financial Assistance (10800) ..		\$14,409,446	\$14,409,446
	Scholarships (10810).....	\$12,387,918	<del>\$12,387,918</del> \$13,750,589	<del>\$14,409,446</del> \$15,772,117
	Fellowships (10820).....	\$2,021,528	\$2,021,528	
	Fund Sources: General .....	\$14,409,446	<del>\$14,409,446</del> \$15,772,117	

Authority: Title 23, Chapter 5.2, Code of Virginia.

ITEM 185.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
185.	Financial Assistance for Educational and General Services (11000).....			\$16,417,163	<del>\$13,417,163</del> \$15,517,001
	Eminent Scholars (11001) .....	\$421,387	\$421,387		
	Sponsored Programs (11004) .....	\$15,995,776	<del>\$12,995,776</del> \$15,095,614		
	Fund Sources: General .....	\$3,000,000	\$0		
			\$2,099,838		
	Higher Education Operating.....	\$13,417,163	\$13,417,163		
Authority: Title 23, Chapter 5.2, Code of Virginia.					
A. Out of this appropriation, \$3,000,000 from the general fund and \$4,500,000 from nongeneral funds the first year <del>from the general fund</del> and \$2,099,838 and 14 positions from the general fund and \$4,500,000 each year from nongeneral funds the second year is designated to build research capacity in modeling and simulation which shall include efforts to improve traffic management through modeling.					
B. Old Dominion University shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.					
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.					
186.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at .....			\$66,287,743 \$77,842,731	\$71,537,743 \$87,260,224
	Food Services (80910).....	\$2,788,724	\$2,788,724		
	Bookstores and other Stores (80920).....	\$1,722,129	\$1,722,129		
	Residential Services (80930) .....	<del>\$12,372,817</del> \$17,341,501	<del>\$13,772,817</del> \$21,002,629		
	Parking and Transportation Systems and Services (80940) .....	<del>\$6,256,576</del> \$7,028,100	<del>\$7,006,576</del> \$8,092,289		
	Telecommunications Systems and Services (80950).....	\$84,786	\$84,786		
	Student Health Services (80960).....	\$1,310,877	\$1,310,877		
	Student Unions and Recreational Facilities (80970).....	<del>\$5,592,800</del> \$5,573,783	<del>\$5,692,800</del> \$6,063,868		
	Recreational and Intramural Programs (80980).....	\$1,314,889	\$1,314,889		
	Other Enterprise Functions (80990).....	<del>\$12,536,364</del> \$14,380,600	<del>\$12,986,364</del> \$15,666,663		
	Intercollegiate Athletics (80995) .....	<del>\$22,307,781</del> \$26,297,342	<del>\$24,857,781</del> \$29,213,370		
	Fund Sources: Higher Education Operating.....	\$59,392,743	\$64,642,743		
	Debt Service.....	<del>\$6,895,000</del> \$18,449,988	<del>\$6,895,000</del> \$22,617,481		

Authority: Title 23, Chapter 5.2, Code of Virginia.

Old Dominion University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of TELETECHNET classes offered at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for TELETECHNET students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those

ITEM 186.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	students. Tuition and fee rates to meet this requirement shall be established by the University's Board of Visitors. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the State Council of Higher Education for Virginia. Revenues in excess of expenditures shall be retained in the fund to support the entire TELETECHNET program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.				
186.05.	<i>Executive Management (71300) .....</i>			(\$5,645,898)	(\$16,589,811)
	<i>Savings From Management Actions (71301) .....</i>	(\$5,645,898)	(\$16,589,811)		
	<i>Fund Sources: General .....</i>	(\$5,645,898)	(\$16,589,811)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Old Dominion University .....			<b>\$307,769,355</b>	<b>\$310,019,355</b>
				<b>\$313,678,445</b>	<b>\$320,377,299</b>
	General Fund Positions .....	967.21	967.21		
			981.21		
	Nongeneral Fund Positions .....	1,315.53	1,315.53		
	Position Level .....	2,282.74	2,282.74		
			2,296.74		
	Fund Sources: General .....	\$127,327,412	\$124,327,412		
		\$121,681,514	\$112,290,110		
	Higher Education Operating .....	\$173,546,943	\$178,796,943		
			\$185,469,708		
	Debt Service .....	\$6,895,000	\$6,895,000		
		\$18,449,988	\$22,617,481		
<b>§ 1-57. RADFORD UNIVERSITY (217)</b>					
187.	Educational and General Programs (10000) .....			\$99,450,785	\$103,026,684
					\$103,526,684
	Higher Education Instruction (100101) .....	\$51,608,923	\$53,696,630		
			\$54,196,630		
	Higher Education Public Services (100103) .....	\$601,394	\$601,394		
	Higher Education Academic Support (100104) .....	\$9,775,198	\$10,436,498		
	Higher Education Student Services (100105) .....	\$4,295,778	\$4,327,156		
	Higher Education Institutional Support (100106) .....	\$22,027,109	\$22,142,906		
	Operation and Maintenance of Plant (100107) .....	\$11,142,383	\$11,822,100		
	Fund Sources: General .....	\$51,629,620	\$51,629,620		
			\$52,129,620		
	Higher Education Operating .....	\$47,821,165	\$51,397,064		
	<i>Authority: Title 23, Chapter 11.1, Code of Virginia.</i>				
	A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).				
	B. Out of this appropriation \$840,781 from the general fund and \$542,083 from nongeneral funds the first year and \$840,781 from the general fund and \$542,083 from nongeneral funds the second year is provided to assist with the third and fourth of five annual payments for the purchase and installation of the university's administrative information system.				

ITEM 187.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	C. Out of this appropriation \$327,852 from the general fund and \$211,379 from nongeneral funds the first year and \$327,852 from the general fund and \$211,379 from nongeneral funds the second year to assist with the third and fourth of five annual payments for the purchase of nursing education equipment for the laboratories. The total cost of the equipment is \$2,421,000.				
	D. Out of this appropriation, \$257,500 the first year and \$257,500 the second year from nongeneral funds is designated to support technology education initiatives, including information technology degree programs and technology training for faculty and students.				
	E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
	F. Radford University is authorized to offer a limited number of applied doctoral programs in specialized areas subject to approval from the State Council of Higher education for Virginia. Such programs should support the comprehensive mission of the University and be targeted to meet critical needs in the Commonwealth.				
188.	Higher Education Student Financial Assistance (10800) ..			\$7,865,833	<del>\$7,865,833</del> \$8,113,650
	Scholarships (10810).....	\$7,295,433	<del>\$7,295,433</del> \$7,543,250		
	Fellowships (10820).....	\$570,400	\$570,400		
	Fund Sources: General .....	\$6,765,833	<del>\$6,765,833</del> \$7,013,650		
	Higher Education Operating.....	\$1,100,000	\$1,100,000		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
189.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at .....			\$6,143,901	\$6,143,901
	Eminent Scholars (11001) .....	\$47,374	\$47,374		
	Sponsored Programs (11004) .....	\$6,096,527	\$6,096,527		
	Fund Sources: Higher Education Operating.....	\$6,143,901	\$6,143,901		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
190.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at .....			\$47,384,716	\$47,384,716
	Food Services (80910).....	\$14,155,008	<del>\$14,155,008</del> \$14,073,940		
	Bookstores and other Stores (80920).....	\$0	\$274,408		
	Residential Services (80930).....	\$10,633,938	<del>\$10,633,938</del> \$10,440,598		
	Parking and Transportation Systems and Services (80940) .....	\$1,071,921	\$1,071,921		
	Telecommunications Systems and Services (80950).....	\$866,344	\$866,344		
	Student Health Services (80960).....	\$1,864,476	\$1,864,476		
	Student Unions and Recreational Facilities (80970).....	\$4,441,299	\$4,441,299		
	Recreational and Intramural Programs (80980).....	\$1,124,370	\$1,124,370		
	Other Enterprise Functions (80990).....	\$4,788,892	\$4,788,892		
	Intercollegiate Athletics (80995) .....	\$8,438,468	\$8,438,468		

ITEM 190.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Higher Education Operating.....	\$47,384,716	\$47,384,716		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
190.05.	<i>Executive Management (71300) .....</i>			(\$2,496,321)	(\$7,548,755)
	<i>Savings From Management Actions (71301).....</i>	(\$2,496,321)	(\$7,548,755)		
	<i>Fund Sources: General.....</i>	(\$2,496,321)	(\$7,548,755)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Radford University .....			<b>\$160,845,235</b>	<b>\$164,421,134</b>
				<b>\$158,348,914</b>	<b>\$157,620,196</b>
	General Fund Positions.....	633.91	633.91		
	Nongeneral Fund Positions.....	756.13	756.13		
	Position Level .....	1,390.04	1,390.04		
	Fund Sources: General .....	<del>\$58,395,453</del>	<del>\$58,395,453</del>		
		<del>\$55,899,132</del>	<del>\$51,594,515</del>		
	Higher Education Operating.....	\$102,449,782	\$106,025,681		

**§ 1-58. UNIVERSITY OF MARY WASHINGTON (215)**

191.	Educational and General Programs (10000) .....			\$57,732,179	<del>\$60,232,179</del>
	Higher Education Instruction (100101).....	\$33,377,788	<del>\$34,127,788</del>		<del>\$60,672,179</del>
			<del>\$34,567,788</del>		
	Higher Education Research (100102) .....	\$544,932	\$544,932		
	Higher Education Public Services (100103).....	\$254,744	\$254,744		
	Higher Education Academic Support (100104).....	\$5,850,131	\$6,600,131		
	Higher Education Student Services (100105).....	\$4,157,022	\$4,507,022		
	Higher Education Institutional Support (100106).....	\$7,860,584	\$7,935,584		
	Operation and Maintenance of Plant (100107).....	\$5,686,978	\$6,261,978		
	Fund Sources: General .....	\$23,062,992	<del>\$23,062,992</del>		
			<del>\$23,502,992</del>		
	Higher Education Operating.....	\$34,669,187	\$37,169,187		

Authority: Title 23, Chapter 9.2, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation shall be expended an amount estimated at \$80,483 from the general fund and \$36,130 from nongeneral funds the first year and \$80,483 from the general fund and \$36,130 from nongeneral funds the second year for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

ITEM 192.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
192.	Higher Education Student Financial Assistance (10800) ..			\$1,412,215	<del>\$1,412,215</del> \$1,468,704
	Scholarships (10810).....	\$1,412,215	<del>\$1,412,215</del> \$1,468,704		
	Fund Sources: General .....	\$1,412,215	<del>\$1,412,215</del> \$1,468,704		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
193.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at .....			\$809,533	\$809,533
	Eminent Scholars (11001) .....	\$57,396	\$57,396		
	Sponsored Programs (11004) .....	\$752,137	\$752,137		
	Fund Sources: Higher Education Operating.....	\$809,533	\$809,533		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
194.	Museum and Cultural Services (14500) .....			\$777,560	\$777,560
	Collections Management and Curatorial Services (14501) .....	\$777,560	\$777,560		
	Fund Sources: General .....	\$459,850	\$459,850		
	Higher Education Operating.....	\$317,710	\$317,710		
	Authority: Chapter 51, Acts of Assembly of 1960; § 23-91.35, Code of Virginia.				
	The amounts provided in this appropriation are for the support of Belmont, the estate and memorial gallery of American artist Gari Melchers.				
195.	Historic and Commemorative Attraction Management (50200) .....			\$259,380	\$259,380
	Historic Landmarks and Facilities Management (50203) .	\$259,380	\$259,380		
	Fund Sources: General .....	\$205,494	\$205,494		
	Higher Education Operating.....	\$53,886	\$53,886		
	Authority: Chapter 641, Acts of Assembly of 1964; § 23-91.35, Code of Virginia.				
	A. The amounts provided in this appropriation are for the support of the James Monroe Law Office - Museum and Memorial Library.				
	B. The Governor may make appointments to the Board of Regents of the James Monroe Law Office - Museum and Memorial Library from a list of qualified persons submitted to him by the James Monroe Foundation and the Board of Visitors of the University of Mary Washington on or before the first day of March in any year in which the terms of any regents shall begin or expire. Such list shall contain at least three names for each vacancy to be filled. The Governor shall not be limited in his appointments to the persons so nominated.				
196.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at .....			\$32,266,494	\$34,066,494
	Food Services (80910).....	\$6,306,229	\$6,406,229		
	Bookstores and other Stores (80920).....	\$2,972,057	\$3,172,057		
	Residential Services (80930) .....	\$7,855,697	\$9,355,697		
	Telecommunications Systems and Services (80950).....	\$884,725	\$884,725		
	Student Health Services (80960).....	\$569,044	\$569,044		
	Student Unions and Recreational Facilities (80970) .....	\$1,425,031	\$1,425,031		
	Recreational and Intramural Programs (80980).....	\$1,946,299	\$1,946,299		

ITEM 196.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Other Enterprise Functions (80990).....	\$8,718,262	\$8,718,262		
	Intercollegiate Athletics (80995).....	\$1,589,150	\$1,589,150		
	Fund Sources: Higher Education Operating.....	\$29,629,513	\$31,429,513		
	Debt Service.....	\$2,636,981	\$2,636,981		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
196.05.	Executive Management (71300).....			(\$1,656,014)	(\$3,573,822)
	Savings From Management Actions (71301).....	(\$1,656,014)	(\$3,573,822)		
	Fund Sources: General.....	(\$1,656,014)	(\$3,573,822)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for University of Mary Washington.....			<b>\$93,257,361</b>	<b>\$97,557,361</b>
				<b>\$91,601,347</b>	<b>\$94,480,028</b>
	General Fund Positions.....	220.66	220.66		
	Nongeneral Fund Positions.....	462.00	462.00		
	Position Level .....	682.66	682.66		
	Fund Sources: General.....	<del>\$25,140,551</del>	<del>\$25,140,551</del>		
		\$23,484,537	\$22,063,218		
	Higher Education Operating.....	\$65,479,829	\$69,779,829		
	Debt Service.....	\$2,636,981	\$2,636,981		
<b>§ 1-59. UNIVERSITY OF VIRGINIA (207)</b>					
197.	Educational and General Programs (10000).....			\$472,716,948	\$472,716,948
				\$482,716,948	\$499,355,479
	Higher Education Instruction (100101).....	<del>\$249,417,124</del>	<del>\$249,417,124</del>		
		\$253,667,124	\$259,755,655		
	Higher Education Research (100102).....	\$13,041,408	\$13,041,408		
	Higher Education Public Services (100103).....	\$4,594,617	\$4,594,617		
	Higher Education Academic Support (100104).....	<del>\$81,109,507</del>	<del>\$81,109,507</del>		
		\$86,859,507	\$93,309,507		
	Higher Education Student Services (100105).....	\$20,157,200	<del>\$20,157,200</del>		
			\$24,257,200		
	Higher Education Institutional Support (100106).....	\$34,187,400	\$34,187,400		
	Operation and Maintenance of Plant (100107).....	\$70,209,692	\$70,209,692		
	Fund Sources: General.....	\$148,811,033	<del>\$148,811,033</del>		
			\$149,693,337		
	Higher Education Operating.....	<del>\$323,205,915</del>	<del>\$323,205,915</del>		
		\$333,205,915	\$348,962,142		
	Debt Service.....	\$700,000	\$700,000		
	Authority: Title 23, Chapter 9, Code of Virginia.				
	A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).				
	B.1. This appropriation includes an amount not to exceed \$1,983,202 the first year and \$1,983,202 the second year from the general fund for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.				

ITEM 197.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. The University shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.</p> <p>3. The University of Virginia, in cooperation with the Virginia Commonwealth University Health System Authority, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.</p> <p>4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in §4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for the University of Virginia for purposes of determining the University's portion of the statewide general fund reduction requirement.</p> <p>C. Out of this appropriation, \$1,431,320 the first year and \$1,431,320 the second year from the general fund is designated for the Virginia Foundation for Humanities and Public Policy. Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this Item begin to address the objective of appropriating one dollar per capita for the support of the Foundation.</p> <p>D. Out of this appropriation shall be expended an amount estimated at \$775,197 from the general fund and at least \$468,850 from nongeneral funds the first year and \$775,197 from the general fund and at least \$468,850 from nongeneral funds the second year, for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.</p> <p>E. Out of this appropriation, \$283,500 the first year and \$283,500 the second year from the general fund, and at least \$283,500 the first year and at least \$283,500 the second year from nongeneral funds is designated for the independent Virginia Institute of Government at the University of Virginia Center for Public Service.</p> <p>F.1. It is the intent of the General Assembly that the University of Virginia, in conjunction with the Eastern Virginia Medical School and Virginia Commonwealth University, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the University support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.</p> <p>2. The University of Virginia, in conjunction with Virginia Commonwealth University and Eastern Virginia Medical School, shall jointly collect and report on their production of generalist residents. The report shall be submitted biennially to the Secretary of Education and the State Council of Higher Education no later than October 1.</p> <p>3. Reporting requirements shall be set forth by the State Council of Higher Education for Virginia in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School.</p> <p>4. The State Council shall, in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, provide a summary of the biennial report to the chairman of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.</p> <p>G. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate.</p> <p>H. Out of this appropriation, at least \$196,263 the first year and \$196,263 the second year from the general fund shall be provided in support of diabetes education and public service at the Virginia Center for Diabetes Professional Education at the University of Virginia.</p>				



ITEM 197.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>I.1. Out of this appropriation, \$655,000 the first year and \$655,000 the second year from the general fund shall be provided for the Center for Politics at the University of Virginia to conduct and preserve oral histories with senior public officials, to conduct the Virginia Youth Leadership Initiative which educates students in Virginia's secondary schools in the democratic process, and to develop programs that foster increased public awareness of the electoral system.</p> <p>2. Out of this appropriation, \$130,000 from the general fund each year is provided to the Center of Politics to provide civic education resources to all public elementary and secondary schools in the Commonwealth.</p> <p>J. Out of this appropriation, \$369,000 from the general fund and \$53,189 in nongeneral funds in the first year and \$369,000 from the general fund and \$53,189 in nongeneral funds in the second year is provided in support of the State Arboretum at Blandy Farm.</p> <p>K. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p> <p>L. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.</p> <p><del>M. Out of this appropriation, \$250,000 each year from the general fund shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.</del></p>				
198.	Higher Education Student Financial Assistance (10800) ..		\$55,498,572	<del>\$58,298,572</del> \$58,744,666
	Scholarships (10810).....	\$7,467,475	<del>\$7,467,475</del> \$7,663,569	
	Fellowships (10820).....	\$48,031,097	<del>\$50,831,097</del> \$51,081,097	
	Fund Sources: General .....	\$9,067,475	<del>\$9,067,475</del> \$9,513,569	
	Higher Education Operating.....	\$46,431,097	\$49,231,097	
Authority: Title 23, Chapter 9, Code of Virginia.				
<p>A. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.</p> <p><i>B. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund, shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.</i></p>				
199.	Financial Assistance for Educational and General Services (11000).....		\$281,757,011	\$294,857,011
	Eminent Scholars (11001) .....	\$4,136,084	\$4,136,084	
	Sponsored Programs (11004) .....	\$277,620,927	\$290,720,927	

ITEM 199.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$3,146,875	\$3,146,875		
Higher Education Operating.....	\$267,070,136	\$280,170,136		
Debt Service.....	\$11,540,000	\$11,540,000		
Authority: Title 23, Chapter 9, Code of Virginia.				
A. Out of this appropriation, \$2,146,875 each year from the general fund and \$14,350,000 each year from nongeneral funds is designated to build research capacity in the areas of bioengineering and regenerative medicine.				
B. The University of Virginia shall report on the use of these funds and the progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.				
C. Out of this appropriation, \$1,000,000 each year from the general fund is designated for the support of cancer research.				
D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
200. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at .....			\$153,535,098	\$159,935,098
Residential Services (80930) .....	\$22,308,536	\$24,208,536		
Parking and Transportation Systems and Services (80940) .....	\$14,443,667	\$14,443,667		
Telecommunications Systems and Services (80950) .....	\$13,954,457	\$13,954,457		
Student Health Services (80960) .....	\$8,927,128	\$9,327,128		
Recreational and Intramural Programs (80980) .....	\$4,622,549	\$4,922,549		
Other Enterprise Functions (80990) .....	\$59,482,025	\$61,282,025		
Intercollegiate Athletics (80995) .....	\$29,796,736	\$31,796,736		
Fund Sources: Higher Education Operating.....	\$130,375,098	\$136,775,098		
Debt Service.....	\$23,160,000	\$23,160,000		
Authority: Title 23, Chapter 9, Code of Virginia.				
200.05. Executive Management (71300) .....			(\$10,619,554)	(\$23,081,949)
Savings From Management Actions (71301) .....	(\$10,619,554)	(\$23,081,949)		
Fund Sources: General .....	(\$10,619,554)	(\$23,081,949)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for University of Virginia.....			<b>\$963,507,629</b>	<b>\$985,807,629</b>
			<b>\$962,888,075</b>	<b>\$989,810,305</b>
General Fund Positions.....	1,389.27	1,389.27		
Nongeneral Fund Positions.....	6,215.69	6,226.69		
Position Level .....	7,604.96	7,615.96		

ITEM 200.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: General .....	\$161,025,383	\$161,025,383		
	Higher Education Operating.....	\$150,405,829	\$139,271,832		
	Debt Service.....	\$767,082,246	\$789,382,246		
		\$777,082,246	\$815,138,473		
		\$35,400,000	\$35,400,000		
<b>University of Virginia Medical Center (209)</b>					
201.	State Health Services (43000) .....			\$1,069,920,297	\$1,119,709,439
	Inpatient Medical Services (43007) .....	\$465,681,425	\$482,670,567		
	Outpatient Medical Services (43011).....	\$279,754,978	\$295,473,978		
	Administrative Services (43018) .....	\$324,483,894	\$341,564,894		
	Fund Sources: Higher Education Operating.....	\$1,052,273,832	\$1,102,062,974		
	Debt Service.....	\$17,646,465	\$17,646,465		
Authority: §§ 23-62 through 23-85, Code of Virginia and Chapter 38, Acts of Assembly of 1978.					
A. The appropriation to the University of Virginia Medical Center provides for the care, treatment, health related services and education activities associated with Virginia patients, including indigent and medically indigent patients. Inasmuch as the University of Virginia Medical Center is a state teaching hospital, this appropriation is to be used to jointly support the education of health students through patient care provided by this appropriation.					
B. By July 1 of each year, the Director of the Department of Medical Assistance Services shall approve a common criteria and methodology for determining free care attributable to the appropriations in this Item. The Medical Center will report to the Department of Medical Assistance Services expenditures for indigent, medically indigent, and other patients. The Auditor of Public Accounts and the State Comptroller shall monitor the implementation of these procedures. The Medical Center shall report by October 31 annually to the Department of Medical Assistance Services, the Comptroller and the Auditor of Public Accounts on expenditures related to this Item. Reporting shall be by means of the indigent care cost report and shall follow criteria approved by the Director of the Department of Medical Assistance Services.					
C. Funding for Family Practice is included in the University of Virginia's Educational and General appropriation. Support for other residencies is included in the hospital appropriation.					
D. It is the intent of the General Assembly that the University of Virginia Medical Center - Hospital maintain its efforts to staff residencies and fellow positions to produce sufficient generalist physicians in medically underserved regions of the state.					
202.	The June 30, 2008, and June 30, 2009, unexpended balances to the University of Virginia Medical Center are hereby reappropriated; their use is subject to approval of allotments by the Department of Planning and Budget.				
203.	A full accrual system of accounting shall be effected by the institution, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia, with the proviso that appropriations for operating expenses may not be used for capital projects.				
	Total for University of Virginia Medical Center .....			\$1,069,920,297	\$1,119,709,439
	Nongeneral Fund Positions.....	5,031.22	5,149.22		
	Position Level .....	5,031.22	5,149.22		
	Fund Sources: Higher Education Operating.....	\$1,052,273,832	\$1,102,062,974		
	Debt Service.....	\$17,646,465	\$17,646,465		

ITEM 204.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<b>University of Virginia's College at Wise (246)</b>				
204.	Educational and General Programs (10000).....		\$22,682,357	<del>\$22,682,357</del> \$22,802,357
	Higher Education Instruction (100101).....	\$13,341,078	<del>\$13,341,078</del> \$13,461,078	
	Higher Education Public Services (100103).....	\$29,950	\$29,950	
	Higher Education Academic Support (100104).....	\$3,239,170	\$3,239,170	
	Higher Education Student Services (100105).....	\$1,478,718	\$1,478,718	
	Higher Education Institutional Support (100106).....	\$2,744,784	\$2,744,784	
	Operation and Maintenance of Plant (100107).....	\$1,848,657	\$1,848,657	
	Fund Sources: General .....	\$15,089,181	<del>\$15,089,181</del> \$15,209,181	
	Higher Education Operating.....	\$7,593,176	\$7,593,176	
Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).				
B. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.				
C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
D. Out of this appropriation, \$246,358 from the general fund and \$138,577 from nongeneral funds the first year and \$246,358 from the general fund and \$138,577 from nongeneral funds the second year is designated to facilitate the technical training programs for the Northrop Grumman state backup data center.				
<i>E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.</i>				
205.	Higher Education Student Financial Assistance (10800) ..		\$1,694,685	<del>\$1,694,685</del> \$1,762,472
	Scholarships (10810).....	\$1,694,685	<del>\$1,694,685</del> \$1,762,472	
	Fund Sources: General .....	\$1,694,685	<del>\$1,694,685</del> \$1,762,472	
Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
206.	Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at .....		\$2,087,321	\$2,087,321

ITEM 206.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Eminent Scholars (11001) .....	\$2,373	\$2,373		
Sponsored Programs (11004) .....	\$2,084,948	\$2,084,948		
Fund Sources: Higher Education Operating.....	\$2,087,321	\$2,087,321		
Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
207. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at .....			\$7,388,772	\$7,388,772
Food Services (80910) .....	\$1,108,962	\$1,108,962		
Bookstores and other Stores (80920) .....	\$980,417	\$980,417		
Residential Services (80930) .....	\$2,550,118	\$2,550,118		
Parking and Transportation Systems and Services (80940) .....	\$97,441	\$97,441		
Student Health Services (80960) .....	\$40,700	\$40,700		
Student Unions and Recreational Facilities (80970) .....	\$255,577	\$255,577		
Other Enterprise Functions (80990) .....	\$1,459,691	\$1,459,691		
Intercollegiate Athletics (80995) .....	\$895,866	\$895,866		
Fund Sources: Higher Education Operating.....	\$5,388,772	\$5,388,772		
Debt Service.....	\$2,000,000	\$2,000,000		
Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
207.05. Executive Management (71300) .....			(\$754,459)	(\$2,277,410)
Savings From Management Actions (71301) .....	(\$754,459)	(\$2,277,410)		
Fund Sources: General.....	(\$754,459)	(\$2,277,410)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for University of Virginia's College at Wise .....			<b>\$33,853,135</b> <b>\$33,098,676</b>	<b>\$33,853,135</b> <b>\$31,763,512</b>
General Fund Positions.....	165.26	165.26		
Nongeneral Fund Positions.....	121.28	121.28		
Position Level .....	286.54	286.54		
Fund Sources: General .....	\$16,783,866	\$16,783,866		
	\$16,029,407	\$14,694,243		
Higher Education Operating.....	\$15,069,269	\$15,069,269		
Debt Service.....	\$2,000,000	\$2,000,000		
Grand Total for University of Virginia.....			<b>\$2,067,281,061</b> <b>\$2,065,907,048</b>	<b>\$2,139,370,203</b> <b>\$2,141,283,256</b>
General Fund Positions.....	1,554.53	1,554.53		
Nongeneral Fund Positions.....	11,368.19	11,497.19		
Position Level .....	12,922.72	13,051.72		
Fund Sources: General .....	\$177,809,249	\$177,809,249		
	\$166,435,236	\$153,966,075		
Higher Education Operating.....	\$1,834,425,347	\$1,906,514,489		
	\$1,844,425,347	\$1,932,270,716		
Debt Service.....	\$55,046,465	\$55,046,465		

ITEM 208.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

**§ 1-60. VIRGINIA COMMONWEALTH UNIVERSITY (236)**

208.	Educational and General Programs (10000).....		\$478,015,670	\$476,898,670 \$495,208,670
	Higher Education Instruction (100101).....	\$303,627,190	<del>\$302,360,190</del> \$314,302,271	
	Higher Education Research (100102) .....	\$11,378,844	\$11,378,844	
	Higher Education Public Services (100103).....	\$4,701,021	<del>\$4,851,021</del> \$3,911,021	
	Higher Education Academic Support (100104).....	\$59,593,759	<del>\$59,593,759</del> \$61,372,189	
	Higher Education Student Services (100105).....	\$14,940,656	<del>\$14,940,656</del> \$15,557,819	
	Higher Education Institutional Support (100106).....	\$45,613,642	<del>\$45,613,642</del> \$45,895,533	
	Operation and Maintenance of Plant (100107).....	\$38,160,558	<del>\$38,160,558</del> \$42,790,993	
	Fund Sources: General .....	\$200,566,480	<del>\$199,449,480</del> \$198,509,480	
	Higher Education Operating.....	\$277,449,190	<del>\$277,449,190</del> \$296,699,190	

Authority: Title 23, Chapter 6.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$5,932,772 the first year and \$5,932,772 the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The University shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

3. The University, in cooperation with the University of Virginia, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.

C. Out of this appropriation an amount estimated at \$388,468 from the general fund and \$168,533 from nongeneral funds the first year and \$388,468 from the general fund and \$168,533 from nongeneral funds the second year is designated for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.

D.1. Out of this appropriation, not less than \$368,125 the first year and \$368,125 the second year from the general fund is designated for the Virginia Center on Aging. This includes \$194,750 in each year for the Alzheimer's and Related Diseases Research Award Fund.

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
2. Out of this appropriation \$356,250 from the general fund and \$356,250 from nongeneral funds the first year and <del>\$375,000</del> \$356,250 from the general fund and <del>\$375,000</del> \$356,250 from nongeneral funds the second year is designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.				
E.1. It is the intent of the General Assembly that Virginia Commonwealth University, in conjunction with the University of Virginia and Eastern Virginia Medical School, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the University support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.				
2. Virginia Commonwealth University, in conjunction with the University of Virginia and Eastern Virginia Medical School, shall jointly collect and report on their production of generalist residents. The report shall be submitted biennially to the Secretary of Education and the State Council of Higher Education no later than October 1.				
3. Reporting requirements shall be set forth by the State Council of Higher Education for Virginia in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School.				
4. The State Council shall, in consultation with Virginia Commonwealth University, the University of Virginia, and Eastern Virginia Medical School, provide a summary of the biennial report to the chairman of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.				
F. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.				
G. Out of this appropriation, \$790,000 the first year and <del>\$940,000 the second year</del> from the general fund is provided for the continued operation and expansion of the Autism Program of Virginia. The Commonwealth Institute for Child and Family Studies shall have oversight responsibility for the program and shall retain five percent each year for administration. The balance each year shall be provided to the Autism Program of Virginia for operation and expansion of the program.				
H. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate.				
I. Out of this appropriation, \$285,000 the first year and \$285,000 the second year from the general fund is designated for support of the Council on Economic Education.				
J. Out of this appropriation, \$46,075 the first year and \$46,075 the second year from the general fund is designated for support of the Education Policy Institute.				
K.1. Out of this appropriation, \$36,500,000 the first year and \$36,500,000 the second year from nongeneral funds is designated to support the University's branch campus in Qatar.				
2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.				
3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on				

ITEM 208.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.</p> <p>4. Notwithstanding Section 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.</p> <p>5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act.</p> <p>6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.</p> <p>L.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:</p> <p>2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed twenty percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by twenty percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.</p> <p>3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed twenty percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by twenty percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.</p> <p>4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.</p> <p>M. Out of this appropriation, \$285,000 the first year and \$285,000 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.</p> <p>N. Out of this appropriation, \$50,000 the first year from the general fund is designated for planning associated with establishing a satellite dental clinic in Southwest Virginia (Wise) to serve underserved citizens in the area.</p> <p>O. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p>				
209.	Higher Education Student Financial Assistance (10800) ..		\$18,414,324	\$18,414,324
	Scholarships (10810).....		\$21,414,324	\$23,900,022
		\$15,779,075	\$15,779,075	



ITEM 209.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fellowships (10820).....	\$18,779,075 \$2,635,249	\$21,264,773 \$2,635,249		
	Fund Sources: General.....	\$18,414,324	\$18,414,324		
	<i>Higher Education Operating</i> .....	\$3,000,000	\$20,150,022 \$3,750,000		
	Authority: Title 23, Chapter 6.1, Code of Virginia.				
210.	Financial Assistance for Educational and General Services (11000).....			\$241,065,152	\$241,065,152
	Eminent Scholars (11001) .....	\$2,395,800	\$2,395,800		
	Sponsored Programs (11004) .....	\$238,669,352	\$238,669,352		
	Fund Sources: General.....	\$2,162,500	\$2,162,500		
	Higher Education Operating.....	\$237,637,652	\$237,637,652		
	Debt Service.....	\$1,265,000	\$1,265,000		
	Authority: Title 23, Chapter 6.1, Code of Virginia.				
	A. Out of this appropriation, \$1,162,000 each year from the general fund and \$6,600,000 from nongeneral funds each year is designated to build research capacity in the areas of biomedical engineering and regenerative medicine.				
	B. Virginia Commonwealth University shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.				
	C. Out of this appropriation, \$1,000,000 each year from the general fund is designated for the support of cancer research.				
	D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
211.	State Health Services (43000).....			\$18,000,000	\$18,000,000
	State Health Services Technical Support and Administration (43012).....	\$18,000,000	\$18,000,000		
	Fund Sources: Higher Education Operating.....	\$18,000,000	\$18,000,000		
	Authority: Discretionary Inclusion.				
	This appropriation includes funding to support 200.00 instructional and administrative faculty positions and for administrative and classified positions which provide services, through internal service agreements, to the Virginia Commonwealth University Health System Authority.				
212.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			\$123,315,859	\$129,867,818
	Food Services (80910).....	\$18,988,157	\$19,483,317		
	Bookstores and other Stores (80920).....	\$3,608,954	\$3,629,014		
	Residential Services (80930) .....	\$27,235,785	\$28,584,839		

ITEM 212.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Parking and Transportation Systems and Services (80940) .....	\$17,959,460	\$18,611,663		
Telecommunications Systems and Services (80950).....	\$6,368,423	\$6,368,423		
Student Health Services (80960).....	\$4,682,307	\$4,980,991		
Student Unions and Recreational Facilities (80970).....	\$11,148,964	\$11,852,129		
Recreational and Intramural Programs (80980).....	\$7,987,564	\$9,746,809		
Other Enterprise Functions (80990).....	\$12,494,012	\$12,693,699		
Intercollegiate Athletics (80995) .....	\$12,842,233	\$13,916,934		
Fund Sources: Higher Education Operating.....	\$102,080,695	\$105,497,026		
Debt Service.....	\$21,235,164	\$24,370,792		
Authority: Title 23, Chapter 6.1, Code of Virginia.				
212.05. Executive Management (71300) .....			(\$10,136,449)	(\$30,382,260)
Savings From Management Actions (71301).....	(\$10,136,449)	(\$30,382,260)		
Fund Sources: General.....	(\$10,136,449)	(\$30,382,260)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Virginia Commonwealth University.....			<b>\$878,811,005</b>	<b>\$884,245,964</b>
			<b>\$871,674,556</b>	<b>\$877,659,402</b>
General Fund Positions.....	1,507.80	1,507.80		
Nongeneral Fund Positions.....	3,674.29	<del>3,674.29</del>		
		3,792.29		
Position Level .....	5,182.09	<del>5,182.09</del>		
		5,300.09		
Fund Sources: General .....	<del>\$221,143,304</del>	<del>\$220,026,304</del>		
	<del>\$211,006,855</del>	<del>\$190,439,742</del>		
Higher Education Operating.....	<del>\$635,167,537</del>	<del>\$638,583,868</del>		
	<del>\$638,167,537</del>	<del>\$661,583,868</del>		
Debt Service.....	\$22,500,164	\$25,635,792		
<b>§ 1-61. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)</b>				
213. Educational and General Programs (10000).....			\$752,998,702	<del>\$792,396,567</del>
				\$762,968,843
Higher Education Instruction (100101).....	\$407,252,450	<del>\$432,953,567</del>		
		\$403,525,843		
Higher Education Public Services (100103).....	\$10,094,164	\$10,500,380		
Higher Education Academic Support (100104).....	\$75,182,216	\$78,109,137		
Higher Education Student Services (100105).....	\$56,154,858	\$58,327,956		
Higher Education Institutional Support (100106).....	\$145,035,696	\$150,804,008		
Operation and Maintenance of Plant (100107).....	\$59,279,318	\$61,701,519		
Fund Sources: General .....	\$396,453,692	\$396,407,442		
Special.....	\$5,000	\$5,000		
Higher Education Operating.....	\$356,540,010	<del>\$395,984,125</del>		
		\$366,556,401		
Authority: Title 23, Chapter 16, Code of Virginia.				

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

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<p>B. It is the objective of the Commonwealth that a standard of 70 percent full-time faculty be established for the Virginia Community College System. Consistent with higher education funding guidelines, it is expected that the Virginia Community College System will utilize the funds provided for base operating support to achieve this objective. In addition, the first priority for new funding provided to the community college system shall be for operating support at individual community colleges. Thirty days prior to the beginning of each fiscal year, the Virginia Community College System shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the allocation of all new general funds and nongeneral funds in this item and any cost recovery plans between the individual community colleges and the system office.</p> <p>C. It is the intent of the General Assembly that funds available to the Virginia Community College System be reallocated to accommodate changes in enrollment and other cost factors at each of the community colleges.</p> <p>D. Tuition and fee revenues from out-of-state students taking distance education courses through the Virginia Community College System 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 State Board for Community Colleges.</p> <p>E. Out of this appropriation, \$110,097 and one position the first year and \$110,097 and one position the second year from the general fund is designated to enhance the skills of the interpreters for the deaf and hard-of-hearing and to enable them to achieve higher levels of expertise.</p> <p>F. Out of this appropriation, amounts for the following special programs are designated: at J. Sargeant Reynolds Community College, the Program for the Deaf, \$84,097 and four positions the first year and \$84,097 and four positions the second year from the general fund and the Program for the Mentally Retarded, \$118,566 and four positions the first year and \$118,566 and four positions the second year from the general fund; and, at New River Community College, the Program for the Deaf, \$102,051 and four positions the first year and \$102,051 and four positions the second year from the general fund, and the Program for the Mentally Retarded, \$90,788 and 4.5 positions the first year and \$90,788 and 4.5 positions the second year from the general fund; and, at Danville Community College, the Program for the Deaf, \$46,580 and one position the first year and \$46,580 and one position the second year from the general fund.</p> <p>G. Out of this appropriation, \$50,814 the first year and \$50,814 the second year from the general fund is designated to support the Southwest Virginia Telecommunications Network.</p> <p>H.1. Out of this appropriation, \$211,725 the first year and \$211,725 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College.</p> <p>2. Out of this appropriation, \$296,415 the first year and \$296,415 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering most of Virginia.</p> <p>I. Out of this appropriation, \$340,533 and four positions the first year and \$340,533 and four positions the second year from the general fund is provided to support Virginia Western Community College's participation in the Roanoke Higher Education Center and the Botetourt County Education and Training Center at Greenfield.</p> <p>J. Out of this appropriation, \$169,380 the first year and \$169,380 the second year from the general fund is designated to support the Southwestern Virginia Advanced Manufacturing Technology Center at Wytheville Community College.</p> <p>K. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, \$846,900 in the first year and \$846,900 in the second year from the general fund is designated</p>				

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for this purpose. These funds may be combined with funds of \$317,588 the first year and \$317,588 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.

L.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence responsible for development of statewide training programs to meet current, high demand workforce needs of the Commonwealth. Out of this appropriation, at least \$846,900 the first year and \$846,900 the second year from the general fund is available to support the Institutes of Excellence.

2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairmen of the Senate Finance and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:

a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;

b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;

c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and

d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.

M. Out of this appropriation, \$1,291,523 and 23 positions the first year and \$1,291,523 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.

N. Out of this appropriation, \$508,140 and four positions the first year and \$508,140 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Thomas Nelson Community College), \$84,690 and one position the first year and \$84,690 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), \$169,380 and one position the first year and \$169,380 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, \$169,380 and one position the first year and \$169,380 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, \$84,690 and one position the first year and \$84,690 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.

O.1. Out of this appropriation, \$345,000 the first year and \$345,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Botetourt County Education and Training Center at Greenfield.

ITEM 213.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. The general fund amounts provided for in this paragraph for workforce training, retraining, programming, and community education facilities at the Botetourt County Education and Training Center shall be matched by local or private sources in a ratio of two-thirds state funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.</p> <p>P.1. Out of this appropriation, \$330,000 the first year and \$330,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Virginia Peninsula Workforce Development Center.</p> <p>2. The general fund amounts provided for in this Item for workforce training, retraining, programming, and community education facilities at the Virginia Peninsula Workforce Development Center shall be matched by local or private sources in a ratio of two-thirds state funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.</p> <p>Q. This appropriation includes \$56,398 the first year and \$10,148 the second year from the general fund for the eighth and ninth of nine annual payments for the lease-purchase of furnishings and equipment totaling \$4,500,000 for the Medical Education Campus of Northern Virginia Community College, the Advanced Technology Building of Tidewater Community College, and the Virginia Peninsula Workforce Development Center of Thomas Nelson Community College.</p> <p>R.1. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers.</p> <p>2. All general fund amounts appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23-220.01, Code of Virginia.</p> <p>S. Out of this appropriation, \$100,000 from the general fund and \$100,000 from nongeneral funds the first year and \$100,000 from the general fund and \$100,000 from nongeneral funds the second year is provided for the Heavy Equipment Operator program at Southside Virginia Community College.</p> <p>T. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.</p> <p>U. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p> <p>V. Out of this appropriation, \$250,000 each year from the general fund shall be provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.</p>				
214.	Higher Education Student Financial Assistance (10800) ..		\$151,302,536	<del>\$155,108,638</del> \$214,975,661
	Scholarships (10810).....	\$151,302,536	<del>\$155,108,638</del> \$214,975,661	
	Fund Sources: General .....	\$24,432,485	<del>\$24,432,485</del> \$27,117,308	
	Higher Education Operating.....	\$126,870,051	<del>\$130,676,153</del>	

ITEM 214.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			\$187,858,353		
	Authority: Title 23, Chapter 16, Code of Virginia.				
215.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at .....			\$45,117,500	\$45,117,500
	Sponsored Programs (11004) .....	\$45,117,500	\$45,117,500		
	Fund Sources: Higher Education Operating.....	\$45,117,500	\$45,117,500		
	Authority: Title 23, Chapter 16, Code of Virginia.				
216.	Economic Development Services (53400) .....			\$50,706,819	<del>\$49,895,129</del> \$50,167,061
	Apprenticeship Program (53409) .....	\$1,044,500	<del>\$1,044,500</del> \$1,316,432		
	Management of Workforce Development Program Services (53427) .....	\$49,662,319	\$48,850,629		
	Fund Sources: General .....	\$1,044,500	<del>\$1,044,500</del> \$1,316,432		
	Higher Education Operating .....	\$49,662,319	\$48,850,629		
	A. Out of this appropriation, \$49,623,319 and 38 positions the first year, and \$48,850,629 and 38 positions the second year from nongeneral funds is provided for the administration and implementation of workforce development programs as part of the federal Workforce Investment Act.				
	B. Out of this appropriation, an amount not to exceed \$1,000,000 from nongeneral funds and based on a budget approved by the Virginia Workforce Council shall be made available to support the provisions of <del>House Bill 4526</del> and <del>Senate Bill 756</del> , Chapters 243 and 679, 2008 Session of the General Assembly.				
	C. Out of this appropriation, \$271,932 the second year from the general fund is for training costs for the workforce development program.				
217.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at .....			\$29,677,025	\$32,287,802
	Food Services (80910) .....	\$29,677,025	\$32,287,802		
	Fund Sources: Higher Education Operating .....	\$27,066,262	\$29,677,039		
	Debt Service .....	\$2,610,763	\$2,610,763		
	Authority: Title 23, Chapter 16, Code of Virginia.				
218.	The appropriations in this section are for the following community colleges:				
	<b>College I.D.</b>	<b>Community College</b>	<b>College I.D.</b>	<b>Community College</b>	
	61	System Office	80	Northern Virginia	
	70	Utility	85	Patrick Henry	
	91	Blue Ridge	77	Paul D. Camp	
	92	Central Virginia	82	Piedmont	
	87	Dabney S. Lancaster	78	Rappahannock	
	79	Danville	76	Southside Virginia	
	84	Eastern Shore	94	Southwest Virginia	
	97	Germanna	93	Thomas Nelson	
	83	J. Sargeant Reynolds	95	Tidewater	
	90	John Tyler	96	Virginia Highlands	
	98	Lord Fairfax	86	Virginia Western	

ITEM 218.			Item Details(\$)		Appropriations(\$)	
			First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	99	Mountain Empire		88		Wytheville
	75	New River				
218.05.	<i>Executive Management (71300) .....</i>				(\$19,874,910)	(\$40,165,801)
	<i>Savings From Management Actions (71301).....</i>		(\$19,874,910)	(\$40,165,801)		
	<i>Fund Sources: General.....</i>		(\$19,874,910)	(\$40,165,801)		
	<i>Authority: Discretionary Inclusion</i>					
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>					
	Total for Virginia Community College System .....				<b>\$1,029,802,582</b>	<b>\$1,074,805,636</b>
					<b>\$1,009,927,672</b>	<b>\$1,065,351,066</b>
	General Fund Positions.....		5,542.57	5,542.57		
	Nongeneral Fund Positions.....		3,365.58	3,365.58		
	Position Level .....		8,908.15	8,908.15		
	Fund Sources: General .....		\$421,930,677	\$421,884,427		
			\$402,055,767	\$384,675,381		
	Special .....		\$5,000	\$5,000		
	Higher Education Operating.....		\$605,256,142	\$650,305,446		
				\$678,059,922		
	Debt Service.....		\$2,610,763	\$2,610,763		

#### § 1-62. VIRGINIA MILITARY INSTITUTE (211)

219.	Educational and General Programs (10000) .....				\$30,634,095	\$30,634,095
	Higher Education Instruction (100101).....		\$13,447,776	\$13,447,776	\$32,098,095	\$32,218,095
				\$13,567,776		
	Higher Education Public Services (100103).....		\$69,056	\$69,056		
	Higher Education Academic Support (100104).....		\$4,453,400	\$4,453,400		
	Higher Education Student Services (100105).....		\$2,155,787	\$2,155,787		
	Higher Education Institutional Support (100106).....		\$6,135,320	\$6,135,320		
			\$6,996,320	\$6,996,320		
	Operation and Maintenance of Plant (100107).....		\$4,372,756	\$4,372,756		
			\$4,975,756	\$4,975,756		
	Fund Sources: General .....		\$10,897,989	\$10,897,989		
				\$11,017,989		
	Higher Education Operating.....		\$19,336,106	\$19,336,106		
			\$20,800,106	\$20,800,106		
	Debt Service.....		\$400,000	\$400,000		

Authority: Title 23, Chapter 10, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

ITEM 220.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
220.	Higher Education Student Financial Assistance (10800).. Scholarships (10810).....	\$1,271,762	<del>\$1,271,762</del> \$1,300,632	\$1,271,762	<del>\$1,271,762</del> \$1,300,632
	Fund Sources: General .....	\$721,762	<del>\$721,762</del> \$750,632		
	Higher Education Operating.....	\$550,000	\$550,000		
	Authority: Title 23, Chapter 10, § 23-105, Code of Virginia.				
	Out of the amounts for Scholarships and Loans, the Institute shall provide for State Cadetships and for discretionary student aid.				
221.	Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at .....			\$894,898	\$894,898
	Eminent Scholars (11001) .....	\$200,001	\$200,001		
	Sponsored Programs (11004) .....	\$694,897	\$694,897		
	Fund Sources: Higher Education Operating.....	\$894,898	\$894,898		
	Authority: Title 23, Chapter 10, Code of Virginia.				
222.	Unique Military Activities (11300).....			<del>\$6,196,904</del> \$6,629,904	<del>\$6,196,904</del> \$6,629,904
	Fund Sources: General .....	\$3,139,904	\$3,139,904		
	Higher Education Operating.....	<del>\$3,057,000</del> \$3,490,000	<del>\$3,057,000</del> \$3,490,000		
	Authority: Discretionary Inclusion.				
	A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.				
	2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
223.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at .....			<del>\$19,640,665</del> \$20,097,000	<del>\$19,640,665</del> \$20,097,000
	Food Services (80910).....	\$6,001,500	\$6,001,500		
	Bookstores and other Stores (80920).....	\$532,994	\$532,994		
	Residential Services (80930).....	<del>\$1,687,367</del> \$1,384,702	<del>\$1,687,367</del> \$1,384,702		
	Student Health Services (80960).....	\$171,448	\$171,448		
	Student Unions and Recreational Facilities (80970).....	<del>\$1,220,134</del> \$1,320,134	<del>\$1,220,134</del> \$1,320,134		
	Recreational and Intramural Programs (80980).....	\$536,902	\$536,902		
	Other Enterprise Functions (80990).....	<del>\$4,532,212</del> \$5,191,212	<del>\$4,532,212</del> \$5,191,212		
	Intercollegiate Athletics (80995) .....	\$4,958,108	\$4,958,108		
	Fund Sources: Higher Education Operating.....	<del>\$18,447,000</del> \$19,206,000	<del>\$18,447,000</del> \$19,206,000		
	Debt Service.....	<del>\$1,193,665</del> \$891,000	<del>\$1,193,665</del> \$891,000		
	Authority: Title 23, Chapter 10, Code of Virginia.				



ITEM 223.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
223.05.	<i>Executive Management (71300) .....</i>			(\$982,653)	(\$2,118,864)
	<i>Savings From Management Actions (71301).....</i>	(\$982,653)	(\$2,118,864)		
	<i>Fund Sources: General.....</i>	(\$982,653)	(\$2,118,864)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Virginia Military Institute .....			<b>\$58,638,324</b> <b>\$60,009,006</b>	<b>\$58,638,324</b> <b>\$59,021,665</b>
	General Fund Positions.....	185.71	185.71		
	Nongeneral Fund Positions.....	278.06	278.06		
	Position Level .....	463.77	463.77		
	Fund Sources: General .....	<del>\$14,759,655</del>	<del>\$14,759,655</del>		
		\$13,777,002	\$12,789,661		
	Higher Education Operating.....	<del>\$42,285,004</del>	<del>\$42,285,004</del>		
		\$44,941,004	\$44,941,004		
	Debt Service.....	<del>\$1,593,665</del>	<del>\$1,593,665</del>		
		\$1,291,000	\$1,291,000		

**§ 1-63. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)**

224.	Educational and General Programs (10000) .....			<del>\$479,655,133</del> \$488,677,655	\$501,853,133
	Higher Education Instruction (100101).....	<del>\$269,952,261</del> \$277,134,472	\$287,850,951		
	Higher Education Research (100102) .....	\$22,587,074	\$22,587,074		
	Higher Education Public Services (100103).....	\$17,486,696	\$17,486,696		
	Higher Education Academic Support (100104).....	\$57,880,155	\$61,141,076		
	Higher Education Student Services (100105).....	<del>\$14,584,317</del> \$15,008,588	\$15,622,706		
	Higher Education Institutional Support (100106).....	\$45,092,920	\$45,092,920		
	Operation and Maintenance of Plant (100107).....	<del>\$52,071,710</del> \$53,487,750	\$52,071,710		
	Fund Sources: General .....	\$178,486,475	\$178,486,475		
	Higher Education Operating.....	<del>\$301,168,658</del> \$310,191,180	\$323,366,658		

Authority: Title 23, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation shall be expended an amount estimated at \$869,882 from the general fund and \$436,357 from nongeneral funds the first year and \$869,882 from the general fund and \$436,357 from nongeneral funds the second year for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.

C. Out of this appropriation, ~~\$161,761~~ \$151,651 from the general fund and \$250,813 from nongeneral funds the first year and ~~\$161,761~~ \$151,651 from the general fund and \$250,813 from nongeneral funds the second year is designated to support the Educational and General portion of the debt service for the coal-fired facility, as approved in Item D-6.1, Chapter 459, Acts of Assembly of 1991.

ITEM 224.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>D. Out of this appropriation, <del>\$450,000</del> \$421,875 the first year and <del>\$450,000</del> \$421,875 the second year from the general fund is designated to support the Marion duPont Scott Equine Center of the Virginia-Maryland Regional College of Veterinary Medicine.</p> <p>E. Out of this appropriation, <del>\$141,750</del> \$132,890 and one position the first year and <del>\$141,750</del> \$132,890 and one position the second year from the general fund is designated for the Virginia Center for Coal and Energy Research.</p> <p>F. Out of this appropriation, <del>\$15,000</del> \$14,063 the first year and <del>\$15,000</del> \$14,063 the second year from the general fund is designated to support continuing education activities at the Reynolds Homestead.</p> <p>G. Out of this appropriation, <del>\$84,375</del> \$79,101 the first year and <del>\$84,375</del> \$79,101 the second year from the general fund is designated to support the research activities of the Virginia Water Resources Center.</p> <p>H. Out of this appropriation, <del>\$337,043</del> \$315,949 the first year and <del>\$337,043</del> \$315,949 the second year from the general fund is designated to support tobacco research for medicinal purposes and field tests at sites in Blackstone and Abingdon.</p> <p>I. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.</p> <p>J. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.</p>				
225.	Higher Education Student Financial Assistance (10800) ..		\$17,150,905	<del>\$17,150,905</del> \$17,661,198
	Scholarships (10810).....	\$12,757,325	<del>\$12,757,325</del> \$13,267,618	
	Fellowships (10820).....	\$4,393,580	\$4,393,580	
	Fund Sources: General .....	\$17,150,905	<del>\$17,150,905</del> \$17,661,198	
<p>Authority: Soil Scientist Scholarships: § 23-38.3, Code of Virginia; Other Scholarships: §§ 23-114 through 23-131, Code of Virginia.</p> <p>Out of the amount for Scholarships and Loans, the following sums shall be made available from the general fund for:</p> <p>1. Soil Scientist Scholarships, \$11,000 the first year and \$11,000 the second year.</p> <p>2. Scholarships, internships, and graduate assistantships administered by the Multicultural Academic Opportunities Program at the university, \$307,500 the first year and \$307,500 the second year. Eligible students must have financial need and participate in an academic support program.</p>				
226.	Financial Assistance for Educational and General Services (11000).....		<del>\$261,698,809</del> \$239,049,609	<del>\$261,698,809</del> \$248,072,131

ITEM 226.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Eminent Scholars (11001) .....	\$2,000,000	\$2,000,000		
Sponsored Programs (11004) .....	<del>\$259,698,809</del>	<del>\$259,698,809</del>		
	\$237,049,609	\$246,072,131		
Fund Sources: General .....	\$3,121,875	\$3,121,875		
Higher Education Operating.....	<del>\$258,576,934</del>	<del>\$258,576,934</del>		
	\$235,927,734	\$244,950,256		

Authority: Title 23, Chapter 11, Code of Virginia.

A. Out of this appropriation, \$2,821,875 each year from the general fund and \$15,000,000 from nongeneral funds each year is designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology.

B. Virginia Polytechnic Institute shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.

C. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

227.	Unique Military Activities (11300).....		\$1,569,824	\$1,569,824
	Fund Sources: General .....	\$1,569,824	\$1,569,824	

Authority: Discretionary Inclusion.

A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.

2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.

ITEM 228.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
228.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at .....			\$192,678,654 \$206,305,332	\$202,630,654 \$216,257,332
	Food Services (80910) .....	\$37,158,519 \$38,366,046	\$38,740,517 \$39,948,044		
	Residential Services (80930) .....	\$26,377,869 \$30,043,583	\$28,786,869 \$32,452,583		
	Parking and Transportation Systems and Services (80940) .....	\$5,436,954	\$5,985,952		
	Telecommunications Systems and Services (80950) .....	\$17,043,537	\$17,778,538		
	Student Health Services (80960) .....	\$8,192,024 \$8,830,858	\$8,692,024 \$9,330,858		
	Student Unions and Recreational Facilities (80970) .....	\$9,455,920	\$10,002,918		
	Recreational and Intramural Programs (80980) .....	\$5,346,040	\$5,930,041		
	Other Enterprise Functions (80990) .....	\$40,888,478 \$46,063,733	\$42,545,479 \$47,720,734		
	Intercollegiate Athletics (80995) .....	\$42,779,313 \$45,718,661	\$44,168,316 \$47,107,664		
	Fund Sources: Higher Education Operating .....	\$192,678,654 \$206,305,332	\$202,630,654 \$216,257,332		
	Authority: Title 23, Chapter 11, Code of Virginia.				
228.05.	Executive Management (71300) .....			(\$8,888,823)	(\$26,952,103)
	Savings From Management Actions (71301) .....	(\$8,888,823)	(\$26,952,103)		
	Fund Sources: General .....	(\$8,888,823)	(\$26,952,103)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Polytechnic Institute and State University .....			\$952,753,325 \$943,864,502	\$984,903,325 \$958,461,515
	General Fund Positions .....	1,911.53	1,911.53		
	Nongeneral Fund Positions .....	4,276.45	4,276.45		
	Position Level .....	6,187.98	6,187.98		
	Fund Sources: General .....	\$200,329,079	\$200,329,079		
	Higher Education Operating .....	\$191,440,256 \$752,424,246	\$173,887,269 \$784,574,246		
	<b>Virginia Cooperative Extension and Agricultural Experiment Station (229)</b>				
229.	Educational and General Programs (10000) .....			\$85,545,460	\$85,545,460
	Higher Education Research (100102) .....	\$38,741,597	\$38,741,597		
	Higher Education Public Services (100103) .....	\$45,332,061	\$45,332,061		
	Higher Education Academic Support (100104) .....	\$892,817	\$892,817		
	Operation and Maintenance of Plant (100107) .....	\$578,985	\$578,985		
	Fund Sources: General .....	\$67,004,888	\$67,004,888		
	Higher Education Operating .....	\$18,540,572	\$18,540,572		
	Authority: § 23-132.1 through § 23-132.11, Code of Virginia.				
	A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law.				

ITEM 229.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	B.1. It is the intent of the General Assembly that the Cooperative Extension Service give highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The University shall ensure that the service utilizes information technology to the extent possible in the delivery of programs.				
	2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.				
	C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming.				
	D. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
229.05.	<i>Executive Management (71300) .....</i>			(\$2,307,994)	(\$2,382,472)
	<i>Savings From Management Actions (71301).....</i>	(\$2,307,994)	(\$2,382,472)		
	<i>Fund Sources: General.....</i>	(\$2,307,994)	(\$2,382,472)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Virginia Cooperative Extension and Agricultural Experiment Station.....			<b>\$85,545,460</b> <b>\$83,237,466</b>	<b>\$85,545,460</b> <b>\$83,162,988</b>
	General Fund Positions.....	689.94	689.94		
	Nongeneral Fund Positions.....	384.47	384.47		
	Position Level .....	1,074.41	1,074.41		
	Fund Sources: General.....	\$67,004,888	\$67,004,888		
		\$64,696,894	\$64,622,416		
	Higher Education Operating.....	\$18,540,572	\$18,540,572		
	Grand Total for Virginia Polytechnic Institute and State University .....			<b>\$1,038,298,785</b> <b>\$1,027,101,968</b>	<b>\$1,070,448,785</b> <b>\$1,041,624,503</b>
	General Fund Positions.....	2,601.47	2,601.47		
	Nongeneral Fund Positions.....	4,660.92	4,660.92		
	Position Level .....	7,262.39	7,262.39		
	Fund Sources: General.....	\$267,333,967	\$267,333,967		
		\$256,137,150	\$238,509,685		
	Higher Education Operating.....	\$770,964,818	\$803,114,818		
<b>§ 1-64. VIRGINIA STATE UNIVERSITY (212)</b>					
230.	Educational and General Programs (10000) .....			\$64,477,833	\$67,058,796 \$68,308,796

ITEM 230.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Higher Education Instruction (100101).....	\$38,886,777	<del>\$40,395,608</del> \$40,645,608		
Higher Education Research (100102) .....	\$799,355	<del>\$810,453</del> \$1,810,453		
Higher Education Public Services (100103).....	\$116,058	\$120,446		
Higher Education Academic Support (100104).....	\$5,769,327	\$6,010,647		
Higher Education Student Services (100105).....	\$4,224,078	\$4,411,714		
Higher Education Institutional Support (100106).....	\$7,523,465	\$7,853,054		
Operation and Maintenance of Plant (100107).....	\$7,158,773	\$7,456,874		
Fund Sources: General .....	\$33,492,880	<del>\$33,492,880</del> \$34,742,880		
Higher Education Operating.....	\$30,984,953	\$33,565,916		

Authority: Title 23, Chapter 13, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, \$2,880,862 the first year and \$2,880,862 the second year from the general fund is designated for continued enhancement of the existing Bachelor of Science academic programs in Computer Science, Manufacturing Engineering, Computer Engineering, Mass Communications and Criminal Justice, and the doctoral program in Education.

2. Out of the amounts for programs listed in paragraph B.1. of this Item shall be provided \$909,777 the first year and \$909,777 the second year from the general fund for lease payments through the Master Equipment Leasing Program for educational and general equipment.

3. Out of the amounts for Educational and General Programs, \$37,500 each year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

4. In conjunction with the Secretary of Education, Virginia State University shall develop the following:

a. a timetable for implementing the academic programs funded in B.1. above, including a plan for recruiting faculty, staff, and students;

b. a means by which to assess the effectiveness toward meeting the goals of the new programs; and

c. periodic reports on the expenditures of the funds provided.

5. Any unexpended balances in paragraphs B.1., B.2. and B.3. in this Item at the close of business on June 30, 2008 and June 30, 2009 shall not revert to the surplus of the general fund but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year.

C. This appropriation includes \$200,000 the first year and \$200,000 the second year from the general fund to increase the number of faculty with terminal degrees to at least 85 percent of the total teaching faculty.

D. Out of this appropriation, Virginia State University is authorized to use up to \$600,000 the first year and \$600,000 the second year to address extremely critical deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.

E. This appropriation includes \$99,536 from the general fund and \$120,190 from nongeneral funds the first year and \$99,536 from the general fund and \$120,190 from nongeneral funds the second year for the third and fourth of five annual payments for the purchase and installation of equipment totaling \$1,001,000 for the new campus administrative system. Annual payments in years three through five are expected to be \$99,536 from the general fund and \$120,190 from nongeneral funds each year.

ITEM 230.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	F. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
231.	Higher Education Student Financial Assistance (10800)..  Scholarships (10810)..... Fellowships (10820)..... Fund Sources: General..... Higher Education Operating.....  Authority: Title 23, Chapter 13, Code of Virginia.			\$5,842,440	<del>\$5,842,440</del> \$6,323,816
		\$5,582,552	<del>\$5,582,552</del> \$6,063,928		
		\$259,888	\$259,888		
		\$4,596,030	<del>\$4,596,030</del> \$5,077,406		
		\$1,246,410	\$1,246,410		
232.	Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at.....  Sponsored Programs (11004) .....  Fund Sources: Higher Education Operating.....  Authority: Title 23, Chapter 13, Code of Virginia.			\$18,754,447	<del>\$18,754,447</del> \$20,754,447
		\$18,754,447	<del>\$18,754,447</del> \$20,754,447		
		\$18,754,447	<del>\$18,754,447</del> \$20,754,447		
233.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....  Food Services (80910).....  Bookstores and other Stores (80920)..... Residential Services (80930) .....  Parking and Transportation Systems and Services (80940) ..... Telecommunications Systems and Services (80950)..... Student Health Services (80960)..... Student Unions and Recreational Facilities (80970) ..... Other Enterprise Functions (80990) ..... Intercollegiate Athletics (80995) .....  Fund Sources: Higher Education Operating..... Debt Service.....  Authority: Title 23, Chapter 13, Code of Virginia.			\$29,721,460	<del>\$34,217,250</del> \$35,717,250
		\$6,960,026	<del>\$7,621,388</del> \$8,326,388		
		\$17,925	\$17,925		
		\$8,883,380	<del>\$11,835,992</del> \$12,630,992		
		\$841,961	\$841,961		
		\$1,036,559	\$1,036,559		
		\$708,576	\$708,576		
		\$1,699,070	\$1,699,070		
		\$4,957,149	\$5,838,965		
		\$4,616,814	\$4,616,814		
		\$26,030,165	<del>\$30,525,955</del> \$32,025,955		
		\$3,691,295	\$3,691,295		
233.05.	Executive Management (71300) ..... Savings From Management Actions (71301).....  Fund Sources: General.....  Authority: Discretionary Inclusion			(\$1,261,557)	(\$3,811,589)
		(\$1,261,557)	(\$3,811,589)		
		(\$1,261,557)	(\$3,811,589)		

ITEM 233.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

Total for Virginia State University .....			<b>\$118,796,180</b>	<b>\$125,872,933</b>
			<b>\$117,534,623</b>	<b>\$127,292,720</b>

General Fund Positions.....	315.37	<del>317.37</del> 318.37		
Nongeneral Fund Positions.....	454.69	454.69		
Position Level .....	770.06	<del>772.06</del> 773.06		

Fund Sources: General .....	<del>\$38,088,910</del>	<del>\$38,088,910</del>		
	\$36,827,353	\$36,008,697		
Higher Education Operating.....	\$77,015,975	<del>\$84,092,728</del>		
		\$87,592,728		
Debt Service.....	\$3,691,295	\$3,691,295		

#### Cooperative Extension and Agricultural Research Services (234)

234.	Educational and General Programs (10000).....			\$9,849,256	\$9,849,256
	Higher Education Research (100102) .....	\$4,563,739	\$4,563,739		
	Higher Education Public Services (100103).....	\$4,669,685	\$4,669,685		
	Higher Education Institutional Support (100106).....	\$190,000	\$190,000		
	Operation and Maintenance of Plant (100107).....	\$425,832	\$425,832		
	Fund Sources: General .....	\$4,785,161	\$4,785,161		
	Higher Education Operating.....	\$5,064,095	\$5,064,095		

Authority: Title 23, Chapter 11, and § 23-165.11, Title 23, Chapter 13, Code of Virginia.

A. Out of the amounts for Educational and General Programs, \$392,107 the first year and \$392,107 the second year from the general fund is designated for support of research and extension activities aimed at the production of hybrid striped bass in Virginia farm ponds. No expenditures will be made from these funds for other purposes without the prior written permission of the Secretary of Education.

B. The Extension Division Budgets shall include and separately account for local payments. Virginia State University, in conjunction with Virginia Polytechnic Institute and State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the Extension Division, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.

C. Out of this appropriation, \$394,000 the first year and \$394,000 the second year from the general fund is designated for the Small-Farmer Outreach Training and Technical Assistance Program to provide outreach and business management education to small farmers.

234.05.	Executive Management (71300) .....			(\$26,542)	(\$33,127)
	Savings From Management Actions (71301).....	(\$26,542)	(\$33,127)		
	Fund Sources: General.....	(\$26,542)	(\$33,127)		

Authority: Discretionary Inclusion

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

Total for Cooperative Extension and Agricultural Research Services.....			<b>\$9,849,256</b>	<b>\$9,849,256</b>
			<b>\$9,822,714</b>	<b>\$9,816,129</b>



ITEM 234.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
General Fund Positions.....	30.75	30.75		
Nongeneral Fund Positions.....	52.00	52.00		
Position Level .....	82.75	82.75		
Fund Sources: General .....	<del>\$4,785,161</del>	<del>\$4,785,161</del>		
	<del>\$4,758,619</del>	<del>\$4,752,034</del>		
Higher Education Operating.....	\$5,064,095	\$5,064,095		
Grand Total for Virginia State University .....			<b>\$128,645,436</b>	<b>\$135,722,189</b>
			<b>\$127,357,337</b>	<b>\$137,108,849</b>
General Fund Positions.....	346.12	<del>348.12</del>		
		<del>349.12</del>		
Nongeneral Fund Positions.....	506.69	506.69		
Position Level .....	852.81	<del>854.81</del>		
		<del>855.81</del>		
Fund Sources: General .....	<del>\$42,874,071</del>	<del>\$42,874,071</del>		
	<del>\$41,585,972</del>	<del>\$40,760,731</del>		
Higher Education Operating.....	\$82,080,070	<del>\$89,156,823</del>		
		<del>\$92,656,823</del>		
Debt Service.....	\$3,691,295	\$3,691,295		
<b>§ 1-65. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)</b>				
235. Museum and Cultural Services (14500) .....			\$2,257,964	\$2,258,464
Collections Management and Curatorial Services (14501) .....	\$179,066	\$179,066		
Education and Extension Services (14503) .....	\$819,390	\$819,390		
Operational and Support Services (14507) .....	\$1,259,508	\$1,260,008		
Fund Sources: General .....	\$1,811,671	\$1,812,171		
Special .....	\$446,293	\$446,293		
Authority: Title 23, Chapter 25, Code of Virginia.				
Any revenue generated by the Frontier Culture Musuem of Virginia from the development of its properties pursuant to § 23-298, Code of Virginia, may be retained by the museum to support agency operations. Such revenues shall be deposited into a special fund which shall be created on the books of the Comptroller. Amounts in this fund shall be appropriated consistent with the provisions of this act.				
235.05. <i>Executive Management (71300)</i> .....			(\$271,751)	(\$276,279)
<i>Savings From Management Actions (71301)</i> .....	(\$271,751)	(\$276,279)		
<i>Fund Sources: General</i> .....	(\$271,751)	(\$276,279)		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Frontier Culture Museum of Virginia .....			<b>\$2,257,964</b>	<b>\$2,258,464</b>
			<b>\$1,986,213</b>	<b>\$1,982,185</b>
General Fund Positions.....	25.50	25.50		
Nongeneral Fund Positions.....	15.00	15.00		
Position Level .....	40.50	40.50		
Fund Sources: General .....	<del>\$1,811,671</del>	<del>\$1,812,171</del>		

ITEM 235.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$1,539,920 \$446,293	\$1,535,892 \$446,293		
<b>§ 1-66. GUNSTON HALL (417)</b>					
236.	Museum and Cultural Services (14500) .....			\$1,004,690 \$1,014,377	\$1,004,690 \$781,698
	Collections Management and Curatorial Services (14501) .....	\$179,071	\$179,071		
	Education and Extension Services (14503) .....	\$188,163	\$188,163		
	Operational and Support Services (14507) .....	\$637,456 \$647,143	\$637,456 \$414,464		
	Fund Sources: General .....	\$645,587	\$645,587		
	Special.....	\$655,274 \$359,103	\$359,103 \$136,111		
	Authority: Title 23, Chapter 24, Code of Virginia.				
236.05.	Executive Management (71300) .....			(\$96,838)	\$0
	Savings From Management Actions (71301).....	(\$96,838)	\$0		
	Fund Sources: General.....	(\$96,838)	(\$96,838)		
	Special.....	\$0	\$96,838		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Gunston Hall .....			\$1,004,690 \$917,539	\$1,004,690 \$781,698
	General Fund Positions.....	8.00	8.00		
	Nongeneral Fund Positions.....	3.00	3.00		
	Position Level .....	11.00	11.00		
	Fund Sources: General .....	\$645,587	\$645,587		
	Special.....	\$558,436 \$359,103	\$548,749 \$359,103 \$232,949		
<b>§ 1-67. JAMESTOWN-YORKTOWN FOUNDATION (425)</b>					
237.	Museum and Cultural Services (14500) .....			\$17,272,616	\$17,272,616 \$17,407,976
	Collections Management and Curatorial Services (14501) .....	\$734,953	\$734,953 \$745,718		
	Education and Extension Services (14503) .....	\$6,029,190	\$6,029,190 \$6,121,233		
	Operational and Support Services (14507) .....	\$10,508,473	\$10,508,473 \$10,541,025		
	Fund Sources: General .....	\$8,926,129	\$8,926,129		
	Special.....	\$8,346,487	\$8,346,487 \$8,481,847		
	Authority: Title 23, Chapter 23, Code of Virginia.				

ITEM 237.

	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
A. Out of the amounts for Operational and Support Services, the Director is authorized to expend from special funds amounts not to exceed \$3,500 the first year and \$3,500 the second year for entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the agency.				
B.1. With the prior written approval of the Director, Department of Planning and Budget, nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the Board of Trustees in support of Foundation programs.				
C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be authorized to fill all positions authorized in this act and all part-time (wage) positions funded in this act, notwithstanding § 4-7.01 of this act.				
237.05.	<i>Executive Management (71300) .....</i>		(\$1,319,027)	(\$1,341,670)
	<i>Savings From Management Actions (71301).....</i>		(\$1,319,027)	(\$1,341,670)
	<i>Fund Sources: General.....</i>		(\$1,319,027)	(\$1,341,670)
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Jamestown-Yorktown Foundation .....			<b>\$17,272,616</b>	<b>\$17,272,616</b>
			<b>\$15,953,589</b>	<b>\$16,066,306</b>
General Fund Positions.....				
119.00 119.00				
107.00 107.00				
Nongeneral Fund Positions.....				
80.00 80.00				
83.00 83.00				
Position Level .....				
199.00 199.00				
190.00 190.00				
Fund Sources: General .....				
\$8,926,129 \$8,926,129				
\$7,607,102 \$7,584,459				
Special.....				
\$8,346,487 \$8,346,487				
\$8,481,847				

#### § 1-68. THE LIBRARY OF VIRGINIA (202)

238.	Archives Management (13700) .....		\$8,699,484	\$9,049,484
	Management of Public Records (13701) .....	\$945,487	\$945,487	
	Management of Archival Records (13702).....	\$2,881,582	\$3,231,582	
	Historical and Cultural Publications (13703) .....	\$995,239	\$995,239	
	Archival Research Services (13704) .....	\$1,552,720	\$1,552,720	
	Conservation-Preservation of Historic Records (13705) ...	\$1,324,456	\$1,324,456	
	Circuit Court Record Preservation (13706) .....	\$1,000,000	\$1,000,000	
Fund Sources: General .....				
\$4,352,576 \$4,702,576				
Special.....				
\$4,078,719 \$4,078,719				
Federal Trust.....				
\$268,189 \$268,189				

Authority: Title 42.1, Chapters 1 and 7, Code of Virginia.

A.1. Out of this appropriation, \$3,500,000 the first year and \$3,500,000 the second year from nongeneral funds is provided to support a program for preservation of local circuit court records.

2. Included in this appropriation are 19 positions to be specifically dedicated to processing and preserving the permanent records of the circuit courts pursuant to § 14.1-112, Code of Virginia.

3. The Librarian of Virginia shall report annually to the Secretary of Education on progress in the processing and preserving of circuit court records.

ITEM 238.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	B.1. It is the intent of the General Assembly to relieve the 54-year backlog in processing significant archival, special and other historical collections before the year 2020. To address this backlog, \$650,000 and 15 positions the first year and \$650,000 and 15 positions the second year from the general fund are included in this appropriation.				
	2. The Librarian of Virginia and the State Archivist shall conduct an annual study of The Library of Virginia's archival preservation needs and priorities, and shall report annually by December 1 to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees of the General Assembly on The Library of Virginia's progress to date in reducing its archival backlog.				
239.	Statewide Library Services (14200) .....			\$7,538,892	\$7,538,892
	Cooperative Library Services (14201) .....	\$2,893,479	\$2,893,479		
	Consultation to Libraries (14203) .....	\$668,354	\$668,354		
	Research Library Services (14206) .....	\$3,977,059	\$3,977,059		
	Fund Sources: General .....	\$3,491,202	\$3,491,202		
	Special .....	\$94,522	\$94,522		
	Federal Trust .....	\$3,953,168	\$3,953,168		
	Authority: Title 42.1, Chapters 1 and 3, Code of Virginia.				
	It is the intent of the General Assembly to continue to provide electronic resources for public libraries and to provide universal access to all citizens of the Commonwealth. First priority shall be the ability to access the Internet in local public libraries.				
240.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300) .....			\$17,278,628	\$17,378,628
	State Formula Aid for Local Public Libraries (14301) .....	\$17,278,628	\$17,378,628		
	Fund Sources: General .....	\$17,278,628	\$17,378,628		
	Authority: Title 42.1, Chapter 3, Code of Virginia.				
	A. It is the objective of the Commonwealth that all local public libraries receiving state aid provide access to their patrons to worldwide electronic information on the Internet. It is the intent of the General Assembly that local public libraries receiving state aid invest in the technology necessary to provide or enhance this service.				
	B. Included in this appropriation is \$90,070 the first year and \$190,070 the second year from the general fund to supplement the state formula aid distribution provided in Title 42.1, Code of Virginia, for Fairfax Public Library System.				
241.	Administrative and Support Services (19900) .....			\$7,651,807	\$7,651,807
	General Management and Direction (19901) .....	\$6,026,624	\$6,026,624		
	Information Technology Services (19902) .....	\$1,252,284	\$1,252,284		
	Physical Plant Services (19915) .....	\$372,899	\$372,899		
	Fund Sources: General .....	\$5,771,624	\$5,771,624		
	Special .....	\$864,200	\$864,200		
	Federal Trust .....	\$1,015,983	\$1,015,983		
	Authority: Title 42.1, Chapter 1, Code of Virginia.				
241.05.	Executive Management (71300) .....			(\$600,000)	(\$934,134)
	Savings From Management Actions (71301) .....	(\$600,000)	(\$934,134)		
	Fund Sources: General .....	(\$600,000)	(\$934,134)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				

ITEM 241.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for The Library of Virginia .....			<del>\$41,168,811</del> \$40,568,811	<del>\$41,618,811</del> \$40,684,677
General Fund Positions.....	145.00	145.00		
Nongeneral Fund Positions.....	63.00	63.00		
Position Level .....	208.00	208.00		
Fund Sources: General.....	<del>\$30,894,030</del>	<del>\$31,344,030</del>		
	\$30,294,030	\$30,409,896		
Special.....	\$5,037,441	\$5,037,441		
Federal Trust.....	\$5,237,340	\$5,237,340		
<b>§ 1-69. THE SCIENCE MUSEUM OF VIRGINIA (146)</b>				
242. Museum and Cultural Services (14500) .....			\$10,946,886	\$10,902,686
			<del>\$10,891,886</del>	<del>\$10,822,686</del>
Collections Management and Curatorial Services (14501) .....	\$1,692,532	\$1,692,531		
Education and Extension Services (14503) .....	\$5,343,259	\$5,343,260		
Operational and Support Services (14507) .....	<del>\$3,911,095</del>	<del>\$3,866,895</del>		
	\$3,856,095	\$3,786,895		
Fund Sources: General.....	<del>\$5,665,520</del>	<del>\$5,621,320</del>		
	\$5,640,520	\$5,571,320		
Special.....	<del>\$4,981,366</del>	<del>\$4,981,366</del>		
	\$4,951,366	\$4,951,366		
Trust and Agency .....	\$300,000	\$300,000		
Authority: Title 23, Chapter 18, Code of Virginia.				
A. This appropriation from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provisions in this act.				
B. Out of this appropriation, an additional \$50,000 and two positions the first year and \$50,000 and two positions the second year from the general fund shall be provided to support the Danville Science Center in Danville, Virginia.				
<del>C. Out of this appropriation, \$50,000 and one position the first year and \$50,000 and one position the second year from the general fund shall be provided to support the Belmont Bay Life Science Center in Prince William County.</del>				
<i>D. The Virginia Aviation Museum in Richmond, Virginia and the Virginia Air and Space Center in Hampton, Virginia shall jointly report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2009 on the possibility of the merger of the two entities in order to provide greater educational and cultural opportunities for the citizens of Virginia. The report shall include, but not be limited to, (1) the effectiveness and costs of maintaining a satellite facility, (2) the funding requirements of a merged facility, and (3) the disposition of the current assets of the facility to be merged including land, buildings, and exhibits under various merger scenarios.</i>				
242.05. Executive Management (71300) .....			(\$365,520)	(\$284,702)
Savings From Management Actions (71301).....	(\$365,520)	(\$284,702)		
Fund Sources: General.....	(\$365,520)	(\$284,702)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for The Science Museum of Virginia .....			<del>\$10,946,886</del>	<del>\$10,902,686</del>

ITEM 242.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				<b>\$10,526,366</b>	<b>\$10,537,984</b>
	General Fund Positions.....	49.50	49.50		
		45.50	44.50		
	Nongeneral Fund Positions.....	52.50	52.50		
	Position Level .....	102.00	102.00		
		98.00	97.00		
	Fund Sources: General .....	\$5,665,520	\$5,621,320		
		\$5,275,000	\$5,286,618		
	Special.....	\$4,981,366	\$4,981,366		
		\$4,951,366	\$4,951,366		
	Trust and Agency .....	\$300,000	\$300,000		
<b>§ 1-70. VIRGINIA COMMISSION FOR THE ARTS (148)</b>					
243.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$6,497,317	\$6,497,317
	Financial Assistance to Cultural Organizations (14302)...	\$6,497,317	\$6,497,317		
	Fund Sources: General .....	\$5,776,642	\$5,776,642		
	Federal Trust.....	\$720,675	\$720,675		
	Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
	A. In the allocation of grants to arts organizations, the Commission shall give preference to the performing arts.				
	B. It is the objective of the Commonwealth to fund the Virginia Commission for the Arts at an amount that equals one dollar for each resident of Virginia.				
	C. In the allocation of grants to arts organizations, the Commission shall not consider any other general fund amounts which may be appropriated to an arts organization elsewhere in this act, nor shall any funds appropriated elsewhere in this act supplant those grants which may be allocated from this appropriation.				
244.	Museum and Cultural Services (14500) .....			\$541,505	\$541,505
	Operational and Support Services (14507) .....	\$541,505	\$541,505		
	Fund Sources: General .....	\$441,807	\$441,807		
	Special.....	\$15,000	\$15,000		
	Federal Trust.....	\$84,698	\$84,698		
	Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
244.05.	Executive Management (71300) .....			(\$928,725)	(\$930,039)
	Savings From Management Actions (71301).....	(\$928,725)	(\$930,039)		
	Fund Sources: General.....	(\$928,725)	(\$930,039)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Commission for the Arts.....			<b>\$7,038,822</b>	<b>\$7,038,822</b>
				<b>\$6,110,097</b>	<b>\$6,108,783</b>
	General Fund Positions.....	5.00	5.00		
	Position Level .....	5.00	5.00		

ITEM 244.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$6,218,449	\$6,218,449		
Special .....	\$5,289,724	\$5,288,410		
Federal Trust .....	\$15,000	\$15,000		
	\$805,373	\$805,373		
<b>§ 1-71. VIRGINIA MUSEUM OF FINE ARTS (238)</b>				
245. Museum and Cultural Services (14500) .....			\$20,565,836	\$21,076,651
			\$21,134,336	\$23,705,821
Collections Management and Curatorial Services (14501) .....	\$4,847,758	\$4,824,455		
	\$4,903,258	\$4,901,525		
Education and Extension Services (14503) .....	\$5,336,503	\$5,847,318		
	\$5,388,287	\$5,883,766		
Operational and Support Services (14507) .....	\$10,381,575	\$10,404,878		
	\$10,842,791	\$12,920,530		
Fund Sources: General .....	\$10,399,766	\$10,899,766		
		\$12,888,291		
Special .....	\$1,717,500	\$1,717,500		
Dedicated Special Revenue .....	\$8,348,570	\$8,359,385		
	\$8,917,070	\$9,000,030		
Federal Trust .....	\$100,000	\$100,000		
Authority: Title 23, Chapter 18.1, Code of Virginia.				
A. The appropriation in this Item from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provision of this act.				
B. Nongeneral fund revenues included in this item under Dedicated Special Revenue will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions.				
C. The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs.				
D. Out of this appropriation, \$158,513 in the first year and \$158,513 in the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond.				
245.05. Executive Management (71300) .....			(\$1,539,000)	(\$1,636,122)
Savings From Management Actions (71301) .....	(\$1,539,000)	(\$1,636,122)		
Fund Sources: General .....	(\$1,539,000)	(\$1,636,122)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Virginia Museum of Fine Arts .....			\$20,565,836	\$21,076,651
			\$19,595,336	\$22,069,699
General Fund Positions .....	121.50	121.50		
		133.50		
Nongeneral Fund Positions .....	58.00	58.00		
Position Level .....	179.50	179.50		
		191.50		

ITEM 245.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$10,399,766	\$10,899,766		
	\$8,860,766	\$11,252,169		
Special .....	\$1,717,500	\$1,717,500		
Dedicated Special Revenue .....	\$8,348,570	\$8,359,385		
	\$8,917,070	\$9,000,030		
Federal Trust .....	\$100,000	\$100,000		
<b>§ 1-72. EASTERN VIRGINIA MEDICAL SCHOOL (274)</b>				
246.	Financial Assistance for Educational and General Services (11000) .....		\$17,124,658	\$17,279,888
	Sponsored Programs (11004) .....	\$562,500		
	Medical Education (11005) .....	\$16,562,158		
	Fund Sources: General .....	\$17,124,658		
	Authority: Chapter 87, Acts of Assembly of 2002.			
	A. Out of this appropriation, \$562,500 each year from the general fund is designated to build research capacity in medical modeling and simulation.			
	B. Eastern Virginia Medical School shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.			
247.	Appropriations for this agency shall be disbursed in twelve equal monthly installments each fiscal year.			
247.05.	Executive Management (71300) .....		(\$500,000)	(\$500,000)
	Savings From Management Actions (71301) .....	(\$500,000)	(\$500,000)	
	Fund Sources: General .....	(\$500,000)	(\$500,000)	
	Authority: Discretionary Inclusion			
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.			
	Total for Eastern Virginia Medical School .....		<b>\$17,124,658</b>	<b>\$17,279,888</b>
			<b>\$16,624,658</b>	<b>\$16,779,888</b>
	Fund Sources: General .....	\$17,124,658		
		\$16,624,658		

**§ 1-73. NEW COLLEGE INSTITUTE (938)**

248.	Administrative and Support Services (19900) .....		\$2,736,026	\$2,986,026
	Operation of Higher Education Centers (19931) .....	\$2,736,026	\$2,986,026	
	Fund Sources: General .....	\$1,484,809	\$1,734,809	
	Special .....	\$1,251,217	\$1,251,217	

Authority: Discretionary Inclusion.

A. It is the intent of the General Assembly that the New College Institute, the Institute for Advanced Learning and Research, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to



ITEM 248.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.				
	B. The requirements of § 4-5.05 shall not apply to this appropriation.				
248.05.	Executive Management (71300) .....			(\$111,000)	(\$111,000)
	Savings From Management Actions (71301).....	(\$111,000)	(\$111,000)		
	Fund Sources: General.....	(\$111,000)	(\$111,000)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for New College Institute .....			<b>\$2,736,026</b>	<b>\$2,986,026</b>
				<b>\$2,625,026</b>	<b>\$2,875,026</b>
	General Fund Positions.....	9.50	11.00		
	Position Level .....	9.50	11.00		
	Fund Sources: General .....	\$1,484,809	\$1,734,809		
		\$1,373,809	\$1,623,809		
	Special .....	\$1,251,217	\$1,251,217		
	<b>§ 1-74. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)</b>				
249.	Economic Development Services (53400) .....			\$6,235,585	\$6,560,598
	Regional Research, Technology, Education, and Commercialization Services (53421).....	\$6,235,585	\$6,560,598		
	Fund Sources: General .....	\$6,235,585	\$6,560,598		
	Authority: Title 23, Chapter 16.4, Code of Virginia.				
	A. It is the intent of the General Assembly that the Institute for Advanced Learning and Research, the New College Institute, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.				
	B. The requirements of § 4-5.05 shall not apply to this appropriation.				
249.05.	Executive Management (71300) .....			(\$623,558)	(\$416,060)
	Savings From Management Actions (71301).....	(\$623,558)	(\$416,060)		
	Fund Sources: General.....	(\$623,558)	(\$416,060)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Institute for Advanced Learning and Research may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees.				
	Total for Institute for Advanced Learning and Research..			<b>\$6,235,585</b>	<b>\$6,560,598</b>

ITEM 249.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				<b>\$5,612,027</b>	<b>\$6,144,538</b>
	Fund Sources: General .....	\$6,235,585	\$6,560,598		
		\$5,612,027	\$6,144,538		
<b>§ 1-75. ROANOKE HIGHER EDUCATION AUTHORITY (935)</b>					
250.	Administrative and Support Services (19900).....			\$1,318,390	\$1,318,390
	Operation of Higher Education Centers (19931).....	\$1,318,390	\$1,318,390		
	Fund Sources: General .....	\$1,318,390	\$1,318,390		
	Authority: Title 23, Chapter 16.3, Code of Virginia.				
	The requirements of § 4-5.05 shall not apply to this appropriation.				
250.05.	<i>Executive Management (71300) .....</i>			<i>(\$131,839)</i>	<i>(\$71,839)</i>
	<i>Savings From Management Actions (71301).....</i>	<i>(\$131,839)</i>	<i>(\$71,839)</i>		
	<i>Fund Sources: General.....</i>	<i>(\$131,839)</i>	<i>(\$71,839)</i>		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Roanoke Higher Education Authority may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees.</i>				
	Total for Roanoke Higher Education Authority .....			<b>\$1,318,390</b>	<b>\$1,318,390</b>
				<b>\$1,186,551</b>	<b>\$1,246,551</b>
	Fund Sources: General .....	\$1,318,390	\$1,318,390		
		\$1,186,551	\$1,246,551		
<b>§ 1-76. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)</b>					
251.	Administrative and Support Services (19900).....			\$2,344,077	<del>\$2,554,077</del>
	Operation of Higher Education Centers (19931).....	\$2,344,077	<del>\$2,554,077</del>		<del>\$3,214,077</del>
			\$3,214,077		
	Fund Sources: General .....	\$1,941,665	\$2,151,665		
	Special .....	\$402,412	<del>\$402,412</del>		
			\$1,062,412		
	Authority: Title 23, Chapter 16.5, Code of Virginia.				
	A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center, the Institute for Advanced Learning and Research and the New College Institute coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.				
	B. Out of this appropriation, \$29,050 from the general fund the first year and \$29,050 from the general fund the second year is designated for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia.				

ITEM 251.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	C. Out of this appropriation, <del>\$499,000</del> \$370,000 and <del>five</del> <i>three</i> positions the first year from the general fund and <del>\$459,000</del> \$266,000 and <del>five</del> <i>three</i> positions the second year from the general fund is designated for additional operational support of the Southern Virginia Higher Education Center and its efforts to provide specialized workforce training to the citizens of Southside Virginia.				
	D. The requirements of § 4-5.05 shall not apply to this appropriation.				
251.05.	Executive Management (71300) .....			(\$186,166)	\$0
	Savings From Management Actions (71301).....	(\$186,166)	\$0		
	Fund Sources: General.....	(\$194,166)	(\$8,000)		
	Special.....	\$8,000	\$8,000		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Southern Virginia Higher Education Center may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees.				
	Total for Southern Virginia Higher Education Center.....			<del>\$2,344,077</del> \$2,157,911	<del>\$2,554,077</del> \$3,214,077
	General Fund Positions.....	<del>18.00</del> 15.80	<del>18.00</del> 15.80		
	Nongeneral Fund Positions.....	4.00	<del>4.00</del> 13.00		
	Position Level .....	<del>22.00</del> 19.80	<del>22.00</del> 28.80		
	Fund Sources: General.....	<del>\$1,941,665</del> \$1,747,499	<del>\$2,151,665</del> \$2,143,665		
	Special.....	<del>\$402,412</del> \$410,412	<del>\$402,412</del> \$1,070,412		
<b>§ 1-77. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)</b>					
252.	Administrative and Support Services (19900).....			\$9,340,556	\$9,340,556
	Operation of Higher Education Centers (19931).....	\$9,340,556	\$9,340,556		
	Fund Sources: General.....	\$2,154,992	\$2,154,992		
	Special.....	\$7,185,564	\$7,185,564		
	Authority: Title 23, Chapter 16.1, Code of Virginia.				
	Out of this appropriation, \$3,800,000 the first year and \$3,800,000 the second year in nongeneral funds is designated to support scholarships provided by the Virginia Tobacco Commission in Southside and Southwest Virginia.				
252.05.	Executive Management (71300) .....			(\$215,499)	(\$138,913)
	Savings From Management Actions (71301).....	(\$215,499)	(\$138,913)		
	Fund Sources: General.....	(\$215,499)	(\$138,913)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Southwest Virginia Higher Education Center may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees.				

ITEM 252.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Southwest Virginia Higher Education Center....			<b>\$9,340,556</b> <b>\$9,125,057</b>	<b>\$9,340,556</b> <b>\$9,201,643</b>
General Fund Positions.....	29.00	29.00		
Nongeneral Fund Positions.....	4.00	4.00		
Position Level .....	33.00	33.00		
Fund Sources: General.....	<b>\$2,154,992</b> <b>\$1,939,493</b>	<b>\$2,154,992</b> <b>\$2,016,079</b>		
Special.....	<b>\$7,185,564</b>	<b>\$7,185,564</b>		
<b>§ 1-78. JEFFERSON SCIENCE ASSOCIATES, LLC (936)</b>				
253. Financial Assistance for Educational and General Services (11000).....			\$1,503,126	\$1,503,126
Sponsored Programs (11004) .....	\$1,503,126	\$1,503,126		
Fund Sources: General.....	\$1,503,126	\$1,503,126		
Authority: Discretionary Inclusion.				
A. This appropriation represents the Commonwealth of Virginia's contribution to the Jefferson Science Associates, LLC, for the support of the Thomas Jefferson National Accelerator Facility (Jefferson Lab) located at Newport News, Virginia. This contribution includes funds to support faculty positions and industry-led research that will promote economic development opportunities in the Commonwealth.				
B. This nonstate agency is exempt from the match requirement of § 2.2-1505, Code of Virginia and § 4-5.05 of this act.				
253.05. Executive Management (71300) .....			(\$225,469)	(\$225,469)
Savings From Management Actions (71301).....	(\$225,469)	(\$225,469)		
Fund Sources: General.....	(\$225,469)	(\$225,469)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Jefferson Science Associates, LLC .....			<b>\$1,503,126</b> <b>\$1,277,657</b>	<b>\$1,503,126</b> <b>\$1,277,657</b>
Fund Sources: General.....	<b>\$1,503,126</b> <b>\$1,277,657</b>	<b>\$1,503,126</b> <b>\$1,277,657</b>		
<b>§ 1-79. HIGHER EDUCATION RESEARCH INITIATIVE (989)</b>				
254. Financial Assistance for Educational and General Services (11000).....			\$2,600,000	<del>\$7,500,000</del> <b>\$6,600,000</b>
Sponsored Programs (11004) .....	\$2,600,000	<del>\$7,500,000</del> <b>\$6,600,000</b>		
Fund Sources: General.....	\$2,600,000	<del>\$7,500,000</del> <b>\$6,600,000</b>		
Authority: Discretionary Inclusion.				

ITEM 254.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>A. 1. Out of this appropriation, \$1,000,000 the first year and <del>\$1,000,000</del> the second year from the general fund is designated for the Commonwealth Technology Research Fund pursuant to § 2.2-22331.1., Code of Virginia. These funds shall be used to <del>enhance research opportunities</del> <i>assist in commercializing research developed at public institutions of higher education in the Commonwealth Virginia in the fields of energy, conservation, environment, microelectronics, or lifespan biology and medicine. accordance with § 2.2-2233.1 C. of the Code of Virginia.</i></p> <p>2. The <del>Governor</del> <i>Innovative Technology Authority</i> shall <del>establish an Advisory Committee on Competitive Research</del> to develop guidelines for making the grant awards. These research grants are intended to encourage university collaboration, benefit economically distressed region(s) and/or under-represented populations, and attract industry-sponsored research and development (R&amp;D). In promoting collaboration, the <del>Committee</del> <i>authority</i> shall positively consider collaborations between the historically black colleges and universities and other four-year colleges and universities.</p> <p>3. Awards will be matched on at least a dollar-for-dollar basis by the respective institutions of higher education with federal funds, institutional funds, private funds, or any combination thereof; unless otherwise waived by the <del>committee</del> <i>authority</i>.</p> <p>4. <i>Out of the amounts identified in paragraph A.1., \$75,000 the first year from the general fund is authorized to be matched by the respective institutions of higher education to fund administrative costs.</i></p> <p>B. Out of this appropriation, \$6,000,000 the second year from the general fund is designated for Jefferson Science Associates, LLC to leverage a federal investment of \$310 million for an upgrade of the Jefferson Lab's research facilities, which will maintain its leadership in the study of nuclear physics and secure the benefits of such a facility for the Commonwealth.</p> <p>C. Out of this appropriation, <del>\$500,000</del> <i>\$600,000</i> the second year from the general fund is to be designated for the Hampton University Foundation to support the construction of a new center dedicated to the use of protons in the treatment of cancerous tumors with fewer side effects. Funding is contingent on the Virginia Economic Development Partnership's provision of a report to the Director, Department of Planning and Budget, confirming that the Institute has a feasible financial plan for the project.</p> <p>D. 1. Out of this appropriation, \$1,600,000 the first year from the general fund is designated for the Virginia Coastal Energy Research Consortium (VCERC) to support research and development of Virginia's marine renewable energy resources with a focus on offshore winds, waves, and marine biomass, including the generation of algal biodiesel. This reflects the Commonwealth's commitment to research with an emphasis on the development of self-sustaining enterprises that continue beyond the 2008-2010 biennium.</p> <p>2. The distribution of these cost-sharing funds shall be designated by the VCERC Board of Directors for proposals involving VCERC institutions working together. Old Dominion University will fund the support for the VCERC organization as required and provide industry sub-contracting as appropriate to support research and industry collaboration.</p> <p>3. The VCERC shall operate following the administrative model of the Virginia Space Grant Consortium, employing the Old Dominion Research Foundation as its fiscal agent.</p> <p>4. Funding contained in <del>ED.1.</del> is contingent on the VCERC and/or the member institutions being able to document existing financial investments in such research activities from other federal or private funds.</p> <p>5. The VCERC Executive Director shall certify to the Director, Department of Planning and Budget <i>and the authority</i>, that the requirements contained in <del>ED.2.</del> through <del>ED.4.</del> have been achieved prior to the transfer from the general fund to Old Dominion University's appropriation. It will be left to the discretion of the Director, Department of Planning and Budget, <i>in consultation with the authority</i>, as to the amount of funds that are transferred at any given time.</p>				

ITEM 254.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Higher Education Research Initiative.....			<b>\$2,600,000</b>	<b>\$7,500,000</b> <b>\$6,600,000</b>
Fund Sources: General .....	\$2,600,000	\$7,500,000 \$6,600,000		

**§ 1-80. HIGHER EDUCATION TUITION MODERATION INCENTIVE FUND (980)**

254.10.	Higher Education Tuition Incentive Fund (11400) .....		\$17,500,000 \$11,225,000	\$17,500,000 \$0
	Fund Sources: General .....	\$17,500,000 \$11,225,000	\$17,500,000 \$0	

Authority: Discretionary Inclusion.

A.1. ~~The appropriation in this item~~ ~~Out of this appropriation, \$17,500,000 each year from the general fund~~ is designated for the Higher Education Tuition Moderation Incentive Fund with potential allocations ~~from the general fund~~ to public colleges and universities as follows:

<b>Institution</b>	<b>Annual Amount</b>
Christopher Newport University *	\$570,000
College of William and Mary	610,000
George Mason University	1,620,000
James Madison University *	1,000,000
Longwood University*	615,000
University of Mary Washington*	440,000
Norfolk State University *	200,000
Old Dominion University*	1,090,000
Radford University*	500,000
University of Virginia	1,580,000
University of Virginia's College at Wise*	120,000
Virginia Commonwealth University	1,330,000
Virginia Military Institute*	120,000
Virginia Polytechnic Institute & State University	2,500,000
Virginia State University*	250,000
Richard Bland College*	45,000
Virginia Community College System	4,910,000
Total	\$17,500,000

2. Allocations listed in paragraph A.1. of this item shall be granted to public colleges and universities in a fiscal year 2009 so long as they limit the increase to tuition and mandatory Educational and General (E & G) fees for in-state undergraduate students to not more than three percent. ~~in that fiscal year.~~

3. Institutions that contribute nongeneral funds to ensure access and affordability to higher education for Virginia students shall be permitted to exceed the limit for increases in tuition and mandatory E&G fees for in-state undergraduate students stated in paragraph A.2. by one percent provided that any revenue generated by an increase in tuition and E&G fees beyond the limit stated in paragraph A.2. be used only to increase the level of financial aid for in-state students.

4. The State Council of Higher Education for Virginia (SCHEV), in conjunction with the Department of Planning and Budget (DPB), shall determine whether each public college and university has met the tuition requirements of this fund. SCHEV shall report its findings to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director of the Department of Planning and Budget by August 15, 2008. ~~of each fiscal year.~~

5. Upon certification by SCHEV and DPB that the requirements in paragraph A.2. and A.3. have been met, the Director, Department of Planning and Budget, shall transfer the amounts listed above to each of the certified institutions.

ITEM 254.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>6. <del>In each year, any</del> funds in paragraph A.1. not allocated pursuant to the requirements of paragraphs A.2., A.3 and A.4. shall be distributed as follows: (a) 50 percent shall be redistributed proportionally among the institutions that have met the requirements of paragraphs A.2., A.3. and A.4. and (b) 50 percent shall be reverted to the general fund.</p> <p>7. <del>If an institution increases tuition and mandatory E &amp; G fees for in-state undergraduate students in fiscal year 2009 greater than 12 percent, the institution shall not be eligible for an allocation from the fund in either fiscal year.</del></p> <p>8. SCHEV shall evaluate the nongeneral fund component of educational and general program in this budget. The intent of the General Assembly is that nongeneral fund appropriations in the educational and general program approximate actual revenue collections for that fiscal year. SCHEV shall report its findings and recommendations for adjustments to the nongeneral fund educational and general program appropriation to meet the legislative intent by October 1, 2008.</p> <p>9. <del>The Director, Department of Planning and Budget, shall report quarterly on all requested and recommended adjustments to nongeneral fund appropriations in the educational and general program to the Chairman of the House Appropriations and Senate Finance Committees."</del></p> <p>10. <i>For FY 2009, pursuant to paragraph A.6. of this item, \$11,225,000 is distributed to eligible institutions identified with an * in paragraph A.1. and \$6,275,000 is reverted to the general fund.</i></p>				
Total for Higher Education Tuition Moderation				
Incentive Fund.....			\$17,500,000	\$17,500,000
			\$11,225,000	\$0
Fund Sources: General.....	\$17,500,000	\$17,500,000		
	\$11,225,000	\$0		

#### § 1-81. VIRGINIA COLLEGE BUILDING AUTHORITY (941)

255. Authority: Chapter 597, Acts of Assembly of 1986.

A.1. The purpose of this Item is to provide an ongoing program for the acquisition and replacement of instructional and research equipment at state-supported institutions of higher education in accordance with the intent and purpose of Chapter 597, Acts of Assembly of 1986.

2. Debt service payments required to support equipment purchases are appropriated in Item 280 for the Treasury Board. Within the appropriation of the Treasury Board is debt service totaling \$66,098,478 from the general fund and \$4,842,602 from nongeneral funds the first year and \$66,098,478 from the general fund and \$4,842,602 from nongeneral funds the second year.

3. The Treasury Board shall transfer on July 1 of each fiscal year the required lease payment amounts to the Virginia College Building Authority. Failure to transfer the required amounts will result in the Authority defaulting on its debt obligations.

4. The Governor shall annually present to the General Assembly through the Commonwealth's budget process, the estimated amount of lease payments and the corresponding total value of equipment to be acquired.

B.1. The State Council of Higher Education for Virginia shall establish and maintain procedures through which institutions of higher education apply for allocations made available under the program, and shall develop guidelines and recommendations for the apportionment of such equipment to each state-supported institution of higher education.

2. The Authority shall finance equipment for educational institutions in accordance with § 23-30.28, Code of Virginia, and according to terms and conditions approved through the Commonwealth's budget and appropriation process. Bonds or notes issued by the Virginia College Building Authority to finance equipment may be sold and issued at the same time with other obligations of the Authority as separate issues or as a combined issue. Each institution shall make available such additional detail on specific equipment to be purchased as may be

ITEM 255.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
requested by the Governor or the General Assembly. If emergency acquisitions are necessary when the General Assembly is not in session, the Governor may approve such acquisitions. The Governor shall report his approval of such acquisitions to the Chairmen of the House Appropriations and Senate Finance Committees.				
3. Amounts for debt service payments for allocations provided by this Item shall be provided pursuant to Item 280 of this act.				
C.1. Transfer of the appropriation in Item 280 of this act to the Virginia College Building Authority shall be subject to the approval of the Secretary of Finance. An allocation of \$103,409,590 made in the 2006-2008 biennium brings the total amount of equipment acquired through the program to approximately \$804,198,187.				
2. Allocations of \$58,049,478 the first year and \$58,749,478 the second year will be made to support the purchase of additional equipment to enhance instructional and research activity at Virginia's public colleges and universities. Allocations are as follows:				
Institutions	Prior Allocations	FY 2009 Allocation	FY 2010 Allocation	
George Mason University	\$54,783,926	\$3,552,002	\$3,552,002	
Old Dominion University	\$53,469,759	\$4,019,999	\$4,019,999	
University of Virginia	\$136,987,933	\$9,895,276	\$9,895,276	
Virginia Commonwealth University	\$96,041,385	\$8,063,825	\$8,763,325	
Virginia Polytechnic Institute and State University	\$150,826,091	\$8,824,269	\$8,824,269	
College of William and Mary	\$25,984,624	\$2,002,343	\$2,002,343	
Christopher Newport University	\$8,340,013	\$634,664	\$634,664	
University of Virginia's College at Wise	\$3,384,077	\$244,009	\$244,009	
James Madison University	\$27,299,915	\$2,150,454	\$2,150,454	
Longwood University	\$8,372,294	\$661,346	\$661,346	
University of Mary Washington	\$10,816,005	\$631,660	\$631,660	
Norfolk State University	\$19,714,999	\$1,176,585	\$1,176,585	
Radford University	\$18,900,849	\$1,150,576	\$1,150,576	
		\$1,500,576	\$1,500,576	
Virginia Military Institute	\$9,644,188	\$711,050	\$711,050	
Virginia State University	\$14,342,479	\$1,215,230	\$1,215,230	
Richard Bland College	\$2,029,431	\$134,192	\$134,192	
Virginia Community College System	\$153,699,460	\$11,590,719	\$11,590,719	
Virginia Institute of Marine Science	\$4,193,757	\$588,097	\$588,097	
Southwest Virginia Higher Education Center	\$774,760	\$64,575	\$64,575	
Roanoke Higher Education Authority	\$482,350	\$62,570	\$62,570	
Institute for Advanced Learning and Research	\$3,659,892	\$221,003	\$221,003	
Southern Virginia Higher Education Center	\$50,000	\$30,013	\$30,013	
New College Institute	\$0	\$75,000	\$75,000	
<b>TOTAL</b>	<b>\$804,198,187</b>	<b>\$58,049,478</b>	<b>\$58,749,478</b>	

3. Allocations in paragraph C.2. include \$700,000 the second year at Virginia Commonwealth University designated for the Satellite Dental Clinic at Wise contingent on the project being included in a capital bond bill. Any unused allocation from this amount shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees.

~~D. Item 254 of this act, includes \$15,000,000 the first and \$15,000,000 the second year for the purchase of research and laboratory equipment under the Virginia College Building Authority Equipment program. Debt service payment on this equipment is provided in Item 280.~~

Total for Virginia College Building Authority.....

\$0

\$0



ITEM 255.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
TOTAL FOR OFFICE OF EDUCATION.....			<b>\$15,016,712,040</b>	<b>\$15,352,146,297</b>
			<b>\$14,856,683,149</b>	<b>\$14,666,494,217</b>
General Fund Positions.....	18,485.36	18,488.86		
	18,444.16	18,476.16		
Nongeneral Fund Positions.....	33,410.51	33,585.01		
	33,457.39	33,888.89		
Position Level .....	51,895.87	52,073.87		
	51,901.55	52,365.05		
Fund Sources: General .....	\$7,785,490,217	\$7,991,323,636		
	\$7,559,914,527	\$7,152,146,589		
Special .....	\$37,837,815	\$37,837,815		
	\$37,815,815	\$38,785,937		
Higher Education Operating.....	\$5,469,661,446	\$5,665,779,525		
	\$5,505,570,153	\$5,815,890,121		
Commonwealth Transportation .....	\$2,413,942	\$2,413,942		
Trust and Agency .....	\$647,837,698	\$572,837,698		
	\$659,900,591	\$553,888,698		
Debt Service.....	\$159,521,482	\$167,993,625		
	\$174,293,136	\$187,047,200		
Dedicated Special Revenue .....	\$8,598,570	\$8,609,385		
	\$9,167,070	\$9,250,030		
Federal Trust.....	\$905,350,870	\$905,350,671		
	\$907,607,915	\$907,071,700		

ITEM 256.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF FINANCE					
§ 1-82. SECRETARY OF FINANCE (190)					
256.	Administrative and Support Services (79900).....			\$657,466	\$657,466
	General Management and Direction (79901).....	\$657,466	\$657,466		
	Fund Sources: General.....	\$657,466	\$657,466		
	Authority: Title 2.2, Chapter 2, Article 5; § 2.2-201, Code of Virginia.				
	<i>The Secretary of Finance, in consultation with other affected secretaries, is hereby authorized to order the State Comptroller to transfer to the general fund a reasonable sum, as determined by the State Comptroller, from annual charges of internal service funds and enterprise funds that exceed the cost of providing services or that represent over-recoveries from the general fund.</i>				
256.05.	Executive Management (71300) .....			\$0	(\$2,620)
	Savings From Management Actions (71301).....	\$0	(\$2,620)		
	Fund Sources: General.....	\$0	(\$2,620)		
	Authority: Discretionary Inclusion				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Secretary of Finance .....			\$657,466	<del>\$657,466</del> \$654,846
	General Fund Positions.....	5.00	5.00		
	Position Level .....	5.00	5.00		
	Fund Sources: General.....	\$657,466	<del>\$657,466</del> \$654,846		
§ 1-83. DEPARTMENT OF ACCOUNTS (151)					
257.	Financial Systems Development and Management (72400) .....			\$3,658,571	\$3,658,571
	Financial Systems Development (72401).....	\$730,694	\$730,694		
	Financial Systems Maintenance (72402) .....	\$1,171,040	\$1,171,040		
	Computer Services (72404) .....	\$1,756,837	\$1,756,837		
	Fund Sources: General.....	\$3,658,571	\$3,658,571		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
258.	Accounting Services (73700).....			\$6,676,357	<del>\$6,721,081</del> \$6,848,981
	General Accounting (73701) .....	\$1,432,388	<del>\$1,432,388</del> \$1,475,021		
	Disbursements Review (73702).....	\$2,582,498	<del>\$2,627,222</del> \$2,669,855		
	Payroll Operations (73703).....	\$1,115,741	\$1,115,741		
	Financial Reporting (73704).....	\$1,545,730	<del>\$1,545,730</del> \$1,588,364		
	Fund Sources: General.....	\$6,256,714	<del>\$6,301,438</del>		

ITEM 258.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
		\$6,429,338		
Special.....	\$419,643	\$419,643		
Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia.				
A. Out of this appropriation, \$125,000 the first year and \$125,000 the second year from the general fund is provided to the Department of Accounts for a program to train internal auditors. The Department of Accounts shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Department of Accounts shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.				
B. There is hereby created on the books of the Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions and payments due to the federal government are hereby appropriated from the Fund. All remaining rebate revenue in the Fund shall be deposited to the general fund by June 30 of each year.				
259. Service Center Administration (82600) .....			\$609,824	<del>\$609,824</del>
				\$0
Payroll Service Bureau (82601) .....	\$609,824	<del>\$609,824</del>		
		\$0		
Fund Sources: General .....	\$609,824	<del>\$609,824</del>		
		\$0		
Internal Service .....	a sum sufficient			

Authority: § 2.2-803, Code of Virginia.

A.1. The Department of Accounts shall operate a payroll service center to support the salaried and wage employees of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to employees to include, but not be limited to, payroll, benefit enrollment and leave accounting. The Department of Accounts shall be responsible for all accounting reconciliations for these services; however, each employing agency shall remain fully responsible for certifying the accuracy of each payroll paid to its employees. This certification shall be in such form as the Comptroller directs.

2. The Department of Accounts shall recover the cost of services provided by the payroll service center for nongeneral fund employees through interagency transactions as determined by the State Comptroller. The amounts determined by the State Comptroller to be payable by those agencies listed in § 3-1.01 L. *the first year* shall be net of the amounts so designated for transfer to the general fund. *No such transfer shall be made the second year and amounts determined by the State Comptroller for those agencies shall be for the recovery of the cost of services.*

3. *Not later than July 1, 2010, additional agencies as part of the payroll service center shall include, but not be limited to: the Commission on Virginia Alcohol Safety Action Program, Gunston Hall, Virginia Museum of Natural History, Marine Resources Commission, Virginia School for the Deaf and Blind at Staunton, Department of Mines, Minerals and Energy, Virginia Museum of Fine Arts, and the Office of the Inspector General for Mental Health, Mental Retardation, and Substance Abuse Services.*

B.1. The Department of Accounts shall operate a fiscal service center to support the operations of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to agencies to include accounts payable processing, travel voucher processing, related reconciliations, and such other fiscal services as may be appropriate.

ITEM 259.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	2. The Department of Accounts shall recover the cost of services provided by the fiscal service center through interagency transactions as determined by the State Comptroller.				
	C. Nothing in this section shall prohibit additional agencies from using the services of the centers; however, such additions shall be subject to approval by the affected cabinet secretary and the Secretary of Finance.				
260.	Administrative and Support Services (79900).....			\$1,325,086	\$1,325,086
	General Management and Direction (79901).....	\$1,325,086	\$1,325,086		
	Fund Sources: General.....	\$1,325,086	\$1,325,086		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
	A. The Department of Accounts is authorized to disburse, as fiscal agent for the Commonwealth Health Research Board, funds received from the Virginia Retirement System pursuant to § 23-284, Code of Virginia.				
	B. As a condition of the appropriation in this Item, the Department shall provide to the Chairmen of the House Appropriations and Senate Finance Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within 48 hours of their initial run after the close of the business month.				
261.	In the event of default by a unit, as defined in § 15.2-2602, Code of Virginia, on payment of principal of or interest on any of its general obligation bonded indebtedness when due, the State Comptroller, in accordance with § 15.2-2659, Code of Virginia, is hereby authorized to make such payment to the bondholder, or paying agent for the bondholder, and to recover such payment and associated costs of publication and mailing from any funds appropriated and payable by the Commonwealth to the unit for any and all purposes.				
262.	In the event of default by any employer participating in the health insurance program authorized by § 2.2-1204, Code of Virginia, in the remittance of premiums or other fees and costs of the program, the State Comptroller is hereby authorized to pay such premiums and costs and to recover such payments from any funds appropriated and payable by the Commonwealth to the employer for any purpose. The State Comptroller shall make such payments upon receipt of notice from the Director, Department of Human Resource Management, that such payments are due and unpaid from the employer.				
263.	The State Comptroller shall make calculations of payments and transfers related to interest earned on federal funds, interest receivable on State funds advanced on behalf of federal programs, and direct cost reimbursements due from the federal government pursuant to Item 276 of this act.				
263.05.	Executive Management (71300) .....			(\$100,000)	(\$323,217)
	Savings From Management Actions (71301).....	(\$100,000)	(\$323,217)		
	Fund Sources: General.....	(\$100,000)	(\$323,217)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Accounts .....			<b>\$12,269,838</b>	<b>\$12,314,562</b>
				<b>\$12,169,838</b>	<b>\$11,509,421</b>
	General Fund Positions.....	122.00	<del>122.00</del>		

ITEM 263.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Nongeneral Fund Positions.....	3.00	105.00 <del>3.00</del>		
Position Level .....	125.00	22.00 <del>125.00</del> 127.00		
Fund Sources: General .....	\$11,850,195	\$11,894,919		
Special .....	\$11,750,195 \$419,643	\$11,089,778 \$419,643		

**Department of Accounts Transfer Payments (162)**

264.	Financial Assistance to Localities - General (72800)			
	a sum sufficient, estimated at.....		\$114,935,825 \$118,490,140	\$120,743,852 \$118,060,494
	Distribution of Alcoholic Beverage Control Profits (72801) .....	\$0	\$0	
	Distribution of Wine Taxes (72805).....	\$0	\$0	
	Distribution of Rolling Stock Taxes (72806).....	\$4,970,000 \$5,668,492	\$4,970,000 \$5,670,000	
	Distribution of Recordation Taxes (72808).....	\$40,000,000	\$40,000,000	
	Distribution of Sales Tax Revenues From Certain Public Facilities (72811).....	\$930,000 \$1,040,000	\$930,000 \$1,040,000	
	Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812).....	\$130,000 \$234,651	\$130,000 \$234,651	
	Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815).....	\$68,905,825 \$71,546,997	\$74,713,852 \$71,115,843	
	Fund Sources: General .....	\$46,030,000 \$46,943,143	\$46,030,000 \$46,944,651	
	Dedicated Special Revenue .....	\$68,905,825 \$71,546,997	\$74,713,852 \$71,115,843	

Authority: §§ 4.1-116, 4.1-117, 4.1-235, 15.2-5814, 15.2-5914, 58.1-608.3, 58.1-815.1, 58.1-816, 58.1-2658.1, and 58.1-3406, Code of Virginia.

A. Out of this appropriation, amounts estimated at \$20,000,000 the first year and \$20,000,000 the second year from the general fund shall be deposited into the Northern Virginia Transportation District Fund, as provided in §58.1-815.1, Code of Virginia. Said amount shall consist of recordation taxes attributable to and transferable to the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the counties of Arlington, Fairfax, Loudoun, and Prince William, pursuant to § 58.1-816, Code of Virginia. This amount shall be transferred to Item 459 of this act and shall be used to support the Northern Virginia Transportation District Program as defined in § 33.1-221.1:3, Code of Virginia. The Commonwealth Transportation Board shall make such allocations and expenditures from the Fund as are provided in the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993 (Chapter 391, Acts of Assembly of 1993). The Commonwealth Transportation Board also shall make such allocations and expenditures from the fund as are provided in Chapters 470 and 597 of the Acts of Assembly of 1994 (amendments to Chapter 391, Acts of Assembly of 1993).

B. Pursuant to Chapters 233 and 662 of the Acts of Assembly of 1994, out of this appropriation, an amount estimated at \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be deposited into the Set-aside Fund as requested in an ordinance adopted March 28, 1995, and in compliance with the requirements provided for in § 58.1-816.1, Code of Virginia, for an account for the City of Chesapeake. These amounts shall be transferred to Item 459 of this act and shall be allocated by the Commonwealth Transportation Board to provide for the debt service pursuant to the Oak Grove Connector, City of Chesapeake, Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994 (Chapters 233 and 662, Acts of Assembly of 1994).

ITEM 264.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>C. There is hereby appropriated for payment to the Virginia Baseball Stadium Authority from the program Financial Assistance to Localities - General a sum sufficient equal to the state personal, corporate, and pass-through entity income and sales and use tax revenues to which the Authority is entitled.</p> <p>D. There is hereby appropriated for payment to the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission a sum sufficient amount of nongeneral fund revenues estimated at <del>\$68,905,825</del> \$71,546,997 in the first year and <del>\$74,713,852</del> \$71,115,843 in the second year equal to the revenues collected pursuant to § 58.1-1720 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-1720 et seq., Code of Virginia. Such funds shall be returned to the respective Commissions in amounts equivalent to the shares collected in the respective member jurisdictions.</p>				
265.	Revenue Stabilization Fund (73500).....		\$21,320,527	\$0
	Payments to the Revenue Stabilization Fund (73501).....	\$21,320,527	\$0	
	Fund Sources: General.....	\$21,320,527	\$0	
<p>Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.</p> <p>A. Out of this appropriation, \$21,320,527 the first year from the general fund attributable to actual tax collections for FY 2007 shall be paid by the State Comptroller on or before June 30, 2009, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for FY 2007. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.</p> <p>B. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The Auditor shall, at the same time, provide his report on the 10 percent limitation and the amount that could be paid into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.</p> <p><i>C.1. For purposes of determining a transfer from the Revenue Stabilization Fund to the general fund as a result of a downward revision in general fund revenues, the term "total general fund revenues appropriated" shall mean the general fund operating and capital appropriations for each year of the biennium contained in the Appropriation Act which is in effect at the time when such downward revision in general fund revenues is made.</i></p> <p><i>2. In accordance with Article 10, § 8, Virginia Constitution, and § 2.2-1830, Code of Virginia, the amount of the transfer shall not exceed more than one-half of the balance of the Revenue Stabilization Fund or more than one-half of the forecasted shortfall in revenues.</i></p> <p><i>D.1. The anticipated shortfalls in general fund revenues for fiscal years ending June 30, 2009, and June 30, 2010, shall be computed by comparing the revised forecast for "Total General Fund Resources Available for Appropriation" as listed in the second enactment of this act to the total general fund revenues appropriated for each year of the biennium as contained in the current Appropriation Act (Chapter 879 of the 2008 Acts of Assembly).</i></p> <p><i>2. One-half of the shortfall in revenues is estimated at \$492,675,752, which is less than one-half of the present balance in the Revenue Stabilization Fund. Of this shortfall amount, \$490,000,000 is hereby appropriated in FY 2009, pursuant to § 2.2-1830, Code of Virginia. The State Comptroller shall deposit this sum into the general fund of the state treasury on or before June 30, 2009.</i></p>				
266.	Virginia Education Loan Authority Reserve Fund (73600).....		\$1,044,778	\$1,044,778
	Loan Servicing Reserve Fund (73601).....	\$544,778	\$544,778	

ITEM 266.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Edvantage Reserve Fund (73602) .....	\$500,000	\$500,000		
Fund Sources: Trust and Agency .....	\$1,044,778	\$1,044,778		

Authority: Chapter 384, Acts of Assembly of 1995; Chapter 39, Acts of Assembly of 1998.

A. The General Assembly hereby recognizes and reaffirms the provisions of such Declarations as may have been adopted by the Virginia Education Loan Authority pursuant to Chapter 384 of the Acts of Assembly of 1995 and dated June 30, 1996. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed \$444,778, to be paid out by the Comptroller consistent with the provisions of the Declarations. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed \$100,000, to be paid out by the Comptroller for the purpose of determining the validity and amount of any claims against the Fund. The Comptroller is authorized to take such actions as may be necessary to effect the provisions of this paragraph.

B. Funds in the Edvantage Reserve Fund are hereby appropriated for disbursement by the State Comptroller, as provided for by law. All interest earned by the Edvantage Reserve Fund shall remain with the Fund.

267.	Line of Duty (76000).....		\$11,348,276	\$12,648,276
			\$8,403,760	\$10,058,131
	Death Benefit Payments Under the Line of Duty Act (76001) .....	\$825,000	\$825,000	
	Health Insurance Benefit Payments Under the Line of Duty Act (76002).....	\$10,523,276	\$11,823,276	
		\$7,578,760	\$9,233,131	
	Fund Sources: General .....	\$11,348,276	\$12,648,276	
		\$8,403,760	\$10,058,131	

Authority: Title 9.1, Chapter 4, Code of Virginia.

A. In addition to such other payments as may be available, the full cost of group health insurance, net of any deductions and credits, for the surviving spouses and dependents of certain public safety officers killed in the line of duty and for certain public safety officers disabled in the line of duty, and the spouses and dependents of such disabled officers, are payable from this Item pursuant to Title 9.1, Chapter 4, Code of Virginia. To the extent the appropriation in this Item is insufficient for these payments, the Director, Department of Planning and Budget, is authorized to transfer sufficient funding from Item 473 of this act.

B. There is hereby created the Line of Duty Death and Health Benefits Trust Fund (the Fund). The funds of the Line of Duty Death and Health Benefits Trust Fund shall be deemed separate and independent trust funds, shall be segregated from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the participants and beneficiaries thereof. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of such trust funds for any purpose other than as provided in law for benefits, refunds, and administrative expenses. The Fund is established to pay the death and health insurance premium benefits prescribed by § 9.1-400 et seq., the Line of Duty Act. Deposits to the Fund shall be made from general fund appropriations together with any earnings on those deposits. Fund deposits are irrevocable and are not subject to the claims of creditors. The Department of Accounts shall use the assistance of the Virginia Retirement System in establishing, investing, and maintaining the Fund. The Board of Trustees of the Virginia Retirement System shall administer and manage the investment of the Fund as custodian and provide staff. The Virginia Retirement System shall invest the Funds in accordance with Article 3.1 (§ 51.1-124.30 et seq.) of Chapter 1 of Title 51.1, and no officer, director, or member of the Board or of any advisory committee of the Virginia Retirement System or any of its tax exempt subsidiary corporations whose actions are within the standard of care in Article 3.1 of Chapter 1 of Title 51.1 shall be held personally liable for losses suffered by the Fund on investments made under the authority of this chapter. The Fund shall annually reimburse the Virginia Retirement System for all reasonable costs incurred and associated, directly and indirectly, with the administration of this chapter and management and investment of the Fund.

ITEM 267.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C. In addition to any other benefit provided by law, an additional death benefit in the amount of \$20,000 for the surviving spouses and dependents 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, are payable from this Item pursuant to § 44-93.1.B., Code of Virginia. The Department of Accounts, with support from the Department of Military Affairs, shall determine eligibility for this benefit. The Director, Department of Planning and Budget, is authorized to transfer sufficient funding from Item 473 of this act to make any required payments.				
Total for Department of Accounts Transfer Payments .....			<b>\$148,649,406</b>	<b>\$134,436,906</b>
			<b>\$149,259,205</b>	<b>\$129,163,403</b>
Fund Sources: General .....	\$78,698,803	\$58,678,276		
	\$76,667,430	\$57,002,782		
Trust and Agency .....	\$1,044,778	\$1,044,778		
Dedicated Special Revenue .....	\$68,905,825	\$74,713,852		
	\$71,546,997	\$71,115,843		
Grand Total for Department of Accounts .....			<b>\$160,919,244</b>	<b>\$146,751,468</b>
			<b>\$161,429,043</b>	<b>\$140,672,824</b>
General Fund Positions .....	122.00	122.00		
		105.00		
Nongeneral Fund Positions .....	3.00	3.00		
		22.00		
Position Level .....	125.00	125.00		
		127.00		
Fund Sources: General .....	\$90,548,998	\$70,573,195		
	\$88,417,625	\$68,092,560		
Special .....	\$419,643	\$419,643		
Trust and Agency .....	\$1,044,778	\$1,044,778		
Dedicated Special Revenue .....	\$68,905,825	\$74,713,852		
	\$71,546,997	\$71,115,843		

**§ 1-84. DEPARTMENT OF PLANNING AND BUDGET (122)**

268.	Planning, Budgeting, and Evaluation Services (71500)....		\$8,580,623	\$8,580,623
	Budget Development and Budget Execution Services (71502) .....	\$4,921,588	\$4,921,588	
	Legislation and Executive Order Review Service (71504) .....	\$65,363	\$65,363	
	Forecasting and Regulatory Review Services (71505).....	\$700,249	\$700,249	
	Program Evaluation Service (71506) .....	\$2,399,974	\$2,399,974	
	Administrative Services (71598) .....	\$493,449	\$493,449	
	Fund Sources: General .....	\$8,330,623	\$8,330,623	
	Special .....	\$250,000	\$250,000	

Authority: Title 2.2, Chapter 15 and Chapter 26, Article 8, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government. The department shall collaborate with the Governor's Secretaries and all other agencies of state government and other entities as necessary to ensure that information generated from these processes is useful for managing and improving the efficiency and effectiveness of state government operations.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the plans and performance measures, the processes used to develop and implement the plans and measures, the degree to which agencies achieve intended goals and results, and the relation between intended and actual results and budget requirements.



ITEM 268.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or before December 20, the Department of Planning and Budget shall deliver to the presiding officer of each house of the General Assembly a copy of the budget document containing the explanation of the Governor's budget recommendations. This copy may be in electronic format.

2. The Department of Planning and Budget shall include in the budget document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. The budget document shall also include the amount of projected spending, less funding for personal property tax relief, for the same fiscal years, on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

D.1. The Department of Planning and Budget shall provide staffing and operational support to the Commonwealth Competition Council. Other state agencies and institutions of the Commonwealth shall also assist the Commonwealth Competition Council in its work upon the request of the chairman of the Council.

2. There is hereby created upon the books of the Comptroller a special, nonreverting fund known as the "Commonwealth Competition Council Savings Recovery Fund." This Fund shall provide a nongeneral fund appropriation of \$250,000 each year for use by the Department of Planning and Budget in defraying the costs of providing staff and operational support to the council.

3. Prior to April 1 each year, the Director, Department of Planning and Budget shall notify the Auditor of Public Accounts of any savings recommendations put forth by the Commonwealth Competition Council for which savings are likely to be realized in the current fiscal year or in the fiscal year beginning on the next July 1 after such notification. The Auditor of Public Accounts shall audit the implementation of these savings recommendations and shall certify to the State Comptroller by June 1 each year the total savings realized by state agencies or institutions as a result of the savings recommendations put forth by the Commonwealth Competition Council. By July 1 each year, the State Comptroller shall transfer 10 percent of these certified savings to the Commonwealth Competition Council Savings Recovery Fund for support of the council's operations. However, if these savings have since accrued to the benefit of the general fund, either by subsequent budgetary action or by reversion, then following the certification of the savings by the Auditor of Public Accounts, the State Comptroller shall transfer the equivalent of 10 percent of the affected certified savings from the general fund to the Commonwealth Competition Council Savings Recovery Fund. The total amount transferred to the Commonwealth Competition Council Savings Recovery Fund pursuant to these provisions shall not exceed \$500,000 in any one fiscal year.

E.1. Out of this appropriation, ~~\$1,062,500~~ \$335,947 the first year and ~~\$1,062,500~~ \$325,993 the second year from the general fund is provided to support the continuation of the school efficiency reviews program. Any school division undergoing an efficiency review shall provide a report to the Department of Planning and Budget indicating what action has been taken on each recommendation identified in the efficiency review along with any budget savings realized for each recommendation. The report shall also include a schedule for implementation of the remaining recommendations not implemented to date. The Department of Planning and Budget shall forward copies of the reports to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees within 30 days of receiving such reports. The first report shall be made within six months following the receipt of the final efficiency review, and subsequent follow-up reports shall be submitted annually by June 30th until 100 percent of the recommendations have been implemented or rationale reported that explain and address the division's lack of such implementation. The Department of Planning and Budget shall provide the format for such report that shall include budget savings realized for each recommendation implemented.

2. Commencing in fiscal year 2007, each participating school division shall pay 25 percent of the cost incurred by the state for that school division's efficiency review to be conducted.

ITEM 268.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

Consistent with language and intent contained in Item 135, any school division that elects to participate in a school efficiency review as a component unit of a division level academic review shall be exempt from the 25 percent payment of the costs of the review but will not be exempt from paying a recovery cost of 25 percent if the school division does not initiate at least 50 percent of the review's recommendations within 24 months of receiving their final school efficiency review report.

Payment shall occur in the fiscal year immediately following the completion of the final school efficiency review report. The cost shall include the direct cost incurred by the state for that fiscal year to coordinate the school efficiency review and 100 percent of the costs awarded to the contractor(s) to conduct that school division's review.

3. Additionally, commencing in fiscal year 2007, a recovery of a separate and additional 25 percent payment of the cost of individual reviews shall be made in the fiscal year beginning not less than 12 months and not more than 24 months following the release of a final efficiency review report for an individual school division. Such recovery shall occur if the affected school division superintendent or superintendent's designee has not certified that at least half the recommendations have been initiated or at least half of the equivalent savings of such efficiency review have been realized. Lacking such certification the school division shall reimburse the state for 25 percent of the cost of the school efficiency review. Such reimbursement shall be paid into the general fund of the state treasury. The Department of Planning and Budget shall provide the format for such certification.

F. The Director of the Department of Planning and Budget shall report to the Chairman of the House Appropriation and Senate Finance Committees by October 1, 2008, concerning the cost impact of state employee salary increases to facilities and institutions operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) which are supported in whole or in part from Medicaid reimbursements. The report shall include the estimated increase in costs incurred at the facilities from the salary adjustments, the portion of these costs that are reimbursable through Medicaid, and a description of the manner in which the department includes funding for the general fund portion of the salary adjustment for these employees in the calculation of state employee salary increases.

G. Out of the unexpended general fund balances remaining on June 30, 2008, for Planning, Budgeting, and Evaluation Services in Item 468 of this act, the Director of the Department of Planning and Budget shall unallot and revert to the general fund an amount equal to \$500,000 on or before June 30, 2009.

268.05.	Executive Management (71300) .....			(\$997,805)	(\$1,030,774)
	Savings From Management Actions (71301) .....	(\$997,805)	(\$1,030,774)		
	Fund Sources: General .....	(\$997,805)	(\$1,030,774)		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

Total for Department of Planning and Budget .....			<b>\$8,580,623</b>	<b>\$8,580,623</b>
			<b>\$7,582,818</b>	<b>\$7,549,849</b>
General Fund Positions .....	71.00	71.00		
	67.00	67.00		
Nongeneral Fund Positions .....	2.00	2.00		
Position Level .....	73.00	73.00		
	69.00	69.00		
Fund Sources: General .....	<b>\$8,330,623</b>	<b>\$8,330,623</b>		
	<b>\$7,332,818</b>	<b>\$7,299,849</b>		

ITEM 268.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$250,000	\$250,000	
<b>§ 1-85. DEPARTMENT OF TAXATION (161)</b>				
269.	Planning, Budgeting, and Evaluation Services (71500)....		\$3,068,003	\$3,068,003
	Tax Policy Research and Analysis (71507).....	\$1,397,999	\$1,397,999	
	Appeals and Rulings (71508).....	\$974,210	\$974,210	
	Revenue Forecasting (71509).....	\$695,794	\$695,794	
	Fund Sources: General.....	\$3,068,003	\$3,068,003	
<p>Authority: §§ 2.2-1503, 15.2-2502, 58.1-202, 58.1-207, 58.1-210, 58.1-213, 58.1-816, and 58.1-3406, and Title 10.1, Chapter 14, Code of Virginia.</p> <p>A. The Department of Taxation shall continue the staffing and responsibility for the revenue forecasting of the Commonwealth Transportation Funds, including the Department of Motor Vehicles Special Fund, as provided in § 2.2-1503, Code of Virginia. The Department of Motor Vehicles shall provide the Department of Taxation with direct access to all data records and systems required to perform this function. The Department of Planning and Budget shall effectuate the transfer of three full-time equivalent positions and sufficient funding to ensure the successful consolidation of this function.</p> <p>B. <i>The Department of Taxation shall convene a working group to review and make recommendations, on or before November 30, 2009, to the Senate Finance Committee and to the House Finance Committee with respect to the basis on which recordation and grantor taxes are calculated on the transfer of real estate to the actual consideration for the real estate. The working group shall be comprised of representatives of interested parties identified by the Tax Commissioner, and shall include, without limitation, representatives of associations representing real estate businesses in Virginia, the Virginia Association of Realtors, the Virginia Court Clerks Association, the Virginia Association of Counties, and the Virginia Municipal League. The working group shall consider enforcement and implementation issues associated with § 58.1-812 of the Code of Virginia. The working group shall also review the fiscal impacts related to the current law and to proposed changes in the law. The fiscal impacts on state and local governments and the housing industry will be reviewed in terms of order of magnitude.</i></p>				
270.	Revenue Administration Services (73200).....		\$60,647,483	<del>\$60,607,983</del> \$61,357,475
	Tax Return Processing (73214).....	\$13,747,908	\$13,708,408	
	Customer Services (73217).....	\$10,146,696	<del>\$10,146,696</del> \$10,696,188	
	Compliance Audit (73218).....	\$19,136,439	\$19,136,439	
	Compliance Collections (73219).....	\$17,616,440	<del>\$17,616,440</del> \$17,816,440	
	Fund Sources: General.....	\$51,568,909	<del>\$51,529,409</del> \$52,078,901	
	Special.....	\$8,613,155	\$8,613,155	
	Trust and Agency.....	\$452,457	<del>\$452,457</del> \$652,457	
	Dedicated Special Revenue.....	\$12,962	\$12,962	

Authority: Title 3.1, Chapters 18, 25.3 and 27; Title 58.1, Code of Virginia.

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade audit and collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

ITEM 270.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>B. There is hereby appropriated, for each year of the biennium, revenues from the sales tax on fuel in certain transportation districts <del>and certain authorities</del> to cover only the direct cost of administration incurred by the Department in collecting these taxes as provided by § 58.1-1724 <del>and §58.1-1724.6</del>, Code of Virginia.</p> <p>C.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the Department for any ongoing operational collection expenses.</p> <p>2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the Department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.</p> <p>D. The Department of Taxation is authorized to make tax incentive payments to small tobacco product manufacturers who do not participate in the 1998 Tobacco Master Settlement Agreement, pursuant to Chapter 901 of the 2005 Acts of Assembly.</p> <p>E. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia.</p> <p><del>F. The Department of Taxation is hereby appropriated revenues from the retail sales and use tax imposed on motor vehicle repair labor and services pursuant to §58.1-605K(2) and § 58.1-606 H(2), Code of Virginia, to recover the direct cost of administration incurred by the department in implementing and collecting such tax.</del></p> <p>G. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the Department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.</p> <p><i>H. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under §58.1-513 C. 2., Code of Virginia, on the transferring of the value of the donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.</i></p> <p><i>I. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation.</i></p> <p><i>J. Upon request of the Secretary of Finance, the State Comptroller shall grant the Department of Taxation a treasury loan for the planning and implementation of the Virginia Tax Amnesty Program, estimated to be \$6,951,928. Repayment of this loan will be from the gross revenues generated by the amnesty program.</i></p> <p><i>K. The Department of Taxation shall (1) secure and utilize software based on Global Positioning System data in the allocation to localities of the one percent local option sales and use tax, (2) modify remittance forms as appropriate to require each in-state vendor filing a consolidated return to report how many places of business that the vendor has in each locality, (3) provide localities with increased computer systems access to information-only data in order to facilitate local input in error identification, and (4) report to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2009, on options for providing incentives and/or penalties for erroneous reporting of sales and use tax data by merchants.</i></p>				

ITEM 270.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<p><i>L. The Department of Taxation is hereby appropriated revenues from the digital media fee imposed pursuant to § 58.1-1731, Code of Virginia, to recover the direct cost of administration incurred by the department in implementing and collecting such fee. Documented costs incurred in fiscal year 2009, up to a total \$320,000, may be recovered from fees remitted in fiscal year 2010.</i></p>				
271.	Tax Value Assistance to Localities (73400).....			\$1,279,415	<del>\$1,279,415</del> \$1,883,515
	Training for Local Assessors (73401).....	\$81,401	\$81,401		
	Valuation and Assessment Assistance for Localities (73410) .....	\$1,198,014	<del>\$1,198,014</del> \$1,802,114		
	Fund Sources: General .....	\$905,886	\$905,886		
	Special .....	\$373,529	<del>\$373,529</del> \$977,629		
	<p>Authority: Title 58.1, Chapters 32, 34, 35, 36, and 39 and §§ 58.1-202, subdivisions 6, 10, and 11, 58.1-206; §§ 58.1-2655, 58.1-3239, 58.1-3278, and 58.1-3374, Code of Virginia.</p> <p>A. The Department is hereby authorized to recover from participating localities, as special funds, the direct costs associated with assessor/property tax and local valuation and assessments training classes. In accordance with § 58.1-206, Code of Virginia, the assessing officers and board members attending shall continue to be reimbursed for the actual expenses incurred by their attendance at the programs.</p> <p>B. In the expenditure of funds out of its appropriations for determination of true values of locally taxable real estate for use by the Board of Education in state school fund distributions, the Department of Taxation shall use a sufficiently representative sampling of parcels, in accordance with the classification system as established in § 58.1-208, Code of Virginia, to reflect actual true values; further, the Department shall, upon request of any local school board, review its initial determination and promptly inform the Board of Education of corrections in such determination.</p>				
272.	<p>On and after July 1, 2006, the Department of Taxation shall cease its current interpretive application of the "true object" test to contractors who provide services to the United States, the Commonwealth, or any political subdivision or instrumentality thereof. Effective for "work orders", "statements of work" and "task orders," entered into on and after July 1, 2006, the Department of Taxation shall make a taxability determination regarding the true object of the transaction entered into with the government entity based upon the true object of each separate "work order", "statement of work" and "task order," rather than the true object of the underlying contract between the government entity and such contractor. Nothing in this paragraph shall be construed to extend an exemption to materials, equipment, or other tangible personal property purchased by a contractor for use in real estate construction contracts with a governmental entity.</p>				
273.	Administrative and Support Services (79900).....			<del>\$32,282,489</del> \$34,296,197	<del>\$32,782,489</del> \$32,865,521
	General Management and Direction (79901).....	<del>\$7,589,624</del> \$9,603,329	<del>\$8,089,624</del> \$8,172,653		
	Information Technology Services (79902).....	\$24,692,868	\$24,692,868		
	Fund Sources: General .....	<del>\$32,215,264</del> \$34,228,972	<del>\$32,715,264</del> \$32,798,296		
	Special .....	\$67,225	\$67,225		
	<p>Authority: §§ 58.1-200, 58.1-202, and 58.1-213, Code of Virginia.</p> <p>A. To defray the costs of administration for voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to five percent of the contributions made to each organization, not to exceed a total of \$50,000 from all organizations in any taxable year.</p>				

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B. The Department is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a local income tax and/or sales and use tax modification. The Department shall not incur such costs unless a locality(ies) takes action to put the tax options on a referendum. The treasury loan shall be repaid for these costs from the local income tax and/or sales and use tax revenues.

273.05.	<i>Executive Management (71300) .....</i>			(\$1,860,249)	\$1,010,612
	<i>Savings From Management Actions (71301).....</i>	(\$1,860,249)	\$1,010,612		
	<i>Fund Sources: General.....</i>	(\$1,860,249)	\$1,010,612		

*Authority: Discretionary Inclusion*

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

Total for Department of Taxation.....			<b>\$97,277,390</b>	<b>\$97,737,890</b>
			<b>\$97,430,849</b>	<b>\$100,185,126</b>

General Fund Positions.....	910.50	910.50
	959.50	959.50
Nongeneral Fund Positions.....	36.00	36.00
	37.00	37.00
Position Level .....	946.50	946.50
	996.50	996.50
Fund Sources: General .....	\$87,758,062	\$88,218,562
	\$87,911,521	\$89,861,698
Special.....	\$9,053,909	<del>\$9,053,909</del>
		\$9,658,009
Trust and Agency .....	\$452,457	<del>\$452,457</del>
		\$652,457
Dedicated Special Revenue .....	\$12,962	\$12,962

#### § 1-86. DEPARTMENT OF THE TREASURY (152)

274.	Investment, Trust, and Insurance Services (72500).....			\$6,345,416	\$6,350,244
					\$8,267,089
	Debt Management (72501).....	\$1,036,408	\$1,036,408		
	Insurance Services (72502).....	\$2,081,060	<del>\$2,081,060</del>		
			\$2,341,055		
	Banking and Investment Services (72503) .....	\$3,227,948	<del>\$3,232,776</del>		
			\$4,889,626		
	Fund Sources: General .....	\$3,535,319	<del>\$3,535,319</del>		
			\$5,338,314		
	Special.....	\$5,600	\$5,600		
	Commonwealth Transportation .....	\$183,163	\$183,163		
	Trust and Agency .....	\$2,621,334	<del>\$2,626,162</del>		
			\$2,740,012		

*Authority: Title 2.2, Chapter 18, Code of Virginia.*

A. The Department of the Treasury shall take into account the claims experience of each agency and institution when setting premiums for the general liability program.

B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar.

*C. Notwithstanding the provisions of § 15.2-4518.13 and § 15.2-4526, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance*

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*maintained by the Commissions and administered by the Virginia Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of § 8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.*

€ D. By January 15 of each year the Department of the Treasury shall report to the chairmen of the House Appropriations and Senate Finance Committees, in a unified report mutually agreeable to them, summarizing changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken or expected to be taken by the Commonwealth within the next twelve months.

*D.1. Out of the amounts provided for Insurance Services, there shall be paid for the relief of Teddy Pierries Thompson from the general fund of the state treasury, upon execution of a release and waiver forever releasing (i) the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision thereof, (ii) any legal counsel appointed pursuant to § 19.2-159 of the Code of Virginia, and (iii) all other parties of interest from any present or future claims he may have against such enumerated parties in connection with the aforesaid occurrence: (a) the sum of \$51,999, to be paid to Teddy Pierries Thompson on or before August 1, 2009, by check issued by the State Treasurer on warrant of the Comptroller and (b) the sum of \$207,996 to be used by the State Treasurer to purchase an annuity for the primary benefit of Teddy Pierries Thompson providing for equal monthly payments for a period of 25 years commencing on or before September 1, 2009.*

*2. The State Treasurer shall purchase the annuity for Teddy Pierries Thompson at the lowest cost available from any A+ rated company authorized to sell annuities in the Commonwealth, including any A+ rated company from which the State Lottery Department may purchase an annuity.*

275.	Revenue Administration Services (73200).....			\$10,637,372	<del>\$10,637,372</del> \$10,832,565
	Unclaimed Property Administration (73207).....	\$4,366,487	<del>\$4,366,487</del> \$4,399,187		
	Accounting and Trust Services (73213).....	\$1,449,783	<del>\$1,449,783</del> \$1,489,699		
	Check Processing and Bank Reconciliation (73216) .....	\$3,090,024	<del>\$3,090,024</del> \$3,015,024		
	Administrative Services (73220) .....	\$1,731,078	<del>\$1,731,078</del> \$1,928,655		
	Fund Sources: General .....	\$4,289,707	<del>\$4,289,707</del> \$4,214,707		
	Special .....	\$422,355	<del>\$422,355</del> \$432,591		
	Trust and Agency .....	\$5,321,059	<del>\$5,321,059</del> \$5,581,016		
	Dedicated Special Revenue .....	\$604,251	\$604,251		

Authority: Title 2.2, Chapter 18 and §§ 55-210.1 through 55-210.30, Code of Virginia.

A. Included in this Item is a sum sufficient nongeneral fund appropriation for personal services and other operating expenses to process checks issued by the Department of Social Services. The estimated cost, excluding actual postage costs, is \$85,000 the first year and \$85,000 the second year.

B. Included in this Item is a sum sufficient nongeneral fund appropriation for administrative expenses to process the Virginia Employment Commission (VEC) and Virginia Retirement System (VRS) checks. The estimated cost for VEC is \$2,500 the first year and \$2,500 the second year, and for VRS is \$24,000 the first year and \$24,000 the second year.

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>C.1. The amounts for Unclaimed Property Administration are for administrative and related support costs of the Uniform Disposition of Unclaimed Property Act, to be paid solely from revenues derived pursuant to the Act.</p> <p>2. The amounts also include a sum sufficient nongeneral fund amount estimated at \$900,000 the first year and \$900,000 the second year to pay fees for compliance services and securities portfolio custody services for unclaimed property administration.</p> <p>3. Any revenue derived from the sale of the Department of the Treasury's new unclaimed property system is hereby appropriated to the Department for use in unclaimed property customer service and system enhancements.</p> <p>D. The State Treasurer is authorized to charge institutions of higher education participating in the private college financing program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Revenue collected from this administrative fee shall be deposited to a special fund in the Department of the Treasury to compensate the Department for direct and indirect staff time and expenses involved with this program.</p> <p>E. The State Treasurer is authorized to sell any securities remitted as unclaimed demutualization proceeds of insurance companies at any time after delivery, pursuant to legislation enacted by the 2003 Session of the General Assembly. The funds derived from the sale of said securities shall be handled in accordance with § 55-210.19, Code of Virginia.</p> <p>F.1. The State Treasurer is authorized to charge qualified public depositories holding public deposits, as defined in §2.2-4401, Code of Virginia, an annual administrative fee of not more than one-half of one basis point of their average public deposit balances over a twelve month period. The State Treasurer shall issue guidelines to effect the implementation of this fee. However, the total fees collected from all qualified depositories shall not exceed \$100,000 in any one year.</p> <p>2. Any regulations or guidelines necessary to implement or change the amount of the fee may be adopted without complying with the Administrative Process Act (§2.2-4000 et seq.) provided that input is solicited from qualified public depositories. Such input requires only that notice and an opportunity to submit written comments be given.</p>				
276.	<p>1. There is hereby appropriated to the Department of the Treasury a sum sufficient for the transfer to the federal government, in accordance with the provisions of the federal Cash Management Improvement Act of 1990 and related federal regulations, of the interest owed by the state on federal funds advanced to the state for federal assistance programs, where such funds are held by the state from the time they are deposited in the state's bank account until they are paid out to redeem warrants, checks or payments by other means. This sum sufficient appropriation is funded from the interest earned on federal funds deposited and invested by the state. The actual amount for transfer shall be established by the State Comptroller.</p> <p>2. When permitted by applicable federal laws or administrative regulations, the State Comptroller shall first offset and reduce the amount to be transferred by any and all amounts of interest payments calculated to be received by the state from the federal government, where such payments are due to the state because the state was required to disburse its own funds for federal program purposes prior to the receipt of federal funds.</p> <p>3. Should the interest payments calculated to be made by the federal government to the state exceed the interest calculated to be transferred from the state to the federal government, reduced by the federally approved direct cost reimbursement to the state, the State Comptroller shall then notify the federal government of the net amount of interest due to the state and shall record such net interest, upon its receipt, as interest revenue earned by the general fund.</p>			
276.05.	<i>Executive Management (71300) .....</i> <i>Savings From Management Actions (71301).....</i>		(\$897,204) (\$897,204)	(\$933,553) (\$933,553)



ITEM 276.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Fund Sources: General</i> .....	(\$897,204)	(\$933,553)		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of the Treasury .....			<b>\$16,982,788</b> <b>\$16,085,584</b>	<b>\$16,987,616</b> <b>\$18,166,101</b>
General Fund Positions.....	<del>46.50</del> 39.50	<del>46.50</del> 38.50		
Nongeneral Fund Positions.....	<del>77.50</del> 81.50	<del>77.50</del> 82.50		
Position Level .....	<del>124.00</del> 121.00	<del>124.00</del> 121.00		
Fund Sources: General .....	\$7,825,026	\$7,825,026		
Special .....	\$6,927,822 \$427,955	\$8,619,468 \$427,955		
Commonwealth Transportation .....	\$183,163	\$183,163		
Trust and Agency .....	\$7,942,393	<del>\$7,947,221</del> \$8,321,028		
Dedicated Special Revenue .....	\$604,251	\$604,251		
<b>Treasury Board (155)</b>				
277. Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			\$2,633,789	<del>\$2,633,289</del> \$0
Financial Assistance for Regional Jails (35605) .....	\$2,633,789	<del>\$2,633,289</del> \$0		
Fund Sources: General .....	\$2,633,789	<del>\$2,633,289</del> \$0		
<i>Authority: Title 53.1, Chapter 3, Code of Virginia.</i>				
A. The Director, Department of Planning and Budget, is authorized to transfer appropriations between items in the Treasury Board to accommodate the refinancing of all, or any part, of Regional Jail Reimbursement Agreements through the Virginia Public Building Authority.				
B.1. Out of the amounts for Financial Assistance for Regional Jails where Regional Jail Reimbursement Agreements have been signed, the Commonwealth's share of the cost shall be appropriated from the general fund and paid as follows:				
	<b>FY 2009</b>	<b>FY 2010</b>		
Arlington Regional Jail	\$1,800,000	<del>\$1,800,000</del>		
Chesapeake City Jail	\$833,789	<del>\$833,289</del>		
2. The Governor is authorized to use \$2,633,289 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.				
278. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			\$3,100,000	\$3,100,000
Community Access to Educational, Economic, and Cultural Programming Through Public Television (14303) .....	\$3,100,000	\$3,100,000		

ITEM 278.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$3,100,000	\$3,100,000		
Authority: Chapter 1073, 2000 Acts of Assembly, Item 89F.				
Out of the amounts for Community Access to Educational, Economic and Cultural Programming through Public Television, and pursuant to a payment agreement between the Virginia Public Broadcasting Board and the Treasury Board, there is hereby appropriated amounts needed for the quarterly payments on the obligations issued to finance grants to local public television stations.				
279. Economic Development Services (53400) .....			\$5,307,070	\$5,300,000
Financial Assistance for Economic Development (53410) .....	\$5,307,070	\$5,300,000		
Fund Sources: General .....	\$5,307,070	\$5,300,000		
Authority: Chapter 790, 1998 Acts of Assembly.				
Out of the amounts for Financial Assistance for Economic Development shall be paid the Commonwealth's share of the cost of the Virginia Advanced Shipbuilding and Carrier Integration Center to be located in the City of Newport News pursuant to a contractual agreement entered into by the Treasury Board and approved by the Governor pursuant to Item 290 of Chapter 1073, 2000 Acts of Assembly.				
280. Bond and Loan Retirement and Redemption (74300) .....			\$464,912,430	\$529,606,327
			\$452,193,069	\$520,050,077
Debt Service Payments on General Obligation Bonds (74301) .....	\$114,269,480	\$126,479,588		
	\$116,091,500	\$126,491,595		
Capital Lease Payments (74302) .....	\$14,077,649	\$14,101,031		
Debt Service Payments on Public Building Authority Bonds (74303) .....	\$215,168,635	\$256,058,577		
	\$204,155,694	\$233,650,900		
Debt Service Payments on College Building Authority Bonds (74304) .....	\$121,396,666	\$132,967,131		
	\$117,868,226	\$145,806,551		
Fund Sources: General .....	\$453,645,949	\$518,341,810		
	\$440,926,588	\$498,789,790		
Special .....	\$2,423,879	\$2,421,915		
Higher Education Operating .....	\$8,842,602	\$8,842,602		
		\$18,838,372		
Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X, Section 9, Constitution of Virginia.				
A. The Director of the Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.				
B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:				
<b>Series</b>	<b>FY 2009</b>	<b>FY 2010</b>		
1998 Refunding	\$6,370,077	\$6,081,920		
1999	\$1,111,674	\$0		
2002 Refunding	\$9,992,600	\$9,603,800		
2003A	\$4,068,788	\$3,943,038		
2004A	\$14,496,688	\$14,066,938		

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
2004B Refunding	\$12,032,050	\$12,705,300		
2005	\$10,903,352	\$10,673,152		
2006A Refunding	\$11,131,950	\$10,596,950		
2006	\$11,052,838	\$10,756,838		
2007	\$11,927,963	\$11,615,463		
Projected debt service & expenses	<del>\$21,181,500</del>	<del>\$36,436,189</del>		
	\$23,003,520	\$36,448,196		
<b>Total Service Area</b>	<b>\$114,269,480</b>	<b>\$126,479,588</b>		
	<i>\$116,091,500</i>	<i>\$126,491,595</i>		

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

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

	FY 2009	FY 2010
Big Stone Gap RHA (DOC) (Wallens Ridge, 1995)	\$6,034,975	\$6,037,050
Norfolk RHA (VCCS-TCC), Series 1995	\$2,018,729	\$2,018,154
Innovative Technology Authority (VEDP) (1997)	\$1,325,051	\$1,342,208
Virginia Biotech Research Park, 2001	\$4,698,894	\$4,703,619
<b>Total Capital Lease Payments</b>	<b>\$14,077,649</b>	<b>\$14,101,031</b>

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

	FY 2009		FY 2010	
Series	General Fund	Special Funds	General Fund	Special Funds
1992B Refunding	\$15,235,000	\$0	\$15,230,000	\$0
1998 Refunding	<del>\$20,560,863</del>	\$604,867	<del>\$16,364,655</del>	<del>\$376,081</del>
	\$17,522,258		\$0	\$0
1998	\$1,952,625	\$0	0	\$0
1999	<del>\$3,167,259</del>	\$0	0	\$0
	\$3,167,250			
1999B	\$2,024,810	\$0	\$2,024,375	\$0
2000	\$5,058,943	\$0	\$5,035,949	\$0
2001	\$2,749,533	\$0	\$2,748,333	\$0
2002	\$4,191,425	\$0	\$4,193,625	\$0
2003 Refunding	\$4,888,522	<del>\$177,166</del>	\$4,877,168	\$176,770
		<i>\$177,116</i>		
2004A	\$23,954,844	\$0	\$23,965,006	\$0
2004B	\$19,123,100	\$0	\$19,109,350	\$0
2004C	\$4,533,625	\$0	\$4,540,900	\$0
2004D	\$5,483,238	\$0	\$5,484,494	\$0
2005A Refunding	\$4,968,625	\$0	\$4,967,625	\$0
2005B Refunding	\$9,922,129	\$1,641,896	\$19,251,086	\$1,869,064
2005C	\$6,021,063	\$0	\$6,020,563	\$0
STARS 2005C	12,248,750	\$0	\$12,251,875	\$0
2005D	\$2,613,750	\$0	\$2,613,750	\$0
2006A	\$5,955,005	\$0	\$5,954,993	\$0
STARS 2006A	\$7,145,663	\$0	\$7,143,250	\$0
2006B	\$13,998,175	\$0	\$13,999,175	\$0
STARS 2006B	\$4,466,250	\$0	\$4,466,500	\$0
2007A	\$14,718,731	\$0	\$14,716,600	\$0
STARS 2007A	\$7,517,157	\$0	\$7,515,875	\$0
Projected debt service and expenses	<del>\$10,245,675</del>	\$0	<del>\$51,179,515</del>	\$0

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	\$2,271,344			\$376,081
<b>Total Service Area</b>	<b>\$212,744,760</b>	<b>\$2,423,929</b>	<b>\$253,654,662</b>	<b>\$2,421,915</b>
	<b>\$201,731,815</b>	<b>\$2,423,879</b>	<b>\$231,228,985</b>	

2a. 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 of the Code of Virginia for the following:

Riverside Regional Jail Expansion

Reimbursement may be made in two installments, the first following completion of the addition to the Pre-Release Center.

Hampton City Jail

Loudoun County Adult Detention Center

Botetourt-Craig Regional Jail

Virginia Beach Local Jail

Northwest Virginia Regional Jail

Rappahannock Regional Jail Expansion

Western Virginia Regional Jail

Gloucester County Jail

Prince William Manassas Regional Adult Detention Center

Reimbursement may be made in two installments, the first following completion of the 200-bed expansion, and the second following completion of the renovation of the main jail facility.

Culpeper County Jail

Blue Ridge Regional Jail Expansion

New River Valley Regional Jail

Rappahannock, Shenandoah, Warren Regional Jail

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

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:

<b>Project</b>	<b>Commonwealth Share of Approved Capital Costs</b>
Loudoun County Adult Detention Center Phase 2	8,389,677
Virginia Beach City Jail Expansion & Renovation	11,302,749
Rappahannock Regional Jail Expansion	24,417,429
Riverside Regional Jail Expansion Phase 2	41,662,121
Western Virginia Regional Jail	46,806,831
Blue Ridge Regional Jail	31,664,995
Prince William/Manassas Regional Adult Detention Center (Jail Facility Phase I including renovations)	30,519,905
(subject to Board of Corrections approval by June 1, 2009)	

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Meherrin River Regional Jail</i>			50,000,000	
<i>New River Valley Regional Jail</i>			29,868,567	
<i>Newport News Public Safety Renovations</i>			428,125	
<i>Patrick County Jail</i>			2,689,032	
<b><i>Total Approved Capital Costs</i></b>			<b>277,749,431</b>	

*b. Subject to the approval of the Board of Corrections of the final expenditures for the Prince William/Manassas Regional Adult Detention Center (Jail Facility Phase I including renovations), the state share of the approved capital cost for this project shall not exceed \$30,519,905.*

*c. Subject to the approval of the Board of Corrections, the Commonwealth's share of the the total cost of construction for Meherrin River Regional Jail shall not exceed \$50,000,000. Reimbursement of the Commonwealth's portion of the construction costs of this project will not occur before July 1, 2012.*

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

E.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

Series	FY 2009	FY 2010
1998	\$2,957,263	\$2,955,025
1999	\$1,062,130	\$1,065,155
2000	\$663,863	\$0
2001	\$1,078,969	\$1,076,175
2002	\$4,674,875	\$4,674,075
2003A	\$8,370,963	\$8,367,713
2004A	\$10,514,245	\$10,512,495
2004B Refunding	\$5,759,950	\$6,424,950
2005A	\$5,082,950	\$5,082,700
2006	<del>\$9,481,033</del>	<del>\$9,445,648</del>
	\$5,191,357	\$5,191,357
2007A Refunding	\$2,937,300	\$2,937,300
2007B	\$3,688,625	\$3,692,625
Projected 21st Century debt service & expenses	<del>\$4,819,000</del>	<del>\$15,342,190</del>
	\$5,951,871	\$42,432,731
<b>Subtotal 21st Century</b>	<b><del>\$61,091,066</del></b>	<b><del>\$71,576,051</del></b>
	<b>\$57,934,361</b>	<b>\$94,412,301</b>

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

Series	FY 2009	FY 2010
2004	\$8,541,750	\$0
2005	\$11,433,000	\$11,434,500
2006	\$12,948,250	\$12,949,000
2007B	\$18,779,250	\$18,776,750
Projected debt service & expenses	<del>\$8,603,250</del>	<del>\$18,230,830</del>
	\$8,231,615	\$8,234,000
Subtotal Equipment	<del>\$60,305,500</del>	<del>\$61,391,080</del>
	\$59,933,865	\$51,394,250
<b>Total Service Area</b>	<b><del>\$121,396,666</del></b>	<b><del>\$132,967,131</del></b>
	<b>\$117,868,226</b>	<b>\$145,806,551</b>

3. 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:

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<b>Institution</b>	<b>FY 2009</b>	<b>FY 2010</b>		
George Mason University	\$311,338	\$311,338		
		\$1,124,340		
Old Dominion University	\$193,298	\$193,298		
		\$565,155		
University of Virginia	\$760,448	\$760,448		
		\$2,830,205		
Virginia Polytechnic Institute and State University	\$794,424	\$794,424		
		\$2,600,180		
Virginia Commonwealth University	\$289,108	\$289,108		
		\$1,237,060		
College of William and Mary	\$241,596	\$241,596		
		\$769,745		
Christopher Newport University	\$11,324	\$11,324		
		\$57,130		
University of Virginia's College at Wise	\$7,800	\$7,800		
		\$26,960		
James Madison University	\$457,402	\$457,402		
		\$1,569,990		
Norfolk State University	\$113,258	\$113,258		
		\$286,560		
Longwood University	\$21,646	\$21,646		
		\$76,210		
University of Mary Washington	\$102,204	\$102,204		
		\$292,450		
Radford University	\$71,570	\$71,570		
		\$205,840		
Virginia Military Institute	\$65,262	\$65,262		
		\$191,055		
Virginia State University	\$142,136	\$142,136		
		\$405,790		
Richard Bland College	\$1,448	\$1,448		
		\$3,440		
Virginia Community College System	\$415,738	\$415,738		
		\$1,753,660		
<b>TOTAL</b>	<b>\$4,000,000</b>	<b>\$4,000,000</b>		
		\$13,995,770		

4. 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:

5. Beginning with the fiscal year 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at 7 years, which is consistent with the useful life of the equipment.

Institution	FY 2009		FY 2010	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
College of William & Mary	\$1,577,344	\$259,307	\$1,788,127	\$259,307
University of Virginia	\$10,663,802	\$1,088,024	\$11,682,365	\$1,088,024
Virginia Polytechnic Institute and State University	\$9,962,105	\$992,321	\$10,732,194	\$992,321
Virginia Military Institute	\$666,838	\$88,844	\$743,497	\$88,844
Virginia State University	\$1,001,831	\$108,886	\$1,131,316	\$108,886

ITEM 280.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Norfolk State University	\$1,394,485	\$108,554	\$1,502,769	\$108,554
	Longwood University	\$556,060	\$54,746	\$611,731	\$54,746
	University of Mary Washington	\$569,948	\$97,063	\$608,727	\$97,063
	James Madison University	\$1,891,790	\$254,504	\$2,020,629	\$254,504
	Radford University	\$1,157,821	\$135,235	\$1,294,846	\$135,235
	Old Dominion University	\$3,585,060	\$374,473	\$3,961,850	\$374,473
	Virginia Commonwealth University	\$7,931,604	\$401,647	\$8,796,182	\$401,647
	Richard Bland College	\$135,477	\$2,027	\$144,055	\$2,027
	Christopher Newport University	\$627,161	\$17,899	\$662,430	\$17,899
	University of Virginia's College at Wise	\$241,101	\$19,750	\$259,953	\$19,750
	George Mason University	\$4,605,140	\$205,665	\$3,985,874	\$205,665
	Virginia Community College System	\$10,246,713	\$633,657	\$11,172,831	\$633,657
	Virginia Institute of Marine Science	\$521,746	\$0	\$592,214	\$0
	Roanoke Higher Education Authority	\$78,742	\$0	\$65,628	\$0
	Southwest Virginia Higher Education Center	\$108,367	\$0	\$62,181	\$0
	Institute for Advanced Learning and Research	\$828,694	\$0	\$861,234	\$0
	Southern Virginia Higher Education Center	\$11,073	\$0	\$17,747	\$0
	<b>TOTAL</b>	<b>\$58,362,902</b>	<b>\$4,842,602</b>	<b>\$62,698,478</b>	<b>\$4,842,602</b>

F. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 459, paragraph E of this act and §§ 58.1-815, 58.1-815.1 and 58.1-816.1, Code of Virginia, as follows:

	FY 2009	FY 2010
Transportation Contract Revenue Refunding Bonds, Series 2002 (Route 28)	\$7,530,713	\$7,528,150
Commonwealth of Virginia Transportation Revenue Bonds		
U.S. Route 58 Corridor Development Program:		
Series 1999B	\$6,667,538	\$0
Series 2001B	\$3,758,363	\$3,757,863
Series 2002B (Refunding)	\$7,239,438	\$7,237,688
Series 2003A (Refunding)	\$9,915,275	\$9,921,275
Series 2004B	\$14,048,050	\$23,093,800
Series 2006C	\$3,173,000	\$3,173,000
Series 2007B	\$4,197,750	\$4,197,750
Northern Virginia Transportation District Program:		
Series 1999A	\$1,083,938	\$0
Series 2001A	\$2,823,663	\$2,825,163
Series 2002A	\$12,363,944	\$12,362,194
Series 2004A	\$6,152,000	\$8,294,500
Series 2006B	\$973,363	\$973,363
Series 2007A	\$1,987,600	\$4,523,000
Transportation Program Revenue Bonds, Series 2006A (Oak Grove Connector, City of Chesapeake)	\$2,225,775	\$2,227,325

G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.

281. A. There is hereby appropriated to the Treasury Board a sum sufficient from the general fund to pay obligations incurred pursuant to Article X, Sections 9 (a), 9 (c), and 9 (d), of the Constitution of Virginia, as follows:

ITEM 281.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
1. Section 9 (a) To meet emergencies and redeem previous debt obligations.				
2. Section 9 (c) Debt for certain revenue-producing capital projects.				
3. Section 9 (d) Debt for variable rate obligations secured by general fund appropriations and a payment agreement with the Treasury Board.				
4. For payment of the principal of and the interest on obligations, issued in accordance with the cited Sections 9 (c) and 9 (d), in the event pledged revenues are insufficient to meet the obligation of the Commonwealth.				
B. There is hereby appropriated to the Treasury Board a sum sufficient to pay arbitrage rebate amounts and other penalties to the United States Government for bonds issued by the Commonwealth pursuant to Article X, Sections 9 (a), 9 (b), and 9 (c), of the Constitution of Virginia.				
Total for Treasury Board.....			<b>\$475,953,289</b> <b>\$463,233,928</b>	<b>\$540,639,616</b> <b>\$528,450,077</b>
Fund Sources: General.....	\$464,686,808 \$451,967,447	\$529,375,099 \$507,189,790		
Special.....	\$2,423,879	\$2,421,915		
Higher Education Operating.....	\$8,842,602	<del>\$8,842,602</del> \$18,838,372		
Grand Total for Department of the Treasury .....			<b>\$492,936,077</b> <b>\$479,319,512</b>	<b>\$557,627,232</b> <b>\$546,616,178</b>
General Fund Positions.....	46.50 39.50	46.50 38.50		
Nongeneral Fund Positions.....	77.50 81.50	77.50 82.50		
Position Level .....	124.00 121.00	124.00 121.00		
Fund Sources: General.....	\$472,511,834 \$458,895,269	\$537,200,125 \$515,809,258		
Special.....	\$2,851,834	<del>\$2,849,870</del> \$2,860,106		
Higher Education Operating.....	\$8,842,602	<del>\$8,842,602</del> \$18,838,372		
Commonwealth Transportation .....	\$183,163	\$183,163		
Trust and Agency .....	\$7,942,393	<del>\$7,947,221</del> \$8,321,028		
Dedicated Special Revenue.....	\$604,251	\$604,251		
TOTAL FOR OFFICE OF FINANCE.....			<b>\$760,370,800</b> <b>\$746,419,688</b>	<b>\$811,354,679</b> <b>\$795,678,823</b>
General Fund Positions.....	1,155.00 1,193.00	1,155.00 1,175.00		
Nongeneral Fund Positions.....	118.50 123.50	118.50 143.50		
Position Level .....	1,273.50 1,316.50	1,273.50 1,318.50		
Fund Sources: General.....	\$659,806,983 \$643,214,699	\$704,979,971 \$681,718,211		
Special.....	\$12,575,386	<del>\$12,573,422</del> \$13,187,758		



ITEM 281.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Higher Education Operating.....	\$8,842,602	<del>\$8,842,602</del>		
		\$18,838,372		
Commonwealth Transportation .....	\$183,163	\$183,163		
Trust and Agency .....	\$9,439,628	<del>\$9,444,456</del>		
		\$10,018,263		
Dedicated Special Revenue .....	<del>\$69,523,038</del>	<del>\$75,331,065</del>		
	\$72,164,210	\$71,733,056		

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

### OFFICE OF HEALTH AND HUMAN RESOURCES

#### § 1-87. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)

282.	Administrative and Support Services (79900).....			\$1,804,722	\$1,804,722
	General Management and Direction (79901).....	\$1,804,722	\$1,804,722		
	Fund Sources: General.....	\$1,804,722	\$1,804,722		

Authority: Title 2.2, Chapter 2; Article 6, and § 2.2-201A, Code of Virginia.

A. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be used to expand statewide services provided through child advocacy centers. The Secretary, with assistance from relevant Health and Human Resources agencies, shall develop a request for proposals to distribute one-third of the funding for each of the three categories of child advocacy centers including: (i) fully accredited members, (ii) associate centers, and (iii) other centers that are currently operating, developing, or exploring development based on standards set by the National Children's Alliance with input from the Children's Advocacy Centers of Virginia.

B.1. The Secretary of Health and Human Resources, in collaboration with the Office of the Attorney General and the Secretary of Public Safety, shall present a six-year forecast of the adult offender population presently incarcerated in the Department of Corrections and approaching release who meet the criteria set forth in Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year forecasting period. As part of the forecast, the Secretary shall report on: (i) the number of Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of eligible inmates recommended by the CRC for civil commitment, conditional release, and full release; (iii) the number of civilly committed residents of the Virginia Center for Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and granted conditional release from civil commitment in a state SVP facility. The Secretary shall complete a summary report of current SVP cases and a forecast of SVP eligibility, civil commitments, and SVP conditional releases, including projected bed space requirements, to the Governor and Senate Finance and House Appropriations Committees by October 1 of each year.

2. As part of the forecast process, the Department of Corrections shall administer a STATIC-99 screening to all potential Sexually Violent Predators eligible for civil commitment pursuant to § 37.2-900 et seq., Code of Virginia, within 6 months of admission to the Department of Corrections. The results of such screenings shall be provided to the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) on a monthly basis and used for the SVP population forecast process.

3. The Office of the Attorney General shall also provide to the Commissioner of DMHMRSAS, on a monthly basis, the status of all SVP cases pending before their office for purposes of forecasting the SVP population.

C. The Secretary of Health and Human Resources, in consultation with the Executive Secretary of the Supreme Court, shall develop a reporting system to collect relevant information on emergency custody orders (ECOs), involuntary commitment orders (TDOs), and mental health commitment hearings by fiscal year. The data collected shall include, but not be limited to, the number of ECOs, TDOs, and commitment hearings that occur each fiscal year by locality, and the estimated cost, duration, location, and disposition of each proceeding. The information collected shall comply with all relevant state and federal health privacy laws and shall not include any personal identifiable information. The data collected shall be reported to the Governor, the Chairmen of the Senate Finance and House Appropriations Committees, and the Supreme Court by November 1, 2008, and each year thereafter.

D. The Secretary of Health and Human Resources and the State Board of Social Services shall develop a plan to allow for the portability of Auxiliary Grants (AG) to pay for housing of consumers who receive case management services from a community services board or behavioral health authority and who are found eligible for or are currently receiving auxiliary

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	grants. The plan shall include a description of individualized services and housing supports based on Report Document 30 (2008) - "Auxiliary Grant Portability: A Report on the Feasibility of Restructuring Auxiliary Grants for Certain CSB Case Management Consumers." The plan shall include eligibility criteria for Assisted Living Facility (ALF) residents displaced from AG-funded beds that close and those for whom the services and housing supports would lead to reductions in higher-cost institutional care, and (i) whose needs are not being met by their current living arrangement, or (ii) who are living in localities without ALFs, or (iii) who are ready for discharge from a state hospital and are without access to an ALF placement. The plan shall include information on eligibility, the number of consumers to be served, financing, program monitoring and quality assurance, as well as information on the roles and responsibilities of state agencies, community services boards, local departments of social services, and local governments in determining eligibility, administering the program, providing case management and other support services, and the continued provision of financial support through local matching funds. The Secretary shall submit the plan to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Commission on Health Care, by November 1, 2008.				
	<i>E. The Secretary of Health and Human Resources shall convene appropriate cabinet-level Secretaries and state agency personnel along with individuals chosen by their respective association to represent community-based services and supports. The represented services and supports shall include but not be limited to: caregiver supports, home health, home modifications, home repair services, homemaker services, independent living skills, intellectual disability supports and services, life-coaching and life-skill services, mental health services, mobility supports, nutrition, social support, specific disease advocacy, therapies and transportation. The blueprint shall span to the year 2025 for planning purposes and shall be comprehensive, not limited to traditional health and human service issues, but rather broad-based issues of active, daily life in our communities with a variety of service models. The blueprint shall build upon the most recent four-year plan for aging services pursuant to § 2.2-703.1, the No Wrong Door initiative and the Older Dominion Partnership. The blueprint shall be presented to the Governor and Chairmen of the House Appropriations and Senate Finance Committees no later than June 30, 2010.</i>				
	<i>F. On October 1 of each year, the Secretary of Health and Human Resources shall prepare and submit fund balance statements to the Chairmen of the Senate Finance and House Appropriations Committees for agencies within the secretariat that oversee funds that generate annual revenues in excess of \$1.0 million in the prior fiscal year. The Secretary shall report annual revenues, expenditures, and transfers for each fund subject to this criteria.</i>				
282.05.	Executive Management (71300) .....			\$0	(\$3,072)
	Savings From Management Actions (71301).....	\$0	(\$3,072)		
	Fund Sources: General.....	\$0	(\$3,072)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Health and Human Resources .....			\$1,804,722	<del>\$1,804,722</del> \$1,801,650
	General Fund Positions.....	6.00	6.00		
	Position Level .....	6.00	6.00		
	Fund Sources: General .....	\$1,804,722	<del>\$1,804,722</del> \$1,801,650		

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**§ 1-88. COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES (200)**

283.	Protective Services (45300).....		\$361,491,012	\$377,213,889
			\$359,491,012	\$376,213,889
	Financial Assistance for Child and Youth Services (45303) .....	\$361,491,012	\$377,213,889	
		\$359,491,012	\$376,213,889	
	Fund Sources: General .....	\$307,917,687	\$323,640,564	
		\$305,917,687	\$322,640,564	
	Federal Trust .....	\$53,573,325	\$53,573,325	

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, \$234,911,142 from the general fund and \$51,607,746 from nongeneral funds the first year and ~~\$254,816,296~~ \$247,874,252 from the general fund and \$51,607,746 from nongeneral funds the second year, 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 \$32,526,197 from the general fund and \$43,187,748 from nongeneral funds the first year and \$32,526,197 from the general fund and \$43,187,748 from nongeneral funds the second year. 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 \$202,384,945 from the general fund and \$8,419,998 in nongeneral funds the first year and ~~\$222,290,099~~ \$215,348,055 from the general fund and \$8,419,998 in nongeneral funds the second year. 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, ~~\$66,119,312~~ \$62,786,545 from the general fund and \$1,000,000 from nongeneral funds the first year and \$66,119,312 from the general fund and \$1,000,000 from nongeneral funds the second year 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 include, but not be limited to, use of federal funds for state and local support of the Comprehensive Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall

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submit to the Office of Comprehensive Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Comprehensive Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays statewide and for each locality.

3. Each locality receiving funds for activities under the Comprehensive Services Act (CSA) shall have a utilization management process, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Comprehensive Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by a uniform assessment instrument. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.

4. The Secretary of Health and Human Resources, in consultation with the Secretaries of Education and Public Safety, shall direct the actions for the Departments of Social Services, Education, Juvenile Justice, Medical Assistance Services, Health, and Mental Health, Mental Retardation and Substance Abuse Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.

5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.

6. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, *building community-based services, including creation of partnerships with private providers and non-profit groups*, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. *A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year.* Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.

7. The State Executive Council shall establish a Memorandum of Understanding between the Office of Comprehensive Services for At Risk Youth and Families and the Department of Mental Health, Mental Retardation and Substance Abuse Services to provide utilization management of residential placements provided to youth under the Comprehensive Services Act who are not eligible for Medicaid benefits. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be available for such utilization management services. The Office of Comprehensive Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with representatives of the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, shall develop the criteria and guidelines to be followed when providing these utilization management services.

8. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund is provided for the Office of Comprehensive Services to contract for the support of uniform CSA reporting requirements.

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9. The State Executive Council shall require a uniform assessment instrument.

10. The Office of Comprehensive Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Comprehensive Services Act for At-Risk Youth and Families.

11. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.

C. The funding formula to carry out the provisions of the Comprehensive Services Act for At-Risk Youth and Families is as follows:

1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B 1 b and B 1 c in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Comprehensive Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.

2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Comprehensive Services Act for At-Risk Youth and Families. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C 4 in this Item.

3.a. Notwithstanding the provisions of C 2 of this Item, beginning July 1, 2008, the Secretary of Health and Human Resources shall oversee the implementation of a system of financial incentives that is consistent with the statutory purposes of the Comprehensive Services Act. The financial incentive system shall use the methodology in place on July 1, 2007, for calculating the base rate for each locality. The Secretary shall establish a work group to implement the changes in state and local match rates for the Comprehensive Services Act (CSA) program. The work group shall include representatives from the Virginia Association of Counties, the Virginia Municipal League, the Virginia League of Social Services Executives, the Virginia Association of Community Service Boards, the Virginia Coalition of Private Providers, the Virginia Association of School Superintendents, the Department of Education, the Department of Juvenile Justice, and the Office of the Executive Secretary of the Supreme Court. The work group shall examine the impact of the match rate changes on local and state administration of the program, reporting requirements, service development and delivery, quality assurance, utilization management, and care coordination to ensure that children continue to receive appropriate and cost-effective services.

The work group shall also consider future actions to improve the quality of care, maximize cost effectiveness, and achieve administrative efficiencies in the program, such as (i) the feasibility of using a managed care approach to coordinate care and provide utilization management and quality assurance of services; (ii) participation of community service boards in providing care coordination and monitoring of emotionally disturbed and behaviorally challenged children receiving services through CSA; (iii) better communication, cooperation and coordination in the development of individualized education plans and plans of care for children in special education receiving services through CSA; and (iv) better communication and coordination with court service units, Juvenile and Domestic Relations Court judges, and the Department of Juvenile Justice on the plans of care for "Children in Need of Services" as defined under the interagency guidelines on foster care services or children at risk for residential placement through an order by a judge of the Juvenile and Domestic Relations Court. Materials related to or used by the work group shall be considered public documents under the Virginia Freedom of Information Act and not covered under the exemption for Governor's working papers.

b. Community Based Services. Beginning July 1, 2008, the local match rate for community based services for each locality shall be reduced by 50 percent.

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c. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning January 1, 2009, the local match rate for *non-Medicaid* residential services for each locality shall be increased by 15 percent above the fiscal year 2007 base rate after a locality has incurred a total of \$100,000 in residential care expenditures for the period of January 1, 2009, through June 30, 2009. Beginning July 1, 2009, the local match rate for *non-Medicaid* residential services for each locality shall be 25 percent above the fiscal year 2007 base rate after a locality has incurred a total of \$200,000 in residential care expenditures. *The local match rate for all Medicaid services in both years shall be based on the match rate in place on September 1, 2008.*

d. The State Executive Council (SEC) shall monitor the implementation of the incentives and disincentives included in this item, provide technical assistance, and recommend evidence-based best practices to assist localities in transitioning individuals into community-based care. Beginning November 1, 2008, and each year thereafter, the SEC shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the outcomes of this initiative.

*e. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Comprehensive Services Act for At-Risk Youth and Families program, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Comprehensive Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.*

4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed \$1,560,000 each year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C 2 of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of \$12,500 or an amount equal to two percent of the total pool allocation. No locality shall receive more than \$50,000, inclusive of the state allocation and local matching funds. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Comprehensive Services Act program. Localities may pool this administrative funding to hire regional coordinators.

5. Definition. For purposes of the funding formula in the Comprehensive Services Act for At-Risk Youth and Families, "locality" means city or county.

D. Any unexpended general fund balance in this Item on June 30 each year shall not revert to the general fund but shall be reappropriated for expenditure in the succeeding year.

E. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Comprehensive Services Act for At-Risk Children and Youth. Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.

F. Pursuant to subdivision 3 of §2.2-52.06, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Comprehensive Services Act for At-Risk Children and Youth. The Office of Comprehensive Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social

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Services, upon the request of the community policy management team, the Office of Comprehensive Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General.

G. The Office of Comprehensive Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Comprehensive Services Act for At-Risk Children and Youth (CSA) to become Medicaid-certified providers.

H. The Office of Comprehensive Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Comprehensive Services Act for At-Risk Children and Youth, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.

I. Out of this appropriation, \$965,579 the first year and \$965,579 the second year from the federal Temporary Assistance to Needy Families block grant shall be designated for the "Community Services Trust Fund for Youth and Families." The Department of Social Services shall assist the Office of Comprehensive Services in developing procedures to support these activities.

J. Pursuant to subdivision 19 of §2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on comprehensive services for children, youth and families and a plan for such services for the succeeding biennium.

~~K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is for the Community Development Infrastructure Grant program. On a competitive basis, the director of CSA shall allocate funding for start-up costs to localities that are interested in developing community-based services for children and adolescents who are placed in out-of-community residential care or are at risk of such placement.~~

L. Out of this appropriation, \$225,000 the first year and \$52,000 the second year shall be used to purchase and maintain an information system to provide quality and timely child demographic, service, expenditure and outcome data.

M. The State Executive Council (SEC) shall conduct an analysis of the impact of the Final Interagency Guidelines on Foster Care Services for Specific "Children in Need of Services" funded through the Comprehensive Services Act (CSA), effective December 3, 2007, to assess the fiscal impact on the state and localities of serving these additional children through CSA. As part of the analysis, the SEC shall report on the number of additional children served through the guidelines, the types of services provided to children served, how the children were referred for services under the guidelines and whether these children would have received services through CSA prior to the adoption of these new guidelines. The Chair of the SEC shall report this information to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2008.

*N. The State Executive Council shall work with the Department of Education to ensure that funding in this item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP).*

283.05.	Executive Management (71300) .....			(\$6,200,000)	(\$6,800,000)
	Savings From Management Actions (71301) .....	(\$6,200,000)	(\$6,800,000)		
	Fund Sources: General .....	(\$6,200,000)	(\$6,800,000)		
	Authority: Discretionary Inclusion				



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<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Comprehensive Services for At-Risk Youth and Families .....			<b>\$361,491,012</b>	<b>\$377,213,889</b>
			<b>\$353,291,012</b>	<b>\$369,413,889</b>
Fund Sources: General .....	\$307,917,687	\$323,640,564		
	\$299,717,687	\$315,840,564		
Federal Trust .....	\$53,573,325	\$53,573,325		

**§ 1-89. DEPARTMENT FOR THE AGING (163)**

284.	Individual Care Services (45500).....		\$30,343,128	<b>\$30,268,128</b> <b>\$30,395,291</b>
	Financial Assistance for Local Services to the Elderly (45504) .....	\$28,481,346	<del>\$28,406,346</del> <del>\$28,533,509</del>	
	Rights and Protection for the Elderly (45506) .....	\$1,861,782	\$1,861,782	
	Fund Sources: General .....	\$12,407,416	<del>\$12,332,416</del> <del>\$12,399,579</del>	
	Special .....	\$100,000	<del>\$100,000</del> <del>\$160,000</del>	
	Federal Trust .....	\$17,835,712	\$17,835,712	

Authority: Title 2.2, Chapter 7, Code of Virginia.

A.1. Out of this appropriation, \$536,716 the first year and \$536,716 the second year from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.

2. Out of this appropriation, ~~\$320,334~~ \$301,700 the first year and ~~\$320,334~~ \$177,287 the second year from the general fund shall be transferred to the Virginia Respite Care Grant Fund authorized by §2.2-716, Code of Virginia, to provide grants to community respite care organizations.

B.1. Out of this appropriation, \$923,000 the first year and \$923,000 the second year from the general fund shall be provided to support local programs of the Virginia Public Guardian and Conservator Program. Up to \$5,000 of this appropriation each year may be used for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

2. Out of this appropriation, \$75,050 the first year and \$75,050 the second year from the general fund shall be provided for the administration of the public guardianship programs and for no other purpose.

3. Out of this appropriation, \$132,000 the first year and \$132,000 the second year from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or mental retardation who are 18 years of age and older.

C. Out of this appropriation, ~~\$140,613~~ \$126,552 the first year and ~~\$140,613~~ \$126,552 the second year from the general fund shall be provided to support adult day care services at the Oxbow Center in Wise County.

D. Out of this appropriation, ~~\$50,925~~ \$38,194 the first year and ~~\$50,925~~ \$38,194 the second year from the general fund shall be provided for the Norfolk Senior Center.

E. Out of this appropriation, ~~\$19,002~~ \$9,501 the first year and ~~\$19,002~~ \$9,501 the second year from the general fund shall be provided for the Korean Intergenerational and Multi-purpose Senior Center.

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<p>F. Out of this appropriation, <del>\$93,109</del> \$83,380 the first year and <del>\$93,109</del> \$83,380 the second year from the general fund shall be provided from the general fund for the Jewish Family Service of Tidewater.</p> <p>G. Out of this appropriation, <del>\$76,008</del> \$68,066 the first year and <del>\$76,008</del> \$68,066 the second year from the general fund shall be provided for a companion care program to be administered by Mountain Empire Older Citizens, Inc.</p> <p>H. Out of this appropriation, <del>\$346,569</del> \$269,713 the first year and <del>\$346,569</del> \$269,713 the second year from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.</p> <p>I. Out of this appropriation, <del>\$21,113</del> \$18,907 the first year and <del>\$21,113</del> \$18,907 the second year from the general fund shall be provided for the development of adult day care services to be managed by Mountain Empire Older Citizens, Inc. and the Junction Center for Independent Living, Inc.</p> <p>J. Out of this appropriation, \$237,500 the first year and \$237,500 the second year from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.</p> <p>K. Out of this appropriation, <del>\$370,500</del> \$321,760 the first year and <del>\$370,500</del> \$314,326 the second year from the general fund shall be provided to Bay Aging. Of these amounts, <del>\$85,500</del> \$66,539 the first year and <del>\$85,500</del> \$66,539 the second year shall be used to address unmet local needs and <del>\$285,000</del> \$255,221 the first year and <del>\$285,000</del> \$247,787 the second year from the general fund shall be used to supplement private donations and other resources for Adult Day Break Services provided by Bay Aging in partnership with local churches.</p> <p>L. Out of this appropriation, \$1,268,734 the first year and \$1,268,734 the second year from the general fund shall be provided to Area Agencies on Aging against losses due to the application of population data from the 2000 decennial census. The Commissioner, Virginia Department for the Aging, shall distribute these funds in compliance with the Funding Formula Task Force recommendation, House Document 63 (2005).</p> <p>M. The Peninsula Agency on Aging, Bay Aging, Senior Services of Southeastern Virginia, and Valley Program for Aging Services shall be authorized to use funding provided for care coordination for the elderly to conduct a pilot program providing mobile, brief intervention and service linking as a form of care coordination. The Virginia Department for the Aging, in collaboration with the four pilot Area Agencies on Aging, shall analyze the resulting impact in these pilot agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds. The Virginia Department for the Aging shall report the result of this analysis to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by June 30, 2009.</p> <p>N. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.</p> <p>O. Out of this appropriation, <del>\$100,000</del> \$85,000 the first year and <del>\$100,000</del> \$85,000 the second year from the general fund shall be provided to the Aging Together Partnership, an initiative of the Rappahannock Rapidan Community Services Board and Area Agency on Aging. The partnership operates a five-county collaborative located in the Rappahannock Rapidan region that is building support services to address the growth in the older population.</p> <p>P. Out of this appropriations, <del>\$75,000</del> \$67,163 the first year and <del>\$67,163</del> the second year from the general fund shall be provided to the Central Virginia Area Agency on Aging for Bedford Ride.</p>				
285.	Nutritional Services (45700).....		\$17,212,165	\$17,212,165
	Meals Served in Group Settings (45701) .....		\$6,727,761	\$6,727,761
	Distribution of Food (45702) .....		\$378,549	\$378,549

ITEM 285.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Delivery of Meals to Home-Bound Individuals (45703) ..	\$10,105,855	\$10,105,855		
	Fund Sources: General .....	\$5,160,265	\$5,160,265		
	Federal Trust .....	\$12,051,900	\$12,051,900		
	Authority: Title 2.2, Chapter 7, Code of Virginia.				
	Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.				
286.	Administrative and Support Services (49900) .....			\$3,050,331	\$3,050,331
	General Management and Direction (49901) .....	\$3,050,331	\$3,050,331		
	Fund Sources: General .....	\$1,311,311	\$1,311,311		
	Federal Trust .....	\$1,739,020	\$1,739,020		
	Authority: Title 2.2, Chapter 7, Code of Virginia.				
	Included in the Federal Trust appropriation are amounts estimated at \$41,192 the first year and \$41,192 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs, up to the level of these estimates, shall be exempt from payment into the general fund, as provided in § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.				
287.	A. Area agencies on aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.				
	B. It is the intent of the General Assembly that all area agencies on aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the area agencies on aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.				
	C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as long as possible.				
	D. At the request of the Commissioner of the Department for the Aging, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by area agencies on aging between service categories. The amounts to be transferred between categories shall not exceed 40 percent of the total state general fund appropriations allocated for each category. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the Department's General Fund Cash Management Policy.				
287.05.	Executive Management (71300) .....			(\$237,069)	(\$348,449)
	Savings From Management Actions (71301) .....	(\$237,069)	(\$348,449)		
	Fund Sources: General .....	(\$237,069)	(\$348,449)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				

ITEM 287.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Department for the Aging.....			<b>\$50,605,624</b>	<b>\$50,530,624</b>
			<b>\$50,368,555</b>	<b>\$50,309,338</b>
General Fund Positions.....	13.00	13.00		
	12.00	12.00		
Nongeneral Fund Positions.....	14.00	14.00		
Position Level .....	27.00	27.00		
	26.00	26.00		
Fund Sources: General .....	\$18,878,992	\$18,803,992		
	\$18,641,923	\$18,522,706		
Special.....	\$100,000	\$100,000		
		\$160,000		
Federal Trust.....	\$31,626,632	\$31,626,632		

**§ 1-90. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)**

288.	Social Services Research, Planning, and Coordination (45000) .....			\$15,763,679	\$15,763,679
	Technology Services for Deaf and Hard-Of-Hearing (45004) .....	\$14,805,149	\$14,805,149		
	Consumer, Interpreter, and Community Support Services (45005).....	\$621,380	\$621,380		
	Administrative Services (45006) .....	\$337,150	\$337,150		
	Fund Sources: General .....	\$1,374,601	\$1,374,601		
	Special.....	\$14,389,078	\$14,389,078		

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

A. The Virginia Department for the Deaf and Hard-of-Hearing shall locate the Relay Center in Norton, Virginia. In developing the request for proposals for the Relay Center, the department shall include a provisions to require that basic relay services be provided from the center located in Norton, Virginia and that the center shall not fall below ~~405~~ 90 full-time equivalent positions. *However, if the workforce level drops below 90 positions due to attrition, voluntary separations, transfers, voluntary retirements, and disability retirements, the Center is prohibited from filling vacant positions, unless employment at the Center drops below 75 positions.*

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

288.05.	Executive Management (71300) .....			\$0	(\$2,701)
	Savings From Management Actions (71301).....	\$0	(\$2,701)		
	Fund Sources: General.....	\$0	(\$2,701)		

Authority: Discretionary Inclusion

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

Total for Department for the Deaf and Hard-Of-Hearing.....			<b>\$15,763,679</b>	<b>\$15,763,679</b>	<b>\$15,760,978</b>
General Fund Positions.....	12.00	12.00			
Nongeneral Fund Positions.....	2.00	2.00			
Position Level .....	14.00	14.00			
Fund Sources: General .....	\$1,374,601	\$1,374,601			

ITEM 288.05.		Item Details(\$)		Appropriations(\$)	
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	Special.....	\$14,389,078	\$1,371,900 \$14,389,078		
<b>§ 1-91. DEPARTMENT OF HEALTH (601)</b>					
289.	Higher Education Student Financial Assistance (10800)..			\$2,008,196	\$2,008,196
	Scholarships (10810).....	\$2,008,196	\$2,008,196		
	Fund Sources: General.....	\$1,480,964	\$1,480,964		
	Dedicated Special Revenue.....	\$225,000	\$225,000		
	Federal Trust.....	\$302,232	\$302,232		
<p>Authority: §§ 23-35.9 through 23-35.13, 23-37.1 through 23-37.5, and 32.1-122.5:1 through 32.1-122.10, Code of Virginia.</p> <p>A. Out of this appropriation, <del>\$830,964</del> \$50,000 for the first year and <del>\$830,964</del> for the second year from the general fund is provided for physician financial incentives, such as loan repayment, one-time salary bonuses and travel expenses to physicians, including psychiatrists who commit to practice in underserved areas of the state. Any unexpended financial incentives and repaid money due to default shall revert to the pool of funding for financial incentives to recruit physicians, including psychiatrists. All financial incentives shall be awarded in accordance with regulations promulgated by the Board of Health. The department shall maintain an accounting of the numbers and amount of the awards made each year and the specialties of the physicians receiving the awards.</p> <p>B. Out of this appropriation, \$25,000 for the first year and \$25,000 for the second year from the general fund is provided for five nurse practitioner scholarships pursuant to § 32.1-122.6:02, Code of Virginia.</p> <p>C. Out of this appropriation, \$100,000 for the first year and \$100,000 for the second year from the general fund is provided for nursing scholarships and loan repayments. All financial incentives shall be awarded in accordance with regulations promulgated by the Board of Health. Any unexpended financial incentives and repaid money due to default shall revert to the pool of funding for nursing scholarships and loan repayments. The department shall maintain an accounting of the numbers and amount of the awards made each year.</p> <p>D. Out of this appropriation, \$200,000 for the first year and \$200,000 for the second year from the general fund is provided for scholarships and loan repayments for nursing students pursuing an advanced degree towards becoming nursing faculty at the college level. Priority shall be given to master's degree candidates who will teach in the community colleges.</p> <p>E. Out of this appropriation, <del>\$325,000</del> for the first year and <del>\$325,000</del> for the second year from the general fund is provided for scholarships and loan repayments for dental students and loan repayments for dentists. The department is authorized to use these funds to award either a scholarship or a loan repayment, depending on the needs of the individual dental student or dentist being recruited to a dental underserved area of the Commonwealth. Any unexpended financial incentives and repaid money due to default shall revert to the pool of funding for financial incentives for dental scholarships or loan repayments. All scholarships or loan repayments shall be awarded in accordance with regulations promulgated by the Board of Health. The department shall maintain an accounting of the number and amount of the scholarship and loan repayment awards made each year.</p> <p>F. The department may move appropriation between scholarship or loan repayment program as long as the scholarship or loan repayment is in accordance with the regulations promulgated by the Board of Health.</p> <p>G. Pursuant to Section 4-1.05.a.4 of this act, \$91,874 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</p>					
290.	Emergency Medical Services (40200).....			\$36,848,204	\$36,848,204

ITEM 290.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203)...	\$30,054,605	\$30,054,605		
State Office of Emergency Medical Services (40204).....	\$6,793,599	\$6,793,599		
Fund Sources: Special.....	\$18,896,690	\$18,896,690		
Dedicated Special Revenue.....	\$17,545,931	\$17,545,931		
Federal Trust.....	\$405,583	\$405,583		
Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia.				
A. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from special funds shall be provided to the Department of State Police for administration of criminal history record information for local volunteer fire and rescue squad personnel (pursuant to § 19.2-389 A 11, Code of Virginia).				
B. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations.				
C.1. Out of this appropriation, \$1,045,375 the first year and <del>\$1,045,375</del> \$1,645,375 the second year from the Rescue Squad Assistance Fund shall be provided to the Department of State Police for aviation (med-flight) operations.				
2. Notwithstanding § 46.2-694, Code of Virginia, \$600,000 the second year from the amount appropriated in C.1. shall be derived from a portion of the additional \$0.25 of the motor vehicle registration fee approved by the 2008 General Assembly and deposited to the Virginia Rescue Squad Assistance Fund for the certification and recertification training of emergency medical services personnel.				
D. The Commissioner of Health shall review current funding provided to trauma centers to offset uncompensated care losses, report on feasible long-term financing mechanisms, and examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the Commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system.				
E. Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.				
291.	Medical Examiner and Anatomical Services (40300).....		\$8,208,676	\$8,461,404
			\$8,233,356	\$8,891,807
	Anatomical Services (40301).....	\$210,785	\$210,785	
	Medical Examiner Services (40302).....	<del>\$7,997,891</del>	<del>\$8,250,619</del>	
		\$8,022,571	\$8,681,022	
	Fund Sources: General.....	\$7,321,047	\$7,573,775	
		\$7,345,727	\$8,004,178	
	Special.....	\$374,522	\$374,522	
	Federal Trust.....	\$513,107	\$513,107	
Authority: §§ 32.1-277 through 32.1-304, Code of Virginia.				
292.	Vital Records and Health Statistics (40400).....		\$6,779,897	\$6,779,897
	Health Statistics (40401).....	\$936,738	\$936,738	
	Vital Records (40402).....	\$5,843,159	\$5,843,159	
	Fund Sources: Special.....	\$6,779,897	\$6,779,897	
Authority: §§ 8.01-217, 32.1-249 through 32.1-276, and 32.1-305 through 32.1-309, Code of Virginia; and P.L. 93-353, as amended, Federal Code.				

ITEM 292.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>A. Effective July 1, 2004, the standard vital records fee shall be \$12.00 and the fee for the expedited record search shall be \$48.00.</p> <p>B.I. Notwithstanding §32.1-273.1. Code of Virginia, two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller to the Virginia Vital Statistics Automation Fund and two dollars of each fee collected shall be used to fund health care services.</p> <p>2. <i>Notwithstanding §32.1-273.1, Code of Virginia, \$518,421 the second year from the Vital Statistics Automation Fund shall be used to supplant general fund support from the Communicable Disease Prevention and Control Program.</i></p> <p>C. <i>The Department of Health shall examine the feasibility of developing a mechanism to make available a birth certificate suitable for display, otherwise referred to as an "Heirloom" birth certificate (HBC). As part of the feasibility analysis, the Department shall determine the impact of imposing a fee for HBC orders which would cover all administrative costs to the Office of Vital Records for developing this program and processing HBC orders. The Office shall examine whether other states have implemented such a program, what fees are imposed, the costs of running such a program, and how much revenue other states collect from the program. The Department shall report its findings to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.</i></p>				
293.	Communicable Disease Prevention and Control (40500) .		\$50,482,056	\$50,394,722
			\$50,444,660	\$50,875,747
	Immunization Program (40502) .....	\$9,657,860	\$9,570,526	
		\$9,656,449	\$9,569,115	
	Tuberculosis Prevention and Control (40503) .....	\$1,962,046	\$1,962,046	
		\$1,958,431	\$2,131,238	
	Sexually Transmitted Disease Prevention and Control (40504) .....	\$2,040,496	\$2,040,496	
	Disease Investigation and Control Services (40505) .....	\$3,983,245	\$3,983,245	
		\$3,850,578	\$4,023,385	
	HIV/Aids Prevention and Treatment Services (40506) .....	\$32,838,409	\$32,838,409	
		\$32,938,706	\$33,111,513	
	Fund Sources: General .....	\$11,321,860	\$11,321,860	
	Special .....	\$783,423	\$783,423	
			\$1,301,844	
	Federal Trust .....	\$38,376,773	\$38,289,439	
		\$38,339,377	\$38,252,043	
<p>Authority: §§ 32.1-11.1 through 32.1-11.2, 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.</p> <p>A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.</p> <p>B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.</p> <p>C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E of the Code of Virginia shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.</p> <p>D. Out of this appropriation, \$280,110 the first year and \$280,110 the second year from the general fund and \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.</p>				

ITEM 293.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>E. Out of this appropriation, \$285,000 the first year and \$285,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.</p>				
294.	Health Research, Planning, and Coordination (40600) ..... Health Research, Planning and Coordination (40603)..... Regulation of Health Care Facilities (40607)..... Certificate of Public Need (40608) .....		\$13,051,364	\$13,051,364
		\$2,870,020		\$2,870,020
		\$8,944,978		\$8,944,978
		\$1,236,366		\$1,236,366
	Fund Sources: General .....			
		\$2,890,814		\$2,890,814
		\$1,975,089		\$1,975,089
		\$451,798		\$451,798
		\$7,733,663		\$7,733,663
<p>Authority: §§ 32.1-102.1 through 32.1-102.12; 32.1-122.01 through 32.1-122.08; and 32.1-123 through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.</p> <p>A. Supplemental funding for the regional health planning agencies shall be provided from the following sources:</p> <p>1. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the Program may retain special fund balances each year equal to of one month's operational needs in case of revenue shortfalls in the subsequent year.</p> <p>2. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.</p> <p>B. Failure of any regional health planning agency to establish or sustain business operations shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.</p> <p>C. The Commissioner of Health shall continue implementation of the "Five-Year Action Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and Populations of the Commonwealth." A minimum of \$150,000 the first year and \$150,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant. The Commissioner is authorized to contract for services to accomplish the plan.</p> <p>D. Out of the Special Fund appropriation for this Item, \$278,000 the first year and \$278,000 the second year is appropriated from statewide indirect cost recoveries of this agency to match federal funds and support the programs of the <del>Center for Quality Health Care Services and Consumer Protection</del> Office of Licensure and Certification. Amounts recovered in excess of these appropriations shall be deposited to the general fund.</p> <p>E. The Commissioner of Health may issue a Certificate of Public Need approving an application for an increase of 30 licensed nursing home beds in Planning District 13 for each nursing home that has reported to the Virginia Health Information, an entity that collects nursing home data, an average annual occupancy rate of 99 percent or higher for fiscal years 2006 and 2007, provided that the application is filed on or before December 1, 2008, and the approved additional nursing home beds are not put into service prior to July 1, 2009.</p>				
295.	State Health Services (43000) ..... Child and Adolescent Health Services (43002)..... Women's and Infant's Health Services (43005).....		\$119,758,739	\$120,058,739
		\$13,737,112		\$13,737,112
		\$6,336,192		\$6,336,192



ITEM 295.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Chronic Disease Prevention, Health Promotion, and Oral Health (43015).....	\$5,487,712	\$5,787,712		
Injury and Violence Prevention (43016).....	\$4,719,203	\$4,719,203		
Women, Infants, and Children (WIC) and Community Nutrition Services (43017) .....	\$89,478,520	\$89,478,520		
Fund Sources: General.....	\$5,905,804	\$7,220,104		
Special.....	\$3,740,147	\$3,740,147		
Dedicated Special Revenue.....	\$79,913,511	\$79,913,511		
Federal Trust.....	\$30,199,277	\$29,184,977		

Authority: §§ 32.1-11, 32.1-77, and 32.1-89 through 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.

A. 1. Out of this appropriation, \$176,800 the first year from the federal Temporary Assistance to Needy Families block grant and \$176,800 the second year from the general fund shall be designated for the Resource Mothers Sibling program.

2. Notwithstanding § 4-1.03 of this act, general fund and nongeneral fund appropriations in this item for activities associated with the Resource Mothers Program shall not be transferred to support other public health programs or any other purpose.

B. Out of this appropriation, \$765,000 the first year and \$382,500 the second year from the federal Temporary Assistance to Needy Families block grant and \$382,500 the second year from the general fund shall be designated for the Partners in Prevention Program.

C. Out of this appropriation, \$910,000 the first year and \$455,000 the second year from the federal Temporary Assistance to Needy Families block grant and \$455,000 the second year from the general fund shall be designated for the operation of the teenage pregnancy prevention programs in the health districts of Richmond, Norfolk, Alexandria, Roanoke City, Crater, Portsmouth, and Eastern Shore.

D. Out of this appropriation, \$952,807 the first year and \$952,807 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.

E. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.).

F. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.

G. *The Commissioner of the Department of Health, in cooperation with the Director of the Division of Women, Infants, and Children (WIC) and Community Nutrition Services, shall provide a written report not later than December 15 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on (i) the progress of the multi-state procurement of a multi-state computerized database "WIC System" known formally as the Crossroads Design, Development and Implementation WIC System; (ii) the division's efforts to ensure that in designing and successfully procuring the WIC System that adequate participant access can be achieved without the current use of slotting or other similar vendor-limiting criteria and the system allows peer groups to be changed to reflect marketplace dynamics and ensure a more equitable vendor comparison; and (iii) the division's efforts to coordinate these changes in collaboration with the division's existing Retail Advisory Groups and other stakeholders.*

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		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
296.	Community Health Services (44000).....			\$246,647,592	\$246,539,875
	Local Dental Services (44002).....	\$9,226,147	\$9,226,147	\$243,839,469	\$243,532,752
		\$9,113,265	\$9,095,174		
	Restaurant and Food Safety, Well and Septic Permitting and other Environmental Health Services (44004) .....	\$41,657,852	\$41,957,885		
		\$39,706,312	\$39,988,254		
	Local Family Planning Services (44005).....	\$19,815,169	\$19,815,169		
		\$19,445,722	\$19,427,631		
	Support for Local Management, Business, and Facilities (44009) .....	\$52,963,446	\$52,555,696		
		\$51,240,769	\$50,814,928		
	Local Maternal and Child Health Services (44010).....	\$47,841,531	\$47,841,531		
		\$50,109,342	\$50,091,252		
	Local Immunization Services (44013) .....	\$9,148,094	\$9,148,094		
		\$8,976,032	\$8,957,941		
	Local Communicable Disease Investigation, Treatment, and Control (44014).....	\$19,065,238	\$19,065,238		
		\$18,714,433	\$18,696,342		
	Local Home Health and Personal Care Services (44015) .....	\$5,820,116	\$5,820,116		
		\$5,784,966	\$5,766,875		
	Local Chronic Disease and Prevention Control (44016) ..	\$12,915,470	\$12,915,470		
		\$12,883,242	\$12,865,151		
	Local Laboratory and Pharmacy Services (44017) .....	\$10,707,950	\$10,707,950		
		\$10,570,328	\$10,552,237		
	Local Nutrition Services (44018).....	\$17,486,579	\$17,486,579		
		\$17,295,058	\$17,276,967		
	Fund Sources: General .....	\$102,746,359	\$101,588,609		
	Special.....	\$105,845,012	\$106,895,045		
		\$103,036,889	\$103,887,922		
	Dedicated Special Revenue .....	\$1,595,974	\$1,595,974		
	Federal Trust.....	\$36,460,247	\$36,460,247		

Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act.

A. 1. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$280.00, those existing fees associated with the application for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

2. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of the Health shall increase, by no more than \$225.00, those fees associated with the application for a certification letter less than 1,000 gallons per day not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

3. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of the Health shall increase, by no more than \$125.00, those fees associated with the application for a construction permit or certification letter less than 1,000 gallons per day supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

4. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$165.00, those existing fees associated with the application for a construction permit for a private well.

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5. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$1,000.00, those existing fees associated with the application for a construction permit or certification letter designed for more than 1,000 gallons per day.

6. *The Commissioner of Health shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of Onsite Soil Engineers.*

B. The Commissioner of Health is authorized to develop, in consultation with the regulated entities, a plan and specification review fee, not to exceed \$75, and an annual permit renewal fee, each not to exceed \$100 per year, to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia; however, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2008, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed \$100. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources.

C. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to the Virginia Department of Health to provide case management services to pregnant women in rural communities who lose obstetrical services.

~~D. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund shall be used to match available special funds for the development and implementation of an electronic medical records system for local health departments. Release of this appropriation shall be contingent upon the Virginia Department of Health collaborating with the Secretary of Technology to pursue a multi-source procurement. This procurement will ensure interoperability and be consistent with federal standards for the electronic exchange of health information.~~

E. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals who participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of \$100.00 provided the event is held only one time each calendar year and the event takes place within the locality where the individual resides.

F. Out of this appropriation, \$911,955 the first year and \$504,205 the second year from the general fund and \$362,947 the first year and \$362,947 the second year from nongeneral funds is provided to address the cost of leasing new or expanding existing local health department facilities. First priority shall be given to Prince William, Isle of Wight, Suffolk, and Roanoke City.

297.	Financial Assistance to Community Human Services Organizations (49200).....			\$17,007,022	<del>\$15,257,022</del> \$16,332,022
	Payments to Human Services Organizations (49204).....	\$17,007,022	<del>\$15,257,022</del> \$16,332,022		
	Fund Sources: General.....	\$14,865,132	<del>\$14,186,077</del> \$15,261,077		
	Federal Trust.....	\$2,141,890	\$1,070,945		

Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, \$571,000 the first year and \$1,641,945 the second year from the general fund is provided to the Comprehensive Health Investment Project (CHIP) of Virginia.

2. The Department of Social Services shall provide \$2,141,890 the first year and \$1,070,945 the second year from the federal Temporary Assistance for Needy Families (TANF) grant to the CHIP of Virginia.

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3. In addition, the CHIP of Virginia shall receive \$100,000 the first year and \$100,000 the second year from other nongeneral funds subject to the availability of foster care prevention funding transferred from the Department of Social Services.

4. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.

5. The general fund appropriation in this Item for the CHIP of Virginia projects shall not be used for administrative costs.

6. CHIP of Virginia shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the CHIP program increases its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.

7. Of this appropriation, from the amounts in paragraph A.1., \$49,358 the first year and \$49,358 the second year from the general fund is provided to the CHIP of Roanoke and shall be used as matching funds to add three full-time equivalent public health nurse positions to expand services in the Roanoke Valley and Allegheny Highlands.

B. Out of this appropriation shall be provided ~~\$90,844~~ \$86,302 the first year and ~~\$90,844~~ \$81,760 the second year from the general fund for the Alexandria Neighborhood Health Services, Inc. The organization shall pursue raising funds and in-kind contributions from the local community.

C. Out of this appropriation shall be provided ~~\$10,687~~ \$9,187 the first year and ~~\$10,687~~ \$9,187 the second year from the general fund for the Louisa County Resource Council. The Council shall continue to pursue raising funds and in-kind contributions from the local community.

D. Out of this appropriation, ~~\$14,535~~ \$12,035 the first year and ~~\$14,535~~ \$12,035 the second year from the general fund shall be provided to the Olde Towne Medical Center.

E.1. Out of this appropriation, \$433,750 the first year and \$433,750 the second year from the general fund shall be provided to the Virginia Community Healthcare Association for the purchase of pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, \$750,000 the first year ~~and \$750,000 the second year~~ from the general fund shall be provided to the Virginia Community Healthcare Association to expand existing or develop new community health centers in medically underserved and economically disadvantaged areas of the Commonwealth. The Association shall consult with the Virginia Health Care Foundation on funding allocation decisions. It is the intent of the General Assembly that funding be used to match funding solicited by the Virginia Community Healthcare Association from local and federal sources, and other public or private organizations. The Virginia Community Healthcare Association shall report on the use of the funding to the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care on September 1 of each year.

3. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be provided to the Virginia Community Healthcare Association to expand access to care provided through community health centers.

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<p>4. Out of this appropriation, \$1,800,000 the first year and <del>\$900,000</del> <i>\$1,800,000</i> the second year from the general fund shall be provided to the Virginia Community Healthcare Association to support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.</p>				
<p>F.1. Out of this appropriation, \$1,321,400 the first year and \$1,321,400 the second year from the general fund shall be provided to the Virginia Association of Free Clinics for the purchase of pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.</p>				
<p>2. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to expand access to health care services.</p>				
<p>3. Out of this appropriation, \$1,700,000 the first year and <del>\$850,000</del> <i>\$1,700,000</i> the second year from the general fund shall be provided to the Virginia Association of Free Clinics to support free clinic operating costs for services provided to uninsured clients. The amount allocated to each free clinic shall be determined through an allocation methodology developed by the Virginia Association of Free Clinics. The allocation methodology shall ensure that funds are distributed such that the free clinics are able to serve the needs of the greatest number of uninsured persons. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.</p>				
<p>4. Out of this appropriation, <del>\$25,000</del> <i>\$22,500</i> the first year and <del>\$25,000</del> <i>\$45,000</i> the second year from the general fund shall be provided to expand services at the Jeanie Schmidt Free Clinic.</p>				
<p>G. Out of this appropriation, <del>\$281,124</del> <i>\$267,068</i> the first year and <del>\$281,124</del> <i>\$253,012</i> the second year from the general fund are provided to support the development of the Southwest Virginia Graduate Medical Education Consortium to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.</p>				
<p>H. Out of this appropriation, <del>\$574,750</del> <i>\$546,012</i> the first year and <del>\$574,750</del> <i>\$546,012</i> the second year is provided from the general fund to support the regional AIDS resource and consultation centers and one local early intervention and treatment center.</p>				
<p>I. Out of this appropriation, <del>\$109,012</del> <i>\$99,012</i> the first year and <del>\$109,012</del> <i>\$89,012</i> the second year is provided from the general fund to support the Arthur Ashe Health Center in Richmond.</p>				
<p>J. Out of this appropriation, <del>\$21,375</del> <i>\$16,375</i> the first year and <del>\$21,375</del> <i>\$16,375</i> the second year from the general fund shall be provided to the Fan Free Clinic for AIDS related services.</p>				
<p>K.1. Out of this appropriation, \$4,080,571 the first year and \$4,080,571 the second year from the general fund shall be paid to the Virginia Health Care Foundation. These funds shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The Foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The Foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human</p>				

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Resources, the Chairmen of the House Appropriations and Senate Finance Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on Foundation initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the Foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the Foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.

3. Of this appropriation, from the amounts in paragraph in K.1., \$125,000 the first year and \$125,000 the second year from the general fund shall be paid to the Virginia Health Care Foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

4. Of this appropriation, as noted in K.1., \$105,000 the first year and \$105,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation for the Rx Partnership to improve access to free medications for low-income Virginians.

5. Of this appropriation, from the amounts in paragraph in K.1., \$1,850,000 the first year and \$1,850,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) \$850,000 the first year and \$850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) \$850,000 the first year and \$850,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) \$150,000 the first year and \$150,000 the second year shall be made available for locations with existing medication assistance programs.

L. Out of this appropriation, ~~\$25,436~~ \$20,436 in the first year and ~~\$25,436~~ \$20,436 in the second year from the general fund shall be provided to the Chesapeake Adult General Medical Clinic.

M. Out of this appropriation, ~~\$290,957~~ \$247,313 the first year and \$290,957 the second year from the general fund is provided to support the administration of the patient level data base, including the outpatient data reporting system.

N. Out of this appropriation, ~~\$95,000~~ \$90,250 in the first year and ~~\$95,000~~ \$90,250 in the second year from the general fund shall be provided to the St. Mary's Health Wagon.

O. The Governor shall establish an Advisory Committee on Electronic Health Records for the purpose of developing recommendations for the design and implementation of electronic health records systems in Virginia that will advance interoperability while protecting patient privacy. Members of the Advisory Committee shall be appointed by the Governor and shall be composed of a representative from the hospital industry, a practicing physician, a representative of a pharmaceutical manufacturer, a representative of a licensed health insurance carrier, a corporate purchaser of health care, consumers, the Department of Medical Assistance Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Virginia Information Technology Agency, the Department of Human Resource Management, and other members as appointed by the Governor. The Secretary of Health and Human Resources and the Secretary of Technology shall serve as co-chairs of the Advisory Committee. The Advisory Committee shall submit to the Governor and the General Assembly an annual report of its activities, findings and recommendations by October 1 of each year.

P. Out of this appropriation, \$95,000 the first year and \$95,000 the second year shall be used to continue the pilot project connecting public health providers to Carilion Health System's electronic health records system. The clinical sites shall be local health departments. The Department shall be responsible, in collaboration with the Carilion Health System, for designing, implementing, administering, and evaluating the pilot program. The amount allocated to each clinical site by the Department of Health shall be used to pay for operational support, infrastructure, software licensing, and connectivity.

ITEM 297.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>Q. Out of this appropriation, <del>\$50,000</del> \$42,500 the first year and <del>\$50,000</del> the second year from the general fund is provided to the Virginia Transplant Council to maintain and operate the Virginia Organ and Tissue Donor Registry.</p>				
<p>R. Out of this appropriation, <del>\$150,000</del> \$127,500 the first year and <del>\$150,000</del> the second year from the general fund shall be used for start-up costs related to pilot projects in the Northern Neck and Emporia, and \$63,750 the second year from the general fund to the pilot project in Emporia, pursuant to Chapter 926 of the 2005 Acts of Assembly, to provide alternative arrangements for prenatal and delivery services in areas where obstetrical departments at community hospitals no longer exist.</p>				
<p>S. Out of this appropriation, <del>\$100,000</del> \$95,000 the first year and <del>\$100,000</del> \$90,000 the second year from the general fund shall be provided for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The department shall develop criteria for distributing these funds including specific goals and outcome measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees detailing program outcomes by June 30 of each year.</p>				
<p>T. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from the general fund shall be provided to the Virginia Dental Health Foundation for the Mission of Mercy (M.O.M.) dental project.</p>				
<p>U. Out of this appropriation, <del>\$100,000</del> \$90,000 the first year and <del>\$100,000</del> \$90,000 the second year from the general fund is provided to the Bedford Hospice House, Inc.</p>				
<p>V. Out of this appropriation, <del>\$250,000</del> \$225,000 the first year and <del>\$250,000</del> \$225,000 the second year from the general fund shall be provided to the Patient Advocate Foundation.</p>				
<p>W. Out of this appropriation, \$1,549,691 the first year and \$1,549,691 the second year from the general fund shall be provided to fund the Poison Control Centers.</p>				
<p>X. Out of this appropriation, \$50,000 the second year from the general fund shall be provided to the Community Health Center of the Rappahannock Region.</p>				
298.	Drinking Water Improvement (50800).....		\$32,774,958	<del>\$32,774,958</del> \$30,174,958
	Drinking Water Regulation (50801).....	\$9,452,138	\$9,452,138	
	Drinking Water Construction Financing (50802).....	\$23,092,124	<del>\$23,092,124</del> \$20,492,124	
	Public Health Toxicology (50805).....	\$230,696	\$230,696	
	Fund Sources: General.....	\$9,629,829	<del>\$9,629,829</del> \$7,029,829	
	Special.....	\$3,753,341	\$3,753,341	
	Dedicated Special Revenue.....	\$15,992,124	\$15,992,124	
	Federal Trust.....	\$3,399,664	\$3,399,664	
<p>Authority: §§ 32.1-163 through 32.1-176.7, 32.1-246, 32.1-246.1, and 62.1-44.18 through 62.1-44.19:9, Code of Virginia; and P.L. 92-500, P.L. 93-523 and P.L. 95-217, Federal Code.</p>				
<p>A. It is the intent of the General Assembly that the Virginia Department of Health be the agency designated to receive and manage general and nongeneral funds appropriated pursuant to the federal Safe Drinking Water Act of 1996.</p>				
<p>B. It is the intent of the General Assembly that the fee schedule for charges to community waterworks be adjusted to the level necessary to cover the cost of operating the Waterworks Technical Assistance Program, consistent with § 32.1-171.1, Code of Virginia.</p>				
<p>C. Out of this appropriation for the Drinking Water State Revolving Fund, the additional \$2,600,000 the first year and <del>\$2,600,000</del> the second year from the general fund shall be distributed as grants.</p>				

ITEM 299.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
299.	Environmental Health Hazards Control (56500) .....			\$7,848,724	\$7,848,724
	State Office of Environmental Health Services (56501)...	\$4,058,290	\$4,058,290		\$7,778,724
	Shellfish Sanitation (56502) .....	\$2,177,972	\$2,177,972		
	Bedding and Upholstery Inspection (56503) .....	\$260,872	\$260,872		
	Radiological Health and Safety Regulation (56504).....	\$1,351,590	<del>\$1,351,590</del>		
			\$1,281,590		
	Fund Sources: General .....	\$5,938,973	\$5,938,973		
	Special.....	\$628,430	<del>\$628,430</del>		
			\$558,430		
	Federal Trust.....	\$1,281,321	\$1,281,321		
Authority: §§ 2.2-4002 B 16; 28.2-800 through 28.2-825; and 32.1-212 through 32.1-245, Code of Virginia.					
A. Out of this appropriation, \$12,500 the first year and \$12,500 the second year shall be provided from the general fund for the activities of the Sewage Appeals Review Board.					
B. The Department of Health shall conduct a study which will examine the potential general fund savings of establishing and implementing a fee structure within the Shellfish Sanitation and Marina Program. The proposed fee structure would include new fees on shellfish packers, shippers, and crab meat processors, marina application, plan review, and permit renewals. The department shall present their findings and recommendations to the Secretary of Health and Human Resources and the Director, Department of Planning and Budget no later than August 1, 2008.					
C. Notwithstanding §32.1-218, Code of Virginia, excess bedding fee revenues from the second year, not to exceed \$60,000, shall be deposited into the general fund.					
300.	Emergency Preparedness (77500) .....			\$34,958,274	\$34,958,274
	Emergency Preparedness and Response (77504).....	\$34,958,274	\$34,958,274		
	Fund Sources: Federal Trust.....	\$34,958,274	\$34,958,274		
Authority: § 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.					
301.	Administrative and Support Services (49900).....			\$15,549,158	\$15,549,158
	General Management and Direction (49901).....	\$5,497,080	\$5,497,080		
	Information Technology Services (49902).....	\$4,593,726	\$4,593,726		
	Accounting and Budgeting Services (49903) .....	\$2,308,123	\$2,308,123		
	Human Resources Services (49914).....	\$1,949,833	\$1,949,833		
	Procurement and Distribution Services (49918).....	\$1,200,396	\$1,200,396		
	Fund Sources: General .....	\$14,354,598	\$14,354,598		
	Special.....	\$1,194,560	\$1,194,560		
Authority: §§ 3.1-530.1 through 3.1-530.9, 3.1-562.1 through 3.1-562.10, 32.1-11.3 through 32.1-16 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.					
That, notwithstanding the provisions of the fourth enactment clause of Chapters 924 and 610 of the 2005 Acts of Assembly, the provisions of § 54.1-3041, Code of Virginia, that require medication aides to be registered by the Board of Nursing shall not be enforced until December 31, 2008.					
301.05.	Executive Management (71300) .....			(\$7,405,458)	(\$11,309,236)
	Savings From Management Actions (71301).....	(\$7,405,458)	(\$11,309,236)		
	Fund Sources: General.....	(\$7,405,458)	(\$11,309,236)		
Authority: Discretionary Inclusion					



ITEM 301.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Health.....			<del>\$591,922,860</del> \$581,696,563	<del>\$590,530,537</del> \$575,530,606
General Fund Positions.....	1,678.00	1,678.00		
	1,608.00	1,579.00		
Nongeneral Fund Positions.....	2,120.00	2,120.00		
	2,067.00	2,043.00		
Position Level .....	3,798.00	3,798.00		
	3,675.00	3,622.00		
Fund Sources: General.....	\$176,455,380	\$176,185,603		
	\$169,074,602	\$163,781,770		
Special.....	\$143,971,111	\$145,021,144		
	\$141,162,988	\$142,462,442		
Dedicated Special Revenue.....	\$115,724,338	\$115,724,338		
Federal Trust.....	\$155,772,031	\$153,599,452		
	\$155,734,635	\$153,562,056		

#### § 1-92. DEPARTMENT OF HEALTH PROFESSIONS (223)

302.	Higher Education Student Financial Assistance (10800).. Scholarships (10810).....	\$65,000	\$65,000	\$65,000	\$65,000
	Fund Sources: Special.....	\$65,000	\$65,000		
	Authority: Title 54.1-3011.2, Chapter 30, Code of Virginia.				
303.	Regulation of Professions and Occupations (56000) .....			\$27,200,701	\$27,315,877
	Technical Assistance to Regulatory Boards (56044).....	\$27,200,701	\$27,315,877		
	Fund Sources: Trust and Agency .....	\$788,798	\$788,798		
	Dedicated Special Revenue .....	\$26,107,673	\$26,222,849		
	Federal Trust.....	\$304,230	\$304,230		

Authority: Title 54.1, Chapter 25, Code of Virginia.

A. That, notwithstanding the provisions of the fourth enactment clause of Chapters 924 and 610 of the 2005 Acts of Assembly, the provisions of § 54.1-3041, Code of Virginia, that require medication aides to be registered by the Board of Nursing shall not be enforced until December 31, 2008.

B. The Board of Pharmacy shall work with the Secretary of Health and Human Resources and the Department of State Police to continue planning for the development of an unused pharmaceuticals disposal program to ensure the safe, effective, and proper disposal of unused pharmaceuticals. As part of its work, the Board shall work to identify any sources of state, federal, local or private funding which can be used to implement the program. The Board shall report on its progress on planning for the program and identify potential funding sources to the House Appropriations and Senate Finance Committees by November 15, 2009.

C. Notwithstanding the provisions of Chapter 27 of Title 54.1 of the Code of Virginia, the Board of Dentistry shall revise its regulations pertaining to the licensure of dentists and dental hygienists to require that mobile dental clinics and other portable dental operations meet certain requirements to ensure that patient safety is protected, appropriate dental services are rendered, and needed follow-up care is provided. The revised regulations shall include, but not be limited to, requirements for registration by the mobile clinics, locations where services are provided, reporting requirements by providers and other regulations to insure accountability of care rendered. These regulations shall apply to all mobile dental facilities or portable dental programs with the exception of those operated by federal, state or local governmental agencies, or by other entities deemed appropriate for exemption by the Board of Dentistry. The Board shall promulgate regulations to become effective within 280 days or less from the enactment of this act to implement these changes.

ITEM 303.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Department of Health Professions.....			\$27,265,701	\$27,380,877
Nongeneral Fund Positions.....	214.00	215.00		
Position Level .....	214.00	215.00		
Fund Sources: Special.....	\$65,000	\$65,000		
Trust and Agency .....	\$788,798	\$788,798		
Dedicated Special Revenue .....	\$26,107,673	\$26,222,849		
Federal Trust.....	\$304,230	\$304,230		

**§ 1-93. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)**

304.	Pre-Trial, Trial, and Appellate Processes (32100).....		\$10,529,376	\$10,753,523
			\$11,598,106	\$10,472,050
	Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107).....	\$10,529,376	\$10,753,523	
		\$11,598,106	\$10,472,050	
	Fund Sources: General .....	\$10,529,376	\$10,753,523	
		\$11,598,106	\$10,472,050	

Authority: § 37.2-809, Code of Virginia.

A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 41, 42, 43, and 304 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

B. Out of this appropriation, payments may be made from the Involuntary Mental Commitment Fund to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia.

C. Pursuant to Section 4-1.05.a.4 of this act, \$4,472 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.

305.	Children's Health Insurance Program Delivery (44600)...		\$117,489,589	\$135,050,067
			\$126,986,191	\$149,427,415
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602) .....	\$117,489,589	\$135,050,067	
		\$126,986,191	\$149,427,415	
	Fund Sources: General .....	\$27,055,729	\$33,201,896	
		\$30,379,540	\$38,233,968	
	Dedicated Special Revenue .....	\$14,065,627	\$14,065,627	
	Federal Trust .....	\$76,368,233	\$87,782,544	
		\$82,541,024	\$97,127,820	

Authority: Title 32.1, Chapter 13, Code of Virginia.

A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the Comptroller.

B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the State Children's Health Insurance Program.

ITEM 305.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program. To the extent that appropriations in this Item are insufficient, the Director, Department of Planning and Budget shall transfer general fund appropriations from Items 306 and 310 into this Item, to be used as state match for federal Title XXI funds.

D. Effective July 1, 2009, the Department of Medical Assistance Services shall have the authority to amend the Family Access to Medical Insurance Security Plan and related regulations to expand medical coverage to pregnant women who are over the age of 19 who are ineligible for Medicaid and have annual family income less than or equal to 200 percent of the Federal Poverty Level and to simplify the administration of the premium assistance program available to families with children eligible for FAMIS who have access to an employer-sponsored health insurance program. The medical coverage period shall apply to a woman during her pregnancy and extend no longer than the end of the month in which her 60-day postpartum period ends. Services provided during this coverage period shall include all services in the FAMIS State Plan with the exception of the Early Periodic Screening Diagnosis and Treatment Program. The department will continue to ensure the cost effectiveness of the premium assistance program.

E. The Department of Medical Assistance Services shall have the authority to provide eligibility in the Family Access to Medical Insurance Security (FAMIS) Plan to infants born to mothers enrolled in FAMIS, for the month of birth plus two additional months, even if eligibility is not yet established for the newborn. If federal funds are not available for those months of eligibility, the department shall use state funding. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

*F. Beginning with the June 2009 monthly capitation payment to managed care organizations, the Department of Medical Assistance Services shall make payment for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.*

306.	Medicaid Program Services (45600).....			\$5,493,345,441	\$5,793,807,165
				\$5,641,851,202	\$6,335,672,231
	Reimbursements to State-Owned Mental Health and Mental Retardation Facilities (45607).....	\$203,128,980	\$203,128,980		
	Reimbursements for Mental Health and Mental Retardation Services (45608).....	\$278,811,022	\$309,812,707		
		\$438,911,093	\$493,468,370		
	Reimbursements for Professional and Institutional Medical Services (45609).....	\$3,432,614,422	\$3,663,798,569		
		\$3,282,206,910	\$3,796,909,127		
	Reimbursements for Long-Term Care Services (45610)...	\$1,578,791,017	\$1,617,066,909		
		\$1,717,604,219	\$1,842,165,754		
	Fund Sources: General.....	\$2,517,851,059	\$2,672,102,788		
		\$2,211,208,015	\$2,317,380,117		
	Dedicated Special Revenue.....	\$298,607,021	\$302,677,095		
		\$310,288,118	\$303,819,489		
	Federal Trust.....	\$2,676,887,361	\$2,819,027,282		
		\$3,120,355,069	\$3,714,472,625		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-87, as amended, Title XIX, Social Security Act, Federal Code.

A. It is the intent of the General Assembly to develop and cause to be developed appropriate, fiscally responsible methods for addressing the issues related to the cost and funding of long-term care. It is the further intent of the General Assembly to promote home-based and community-based care for individuals who are determined to be in need of nursing facility care.

ITEM 306.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>B.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for medical assistance.</p> <p>2. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.</p> <p>C.1. The appropriation includes \$101,564,490 the first year from the general fund and \$101,564,490 from the federal trust fund and \$101,564,490 the second year from the general fund and \$101,564,490 from the federal trust fund for reimbursement to the institutions within the Department of Mental Health, Mental Retardation and Substance Abuse Services.</p> <p>2. The appropriation includes the first year <del>\$214,640,457</del> \$218,021,775 from the general fund and <del>\$214,640,457</del> \$218,021,775 from the federal trust fund, and the second year <del>\$220,563,983</del> \$226,975,468 from the general fund and <del>\$220,563,983</del> \$230,769,187 from the federal trust fund for estimated reimbursements for habilitative services provided to individuals on the Mental Retardation Waiver, the Mental Retardation Day Support Waiver, or the Individual and Family Developmental Disabilities Support waiver.</p> <p>D. Out of this appropriation, the Department of Medical Assistance Services shall provide coverage of intensive assisted living care to residents of licensed Adult Care Residences who are Auxiliary Grant recipients. Individuals entitled to benefits under this section are not entitled to benefits under Item 308.</p> <p>E. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director of the Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.</p> <p>F.1. Included in this appropriation is <del>\$64,219,072</del> \$59,042,780 from the general fund and <del>\$64,219,072</del> \$59,042,780 from nongeneral funds in the first year and <del>\$68,714,408</del> \$67,328,586 from the general fund and <del>\$68,714,408</del> \$67,328,586 from nongeneral funds in the second year to reimburse the Virginia Commonwealth University Health System for indigent health care costs. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.</p> <p>2. Included in this appropriation is \$37,306,516 from the general fund and \$37,306,516 from nongeneral funds in the first year and \$42,157,704 from the general fund and \$42,157,704 from nongeneral funds in the second year to reimburse the University of Virginia Health System for indigent health care costs. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.</p> <p>G. The department shall establish a program to more effectively manage those Medicaid recipients who receive the highest cost care. To implement the program, the department shall establish uniform criteria for the program, including criteria for the high cost recipients, providers and reimbursement, service limits, assessment and authorization limits, utilization review, quality assessment, appeals and other such criteria as may be deemed necessary to define the program. The department shall seek any necessary approval from the Centers for Medicare and Medicaid Services, and shall promulgate such regulations as may be deemed necessary to implement this program.</p>				

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H. The Department of Medical Assistance Services and the Virginia Department of Health shall work with representatives of the dental community: to expand the availability and delivery of dental services to pediatric Medicaid recipients; to streamline the administrative processes; and to remove impediments to the efficient delivery of dental services and reimbursement thereof. The Department of Medical Assistance Services shall report its efforts to expand dental services to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget by December 15 each year.

I. The Department of Medical Assistance Services shall implement continued enhancements to the prospective drug utilization review (pro-DUR) program. The Department shall continue the Pharmacy Liaison Committee and the pro-DUR Committee. The department shall continue to work with the Pharmacy Liaison Committee to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall report on the Pharmacy Liaison Committee's and the pro-DUR Committee's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

J. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.

K. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.

L. It is the intent of the General Assembly that the use of the new atypical medications to treat seriously mentally ill Medicaid recipients should be supported by the formularies used to reimburse claims under the Medicaid fee-for-service and managed care plans.

M.1. The Department of Medical Assistance Services shall have the authority to seek federal approval of changes to its MEDALLION waiver and its Medallion II waiver.

2. In order to conform the state regulations to the federally approved changes and to implement the provisions of this act, the department shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. The department shall implement these necessary regulatory changes to be consistent with federal approval of the waiver changes.

N. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Comprehensive Services Act program, Department of Education, Department of Juvenile Justice, Department of Mental Health, Mental Retardation and Substance Abuse Services, Virginia Department for the Aging, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.

O. The Department of Medical Assistance Services shall retain the savings necessary to reimburse a vendor for its efforts to implement paragraph N of this Item. However, prior to reimbursement, the Department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.

P. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Comprehensive Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services,

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including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.

Q. Contingent upon approval by the Centers for Medicare and Medicaid Services to implement a new Independence Plus Home and Community Based Services Waiver, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment date of this act. The department shall implement these necessary regulatory changes to be consistent with federal approval of the waiver application developed by the department and stakeholders. In the event a recipient of a waiver slot under the Independence Plus Home and Community Based Services Waiver exits the program, funding for the slot shall revert to the waiver program from which the recipient came.

R.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population.

Physicians on the Committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the Committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the Department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least quarterly and may meet at other times at the discretion of the Chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the Committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays

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<p>or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.</p> <p>5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.</p> <p>6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Mental Health, Mental Retardation, and Substance Abuse Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.</p> <p>7. The Department of Medical Assistance Services shall exempt antidepressant and antianxiety medications used for the treatment of mental illness from the Medicaid Preferred Drug List program. The Director of the Department of Medical Assistance Services, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2008, on the impact on patient care and costs of including these medications in the Preferred Drug List in the future.</p> <p>8. The department shall provide to the Governor; the House Committees on Appropriations, and Health, Welfare and Institutions; the Senate Committees on Finance, and Education and Health; and the Joint Commission on Health Care a report on the Preferred Drug List (PDL) Program no later than November 1 of each year. The report shall include the direct savings attributed to the PDL for the prior fiscal year, an estimated savings of the program for the next fiscal year, and the cost to administer the PDL.</p> <p>S. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.</p> <p>T. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the Department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The Department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.</p> <p>U.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify the reimbursement methodology used to reimburse for generic drug products. The new methodology shall reimburse for the product cost based on a Maximum Allowable Cost list to be established by the department. Such amendments shall be effective within 280 days or less from the enactment of this act.</p> <p>2. In developing the maximum allowable cost (MAC) reimbursement rate for generic pharmaceuticals, the department shall: (i) if publicly available, publish the factors used to set state MAC rates, including the identity of the reference product used to set the MAC rate; the GCN number of the reference product; the factor by which the MAC rate exceeds the reference product price, which shall be not less than 110 percent of the lowest-published wholesale acquisition cost for products widely available for purchase in the state, and included in national pricing compendia; and the identity and date of the published compendia used to determine the reference product and set the MAC rate; (ii) identify three different suppliers that are able to supply the product and from whom pharmacies are able to purchase sufficient quantities of the drug. The drugs considered must be listed as therapeutically and pharmaceutically equivalent in the FDA's most recent version of the "Orange Book"; (iii) identify that the use of a MAC rate</p>				

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is lower than the Federal Upper Limit (FUL) for the drug, or the development of a MAC rate that does not have a FUL will not result in the use of higher-cost innovator brand name or single source drugs in the Medicaid program; and (iv) distribute the list of state MAC rates to pharmacy providers in a timely manner prior to the implementation of MAC rates and subsequent modifications.

3. The department shall: (i) review and update the list of MAC rates at least quarterly; (ii) implement and maintain a procedure to eliminate products from the list, or modify MAC rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow a dispensing provider to contest a listed MAC rate.

4. The department shall conduct an analysis of the fiscal impact of the implementation of "Average Manufacturer Price" (AMP), as required by the federal Deficit Reduction Act of 2005, Public Law 109-171. Upon the later of April 15, 2008, or 90 days after the effective date of the regulation that the United States Secretary of Health and Human Services must promulgate under Section 6001(c)(3) of the 'Deficit Reduction Act of 2005,' Pub. L. No. 109-171, the department shall report to the Governor and the chairmen of the Senate Finance and House Appropriations Committees the amount of savings anticipated in the Medicaid Forecast as a result of this change in federal law. In the event that anticipated pharmacy savings exceed the amount of savings assumed in the Medicaid Forecast, the department shall make recommendations concurrently with the report regarding the adjustment of pharmacy dispensing fees based on the impact of changes in local pharmacy reimbursements.

V. 1. Out of this appropriation, the dedicated special fund appropriation for Medical Assistance Services includes ~~\$305,917,459~~ \$310,288,118 the first year and ~~\$303,303,325~~ \$303,819,489 the second year from the Virginia Health Care Fund.

2. Notwithstanding any other provision of law, the State Comptroller shall deposit 50 percent of the Commonwealth's allocation of the Strategic Contribution Fund payment pursuant to the Master Settlement Agreement with tobacco product manufacturers into the Virginia Health Care Fund.

W. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.

X. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement, shall identify and initiate third party recovery actions where there is a medical support order requiring a noncustodial parent to contribute to the medical cost of a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs.

Y.1. Within the limits of this appropriation, the Department of Medical Assistance Services shall work with its contracted managed care organizations and fee-for-service health care providers to: (i) raise awareness among the providers who serve the Medicaid population about the health risks of chronic kidney disease; (ii) establish effective means of identifying patients with this condition; and (iii) develop strategies for improving the health status of these patients. The Department shall work with the National Kidney Foundation to prepare and disseminate information for physicians and other health care providers regarding generally accepted standards of clinical care and the benefits of early identification of individuals at highest risk of chronic kidney disease.

2. Effective July 1, 2006, the department shall request any clinical laboratory performing a serum creatinine test on a Medicaid recipient over the age of 18 years to calculate and report to the physician the estimated glomerular filtration rate (eGFR) of the patient and shall report it as a percent of kidney function remaining.

Z.1. The Director, Department of Planning and Budget is authorized to transfer amounts, as needed, from Medicaid Program Services (program 45600) to Administrative and Support Services (program 49900) to fund administrative expenditures associated with contracts between



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the Department of Medical Assistance Services and companies providing disease state and chronic care management programs services for Medicaid recipients. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

2. The department shall report on its efforts to contract for and implement disease state and chronic care management programs in the Medicaid program by November 1 of each year of the biennium, to the Chairmen of the Senate Finance and House Appropriations Committees and the Department of Planning and Budget. The report shall include estimates of savings that may result from such programs.

AA.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

BB. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.

CC.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.

2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.

3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

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4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing provider to contest the listed specialty drugs and rates.

5. The department shall report on savings and quality improvements achieved through the implementation measures for the specialty drug program to the Chairmen of the House Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and the Department of Planning and Budget by November 1 of each year.

6. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

DD. The Department of Medical Assistance Services has the authority to implement cost-based reimbursement for special education health services furnished by school division providers effective July 1, 2006. School division providers shall file annual cost reports for these services and the department shall settle reimbursement to actual costs. Reimbursement to school divisions shall continue to be subject to the provisions of § 32.1-326.3(A)(1) of the Code of Virginia that only the federal share shall be reimbursed for special education health services and that local governments fund the state match for special education health services provided by school divisions.

EE. The Department of Medical Assistance Services shall work with representatives of the nursing home provider associations to develop a revised cost-reporting methodology which improves the timeliness and efficiency of the current process. A specific goal of such an enhanced process would be to decrease by one year the look-back period used within the biennial cost ceiling rebase determination.

FF. The Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance Services to implement modifications to the Medicaid program to comply with the mandated provisions of the federal Deficit Reduction Omnibus Reconciliation Act of 2005. This authorization shall apply only to those provisions the states are required to implement within 280 days of enactment of this Appropriation Act. The department shall have the authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect this provision. The department shall notify the Chairmen of the House Appropriations and Senate Finance Committees no less than 30 days prior to the submission of amendments to the State Plan of Medical Assistance Services.

GG. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall develop a long-range blueprint for the development and implementation of an integrated acute and long-term care system. This plan shall: (i) explain how the various community and state level stakeholders will be involved in the development and implementation of the new program model(s); (ii) describe the various steps for development and implementation of the program model(s), including a review of other states' models, funding, populations served, services provided, education of clients and providers, and location of programs; (iii) describe how the existing system is funded and how integration will impact funding; and (iv) describe the evaluation methods that will be used to ensure that the program provides access, quality, and consumer satisfaction.

HH. The Department of Medical Assistance Services shall implement one or more Program for All Inclusive Care for the Elderly (PACE) programs.

II. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance Services to develop and implement a regional model for the integration of acute and long-term care services. This model would be offered to elderly and disabled clients on a mandatory basis. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

JJ.1. The Director, Department of Medical Assistance Services shall seek the necessary waiver from the United States Centers for Medicare and Medicaid Services to expand eligibility for Medicaid coverage of family planning services to individuals with a family income up to 133 percent of the federal poverty level. For the purposes of this section, family planning services

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shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

2. The Department of Medical Assistance Services shall, if feasible and consistent with federal requirements, seek the necessary waiver from the Centers for Medicare and Medicaid Services to expand eligibility for Medicaid coverage of family planning services to individuals with a family income above 133 percent of the federal poverty level up to an eligibility level that will not compromise federal budget neutrality for the waiver, but not to exceed 200 percent of the federal poverty level.

KK.1. Contingent upon approval by the Centers for Medicare and Medicaid Services as part of the Money Follows the Person demonstration grant, the Department of Medical Assistance Services shall seek federal approval for necessary changes to home and community-based 1915(c) waivers to allow individuals transitioning from institutions to receive care in the community. The Department of Medical Assistance Services shall promulgate any necessary emergency regulations within 280 days or less from the enactment date of this act.

2. The Department of Medical Assistance Services shall amend the Individual and Family Developmental Disabilities Support (DD) Waiver to add 30 new slots (15 each fiscal year) and the Mental Retardation (MR) Waiver to add 220 new slots (110 each fiscal year) which will be reserved for individuals transitioning out of institutional settings through the Money Follows the Person Demonstration. The Department of Medical Assistance Services shall seek federal approval for necessary changes to the DD and MR waiver applications to add the additional slots. Additionally, the department shall have authority to implement the Money Follows the Person Demonstration prior to the completion of any regulatory process undertaken in order to affect the program.

LL. The Department of Medical Assistance Services shall have the authority to amend the managed care waiver to allow the department to enroll adoption assistance recipients into managed care organizations as defined in 12 VAC 30-120-360 through 12 VA 30-120-420. In addition, the department shall have the authority to amend the State Plans for Titles XIX (Medical Assistance) and XXI (Family Access to Medical Insurance Security Plan - FAMIS) of the Social Security Act, as required by applicable statute and regulations to provide managed care services to adoption assistance recipients. The Department of Medical Assistance Services shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

MM. The Department of Medical Assistance Services shall be authorized, in collaboration with the Virginia Commonwealth University Health System (VCUHS), to seek a waiver from the Centers for Medicare and Medicaid Services (CMS) to permit use of Disproportionate Share Hospital (DSH) funds to allow the VCUHS (Hospital and Physician Practice) to continue the existing partnership with community physicians and with any community hospitals who are providing less costly health care services to eligible indigent patients for VCUHS. As part of the waiver application process the parties shall develop estimates of the cost of the program to the state and federal governments, and shall report the findings to the Governor and to the Chairman of the House Appropriations and the Senate Finance Committees. If the Director, Department of Planning and Budget, determines that the waiver program would not require additional state funds, the program shall be implemented upon receiving CMS approval. If additional state funding is needed, the program shall not be implemented until such funding is authorized through the budget process.

NN. The Department of Medical Assistance Services shall, at the direction of the Secretary of Health and Human Resources, amend the State Plan for Medical Assistance to ~~count treat~~ all life estates as a ~~resource~~ in the determination of Medicaid eligibility for ~~covered groups for which a resource determination is required, including those individuals requesting Medicaid payment of long-term care services.~~ Life estates held in the property serving as the principal residence at the time an individual becomes institutionalized are not a countable resource in the Medicaid determination for the first six months following admission to a long-term care facility. This provision shall apply only to life estates created after the effective date of agency

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~~regulations implementing this provision.~~ ~~The in the same manner as in effect under the State Plan for Medical Assistance on July 1, 2008.~~ The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

OO. The Department of Medical Assistance Services shall have the authority to implement prior authorization and utilization review for community-based mental health services for children and adults. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

PP. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services to implement a "site of service" reimbursement differential using Medicare facility relative value units (RVUs) for facility-based services instead of non-facility RVUs, as defined in the Resource Based Relative Value System (RBRVS) methodology prescribed in 12VAC30-80-190, state agency fee schedule for RBRVS. The implementation of facility RVUs shall be budget neutral. The department shall reallocate changes in expenditures from implementing this site of service payment policy proportionately to all physician services. The site of service differential shall be implemented over a four-year period, effective July 1, 2008. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

QQ. The Department of Medical Assistance Services shall have the authority to seek federal approval of changes to its managed care waiver to limit the Primary Case Management program to localities of the state with only one participating managed care organization. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

RR. The Department of Medical Assistance Service shall realign the rates paid for individual supported employment provided under the Medicaid home- and community-based waivers to the same level paid by the Department of Rehabilitative Services (DRS) to employment services organizations. The Department shall implement this change effective July 1, 2008, and subsequently whenever the DRS rates for employment services organizations are changed. The Department shall modify state regulations to make this change permanent.

SS. The Department of Medical Assistance Services (DMAS) shall develop a plan to amend the State Plan for Medical Assistance or submit a research and demonstration project waiver pursuant to Section 1115 of Title XIX of the Social Security Act, as amended, to implement a system of monetary incentives for Medicaid recipients to make healthy decisions and to engage in self-management of their healthcare, and the deposit of incentive funds in enhanced benefits accounts to be accessed by enrollees to purchase healthcare services or items that are not covered under Virginia Medicaid and which will assist enrollees in being personally responsible for their own healthcare. The plan shall include the development of necessary changes in funding, law or regulations for the implementation of the changes. The plan is to be submitted to the Governor, the Secretary of Health and Human Resources, the Joint Commission on Health Care, and the Chairmen of the House Appropriations and Senate Finance Committees by October 30, 2008, for consideration in the development of amendments to the 2008-10 Appropriations Act.

TT. Out of this appropriation, \$5,000,000 the first year and ~~\$5,000,000~~ \$2,777,777 the second year from the general fund and \$5,000,000 the first year and ~~\$5,000,000~~ \$2,777,777 the second year from nongeneral funds shall be used to increase reimbursement rates paid to providers of congregate residential group home services for individuals in the Mental Retardation Home and Community-based Waiver Program. *In the first year, the rates shall be set by 3.6 percent higher than the rates in effect June 30, 2008, and in the second year shall be set 2.0 percent higher than the rates in effect June 30, 2008. That is, the rates in the second year shall be lower than the rates in the first year, but higher than the rates effective on June 30, 2008 effective July 1, 2008.*

UU. Effective July 1, 2008, and ending after June 30, 2010, the Department shall reduce prospective inpatient hospital payment rates by 2.683 percent below the rates that otherwise would be in effect. The Department shall amend the State Plan to authorize this change, and shall have the authority to implement this reimbursement change effective July 1, 2008, and

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prior to the completion of any regulatory process undertaken in order to effect such change. The Department shall not replace through other payment mechanisms the losses of Type One hospitals from this reimbursement change. *However, the department can reimburse, only federal funds, if the Type One hospital is able to certify the public expenditure.*

VV. Effective July 1, 2008, and ending after June 30, ~~2010~~2009, the Department of Medical Assistance Services shall reduce nursing facility direct and indirect care payment rates by 1.329 percent below the rates that otherwise would be in effect. The Department of Medical Assistance Services shall amend the State Plan to authorize this change, and shall have the authority to implement ~~this~~these reimbursement ~~change~~changes effective July 1, 2008 and July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.

WW. *The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to decrease the dispensing fee paid to pharmacists from \$4.00 to \$3.75 per prescription per month. Such amendments to the State Plan shall become effective July 1, 2009.*

XX. *Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to convert the current reimbursement methodology for rehabilitation agencies to a statewide prospective rate for individual and group services to achieve estimated savings of \$185,909 the second year in general funds and \$185,909 the second year in nongeneral funds. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act. This shall not apply to rehabilitation services furnished by the Community Services Boards.*

YY. *The Department of Medical Assistance Services shall ensure that the FY 2010 capitation rate increase for Medallion II does not exceed seven percent. If other provider rate limitations required by this act result in corresponding downward adjustments to the FY 2010 capitation rates, this seven percent limit shall be reduced by the amount of the impact on Medallion II rates of those downward adjustments. The department shall apply the same limit to the calculation of rates for FAMIS.*

ZZ. *Effective July 1, 2009, the department shall have the authority to amend the State Plan for Medical Assistance to eliminate reimbursement for hospital acquired conditions in a manner similar to the Medicare initiative implemented October 1, 2008. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change. The department shall also revise its medical necessity criteria to be consistent with Medicare national coverage determinations as part of the overall Medicare initiative.*

AAA. *Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to clarify that existing family healthcare coverage is a factor in the determination of cost effectiveness under the Health Insurance Premium Payment program. Cases which result in a determination that participation is not cost effective shall be denied premium assistance. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.*

BBB. *Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce reimbursement to long-stay hospitals to achieve savings in the second year of \$990,000 general fund and \$990,000 nongeneral fund. The department shall promulgate regulations to implement this amendment no more than 280 days from the enactment of this act.*

CCC. *The Department of Medical Assistance Services shall increase fees paid for personal care services paid under the department's home and community- based care waivers by three percent effective July 1, 2009. Personal care includes personal care, respite care and companion care services provided in the EDCD, HIV/AIDS, MR and DD waivers.*

DDD. *Pursuant to Section 4-1.05.a.4. of this act, \$1,399,287 of the June 30, 2008, general fund balances required to be reappropriated have been transferred to the general fund.*

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EEE. Pursuant to Section 4-1.05.a.4. of this act, \$9,217,697 of the June 30, 2008, Virginia Health Care Fund balances required to be reappropriated have been transferred to the general fund.

FFF. Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance governing Medicaid reimbursements for freestanding psychiatric hospitals, licensed as hospitals, to rebase rates using FY 2005 base year data and an adjustment factor of 100 percent. Going forward, rates for freestanding psychiatric hospitals shall be rebased on the same schedule as other hospitals. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.

GGG. Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce hospital capital reimbursement from 80 percent of cost to 75 percent of cost for Type Two hospitals. This does not apply to Type Two hospitals whose Virginia Medicaid utilization, which is defined as patient days, exceeds 50 percent. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.

HHH. The Department of Medical Assistance Services shall not adjust rates or the rate ceiling of residential psychiatric facilities for inflation in FY 2010.

III. Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce by 50 percent the inflation adjustment that became effective January 1, 2009, for home health rates, make the next inflation adjustment July 1, 2010, and make future annual inflation adjustments effective on July 1. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.

JJJ. Beginning with the last quarter of FY 2009, the Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

KKK. Beginning with the June 2009 monthly capitation payment to managed care organizations, the Department of Medical Assistance Services shall make payment for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

LLL. Beginning in June 2009, and every June thereafter, the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

MMM. Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to eliminate the FY 2010 adjustment for inflation of hospital operating rates, disproportionate share hospital payments and graduate medical education payments. The department shall not replace through other payment mechanisms the losses of Type One hospitals from this reimbursement change. However, the department can reimburse, only federal funds, if the Type One hospital is able to certify the public expenditure. This reimbursement change does not apply to hospitals operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.

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*NNN. Effective July 1, 2009, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to eliminate the adjustment for inflation of nursing facility operating rates and ceilings and specialized care rates and ceilings for days of service in FY 2010. Providers with fiscal years in progress will have the most recent year's inflation eliminated from the rate effective July 1, 2009. Providers with fiscal periods starting July 1, 2009, will not have inflation applied to the rate for that period. This reimbursement change does not apply to nursing facilities operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services and government-operated nursing facilities with 85 percent or greater Medicaid utilization in their provider fiscal year ending in calendar year 2007. The department shall have the authority to implement this reimbursement change effective July 1, 2009, and prior to the completion of any regulatory process undertaken in order to effect such change.*

*OOO. The Department of Medical Assistance Services shall examine the methodology for reimbursing durable medical equipment. The Department may consider proposals from CGI Technologies Solutions, Inc. to effectuate savings as part of its review. The Department shall report its findings to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009 including the specific strategies recommended to effectuate savings.*

*PPP. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the Mental Retardation Waiver, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this act.*

*QQQ. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with local Healthy Families sites so that qualifying funds may be used at the discretion of each site for obtaining matching nongeneral funds when available.*

*RRR. The Department of Medical Assistance Services shall conform its requirements for hospice provided personal care to federal requirements for Medicare Conditions of Participation for beneficiaries participating in the Elderly or Disabled with Consumer Direction Waiver program. The department shall have the authority to implement this regulatory change effective July 1, 2009 and prior to the completion of any regulatory process undertaken in order to effect such change.*

*SSS. The Department of Medical Assistance Services shall provide information to personal care agency providers regarding the options available to meet staffing requirements for personal care aides including the completion of provider-offered training or DMAS Personal Care Aide Training Curriculum.*

*TTT. The Department of Medical Assistance Services, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall amend the State Plan for Medical Assistance Services in order to comply with the payor of last resort requirements of Part C of the Individuals with Disabilities Education Act (IDEA) of 2004. The Department of Medical Assistance Services shall promulgate regulations to become effective within 280 days or less from the enactment date of this act. The Department shall implement these necessary regulatory changes to be consistent with federal requirements for the Part C program.*

307.	<b>Indigent Health Care Trust Fund (45900) .....</b>			<b>\$7,485,831</b>	<b>\$7,485,831</b>
	<b>Reimbursements to Acute Care Hospitals Providing</b>				
	<b>Charity Care in Excess of the Median Level of Charity</b>				
	<b>Care Costs (45901) .....</b>	<b>\$7,485,831</b>	<b>\$7,485,831</b>		
	<b>Fund Sources: General .....</b>	<b>\$4,285,831</b>	<b>\$4,285,831</b>		
	<b>Special .....</b>	<b>\$3,200,000</b>	<b>\$3,200,000</b>		

Authority: Title 32.1, Chapter 11, Code of Virginia.

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Any funds for the Virginia Indigent Health Care Trust Fund unexpended at the end of the fiscal year shall not revert to the general fund but shall remain in the Trust Fund for use pursuant to Title 32.1, Chapter 11, Code of Virginia.

A. Notwithstanding the provisions of Title 32.1, Chapter 11 of the Code of Virginia, during FY 2009 and in subsequent years, the Department of Medical Assistance Services shall not collect or pay any funds that would otherwise be due to or from the Indigent Health Care Trust Fund. If any contributions are collected from hospitals in FY 2009, the department shall return the funds to the hospitals that made payments.

B. Pursuant to Section 4-1.05.a.4. of this act, \$16 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.

308.	Continuing Income Assistance Services (46100) .....		\$1,400,000	\$1,400,000
	Regular Assisted Living Reimbursements for Residents of Adult Homes (46105) .....	\$1,400,000	\$1,400,000	
	Fund Sources: General .....	\$1,400,000	\$1,400,000	

Authority: Title 63.1, Chapter 9, Code of Virginia.

The Department of Medical Assistance Services is authorized to provide coverage of payments for individuals receiving Auxiliary Grant or General Relief payments in licensed Adult Care Residences when those individuals meet the criteria established by the Department of Medical Assistance Services for such payments. Individuals entitled to assisted living benefits under this section are not entitled to benefits under Item 306.

309.	Medical Assistance Services (Non-Medicaid) (46400) .....		\$13,687,481	<del>\$13,687,481</del> \$821,702
	Reimbursements to Localities for Residents Covered by the State and Local Hospitalization Program (46401) .....	\$12,865,779	<del>\$12,865,779</del> \$0	
	Insurance Premium Payments for HIV-Positive Individuals (46403) .....	\$556,702	\$556,702	
	Reimbursements From the Uninsured Medical Catastrophe Fund (46405) .....	\$265,000	\$265,000	
	Fund Sources: General .....	\$11,647,481	<del>\$11,647,481</del> \$781,702	
	Special .....	\$2,000,000	<del>\$2,000,000</del> \$0	
	Dedicated Special Revenue .....	\$40,000	\$40,000	

Authority: Title 32.1, Chapter 12, Code of Virginia.

A. In administering the State and Local Hospitalization Program, the Department shall be guided by the following:

1. The allocation of state funds shall be based on the estimated total cost of required services in each county and city less the funds which shall be provided by the counties and cities. County and city funding shall be based upon a sliding scale not to exceed 25 percent of the total cost of required services.

2. Out of this appropriation, \$113,550 the first year and ~~\$113,550 the second year~~ from the general fund is reserved to support the state's share of expenses associated with inpatient services for migrants on the Eastern Shore. Reimbursement for costs shall be made in accordance with the requirements of the State and Local Hospitalization Program and will require a local match.

3. Notwithstanding § 32.1-347 D, Code of Virginia, any general fund balances in the State and Local Hospitalization Program shall be deposited in the state treasury on or before June 30, 2009.



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<p>B. Included in the appropriation is \$556,702 the first year and \$556,702 the second year from the general fund to provide insurance payment assistance for HIV-infected persons in accordance with § 32.1-330.1, Code of Virginia, except that the eligibility threshold for assistance shall allow a maximum income of no more than 250 percent of the federal poverty threshold.</p> <p>C. The Director, Department of Planning and Budget, shall transfer any amounts appropriated for the Uninsured Medical Catastrophe Fund to that fund, pursuant to § 32.1-324.3, Code of Virginia.</p> <p>D. Out of this appropriation, \$225,000 from the general fund each year shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia.</p> <p><i>E. Notwithstanding the provisions of Title 32.1, Chapter 12 of the Code of Virginia, or paragraph A. of this Item, during fiscal year 2010, the Department of Medical Assistance Services shall not collect from localities or pay to health care providers any amounts that would otherwise be due to or from the State and Local Hospitalization Program.</i></p>				
310.	Medical Assistance Services for Low Income Children (46600) .....		\$85,863,515	\$91,720,528
			\$88,625,326	\$98,425,541
	Reimbursements for Medical Services Provided to Low-Income Children (46601) .....		\$85,863,515	\$91,720,528
			\$88,625,326	\$98,425,541
	Fund Sources: General .....		\$30,052,230	\$32,102,185
			\$31,018,864	\$34,448,940
	Federal Trust .....		\$55,811,285	\$59,618,343
			\$57,606,462	\$63,976,601
	Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-87, as amended, Title XIX, Social Security Act, Federal Code.			
311.	Administrative and Support Services (49900) .....		\$111,979,815	\$111,266,662
			\$108,379,383	\$105,977,821
	General Management and Direction (49901) .....		\$91,894,161	\$91,181,008
			\$88,503,729	\$87,236,015
	Information Technology Services (49902) .....		\$12,658,628	\$12,658,628
				\$12,039,780
	Administrative Support for the Family Access to Medical Insurance Security Plan (49932) .....		\$7,427,026	\$7,427,026
			\$7,217,026	\$6,702,026
	Fund Sources: General .....		\$42,586,756	\$42,246,756
			\$40,821,395	\$39,865,220
	Special .....		\$815,000	\$815,000
	Federal Trust .....		\$68,578,059	\$68,204,906
			\$66,742,988	\$65,297,601
	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-87, as amended, Title XIX, Social Security Act, Federal Code.			
<p>A. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Medical Assistance Services, shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.</p> <p>B. The Department of Medical Assistance Services shall submit expenditure reports of the Medicaid program in relation to the agency's actual appropriation to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees. These reports shall be submitted on a monthly basis.</p>				

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<p>C. Out of this appropriation, \$50,000 in special fund revenue is appropriated in each year of the biennium to the Department of Medical Assistance Services for the administration of the disbursement of civil money penalties levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the Agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.</p> <p>D. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Mental Health, Mental Retardation and Substance Abuse Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, mental retardation and substance abuse services, and any new or expanded mental health, mental retardation and substance abuse services that are covered by the State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, mental retardation and substance abuse services.</p> <p>E. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.</p> <p>F. The Director, Department of Planning and Budget, is authorized to transfer amounts, as needed, from Medicaid Program Services (45600), Medical Assistance Services for Low Income Children (46600) and Children's Health Insurance Program Delivery (44600), to Administrative and Support Services (49900), to fund administrative expenditures associated with contracts between the department and companies providing dental benefit services for Medicaid and FAMIS recipients.</p> <p>G. Out of this appropriation, \$340,000 from the general fund and \$460,000 in nongeneral funds the first year is provided for the Payment Error Rate Measurement (PERM) program.</p> <p>H. The Department of Medical Assistance Services is authorized to issue a request for proposal (RFP) for a fiscal agent for the Medicaid Management Information System (MMIS). The department shall coordinate their efforts with the Virginia Information Technologies Agency when necessary.</p>				
Total for Department of Medical Assistance Services.....			<b>\$5,841,781,048</b>	<b>\$6,165,171,257</b>
			<b>\$5,992,527,689</b>	<b>\$6,702,196,760</b>
General Fund Positions.....	470.02	471.52		
	165.02	169.02		
Nongeneral Fund Positions.....	192.98	193.48		
	187.98	190.98		
Position Level .....	363.00	365.00		
	353.00	360.00		
Fund Sources: General .....	\$2,645,408,462	\$2,807,740,460		

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		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Special.....	\$2,338,073,401	\$2,442,581,997		
		\$6,015,000	\$6,015,000		
		\$2,815,000	\$815,000		
	Dedicated Special Revenue.....	\$312,712,648	\$316,782,722		
		\$324,393,745	\$317,925,116		
	Federal Trust.....	\$2,877,644,938	\$3,034,633,075		
		\$3,327,245,543	\$3,940,874,647		
<b>§ 1-94. DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (720)</b>					
312.	Regulation of Public Facilities and Services (56100).....			\$2,524,684	\$2,307,732
	Regulation of Health Care Service Providers (56103).....	\$2,524,684	\$2,307,732		
	Fund Sources: General.....	\$2,090,460	\$1,873,508		
	Special.....	\$34,224	\$34,224		
	Federal Trust.....	\$400,000	\$400,000		
	Authority: Title 37.1, Chapters 8 and 11, Code of Virginia.				
313.	Inspection, Monitoring, and Auditing Services (78700) ...			\$499,024	\$499,024
	Facility and Community Programs Inspection and Monitoring (78701).....	\$499,024	\$499,024		
	Fund Sources: General.....	\$338,366	\$338,366		
	Special.....	\$160,658	\$160,658		
314.	It is the intent of the General Assembly that the Department of Mental Health, Mental Retardation and Substance Abuse Services proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care. Amounts authorized herein, and in related legislation, shall be used to support the transformation of the system of care and to promote the provision of mental health, mental retardation and substance abuse services in the most efficient and appropriate setting. The Department of Mental Health, Mental Retardation and Substance Abuse Services may consider the use of public-private partnerships to deliver mental health and mental retardation services as part of the comprehensive mental health and mental retardation system of care, in facilities that are being planned for renovation or replacement. These partnerships may include contracts with private entities for facility operations, unless the Department of Mental Health, Mental Retardation and Substance Abuse Services can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity.				
315.	Administrative and Support Services (49900).....			\$45,833,736	\$46,111,510
				\$47,084,479	\$48,421,510
	General Management and Direction (49901).....	\$16,856,603	\$17,134,377		
			\$18,289,377		
	Information Technology Services (49902).....	\$7,899,279	\$7,899,279		
	Architectural and Engineering Services (49904).....	\$887,593	\$887,593		
		\$1,138,336	\$1,042,593		
	Collection and Locator Services (49905).....	\$3,485,865	\$3,485,865		
	Human Resources Services (49914).....	\$1,160,465	\$1,160,465		
	Planning and Evaluation Services (49916).....	\$229,862	\$229,862		
	Program Development and Coordination (49933).....	\$15,314,069	\$15,314,069		
		\$16,314,069	\$16,314,069		
	Fund Sources: General.....	\$31,725,906	\$32,000,906		

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	\$31,821,649	\$33,155,906		
Special.....	<del>\$5,645,397</del>	<del>\$5,648,171</del>		
	\$5,800,397	\$5,803,171		
Federal Trust.....	<del>\$8,462,433</del>	<del>\$8,462,433</del>		
	\$9,462,433	\$9,462,433		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the Commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.12 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Mental Health, Mental Retardation and Substance Abuse Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned mental health and mental retardation facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, mental retardation and substance abuse problems.

D. Out of this appropriation, \$2,570,847 the first year and \$2,570,847 the second year shall be provided from the general fund for a public-private partnership pilot to secure short-term inpatient psychiatric services through competitive contracts with community-based hospitals or other private health care providers, for purposes of serving individuals closer to their homes. Pursuant to individual agreements with the department, community services boards will reduce their utilization at a selected state facility or facilities for short-term (30 days or less) acute hospitalization by a specified number of beds, and will contract by competitive bidding with community-based hospitals for short-term psychiatric inpatient services. Any savings resulting from the reduced utilization of short-term acute facility beds will be made available under agreement with the department, to permit the community services boards to contract for additional short-term psychiatric inpatient services. Specific bed utilization targets and competitive contract performance expectations will be included in the performance contracts of these community services boards.

E. The Department of Mental Health, Mental Retardation, and Substance Abuse Services, the Department of Juvenile Justice and the Department of Medical Assistance Services, in cooperation with the Office of Comprehensive Services, Community Services Boards, Court Service Units, and representatives from community policy and management teams representing various regions of the Commonwealth shall develop an integrated policy and plan, including the necessary legislation and budget amendments, to provide and improve access by children, including juvenile offenders to mental health, substance abuse, and mental retardation services. The plan shall identify the services needed by children, the cost and source of funding for the services, the strengths and weaknesses of the current service delivery system and administrative structure, and recommendations for improvement. The plan shall also examine funding restrictions of the Comprehensive Services Act which impede rural localities from developing local programs for children who are often referred to private day and residential treatment facilities for services and make recommendations regarding how rural localities can improve prevention, intervention, and treatment for high-risk children and families, with the goal of broadening treatment options and improving quality and cost effectiveness. The Department of Mental Health, Mental Retardation, and Substance Abuse Services shall report the plan to the Chairmen of the Senate Finance and House Appropriations Committees by June 30 of each year.

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<p>F. The Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Department of Medical Assistance Services, in cooperation with the Community Services Boards, shall select the specific substance abuse services that shall be available statewide to children and adults.</p>				
<p>G. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.</p>				
<p>H. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Virginia Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with mental health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.</p>				
<p>I. The Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services, in cooperation with Community Services Boards and private service providers, shall ensure that consumers are allowed choices in selecting group home placements and services.</p>				
<p>J. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Department of Criminal Justice Services, shall incorporate information about programs that divert individuals with mental illness, substance abuse and co-occurring disorders from jail or secure detention in the Department's web-based Internet site that is currently under development.</p>				
<p>K. On October 1 of each year, the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall submit a report to the Chairmen of the Senate Finance and House Appropriations Committees regarding Community Services Board contracts with private service providers, to include contract amounts paid to each private provider, number of patients served, term of inpatient treatment, any savings realized by community-based treatment, and any fiscal impact on state hospitals.</p>				
<p>L. In the event the Department of Mental Health, Mental Retardation, and Substance Abuse Services pursues the utilization of a Preferred Drug List, the Commissioner shall ensure the consideration of the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.</p>				
<p>M. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall consider the feasibility of entering into a public-private partnership or contract with a vendor for the operation of clinical treatment services for the sexually violent predator program. If the department determines that a public-private partnership or contract is feasible and cost-effective, selection criteria shall be developed by the department. Such criteria may include a requirement that the vendor have ongoing experience operating sexually violent predator programs in other states. Such public-private partnership or contract, if entered into by the department, shall enable the department to contract for perimeter security, medical services, transportation, and dietary services for the program from other state agencies and facilities.</p>				
<p>N. In the event an individual agrees to provide private funds for the provision of housing and services to the mentally retarded who are aged, the Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall submit a proposal to spend the private funds and an equivalent amount of general fund dollars for consideration by the 2009 General Assembly. The general fund amount shall not exceed \$2,000,000.</p>				
<p>O. Out of this appropriation, \$696,911 the first year and \$696,911 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.</p>				

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P. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall ensure appropriate and medically necessary access to new atypical, antipsychotic medications funded in this item.

Q. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

R. The Department of Mental Health, Mental Retardation and Substance Abuse Services may consider contracting for the operation of the facility-based sexually violent predator program, including clinical treatment services, perimeter security, medical services, transportation, dietary services, and facility maintenance, unless the Department can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity. The Department may use a public-private partnership or a Request for Proposal to contract with a vendor for such services, with selection criteria developed by the Department. Such criteria shall include a requirement that the vendor have prior experience in the delivery of mental health care and custodial services in other states.

S. The Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall work with the Rappahannock-Rapidan Community Services Board to reopen the Madison County Mental Health Clinic for services as soon as possible.

T. Out of this appropriation, \$1,228,050 the first year and \$1,228,050 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators as follows: (i) \$506,250 the first year and \$506,250 the second year for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) \$260,200 the first year and \$260,200 the second year for conditional release services, including treatment, and (iii) \$111,600 the first year and \$111,600 the second year for the costs associated with contracting with a Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

U. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used to expand community-based programs that divert individuals with mental illness from jails or for aftercare programs for individuals with mental illness who have been released from jail. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish criteria, administer and evaluate the grants provided for this purpose. Beginning October 1, 2007, the Department shall report program information and outcome data annually to the Chairmen of the Senate Finance and House Appropriations Committees and the Joint Commission on Health Care.

V. Out of this appropriation, ~~\$493,000~~ \$13,000 the first year and ~~\$493,000~~ \$159,803 the second year from the general fund shall be made available to support workforce development for children's mental health services in underserved areas. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall define the regions of the Commonwealth that lack specialized mental health services for children. The funding shall be used to provide eight internship positions for individuals specializing in child psychology or child psychiatry at a Virginia institution of higher education. Before an internship is awarded, the individual shall sign a written contract under the terms of which he agrees to be employed in a qualified region, as designated by the department. Such employment shall begin within one calendar year after the completion of the internship and continue thereafter until he has been continuously employed in a qualified job for a period of years equal in number to the years that he has been or shall be a beneficiary of the internship program.

W.1. Out of this appropriation, \$270,930 the first year and \$570,930 the second year from nongeneral funds shall be used to develop, implement and maintain a system of electronic medical records, including any necessary system upgrades, for individuals receiving services at state mental health and mental retardation facilities. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall collaborate with the Secretary of Technology

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to pursue a multi-source procurement. Any agreement signed by the department for health information technology or a health information technology system for the retrieval, storage, or exchange of health information shall be consistent with federal standards for the electronic exchange of health information and include a provision to ensure interoperability.

2. As a condition of this appropriation, the Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with Community Services Boards and the Virginia Information Technologies Agency, shall develop a plan for the development of electronic health records in Community Services Boards and other technology initiatives to further the collection of data to enhance utilization review and management, the development of outcome measures, and quality improvement in providing services for persons with mental illness, mental retardation and substance use disorders. The plan shall include provisions to ensure interoperability and consistency with federal standards for the electronic exchange of health information.

X. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

Y. Out of this appropriation, ~~\$3,000,000~~2,670,000 the first year and ~~\$3,000,000~~2,670,000 the second year from the general fund shall be used to develop and expand jail diversion and reentry services. Funds shall be distributed to community based contractors based on need and community preparedness as determined by the commissioner.

Z. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in conjunction with the Virginia Housing Development Authority, the Department of Housing and Community Development, the Virginia Association of Community Services Boards, The Arc of Virginia and the Virginia Network of Private Providers, as well as with input from other statewide advocacy organizations, shall report on investment models and best-practices for the development of affordable and accessible community-based housing for persons with intellectual and related developmental disabilities. The report shall include how other states have provided financial incentives for the acquisition, renovation or construction of community housing. The report shall identify specific funding options that will increase the availability of community housing, leverage state dollars, and promote individualized, person-centered housing for people with intellectual and related developmental disabilities. The report shall also include recommendations on the number of housing units, the location and type of units as well as an allocation methodology to ensure equitable statewide distribution. The report shall also address access to transportation and use of informal and formal support networks that are critical components of the success of housing models for this population. The report shall be submitted to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2009.

AA. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall ensure that any contracts and agreements related to the renovation and construction of a new facility for Western State Hospital shall consider innovative partnerships and agreements to involve private sector support.

*BB.1. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall continue to operate the Commonwealth Center for Children and Adolescents (CCCA) and the adolescent unit at Southwestern Virginia Mental Health Institute (SVMHI).*

*2. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish a state and community consensus and planning team for the purpose of developing a plan to examine the current and future role of the Commonwealth and private sector in providing acute psychiatric services for children and adolescents. The team shall consist of department staff and representatives of affected consumers, local government officials, advocates, state hospital employees, community services boards, behavioral health authorities, and public and private child and adolescent mental health service providers, and other interested persons, as determined by the Commissioner. In addition, members of the House of Delegates and the Senate representing the localities served by the hospital may serve on the state and community planning team. The state and community planning team, under the direction of the Commissioner, shall (i) identify the characteristics of the child and adolescent population currently served at the CCCA and SVMHI, (ii) describe the service needs of the children served at each facility, (iii) determine what services are currently available, or would*

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*need to be available in the community, to adequately provide treatment for these children, (iv) consider alternate approaches to delivering services appropriate for some or all of the patient population, (v) define the state's continuing role and responsibility in providing inpatient services for children and adolescents, (vi) identify funding trends and policies for providing public and private services, (vii) report on the cost of providing public and private psychiatric services, and (viii) detail other strategies to promote high quality, community-based care while maintaining a safety net for children and adolescent in need of acute psychiatric services. The Commissioner shall report to the Chairmen of the House Appropriations and Senate Finance Committee on the findings of the state and community planning team no later than November 1, 2009.*

*CC.1. Notwithstanding the provisions of Section 37.2-316, the Commissioner, Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish a state and community planning team for the purpose of developing a plan for the rebuilding and resizing of Southeastern Virginia Training Center (SEVTC). The team shall consist of staff from the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Medical Assistance Services, the Department of General Services, the Department of Health, representatives of affected consumers, local government officials, advocates, state facility employees, community services boards, and public and private mental retardation service providers, and other interested persons, as determined by the Commissioner. In addition, members of the House of Delegates and the Senate representing the localities served by the facility may serve on the state and community consensus and planning team. The state and community planning team, under the direction of the Commissioner, shall develop the plan based on (i) completed individual assessments and service plans for each resident of the facility by Health Planning Region V Community Services Boards (CSBs) and SEVTC treatment teams, (ii) the availability of community-based services to serve individuals residing at SEVTC, including housing needs, (iii) timelines for the completion of proposed construction or renovation of community housing and the new 75-bed state facility, and (iv) an assessment of how current state workers at SEVTC can be transitioned as community care providers in community facilities that have been either identified or are planned for construction in the region. The state and community planning team, under the direction of the commissioner, shall develop a timeline to appropriately transition 88 state facility consumers beginning in fiscal year 2010 to community services in the locality of their residence prior to admission or the locality of their choice after discharge or to another state facility if individual assessments and service plans have been completed, appropriate community housing is available and consumer choice has been considered. The commissioner shall provide the preliminary plan and timeline to the Governor and the General Assembly by July 1, 2009 and a progress report regarding the plan for resizing and rebuilding the facility by October 1, 2009 and quarterly thereafter until the new facility and community facilities have been constructed and are complete. The final report shall outline the location where patients are discharged and any cost savings associated with the facility resizing and community transition.*

*2. The Commissioner of the Department Mental Health, Mental Retardation and Substance Abuse Services the Commissioner of Health, and the Director of the Department of Medical Assistance Services shall initiate an expedited fast track process to provide technical assistance and certify and license the community facilities under construction and planned for construction in Health Planning Region V.*

*DD. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in consultation with the Department of Medical Assistance Services, shall promulgate regulations in order to comply with the payor of last resort requirements of Part C of the Individuals with Disabilities Education Act (IDEA) of 2004. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall promulgate such regulations within 280 days or less from the enactment date of this act. The Department shall implement these necessary regulatory changes to be consistent with federal requirements for the Part C program.*

*EE.1. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall work in collaboration with the Health Planning Region (HPR) V Community Services Boards to plan, develop and implement transitional mental health services to qualified individuals discharged from the Eastern State Hospital.*

*2. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall lease the existing buildings and associated grounds corresponding to Buildings 24 and 26 at Eastern State Hospital to the Community Services Boards of HPR V for the purpose of*



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	<p><i>providing transitional mental health services to those qualified individuals discharged from the Eastern State Hospital, on the condition that these buildings are not needed in order to provide state hospital services. The Colonial Services Board will act as the lead agency and fiscal agent for the region for purposes of this project. The property shall be leased to the Colonial Services Board on behalf of the region for a total charge of \$1.00 per year for a period of 25 years.</i></p> <p><i>3. The HPR V Community Services Boards shall involve local and regional partners, including local governments, in the planning and development of these programs and services.</i></p>				
315.05.	Executive Management (71300) .....			(\$4,939,434)	(\$4,947,437)
	Savings From Management Actions (71301).....	(\$4,939,434)	(\$4,947,437)		
	Fund Sources: General.....	(\$4,939,434)	(\$4,947,437)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
315.10.	Pharmacy Services (42100).....			\$0	\$756,663
	Aftercare Pharmacy Services (42101).....	\$0	\$756,663		
	Fund Sources: General.....	\$0	\$756,663		
	Authority: Discretionary Inclusion.				
	Total for Department of Mental Health, Mental Retardation and Substance Abuse Services .....			<b>\$48,857,444</b>	<b>\$48,918,266</b>
				<b>\$45,168,753</b>	<b>\$47,037,492</b>
	General Fund Positions.....	263.85	263.85		
		228.85	224.85		
	Nongeneral Fund Positions.....	13.40	14.40		
		9.40	10.40		
	Position Level .....	277.25	278.25		
		238.25	235.25		
	Fund Sources: General .....	\$34,154,732	\$34,212,780		
		\$29,311,041	\$31,177,006		
	Special .....	\$5,840,279	\$5,843,053		
		\$5,995,279	\$5,998,053		
	Federal Trust.....	\$8,862,433	\$8,862,433		
		\$9,862,433	\$9,862,433		
	<b>Grants to Localities (790)</b>				
316.	Financial Assistance for Health Services (44500).....			\$311,136,879	\$318,243,043
				\$311,461,674	\$318,567,838
	Community Substance Abuse Services (44501).....	\$96,441,144	\$96,441,144		
	Community Mental Health Services (44506) .....	\$174,493,911	\$182,400,075		
	Community Mental Retardation Services (44507) .....	\$40,201,824	\$39,401,824		
		\$40,526,619	\$39,726,619		
	Fund Sources: General .....	\$249,357,432	\$256,463,596		
	Special .....	\$100,000	\$100,000		
		\$424,795	\$424,795		
	Federal Trust.....	\$61,679,447	\$61,679,447		
	Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.				

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<p>A. It is the intent of the General Assembly that community mental health, mental retardation and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.</p> <p>B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ <del>37.1-197</del>37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.</p> <p>C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.</p> <p>D. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall make payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.</p> <p>E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.</p> <p>F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.</p> <p>G. Out of the appropriation for this Item, \$216,500 the first year and \$216,500 the second year from the general fund shall be provided to continue the Keeping Our Kids At Home program in the Roanoke Valley, to contract with community providers for short-term crisis hospitalization of children and adolescents.</p> <p>H. Out of the appropriation for this Item, the department shall initiate statewide Programs of Assertive Community Treatment (PACT) to provide services to adults with serious mental illnesses in the community, in order to reduce hospitalizations.</p> <p>I. Out of the appropriation for this Item, \$750,000 the first year and \$750,000 the second year from the general fund shall be used to develop pilot projects in areas that have high concentrations of adult care residences. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Department of Social Services, shall design the projects to identify and provide the appropriate treatment and support for persons with mental illness, mental retardation, or substance abuse problems who reside in adult care residences. The department shall ensure that the pilot projects are designed to provide a variety of service models, including the provision of services within the community and within the adult care residence. The department shall evaluate the implementation of the pilot projects and measure project outcomes.</p> <p>J. Out of this appropriation \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to Grafton School for the continued operation and expansion of the Virginia Autism Resource Center.</p> <p>K.1. Out of this appropriation, \$7,203,366 the first year and \$7,203,366 the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.</p> <p>2. By October 1 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.</p>				

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3. Any additional funds received by local early intervention systems pursuant to the federal American Recovery and Reinvestment Act (ARRA) of 2009 for early intervention services through Part C of the Individuals with Disabilities Education Act (IDEA) of 2004 shall be used to supplement, not supplant federal, state and local funding at the level in effect upon the date of enactment of the ARRA.

L. The Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Department of Rehabilitative Services shall assist the Cumberland Mountain Community Services Board in developing a management and funding plan for employment programs provided to disabled persons.

M. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from nongeneral funds shall be provided to the Richmond Behavioral Health Authority to continue a substance abuse treatment program that allows substance-abusing women to remain with their children during treatment.

N. Out of this appropriation \$6,625,000 the first year and \$6,625,000 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances and related disorders, with priority placed on those children who, absent services, are at-risk for custody relinquishment, as determined by the Family and Assessment Planning Team of the locality. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall provide these funds to Community Services Boards through the annual Performance Contract. These funds shall be used exclusively for children and adolescents, not mandated for services under the Comprehensive Services Act for At-Risk Youth, who are identified and assessed through the Family and Assessment Planning Teams and approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on an individualized plan of care methodology.

O. Out of this appropriation, the expenditure of \$2,625,000 the first year and \$2,625,000 the second year from the general fund shall be provided for the placement of three additional programs of assertive community treatment (PACT).

P. Out of this Item, \$5,260,000 the first year and \$5,260,000 the second year from the general fund shall be provided for 77 individualized mental health discharge assistance plans.

Q. Out of this Item, \$2,800,000 the first year and \$2,800,000 the second year from the general fund shall be provided for increased mental health inpatient treatment purchased in community hospitals.

R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the general fund shall be used to fund four demonstration projects using evidence-based "systems of care" models for children and adolescents with behavioral health needs. The Commissioner may allocate up to \$100,000 of this appropriation in each year for an evaluation of the pilot projects.

S. Out of this appropriation, no less than \$11,428,568 the first year and \$13,028,568 the second year from the general fund shall be provided to maintain and expand access to crisis intervention and stabilization units. Funds shall be used to expand existing crisis stabilization sites as well as establish additional units.

T. Out of this appropriation, \$2,880,000 the first year and \$2,880,000 the second year from the general fund shall be provided to fund discharge assistance plans for civil patients and patients found not guilty by reason of insanity who have been identified as ready for discharge and who need specialized support not currently available through the Community Services Boards.

U. Out of this appropriation, \$6,575,000 the first year and \$6,575,000 the second year from the general fund shall be provided to increase available community-based services for individuals served by Health Planning Regions I and II. These funds shall be used for discharge assistance planning, inpatient mental health treatment, in-home residential support, crisis stabilization and other related mental health services intended to delay or deter placement in a state mental health facility. When allocating funds in Health Planning Region II, consideration shall be given, to the extent feasible, to projects that are designed to provide specialized geriatric mental health services that allow individuals to be served in their home communities.

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V. Out of this appropriation, \$6,928,540 the first year and \$6,928,540 the second year from the general fund shall be provided to increase available community-based services for individuals otherwise served by Eastern State Hospital in Williamsburg. These funds shall be used for discharge assistance planning, inpatient mental health treatment, in-home residential support, crisis stabilization and other related mental health services intended to delay or deter placement in a state mental health facility.

W. Out of this appropriation, \$3,750,000 the first year and \$3,750,000 the second year from the general fund shall be used to increase the availability of targeted community-based services statewide. Such services may include, but are not limited to, discharge assistance planning, inpatient mental health treatment, in-home residential support, jail-based hospital diversion projects, psychiatric evaluation and crisis counseling and expanded case management services.

X. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from the general fund shall be used to provide expanded mental health services to juveniles detained in local community detention centers. Funds shall be allocated to Community Services Boards for local and regional detention centers based upon Memoranda of Understanding between the detention superintendent and the executive director of the local community services board or behavioral health authority that will provide the services. Memoranda shall specify the expected types of services, as well as estimated workloads. The Department shall review and approve each memorandum to ensure consistency and shall allocate funding based upon the projected levels of services to be provided.

Y. Out of this appropriation, \$1,341,000 the first year and \$1,341,000 the second year from the general fund shall be used to provide guardianship services to individuals currently residing in, or at risk of placement in, a state mental retardation training center.

Z. Out of the amounts appropriated in Item 306, Paragraph C.2., \$4,125,438 the first year and \$4,125,438 the second year from the general fund and \$4,125,438 the first year and \$4,125,438 the second year from nongeneral funds shall be provided for the Mental Retardation Home and Community-Based Waiver Program. The funds shall be used to provide a total of 117 slots for individuals at Southeastern Virginia Training Center or Central Virginia Training Center who have been discharged or determined to be ready for discharge and have chosen to be served in the community.

AA. Out of the amounts appropriated in Item 306, Paragraph C.2., \$11,675,400 the first year and ~~\$17,542,200~~\$19,105,396 the second year from the general fund and \$11,675,400 the first year and ~~\$17,542,200~~\$22,899,115 the second year from nongeneral funds to increase the number of slots available for the Mental Retardation Home and Community-based Waiver Program. The funds shall be used to provide 600 new slots in the first year and a total of ~~600~~800 slots the second year for individuals living in the community and at risk of placement in a mental retardation training center. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall phase in the allocation of slots during the first year consistent with the funding provided in this Item.

BB. Out of the amounts appropriated in Item 306, Paragraph XX., \$17,355,007 the first year and \$17,355,007 the second year from the general fund and \$17,355,007 the first year and \$17,355,007 the second year from nongeneral funds shall be used to increase reimbursement rates paid to providers delivering unique services provided through the Mental Retardation Individual and Family Developmental Disabilities Support or Day Support Home and Community-Based Waiver Programs (but not provided in other waiver programs) by five percent effective July 1, 2006. Reimbursement rates paid to providers of congregate residential group home services for individuals in the Mental Retardation Home and Community-Based Waiver Program shall be increased by 10 percent, effective July 1, 2006. The increase does not apply to personal care and related services, nursing services or services that are either fixed price or determined through individual consideration.

CC. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall report on a quarterly basis to the Office of the Governor, the Office of the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, and the Department of Planning and Budget on expanded community-based services made available in paragraphs R through CC of this item. The report shall include the types and settings of services provided, the number of individuals served, the number of

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individuals placed in the community through the Mental Retardation Home and Community-Based Waiver Program, reduction in census at state facilities related to proposed facility replacements, changes in staffing at facilities that are proposed for replacement, and progress made in the construction of replacement facilities.

DD. Out of this appropriation, \$534,000 the first year and \$534,000 the second year from the general fund shall be provided for two model projects with community services boards for opioid treatment expansion in one rural and one urban region. The projects shall be designed to improve the availability of treatment and integrate buprenorphine therapy into the region's continuum of care for opioid addiction. The department shall evaluate the results of these projects for improving treatment outcomes and improving key performance indicators, such as recruitment, retention and maintenance of treatment effects for individuals served by the projects. The department shall report the results of the projects to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2008.

EE. Beginning July 1, 2007, the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall allocate \$1,000,000 the first year and \$1,000,000 the second year from the federal Community Mental Health Services Block Grant for the development of two specialized geriatric mental health services pilot programs. One pilot shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The pilots shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units.

FF. Beginning July 1, 2007, the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall allocate \$750,000 the first year and \$750,000 the second year from the federal Community Mental Health Services Block Grant for the expansion and development of consumer-directed pilot programs offering specialized mental health services that promote wellness, recovery and improved self-management.

GG. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services shall work with Community Services Boards to ensure that fund allocation decisions for regional restructuring projects in the second year consider the service needs of individuals who are expected to be discharged into each region upon the downsizing of affected facilities.

HH. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year from the general fund shall be used to expand treatment and support services for substance use disorders. Funded services shall focus on recovery models and the use of best practices.

II. Out of this appropriation, \$2,800,000 the first year and \$3,000,000 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Comprehensive Services Act for At-Risk Youth and Families.

JJ. Out of this appropriation, \$1,600,000 the first year and \$800,000 the second year from the general fund shall be used for start-up funding for the establishment of community residential services to support the Mental Retardation Home and Community-Based Waiver Program. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall manage the distribution of these funds to Community Services Boards to support public and private sector implementation of service plans for individuals enrolled for those services under the expanded community waivers.

KK.I. Out of this appropriation, \$10,300,000 the first year and \$18,006,164 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to House Bill 559 and Senate Bill 246, 2008 Session of the General

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Assembly. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of the General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to House Bill 560 and Senate Bill 246, 2008 Session of the General Assembly. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, in consultation with the Virginia Association of Community Services Boards, the Office of the Executive Secretary of the Supreme Court, the Department of Medical Assistance Services, the Virginia Sheriff's Association, the Medical Society of Virginia and the Virginia Hospital and Healthcare Association, shall implement a process for determining the allocation of funding in this item. The allocation process shall include an estimate of the number of consumers expected to utilize services, a method for distributing the funding across services to address the mental health treatment needs of consumers with mental illness, funding needed to support the involuntary commitment process, and an estimate of the impact of treatment costs on the Involuntary Mental Commitment fund at the Department of Medical Assistance Services. ~~The Commissioner shall report on the assumptions and process used to allocate funding in this item across agencies and service categories, as well as the amount of the allocations, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2008.~~

*2. By August 1, 2009, the Commissioner shall report to the Chairs of the Senate Finance and House Appropriations Committees on the implications of distributing this funding to Community Services Boards based on the per capita populations served by each CSB.*

LL. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Virginia Association of Community Services Boards (VACSB) and with input from the Senate Finance and House Appropriations Committees, shall develop and maintain a reporting process to monitor implementation of (i) the new services funded in this item and (ii) changes to the civil commitment process included in Senate Bill 246, House Bill 499, House Bill 559 and House Bill 560 from the 2008 Session of the General Assembly. The Department and VACSB shall identify specific data elements or performance measures that will be reported through this process. The Commissioner shall submit a report on the implementation of these new services no later than December 1, 2008, and each year thereafter. The Commissioner shall submit a report describing the reporting process to measure CSB performance on participation in the civil commitment process no later than December 1, 2008, and shall submit a report on that performance beginning no later than December 1, 2009, and each year thereafter.

MM. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to Holiday House of Portsmouth, Inc.

NN. *The department may reduce the appropriation provided in paragraphs N through II by up to five percent of the administrative costs incurred by Community Services Boards for each paragraph. Any reductions shall correspond to the reduction plan of October, 2008 and shall be approved by the Secretary of Health and Human Resources.*

OO. *The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Virginia Association of Community Services Boards (VACSB) and with input from the Department of Corrections and the Supreme Court shall examine the feasibility of expanding the use of community medical detoxification and opiate maintenance treatments to divert opioid dependent individuals from jails. As part of its analysis, the Department shall include efforts to maximize the utilization of existing benefits accessed through the Aftercare Pharmacy and the Department of Medical Assistance Services.*

316.05.	Executive Management (71300) .....			(\$12,400,000)	(\$12,400,000)
	Savings From Management Actions (71301) .....	(\$12,400,000)	(\$12,400,000)		
	Fund Sources: General .....	(\$12,400,000)	(\$12,400,000)		

*Authority: Discretionary Inclusion*

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

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	Total for Grants to Localities .....			<del>\$311,136,879</del> \$299,061,674	<del>\$318,243,043</del> \$306,167,838
	Fund Sources: General .....	\$249,357,432	\$256,463,596		
		\$236,957,432	\$244,063,596		
	Special .....	\$100,000	\$100,000		
		\$424,795	\$424,795		
	Federal Trust .....	\$61,679,447	\$61,679,447		
<b>Mental Health Treatment Centers (792)</b>					
317.	Instruction (19700) .....			\$46,221	\$46,221
				\$60,221	\$60,221
	Facility-Based Education and Skills Training (19708) .....	<del>\$46,221</del> \$60,221	<del>\$46,221</del> \$60,221		
	Fund Sources: General .....	\$2,785	\$2,785		
	Special .....	\$786	\$786		
	Federal Trust .....	\$42,650	\$42,650		
		\$56,650	\$56,650		
	Authority: §§ 37.1-10.01 and 37.1-96, Code of Virginia; P.L. 102-73 and 102-119, Federal Code.				
318.	Secure Confinement (35700) .....			\$12,573,204	\$12,573,204
	Forensic and Behavioral Rehabilitation Security (35707) .....	\$12,573,204	\$12,573,204		
	Fund Sources: General .....	\$12,265,106	\$12,265,106		
	Special .....	\$308,098	\$308,098		
	Authority: Title 37.1, Chapters 1 and 2, Code of Virginia.				
319.	Pharmacy Services (42100) .....			\$39,301,784	<del>\$39,301,784</del> \$38,545,121
	Aftercare Pharmacy Services (42101) .....	\$25,479,559	<del>\$25,479,559</del> \$24,722,896		
	Inpatient Pharmacy Services (42102) .....	\$13,822,225	\$13,822,225		
	Fund Sources: General .....	\$24,760,121	<del>\$24,760,121</del> \$24,003,458		
	Special .....	\$14,541,663	\$14,541,663		
	Authority: Title 37.2, Chapters 8, Code of Virginia.				
320.	State Health Services (43000) .....			<del>\$197,054,799</del> \$202,054,799	\$197,020,496
	Geriatric Care Services (43006) .....	<del>\$36,416,373</del> \$41,416,373	\$36,416,373		
	Inpatient Medical Services (43007) .....	\$19,155,690	\$19,155,690		
	State Mental Health Facility Services (43014) .....	\$141,482,736	\$141,448,433		
	Fund Sources: General .....	\$135,910,182	\$135,875,879		
	Special .....	<del>\$61,144,617</del> \$66,144,617	\$61,144,617		
	Authority: Title 37.1, Chapters 1 and 2; Title 16.1, Article 16, Code of Virginia.				
321.	Facility Administrative and Support Services (49800) .....			<del>\$89,040,736</del> \$90,226,736	<del>\$89,040,736</del> \$90,226,736

ITEM 321.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
General Management and Direction (49801).....	\$36,490,215	\$36,490,215		
	\$36,651,215	\$36,651,215		
Information Technology Services (49802).....	\$4,037,844	\$4,037,844		
Food and Dietary Services (49807) .....	\$12,211,297	\$12,211,297		
	\$12,331,297	\$12,331,297		
Housekeeping Services (49808) .....	\$7,336,973	\$7,336,973		
Linen and Laundry Services (49809).....	\$1,505,913	\$1,505,913		
Physical Plant Services (49815).....	\$21,489,234	\$21,489,234		
Power Plant Operation (49817).....	\$3,409,905	\$3,409,905		
	\$4,314,905	\$4,314,905		
Training and Education Services (49825).....	\$2,559,355	\$2,559,355		
Fund Sources: General .....	\$71,170,033	\$71,170,033		
Special.....	\$17,807,203	\$17,807,203		
	\$18,993,203	\$18,993,203		
Federal Trust.....	\$63,500	\$63,500		

Authority: § 37.1-42.1, Code of Virginia.

A. Out of this appropriation, \$759,000 the first year and \$759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. The department shall take necessary step to develop an employee transition assistance plan for positions at Eastern State Hospital and Western State Hospital reduced due to the replacement of these facilities.

C. Notwithstanding any other provisions of policy or regulation, Eastern State Hospital is authorized to continue the current agreement with Williamsburg-James City County Public Schools to lease facility space for the Alternative School through June 30, 2008, in accordance with the terms and conditions of the contract in effect from July 1, 2005, to June 30, 2006.

D. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state mental retardation training centers when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and House Appropriations Committees for their review and consideration.

322. The appropriations for the Mental Health Treatment Centers include the following approximate amounts. These amounts may vary dependent on facility or Department of Mental Health, Mental Retardation and Substance Abuse Services needs identified throughout the year:

	Facility	Position Level	FY 2009 General	Special	Federal Trust	Total
724	Catawba	342.00	\$9,885,823	\$11,385,686	\$0	\$21,271,509
			\$9,593,497	\$12,154,176		\$21,747,673
703	Central State	727.00	\$51,034,920	\$660,343	\$12,000	\$51,707,262
			\$49,525,807	\$704,914		\$50,242,721
708	Commonwealth Center	140.00	\$7,346,677	\$1,945,274	\$68,000	\$9,359,952
704	Eastern State	1,042.00	\$42,201,937	\$29,028,662	\$1,500	\$71,232,099
			\$40,954,017	\$30,973,985		\$71,929,502
748	Hiram W. Davis	200.00	\$22,925,943	\$13,594,952	\$0	\$36,520,895
			\$22,248,018	\$14,512,559		\$36,760,577
728	Northern Virginia	364.00	\$25,919,850	\$1,482,604	\$0	\$27,402,454
			\$25,153,395	\$1,582,674		\$26,736,069
729	Piedmont	350.00	\$3,093,873	\$20,065,162	\$0	\$23,159,035
			\$3,002,387	\$21,419,483		\$24,421,870



ITEM 322.			Item Details(\$)		Appropriations(\$)	
			First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
739	Southern Virginia	175.00	\$9,782,838	\$1,751,510	\$0	\$11,534,349
			\$9,493,558	\$1,869,730		\$11,363,288
705	Southwestern Virginia	529.00	\$24,356,486	\$9,901,231	\$21,650	\$34,279,364
			\$23,636,260	\$10,569,526		\$34,227,436
706	Western State	775.00	\$47,558,883	\$3,986,943	\$3,000	\$51,549,826
			\$46,153,554	\$4,256,046	\$17,000	\$50,426,601
	<b>Total</b>	<b>4,644.00</b>	<b>\$244,108,227</b>	<b>\$93,802,367</b>	<b>\$106,150</b>	<b>\$338,016,744</b>
			<b>\$237,107,171</b>	<b>\$99,988,367</b>	<b>\$120,150</b>	<b>\$337,215,688</b>
			<b>FY 2010</b>			
	<b>Facility</b>	<b>Position Level</b>	<b>General</b>	<b>Special</b>	<b>Federal Trust</b>	<b>Total</b>
724	Catawba	342.00	\$9,885,823	\$11,385,686	\$0	\$21,271,509
			\$9,719,233	\$11,534,426		\$21,253,659
703	Central State	727.00	\$51,000,617	\$660,343	\$12,000	\$51,672,959
			\$50,249,132	\$814,244		\$51,075,376
708	Commonwealth Center	140.00	\$7,346,677	\$1,945,274	\$68,000	\$9,359,952
			\$8,318,777	\$1,800,000	\$0	\$10,118,777
704	Eastern State	1,042.00	\$42,201,937	\$29,028,662	\$1,500	\$71,232,099
			\$41,454,221	\$29,393,886		\$70,849,607
748	Hiram W. Davis	200.00	\$22,925,943	\$13,594,952	\$0	\$36,520,895
			\$21,798,899	\$13,772,553		\$35,571,452
728	Northern Virginia	364.00	\$25,919,850	\$1,482,604	\$0	\$27,402,454
			\$25,514,160	\$1,501,972		\$27,016,132
729	Piedmont	350.00	\$3,093,873	\$20,065,162	\$0	\$23,159,035
			\$3,052,985	\$20,327,289		\$23,380,274
739	Southern Virginia	175.00	\$9,782,838	\$1,751,510	\$0	\$11,534,349
			\$9,567,462	\$1,774,391		\$11,341,853
705	Southwestern Virginia	529.00	\$24,356,486	\$9,901,231	\$21,650	\$34,279,364
			\$23,979,234	\$10,030,578		\$34,031,462
706	Western State	775.00	\$47,558,883	\$3,986,943	\$3,000	\$51,549,826
			\$46,871,186	\$4,039,028	\$85,000	\$50,995,214
	<b>Total</b>	<b>4,644.00</b>	<b>\$244,073,924</b>	<b>\$93,802,367</b>	<b>\$106,150</b>	<b>\$337,982,441</b>
			<b>\$240,525,289</b>	<b>\$94,988,367</b>	<b>\$120,150</b>	<b>\$335,633,806</b>
322.05.	<i>Executive Management (71300) .....</i>				(\$7,001,056)	(\$2,791,972)
	<i>Savings From Management Actions (71301).....</i>				(\$7,001,056)	(\$2,791,972)
	<i>Fund Sources: General.....</i>				(\$7,001,056)	(\$2,791,972)
	<i>Special.....</i>				\$0	\$0
	<i>Authority: Discretionary Inclusion</i>					
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>					
	Total for Mental Health Treatment Centers.....				<b>\$338,016,744</b>	<b>\$337,982,441</b>
					<b>\$337,215,688</b>	<b>\$335,633,806</b>
	General Fund Positions.....		3,888.00	<del>3,888.00</del>		
				3,859.00		
	Nongeneral Fund Positions.....		756.00	<del>756.00</del>		
				757.00		
	Position Level .....		4,644.00	<del>4,644.00</del>		
				4,616.00		
	Fund Sources: General .....		<b>\$244,108,227</b>	<b>\$244,073,924</b>		
			<b>\$237,107,171</b>	<b>\$240,525,289</b>		
	Special .....		<b>\$93,802,367</b>	<b>\$93,802,367</b>		
			<b>\$99,988,367</b>	<b>\$94,988,367</b>		

ITEM 322.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Federal Trust .....	\$106,150	\$106,150		
		\$120,150	\$120,150		
	<b>Mental Retardation Training Centers (793)</b>				
323.	Instruction (19700).....			\$8,818,267	\$8,818,267
	Facility-Based Education and Skills Training (19708) .....	\$8,818,267	\$8,818,267	\$8,880,267	\$8,880,267
		\$8,880,267	\$8,880,267		
	Fund Sources: General .....	\$7,984,330	\$7,984,330		
	Special.....	\$771,937	\$771,937		
	Federal Trust .....	\$62,000	\$62,000		
		\$124,000	\$124,000		
	Authority: Title 37.2, Chapter 3, Code of Virginia.				
324.	Pharmacy Services (42100) .....			\$4,892,026	\$4,892,026
	Inpatient Pharmacy Services (42102).....	\$4,892,026	\$4,892,026		
	Fund Sources: General .....	\$40,732	\$40,732		
	Special.....	\$4,851,294	\$4,851,294		
	Authority: §§ 37.1-10.01 and 37.1-96, Code of Virginia; P.L. 102-119, Federal Code.				
325.	State Health Services (43000).....			\$156,183,582	\$156,183,582
	Inpatient Medical Services (43007) .....	\$22,802,680	\$22,802,680		
	State Mental Retardation Training Center Services (43010) .....	\$133,380,902	\$133,380,902		
	Fund Sources: General .....	\$21,915,724	\$21,915,724		
	Special.....	\$134,267,858	\$134,267,858		
	Authority: Title 37.1, Chapters 1 and 2, Code of Virginia.				
	A. Out of this appropriation, \$400,000 the first year and \$400,000 the second year from the general fund shall be used to support two Regional Community Support Centers located at the Southwest Virginia Training Center and the Central Virginia Training Center.				
	B. The department shall take necessary step to develop an employee transition assistance plan for positions at Central Virginia Training Center and Southeastern Virginia Training Center reduced due to the replacement of these facilities.				
	C. Out of this appropriation, \$400,000 the first year and \$400,000 the second year from the general fund shall be used to support Regional Community Support Centers at Southside Virginia Training Center and Southeastern Virginia Training Center.				
	D. The Commissioner of Mental Health, Mental Retardation and Substance Abuse Services shall comply with all relevant state and federal laws and Supreme Court decisions that govern the discharge of residents from state mental retardation training centers and the granting of mental retardation waiver slots.				
326.	Facility Administrative and Support Services (49800) .....			\$79,123,058	\$79,123,058
				\$79,211,058	\$79,211,058
	General Management and Direction (49801).....	\$23,521,163	\$23,521,163		
		\$23,566,163	\$23,566,163		
	Information Technology Services (49802).....	\$2,244,241	\$2,244,241		
	Food and Dietary Services (49807) .....	\$16,622,655	\$16,622,655		
		\$16,637,655	\$16,637,655		
	Housekeeping Services (49808) .....	\$10,519,065	\$10,519,065		

ITEM 326.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Linen and Laundry Services (49809).....	\$2,729,988	\$2,729,988		
Physical Plant Services (49815).....	\$17,383,583	\$17,383,583		
Power Plant Operation (49817).....	\$4,373,624	\$4,373,624		
	\$4,401,624	\$4,401,624		
Training and Education Services (49825).....	\$1,728,739	\$1,728,739		
Fund Sources: General.....	\$12,739,640	\$12,739,640		
Special.....	\$66,383,418	\$66,383,418		
	\$66,471,418	\$66,471,418		

Authority: Title 37.1, Chapters 1 and 2, Code of Virginia; P.L. 74-320, Federal Code.

327. The appropriations for the Mental Retardation Training Centers include the following approximate amounts. These amounts may vary dependent on facility or Department of Mental Health, Mental Retardation and Substance Abuse Services needs identified throughout the year:

			FY2009		Federal Trust	Total
		Position Level	General	Special		
707	Central Virginia	1,450.00	\$12,330,804	\$65,037,802	\$0	\$77,368,605
725	Northern Virginia	547.00	\$6,411,886	\$32,825,420	\$0	\$39,237,306
				\$32,913,410		\$39,325,296
726	Southside Virginia	1,476.00	\$17,418,466	\$68,073,259	\$62,000	\$85,491,715
					\$124,000	\$85,615,725
723	Southeastern Virginia	448.00	\$3,484,408	\$18,536,297	\$0	\$22,082,705
738	Southwestern Virginia	469.00	\$3,034,892	\$21,801,739	\$0	\$24,836,601
<b>Total</b>		<b>4,390.00</b>	<b>\$42,680,426</b>	<b>\$206,274,507</b>	<b>\$62,000</b>	<b>\$249,016,933</b>
				<b>\$206,362,507</b>	<b>\$124,000</b>	<b>\$249,166,963</b>

  

			FY2010		Federal Trust	Total
		Position Level	General	Special		
707	Central Virginia	1,450.00	\$12,330,804	\$65,037,802	\$0	\$77,368,605
			\$13,697,929	\$63,037,802		\$76,735,731
725	Northern Virginia	547.00	\$6,411,886	\$32,825,420	\$0	\$39,237,306
			\$7,043,561	\$32,373,707		\$39,417,268
726	Southside Virginia	1,476.00	\$17,418,466	\$68,073,259	\$62,000	\$85,491,715
			\$18,241,516	\$66,073,259	\$124,000	\$84,438,775
723	Southeastern Virginia	448.00	\$3,484,408	\$18,536,297	\$0	\$22,082,705
			\$0	\$23,076,000		\$23,076,000
738	Southwestern Virginia	469.00	\$3,034,892	\$21,801,739	\$0	\$24,836,601
			\$3,287,411			\$25,089,150
<b>Total</b>		<b>4,390.00</b>	<b>\$42,680,426</b>	<b>\$206,274,507</b>	<b>\$62,000</b>	<b>\$249,016,933</b>
			<b>\$42,270,416</b>	<b>\$206,362,507</b>	<b>\$124,000</b>	<b>\$248,756,923</b>

327.05.	Executive Management (71300).....				\$0	(\$410,010)
	Savings From Management Actions (71301).....		\$0	(\$410,010)		
	Fund Sources: General.....		\$0	(\$410,010)		
	Special.....		\$0	\$0		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

Total for Mental Retardation Training Centers .....					<b>\$249,016,933</b>	<b>\$249,016,933</b>
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ITEM 327.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				<b>\$249,166,933</b>	<b>\$248,756,923</b>
	General Fund Positions.....	2,541.00	2,541.00		
	Nongeneral Fund Positions.....	1,849.00	1,849.00		
	Position Level .....	4,390.00	4,390.00		
	Fund Sources: General .....	\$42,680,426	<del>\$42,680,426</del>		
			\$42,270,416		
	Special.....	<del>\$206,274,507</del>	<del>\$206,274,507</del>		
		\$206,362,507	\$206,362,507		
	Federal Trust.....	<del>\$62,000</del>	<del>\$62,000</del>		
		\$124,000	\$124,000		
<b>Virginia Center for Behavioral Rehabilitation (794)</b>					
328.	Secure Confinement (35700).....			\$13,196,113	\$13,196,113
	Forensic and Behavioral Rehabilitation Security (35707) .....	\$13,196,113	\$13,196,113		
	Fund Sources: General .....	\$13,196,113	\$13,196,113		
	Authority: Title 37.1, Chapter 2, Article 1.1, and 37.1-70.1 through 37.1-70.19. Code of Virginia.				
329.	State Health Services (43000) .....			\$2,162,939	\$2,162,939
	State Mental Health Facility Services (43014).....	\$2,162,939	\$2,162,939		
	Fund Sources: General .....	\$2,162,939	\$2,162,939		
	Authority: Title 37.1, Chapters 1 and 2; Title 16.1, Article 16, Code of Virginia.				
330.	Facility Administrative and Support Services (49800) .....			\$981,959	\$981,959
	General Management and Direction (49801).....	\$935,924	\$935,924		
	Information Technology Services (49802).....	\$15,345	\$15,345		
	Food and Dietary Services (49807) .....	\$10,230	\$10,230		
	Housekeeping Services (49808) .....	\$10,230	\$10,230		
	Physical Plant Services (49815).....	\$10,230	\$10,230		
	Fund Sources: General .....	\$981,959	\$981,959		
	Authority: Title 37.1, Chapter 2, Article 1.1, and 37.1-70.1 through 37.1-70.19. Code of Virginia.				
	In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the Center for Behavioral Rehabilitation or conditionally released, the Commissioner is authorized to seek such services from another state.				
330.05.	Executive Management (71300) .....			\$0	(\$16,488)
	Savings From Management Actions (71301).....	\$0	(\$16,488)		
	Fund Sources: General.....	\$0	(\$16,488)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Center for Behavioral Rehabilitation...			<b>\$16,341,011</b>	<del><b>\$16,341,011</b></del> <b>\$16,324,523</b>
	General Fund Positions.....	400.00	400.00		

ITEM 330.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Position Level .....	400.00	400.00		
Fund Sources: General .....	\$16,341,011	<del>\$16,341,011</del> \$16,324,523		
Grand Total for Department of Mental Health, Mental Retardation and Substance Abuse Services .....			<b>\$963,369,011</b> <b>\$946,954,059</b>	<b>\$970,501,694</b> <b>\$953,920,582</b>
General Fund Positions.....	7,092.85	7,092.85		
	7,057.85	7,024.85		
Nongeneral Fund Positions.....	2,618.40	2,619.40		
	2,614.40	2,616.40		
Position Level .....	9,711.25	9,712.25		
	9,672.25	9,641.25		
Fund Sources: General .....	\$586,641,828	\$593,771,737		
	\$562,397,081	\$574,360,830		
Special .....	\$306,017,153	\$306,019,927		
	\$312,770,948	\$307,773,722		
Federal Trust.....	\$70,710,030	\$70,710,030		
	\$71,786,030	\$71,786,030		

**§ 1-95. DEPARTMENT OF REHABILITATIVE SERVICES (262)**

331.	Rehabilitation Assistance Services (45400) .....		\$96,584,729	\$96,584,729
			\$96,746,365	\$96,757,816
	Vocational Rehabilitation Services (45404).....	\$80,768,063	\$80,768,063	
		\$80,887,464	\$80,898,915	
	Community Rehabilitation Programs (45406) .....	\$15,816,666	\$15,816,666	
		\$15,858,901	\$15,858,901	
	Fund Sources: General .....	\$29,144,195	\$29,144,195	
	Special .....	\$2,343,360	\$2,343,360	
	Dedicated Special Revenue .....	\$2,016,499	\$2,016,499	
	Federal Trust.....	\$63,080,675	\$63,080,675	
		\$63,242,311	\$63,253,762	

Authority: Title 51.5, Chapters 5 and 6, Code of Virginia; P.L. 93-112, Federal Code.

A. Recovery of administrative costs for the Long Term Employment Support Services program shall be limited to 1.87 percent each fiscal year.

B. A minimum of \$4,694,538 the first year and \$4,694,538 the second year from all funds is allocated to support Centers for Independent Living.

C. The Department of Rehabilitative Services shall fulfill the administrative responsibilities pertaining to the Personal Attendant Services program, without interruption or discontinuation of personal attendant services currently provided.

D.1. Out of this appropriation shall be provided \$3,188,638 the first year and \$3,188,638 the second year from the general fund for expanding the continuum of services used to assist persons with brain injuries in returning to work and community living.

2. Of this amount, \$1,725,000 the first year and \$1,725,000 the second year from the general fund shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to \$150,000 each year shall be awarded to successful program applicants. Programs currently receiving more than \$250,000 from the general fund each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, program applicants shall submit plans to pursue non-state resources to complement the provision of general fund support.

3. In allocating additional funds for brain injury services, the Department of Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council (VBIC).

ITEM 331.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>4. The Department of Rehabilitative Services (DRS) shall submit an annual report to the Chairmen of the Senate Finance and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources.</p> <p>E. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department of Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee.</p> <p>F. The Department of Rehabilitative Services shall work with the disAbility Resource Center to phase out funding that has been provided by the State Independent Living Council so as not to impose an undue hardship on persons with disabilities who receive services from the Center.</p> <p>G. Out of this appropriation, \$285,000 the first year and \$285,000 the second year shall be provided from the general fund to support direct case management services for brain injured individuals and their families in Southwestern Virginia.</p> <p>H.1. For Commonwealth Neurotrauma Initiative Trust Fund grants awarded after July 1, 2004, the Commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.</p> <p>2. Notwithstanding any other law to the contrary, the Commissioner may reallocate up to \$500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries.</p> <p>I. Out of this appropriation, \$150,000 from the general fund each year shall be used to expand case management services for individuals with brain injuries in unserved or underserved regions of the Commonwealth.</p> <p>J. Out of this appropriation, \$200,000 the first year from the general fund shall be provided for brain injury services. In allocating the funding, the Department of Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council.</p> <p><i>K. Notwithstanding the provisions of § 51.5-47, Code of Virginia, every county and city, either singly or in combination with another political subdivision, may establish a local disability services board to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested. Notwithstanding the provisions of § 51.5-48, Code of Virginia, local disability services boards shall follow some or all of the provisions of this code section, at their discretion.</i></p>				
332.	Continuing Income Assistance Services (46100).....		\$35,996,635	\$35,996,635
	Social Security Disability Determination (46102).....		\$40,196,635	\$40,196,635
	Fund Sources: General.....		\$936,250	\$936,250
	Special.....		\$100,000	\$100,000
	Federal Trust.....		\$35,060,385	\$35,060,385
			\$39,160,385	\$39,160,385
<p>Authority: Title 51.5, Chapter 3, Code of Virginia; Titles II and XVI, P.L. 74-271, Federal Code.</p> <p>The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning hospitalized persons to rehabilitation facilities when the patient may meet the criteria established by the Social Security Administration and Medicaid for disability. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of social service referrals, when the referrals include sufficient evidence that appropriately documents SSA's definition of disability.</p>				

ITEM 332.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	If the referrals do not contain sufficient documentation of disability, the Department of Rehabilitative Services shall continue to expedite processing of these priority referrals under Medicaid regulations.				
333.	Administrative and Support Services (49900).....			\$9,407,465	\$9,407,465
				\$12,817,465	\$12,817,465
	General Management and Direction (49901).....	\$5,398,216	\$5,398,216		
		\$8,798,216	\$8,798,216		
	Information Technology Services (49902).....	\$3,657,644	\$3,657,644		
	Planning and Evaluation Services (49916).....	\$141,605	\$141,605		
	Training and Education Services (49925).....	\$210,000	\$210,000		
		\$220,000	\$220,000		
	Fund Sources: General.....	\$379,153	\$379,153		
	Special.....	\$6,435,032	\$6,435,032		
		\$6,345,032	\$6,345,032		
	Federal Trust.....	\$2,593,280	\$2,593,280		
		\$6,093,280	\$6,093,280		
	Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 93-112, Federal Code.				
334.	Included in the Federal Trust appropriation are amounts estimated at \$361,526 the first year and \$361,526 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.				
334.05.	Executive Management (71300).....			(\$2,621,353)	(\$2,759,933)
	Savings From Management Actions (71301).....	(\$2,621,353)	(\$2,759,933)		
	Fund Sources: General.....	(\$2,621,353)	(\$2,759,933)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Rehabilitative Services.....			\$141,988,829	\$141,988,829
				\$147,139,112	\$147,011,983
	General Fund Positions.....	114.75	114.75		
	Nongeneral Fund Positions.....	589.25	589.25		
	Position Level .....	704.00	704.00		
	Fund Sources: General.....	\$30,459,598	\$30,459,598		
		\$27,838,245	\$27,699,665		
	Special.....	\$8,778,392	\$8,778,392		
		\$8,788,392	\$8,788,392		
	Dedicated Special Revenue.....	\$2,016,499	\$2,016,499		
	Federal Trust.....	\$100,734,340	\$100,734,340		
		\$108,495,976	\$108,507,427		
	<b>Woodrow Wilson Rehabilitation Center (203)</b>				
335.	Rehabilitation Assistance Services (45400).....			\$19,921,133	\$19,921,133
				\$19,719,155	\$19,719,155
	Vocational Rehabilitation Services (45404).....	\$10,754,994	\$10,754,994		
		\$10,649,994	\$10,649,994		
	Medical Rehabilitative Services (45405) .....	\$9,166,139	\$9,166,139		
		\$9,069,161	\$9,069,161		

ITEM 335.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$5,656,475	\$5,656,475		
	\$5,454,497	\$5,454,497		
Special .....	\$13,964,772	\$13,964,772		
Federal Trust .....	\$299,886	\$299,886		
Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482 and P.L. 95-602, Federal Code.				
336. Administrative and Support Services (49900) .....			\$7,991,684	\$7,991,684
			\$8,193,662	\$8,193,662
General Management and Direction (49901) .....	\$3,128,179	\$3,128,179		
	\$3,053,179	\$3,053,179		
Information Technology Services (49902) .....	\$1,196,844	\$1,196,844		
Physical Plant Services (49915) .....	\$4,001,639	\$4,001,639		
	\$3,943,639	\$3,943,639		
Fund Sources: General .....	\$1,420,456	\$1,420,456		
	\$1,622,434	\$1,622,434		
Special .....	\$6,571,228	\$6,571,228		
Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 93-112 and P.L. 95-602, Federal Code.				
Comprehensive services available on-site at Woodrow Wilson Rehabilitation Center shall include, but not be limited to, vocational services, including evaluation, prevocational, academic, and vocational training; independent living services; transition from school to work services; rehabilitative engineering and assistive technology; and medical rehabilitation services, including residential, outpatient, supported living, community reentry, and family support.				
336.05. Executive Management (71300) .....			(\$1,074,285)	(\$1,052,657)
Savings From Management Actions (71301) .....	(\$1,074,285)	(\$1,052,657)		
Fund Sources: General .....	(\$1,074,285)	(\$1,052,657)		
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Woodrow Wilson Rehabilitation Center .....			\$27,912,817	\$27,912,817
			\$26,838,532	\$26,860,160
General Fund Positions .....	118.67	118.67		
	114.67	114.67		
Nongeneral Fund Positions .....	244.33	244.33		
Position Level .....	363.00	363.00		
	359.00	359.00		
Fund Sources: General .....	\$7,076,931	\$7,076,931		
	\$6,002,646	\$6,024,274		
Special .....	\$20,536,000	\$20,536,000		
Federal Trust .....	\$299,886	\$299,886		
Grand Total for Department of Rehabilitative Services....			\$169,901,646	\$169,901,646
			\$173,977,644	\$173,872,143
General Fund Positions .....	233.42	233.42		
	229.42	229.42		
Nongeneral Fund Positions .....	833.58	833.58		
Position Level .....	1,067.00	1,067.00		
	1,063.00	1,063.00		



ITEM 336.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$37,536,529	\$37,536,529		
Special .....	\$33,840,891	\$33,723,939		
	\$29,314,392	\$29,314,392		
	\$29,324,392	\$29,324,392		
Dedicated Special Revenue .....	\$2,016,499	\$2,016,499		
Federal Trust .....	\$101,034,226	\$101,034,226		
	\$108,795,862	\$108,807,313		

**§ 1-96. DEPARTMENT OF SOCIAL SERVICES (765)**

337.	Program Management Services (45100) .....		\$44,109,917	\$44,542,449
			\$43,275,466	\$43,469,295
	Training and Assistance to Local Staff (45101) .....	\$13,196,644	\$13,196,644	
		\$12,890,399	\$12,677,809	
	Central Administration and Quality Assurance for Benefit Programs (45102) .....	\$12,979,322	\$12,979,322	
		\$12,823,603	\$13,042,882	
	Central Administration and Quality Assurance for Family Services (45103) .....	\$8,900,281	\$9,332,813	
		\$8,549,249	\$8,901,391	
	Central Administration and Quality Assurance for Community Programs (45105) .....	\$4,709,824	\$2,764,683	
		\$4,688,369	\$5,309,634	
	Central Administration for the Comprehensive Services Act (CSA) (45106) .....	\$1,120,644	\$1,120,644	
			\$1,117,480	
	Central Administration and Quality Assurance for Child Care Activities (45107) .....	\$3,203,202	\$5,148,343	
			\$2,420,099	
	Fund Sources: General .....	\$16,009,167	\$16,306,332	
			\$17,537,580	
	Federal Trust .....	\$28,100,750	\$28,236,117	
		\$27,266,299	\$25,931,715	

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Comprehensive Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Comprehensive Services Act teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

338.	Financial Assistance for Self-Sufficiency Programs and Services (45200) .....		\$282,536,535	\$282,536,535
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ITEM 338.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			\$288,437,199	\$293,900,477
Temporary Assistance for Needy Families (Tanf) Cash Assistance (45201).....	\$96,680,416	\$96,680,416		
	\$97,932,966	\$103,636,978		
Child Support Supplement (45211).....	\$7,800,000	\$7,800,000		
	\$5,550,000	\$4,800,000		
Temporary Assistance for Needy Families (Tanf) Employment Services (45212) .....	\$25,138,972	\$25,138,972		
Food Stamp Employment and Training (Fset) Employment Services (45213) .....	\$241,326	\$241,326		
		\$866,326		
Temporary Assistance for Needy Families (Tanf) Child Care Subsidies (45214).....	\$58,512,207	\$58,512,207		
	\$56,262,207	\$57,262,207		
At-Risk Child Care Subsidies (45215) .....	\$88,313,614	\$88,313,614		
	\$97,461,728	\$96,345,994		
Unemployed Parents Cash Assistance (45216) .....	\$5,850,000	\$5,850,000		
Fund Sources: General .....	\$109,317,733	\$109,317,733		
	\$104,317,733	\$103,183,641		
Federal Trust .....	\$173,218,802	\$173,218,802		
	\$184,119,466	\$190,716,836		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. To the extent permitted by federal law, the State Plan for Temporary Assistance for Needy Families (TANF) shall provide that the eligibility for assistance of an alien who is qualified alien (as defined in § 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law Number 104-193) shall be determined without regard to alienage.

B. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

C. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

D.1. The Department of Social Services shall be authorized to make necessary changes in the State Plan for the Temporary Assistance for Needy Families (TANF) Program to meet the federal TANF requirements, pursuant to federal Deficit Reduction Omnibus Reconciliation Act of 2005, and to minimize the Commonwealth's exposure to federal financial penalties, provided it does so in the most efficient and least costly manner.

2. No less than 30 days prior to submitting amendments to the federal government on the State Plan for the Temporary Assistance for Needy Families Program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees with written documentation of the proposed policy changes, including an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

ITEM 338.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>E. Out of this appropriation, <del>\$5,850,000</del> \$2,775,000 the first year and <del>\$5,850,000</del> \$2,775,000 the second year from the general fund and <del>\$1,950,000</del> \$2,400,000 the first year and <del>\$1,950,000</del> \$2,400,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be used by the Department of Social Services to provide recipients of Temporary Assistance for Needy Families (TANF) cash assistance a monthly TANF supplement up to the current child support collected by the Division of Child Support Enforcement for each such recipient, less any disregard passed through to such recipient pursuant to any other provision of law. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.</p>				
<p>F. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program. The Department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.</p>				
<p>G. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.</p>				
<p>H. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, §1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.</p>				
<p>I. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for these wraparound services.</p>				
<p>J. Out of the total appropriation for child care, \$10,626,393 from the general fund and \$52,445,805 from federal funds the first year and \$10,626,393 from the general fund and \$52,445,805 from federal funds the second year will support state child care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for child care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall report on the sliding fee scale and eligibility criteria adopted by the Board of Social Services by December 15 of each year. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with child care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.</p>				

ITEM 338.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

K. Notwithstanding § 4-1.03 of this act, general fund and nongeneral fund appropriations for the Child Care Fee System At-risk and At-risk Pass-thru programs shall not be transferred to support other child care programs or for any other purpose.

L. ~~4.~~ It is the intent of the General Assembly that the Department of Social Services automate child care assistance programs. The Department shall report to the Governor and the General Assembly by October 15 of each year regarding the status of such automation, system adequacy, and needed action.

~~2. Out of this appropriation, \$750,000 the first year and \$750,000 the second year from the general fund shall be used to create an automated child care management and payment system. The Department of Social Services shall provide an annual report on the system's progress by July 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Health and Human Resources and the Department of Planning and Budget.~~

M. Included in this Item is funding in the amount of \$600,000 the first year and \$600,000 the second year from nongeneral funds for scholarships for students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education. Also included in this Item is funding in the amount of \$505,000 the first year and \$505,000 the second year from nongeneral funds for training of individuals in the field of early childhood education.

N. Out of appropriations in this Item shall be provided \$300,000 the first year and \$300,000 the second year from nongeneral funds for child care assistance provided to children in homeless and domestic violence shelters.

O. Out of this appropriation shall be provided \$350,000 the first year ~~and \$350,000 the second year~~ from the Child Care Development Fund to contract with a network of child care resource and referral agencies to provide assistance to working parents in locating and identifying child care programs and to collect, maintain and disseminate information about child care in accordance with the 2002/2003 Child Care Development Fund Plan for Virginia.

339.	Financial Assistance for Local Social Services Staff (46000) .....			\$345,694,432	\$345,694,432
				\$362,094,432	\$360,594,432
	Eligibility Determination Local Staff and Operations (46003) .....	\$163,444,965	\$163,444,965		
		\$179,844,965	\$178,444,965		
	Social Worker Local Staff and Operations (46006) .....	\$182,249,467	\$182,249,467		
			\$182,149,467		
	Fund Sources: General .....	\$117,359,475	\$117,359,475		
	Dedicated Special Revenue .....	\$1,500,000	\$1,500,000		
	Federal Trust .....	\$226,834,957	\$226,834,957		
		\$243,234,957	\$241,734,957		

Authority: Title 63.2, Chapters 1, 6, 6.2, 6.5, 13 and 14, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

ITEM 339.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families; Food Stamps; and Medicaid.</p> <p>D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.</p> <p>E. Out of the federal fund appropriation for Eligibility Determination, amounts estimated at \$15,000,000 the first year and \$15,000,000 the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at \$10,500,000 the first year and \$10,500,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.</p> <p>F. Beginning July 1, 2008, the Commissioner of Social Services shall work with the governing bodies of localities operating a single jurisdiction local department of social services with 2007 provisional population estimates of 20,000 or less to examine and identify efficiencies or general fund cost savings as a result of consolidating those programs and/or administrative operations. The Commissioner of Social Services, in consultation with the identified local governing bodies, shall include a comparative evaluation of costs in localities operating a single jurisdiction local department of social services below and above populations of 20,000, conformity of staffing patterns with established workload measures in such smaller localities, and compliance with established performance measures in those small agencies. The Commissioner shall report on the potential savings accrued by this action to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2008.</p>				
340.	Child Support Enforcement Services (46300) .....		\$718,285,512	\$718,253,012
	Support Enforcement and Collection Services (46301) ....		\$742,054,161	\$757,937,590
		\$87,718,145	\$87,685,645	
		\$90,753,636	\$94,317,227	
	Public Assistance Child Support Payments (46302) .....		\$5,000,000	\$5,000,000
		\$5,027,808	\$4,422,192	
	Non-Public Assistance Child Support Payments (46303) .....		\$625,567,367	\$625,567,367
		\$646,272,717	\$659,198,171	
	Fund Sources: General .....		\$6,684,525	\$6,605,435
		\$1,712,333	\$0	
	Special .....		\$658,173,029	\$658,173,029
		\$686,974,613	\$704,638,777	
	Federal Trust .....		\$53,427,958	\$53,474,548
		\$53,367,215	\$53,298,813	

Authority: Title 20, Chapters 3.1, 4.1, 5, 5.3, and 6; Title 63.2, Chapter 13, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 105-33, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to \$100 per month in child support payments and return to recipients of cash assistance up to \$100 per month in child support payments collected on their behalf.

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C. Amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The Department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed under a proposed contract at a lower cost than if performed by employees of the Commonwealth.

E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once identified, the Division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program.

341.	Adult Programs and Services (46800) .....		\$44,912,949	\$44,912,949
			\$44,908,427	\$46,418,906
	Auxiliary Grants for the Aged, Blind, and Disabled (46801) .....	\$24,882,956	\$24,882,956	
	Adult In-Home and Supportive Services (46802) .....	\$11,642,995	\$11,642,995	
	Domestic Violence Prevention and Support Activities (46803) .....	\$8,386,998	\$8,386,998	
		\$8,382,476	\$9,892,955	
	Fund Sources: General .....	\$27,152,878	\$27,152,878	
	Federal Trust .....	\$17,760,071	\$17,760,071	
		\$17,755,549	\$19,266,028	

Authority: Title 51.2, Chapter 1.1 and Title 63.2, Chapters 1 and 6, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A. 1. Effective January 1, ~~2008~~ 2009, the Department of Social Services is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of ~~\$1,075~~ \$1,112 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The Department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, ~~2008~~ 2009, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be ~~\$77~~ \$81 per month, unless modified as indicated below.

3. The Department of Social Services is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the Department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with an explanation of the reasons for the increase.

B. Out of this nongeneral fund appropriation, \$6,501,894 the first year and \$6,501,894 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

~~C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund is provided for the Virginia Caregivers Grant Program.~~

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<p>D. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the Department to receive complaints of adult abuse and neglect.</p> <p>E. Out of this appropriation, \$325,000 the first year and <del>\$1,387,500</del> <del>the second year</del> from the general fund and \$1,062,500 the first year <del>and \$1,387,500 the second year</del> from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.</p> <p>F. Out of this appropriation, \$75,000 from the general fund and \$400,000 from nongeneral funds the first year and \$75,000 from the general fund and \$400,000 from nongeneral funds the second year shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.</p> <p>G. Notwithstanding the emergency regulations set forth in 22 VAC 40-71-10 et seq. Standards and Regulations for Licensed Assisted Living Facilities, the Department of Social Services shall (i) define a department-approved course for managers of licensed facilities with 19 or fewer residents, pursuant to 22 VAC 40-71-60 L.3 e (4), as a course that does not exceed 40 hours and is available and accessible in multiple regions within the Commonwealth; (ii) reinstate an exception to the requirement that at least one staff member be awake and on duty during the night in buildings that house 19 or fewer residents provided that none of the residents require a staff member to be awake and on duty at night, pursuant to 22 VAC 40-71-130; and (iii) eliminate requirements set forth in the emergency regulations, pursuant to 22 VAC 40-71-485, guiding intervention for high risk behavior.</p> <p><i>H. The Department of Social Services, Department of Mental Health, Mental Retardation and Substance Services, Community Services Boards, and local departments of social services may conduct a pilot for portable Auxiliary Grants to pay for housing of consumers who (i) have lived in an assisted living facility for more than 6 months, (ii) receive an Auxiliary Grant, (iii) receive Medicaid-funded case management and support services from a community services board or behavioral health authority, (iv) meet residential assisted living level of care criteria, (v) are determined by the community services board or behavioral health authority to be good candidates for living in the community based upon the Uniform Assessment Instrument, and (vi) have a care of plan in place developed by a community services board or behavioral health authority to ensure that needs can be met in the community. Priority shall be given to individuals meeting the above criteria who reside in assisted living facilities that give notice of closure or of discontinuing acceptance of Auxiliary Grant recipients as residents. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall, with cooperation by the Department of Social Services, evaluate any pilot to determine the impact on portable Auxiliary Grant recipients, community services boards and local departments of social services. A report of the evaluation findings and recommendations shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2010.</i></p>				
342.	Child Welfare Services (46900) .....		\$163,057,764	\$170,055,444
			\$170,743,780	\$164,724,760
	Foster Care Payments and Supportive Services (46901) ..	\$84,345,995	\$87,187,707	
		\$79,187,626	\$80,871,707	
	Supplemental Child Protective Activities (46902) .....	\$4,989,561	\$4,989,561	
			\$4,207,950	
	Adoption Subsidies and Supportive Services (46903) .....	\$73,722,208	\$77,878,176	
		\$86,566,593	\$79,645,103	
	Fund Sources: General .....	\$92,545,742	\$97,019,110	
		\$88,835,565	\$91,310,178	
	Special .....	\$948,245	\$948,245	
			\$460,295	

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Federal Trust.....	\$69,563,777	\$72,088,089		
	\$80,959,970	\$72,954,287		

Authority: Title 63.2, Chapters 3, 10, 10.1, 10.2, 11.1, 11.2, 12.1, and 18, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, as amended, Federal Code.

A. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in §63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

B. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The Commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

C. This appropriation includes \$180,200 from the general fund and \$99,800 from nongeneral funds the first year and \$180,200 from the general fund and \$99,800 from nongeneral funds the second year to continue respite care for foster parents.

D. The Commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from nongeneral funds shall be provided for Volunteer Emergency Families for Children to expand its shelter care network for abused, neglected, runaway, homeless, and at-risk children throughout Virginia.

F. The Department of Social Services shall develop additional performance measures for the adoption subsidy program to measure, over a fiscal year, the percentage of foster care children with a goal of adoption who are placed in adoptive homes and, of those, the average number of months since the termination of parental rights and the average number of months since the goal of adoption was established.

G. The Department of Social Services shall develop and maintain a Memorandum of Understanding with the Comprehensive Health Investment Project (CHIP) of Virginia to pilot the use of foster care prevention funding in Southwest Virginia. Additional funding which may be available through this effort to Southwest Virginia CHIP projects cannot be used to supplant existing resources for those projects.

H. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from nongeneral funds is provided for the Child Abuse Prevention Play administered by Theatre IV of Richmond.

343.	Financial Assistance for Supplemental Assistance Services (49100).....			\$44,646,641	\$44,646,641
				\$45,646,641	\$60,746,641
	General Relief (49101) .....	\$3,458,566	\$3,458,566		
	Resettlement Assistance (49102).....	\$7,922,000	\$7,922,000		
		\$8,922,000	\$9,022,000		
	Emergency and Energy Assistance (49103) .....	\$33,266,075	\$33,266,075		
			\$48,266,075		
	Fund Sources: General .....	\$3,458,566	\$3,458,566		
	Federal Trust .....	\$41,188,075	\$41,188,075		
		\$42,188,075	\$57,288,075		

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.



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344.	Financial Assistance to Community Human Services Organizations (49200).....			\$36,873,074	\$36,873,074
				\$38,123,074	\$46,209,860
	Community Action Agencies (49201) .....	\$18,819,068	<del>\$18,504,770</del>		
			\$23,883,075		
	Volunteer Services (49202) .....	\$4,304,340	\$4,366,340		
	Other Payments to Human Services Organizations (49203) .....	\$13,749,666	\$14,001,964		
		\$14,999,666	\$17,960,445		
	Fund Sources: General .....	\$5,478,148	\$11,137,939		
		\$6,478,148	\$11,597,939		
	Federal Trust .....	\$31,394,926	\$25,735,135		
		\$31,644,926	\$34,611,921		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, \$2,914,786 the first year and ~~\$4,640,805~~ the second year from the general fund and \$3,397,859 the first year and ~~\$1,671,840~~ \$3,156,323 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided for community action agencies to promote self-sufficiency.

3. Out of this appropriation, \$218,500 the first year and \$218,500 the second year from the general fund shall be provided to the Virginia Community Action Partnership to support the Virginia Earned Income Tax Coalition and provide grants to local organizations to provide outreach, education and tax preparation services to citizens who may be eligible for the federal Earned Income Tax Credit. The Virginia Community Action Partnership shall report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of the federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Legislative Audit and Review Commission by December 1 each year.

B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-540 et seq.

C. Out of this appropriation, \$100,000 the first year and ~~\$100,000~~ the second year from the general fund and \$100,000 the second year from the Temporary Assistance to Needy Families block grant shall be provided to the Tri-County Community Action Agency, Inc. to ensure funding parity for Charlotte and Mecklenburg Counties.

D. Out of this appropriation, \$1,332,959 the first year and ~~\$3,472,779~~ the second year from the general fund and \$4,139,820 the first year and ~~\$2,000,000~~ \$5,472,779 the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to Healthy Families Virginia. These funds shall be used at the discretion of local sites for obtaining matching Title IV-E nongeneral funds when available. The Department of Social Services shall continue to allocate funds from this item to the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Healthy Families Virginia program.

E.1. Out of the appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the general fund shall be provided to the Virginia Early Childhood Foundation. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for

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each state dollar provided. Funds shall be awarded to proposals that seed and foster community programs that enhance the health, safety and well-being of Virginia's youth. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the Foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the Foundation.

F. Out of this appropriation, \$637,500 the first year and ~~\$314,298~~ \$637,500 the second year from the Temporary Assistance for Needy Families (TANF) block grant ~~and \$323,202 the second year from the general fund~~ shall be provided to Centers for Employment and Training.

G. Out of this appropriation, \$42,500 the first year from the Temporary Assistance for Needy Families (TANF) block grant ~~and \$42,500 the second year from the general fund~~ shall be provided to People Inc.

H. Out of this appropriation, \$38,250 the first year from the Temporary Assistance for Needy Families (TANF) block grant ~~and \$38,250 the second year from the general fund~~ shall be provided to United Ministries.

I. Out of this appropriation, \$200,000 the first year and \$100,000 the second year from the Temporary Assistance for Needy Families (TANF) block grant and \$100,000 the second year from the general fund shall be provided to Child Advocacy Centers.

J. Out of this appropriation, \$50,000 the first year ~~and \$45,000 the second year~~ from the Temporary Assistance for Needy Families (TANF) block grant ~~and \$50,000 the second year from the general fund~~ shall be provided to the Bristol-Washington County Children's Advocacy Center for services to TANF-eligible populations.

K. Out of this appropriation, \$50,000 the first year ~~and \$45,000 the second year~~ from the Temporary Assistance for Needy Families (TANF) block grant ~~and \$50,000 the second year from the general fund~~ shall be provided to the Lenowisco Planning District Children's Advocacy Center for services to TANF-eligible populations.

L. Out of this appropriation, \$127,500 the first year ~~and \$127,500 the second year~~ from the federal Temporary Assistance for Needy Families (TANF) block grant ~~and \$127,500 the second year from the general fund~~ shall be provided for a domestic violence awareness campaign.

M.1. Out of this appropriation shall be provided ~~\$723,844~~ \$473,844 from the general fund and ~~\$531,791~~ \$781,791 from the federal trust fund the first year and ~~\$723,844~~ \$473,844 from the general fund and ~~\$531,691~~ \$781,791 from the federal trust fund the second year to support the statewide implementation of a 2-1-1 Information and Referral System to provide resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety shall assist in this effort by requesting all affected agencies within their Secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.

3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast

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system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the Department's electronic mailings to all local and regional offices at least biannually.

N. During the period July 1, 2008, through June 30, 2010, the Governor shall not designate any new or existing community action agencies to serve any locality not currently served by a community action agency unless the Secretary of Health and Human Resources certifies in writing to the Chairmen of the House Appropriations and Senate Finance Committees that there are sufficient funds available for such agencies without adversely affecting funding for existing community action agencies.

O. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to Northern Virginia Family Services for costs associated with the expansion and rehabilitation of Georgetown South Community Center.

P. Out of this appropriation, \$1,000,000 the first year from the general fund shall be provided to the Federation of Virginia Food Banks for the purchase of food to be distributed through food banks across the Commonwealth. No funding shall be used for administrative or overhead expenses.

Q. The Department of Social Services shall examine the feasibility of partnering with the Virginia Alliance of Boys and Girls Clubs to provide children services through local club sites through a matching program using federal Temporary Assistance to Needy Families (TANF) funding. As part of its analysis, the Department shall assess whether such services would qualify for TANF funding and if funding these services would have a greater impact on at-risk children than other programs funded using TANF dollars.

R. Out of this appropriation, \$10,000 the second year from the general fund shall be provided to the Parent Leadership Training Institute to improve child outcomes through parental involvement.

S. Out of this appropriation, \$50,000 the second year from the general fund shall be provided to Reston Interfaith to expand social and human services.

T. Out of this appropriation, \$75,000 the second year from the general fund shall be provided to the Visions of Truth Ministries.

345.	Regulation of Public Facilities and Services (56100).....			\$14,267,302	\$14,267,302
	Regulation of Adult and Child Welfare Facilities (56101) .....			\$14,479,478	\$15,961,678
		\$12,935,398	\$12,935,398		
		\$13,147,574	\$13,369,323		
	Interdepartmental Licensure and Certification (56106).....	\$1,331,904	\$1,331,904		
			\$2,592,355		
	Fund Sources: General .....	\$4,669,618	\$4,669,618		
			\$4,739,685		
	Special .....	\$700,303	\$700,303		
			\$1,837,950		
	Federal Trust.....	\$8,897,381	\$8,897,381		
		\$9,109,557	\$9,384,043		

Authority: Title 63.2, Chapters 9 and 10, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child welfare agencies.

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B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in the child day care licensing program so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all day care facilities receive, at a minimum, the two visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child day care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.

E. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the general fund is provided for dementia-specific training of long-term care workers dealing with Alzheimer's disease and related disorders through the Virginia Alzheimer's Association Chapters.

346.	Administrative and Support Services (49900).....			\$72,602,051	\$72,602,051
	General Management and Direction (49901).....	\$3,137,003	\$3,137,003	\$71,940,936	\$72,857,378
		\$3,087,900	\$2,948,259		
	Information Technology Services (49902).....	\$52,017,501	\$52,017,501		
		\$51,700,913	\$50,483,049		
	Accounting and Budgeting Services (49903) .....	\$6,817,876	\$6,817,876		
		\$6,736,080	\$6,480,508		
	Human Resources Services (49914).....	\$2,616,487	\$2,616,487		
		\$2,582,372	\$2,830,454		
	Planning and Evaluation Services (49916).....	\$2,612,850	\$2,612,850		
		\$2,500,986	\$4,878,092		
	Procurement and Distribution Services (49918).....	\$2,690,925	\$2,690,925		
		\$2,663,834	\$2,497,287		
	Public Information Services (49919) .....	\$1,442,842	\$1,442,842		
		\$1,433,371	\$1,449,081		
	Financial and Operational Audits (49929).....	\$1,266,567	\$1,266,567		
		\$1,235,480	\$1,290,648		
	Fund Sources: General .....	\$34,234,427	\$34,234,427		
			\$34,094,831		
	Special.....	\$500,000	\$500,000		
	Federal Trust.....	\$37,867,624	\$37,867,624		
		\$37,206,509	\$38,262,547		

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended; P.L. 105-89; P.L. 105-178, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A.1. The Department of Social Services shall own hardware and database management software purchased with funds appropriated to it. The Virginia Information Technologies Agency may charge the Department of Social Services for operations and maintenance of such equipment and products but may not include any portion of the purchase price in the calculation of such charges. The Virginia Information Technologies Agency may not use or sell the excess capacity resulting from these purchases, except pursuant to a Memorandum of Understanding (MOU) between the Departments of Planning and Budget, the Department of Social Services and the Virginia Information Technologies Agency. Any such MOU must provide for appropriate reimbursement to the general fund and any federal grant contributions for the purchases.

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<p>2. Recovery of the federal share of the cost of computer equipment in years following the Department's original purchase with general fund appropriation shall be deposited as revenue of the general fund in reimbursement for general fund expenditures made in prior years.</p> <p>B. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.</p> <p>C. It is the intent of the General Assembly that the Commissioner of the Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.</p> <p>D. The Commissioner of Social Services, in consultation with relevant state and local agencies, shall develop proposed criteria for assessing funding requests for addressing space needs among local departments of social services, as well as proposed consolidated human services buildings. The criteria shall include but not be limited to compliance with the Americans with Disabilities Act, access to public transportation, life safety issues, condition of current space and related major building systems, impact on service delivery, and other factors as may be appropriate. The Department shall use the criteria to prioritize local requests for increased state reimbursement for renovating existing space, relocating or constructing new space. <i>For those jurisdictions that, when applying such criteria, achieve high priority ranking for increased state reimbursement, yet initiate local funding actions to address critical space needs or to consolidate human services, they shall nevertheless retain their ranking on the prioritized list of projects for increased state reimbursement for renovating existing space, relocating or constructing new space.</i> The Department shall forward a prioritized list of projects to the Secretary of Health and Human Resources and the Department of Planning and Budget by November 1 of each year for consideration by the Governor in the development of the budget. The Department shall also submit a copy of the list of prioritized projects by November 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees.</p> <p>E. The Department of Social Services is authorized to enter into a contractual agreement to finance the conversion of certain Maintaining and Preparing/Producing Executive Reports (MAPPER) software programs to an industry standard web-based programming environment under the following circumstances: a) The conversion project shall not exceed four years commencing on July 1, 2007; b) Financing for the project shall not exceed \$25 million; c) Any debt incurred by the department shall be re-paid over a period of three to five years from savings generated by reductions in annual operational expenditures after project completion; d) Any agreement shall have the prior approval of the Secretary of Technology, Secretary of Health and Human Resources, Secretary of Finance, and Treasury Board.</p> <p>F. Notwithstanding any other provision of law, the Gloucester-Mathews Free Clinic, which was unable to participate in the Neighborhood Assistance Program for the period beginning July 1, 2007, because their application was made after the deadline, may use the balance of their allocation of tax credits as of June 30, 2007, for any donations that would otherwise be eligible for a tax credit, made during the period July 1, 2007, through December 31, 2007.</p> <p>G. The Department of Social Services shall assess the financial and regulatory impact of implementing a screened family day home provider registry for individuals who wish to offer their services as family day home providers in the Commonwealth, and who are not required to be licensed or regulated pursuant to this chapter or regulated by local ordinance pursuant to § 15.2-914, Code of Virginia, and who may wish to voluntarily apply to be included in the registry and may authorize the Department to disclose information contained in the registry. As part of its impact analysis, the Department shall examine the cost to family day home providers for inclusion on the registry. The Department shall submit a copy of this analysis to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2008.</p> <p>H. <i>The Department of Social Services shall develop an implementation plan to centralize, web-enable and streamline eligibility determination for benefit programs. The Department of Social Services, in cooperation with system partners and impacted agencies, shall develop the plan, and seek the necessary federal approvals to redesign existing work flow processes and develop an efficient and effective customer self-service web-based automated system. This plan</i></p>				

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*shall also address efficient utilization of local staff and potential for future savings. The Department of Medical Assistance Services (DMAS) shall participate in the development of the plan and approve any modifications affecting Medicaid or other DMAS-administered programs. In addition, the Department of Social Services shall staff a steering committee including representatives from the Office of the Secretary of Health and Human Resources, the Virginia Information Technologies Agency, Department of Social Services, League of Social Services Executives, Department of Medical Assistance Services, and Department of Planning and Budget. This committee shall be responsible for overseeing the development and implementation of the plan. Prior to submission of the plan for federal approval, the steering committee shall submit the plan to the Joint Legislative Audit and Review Commission and the Auditor of Public Accounts for review and comment. The Commissioner of Social Services shall provide an initial report on the development of the plan to the Governor, Secretary of Finance, and Chairmen of the House Appropriations and Senate Finance Committees on the cost, feasibility, potential for economy of scale at an enterprise level, impact on other state and local agencies, and impact on consumers by October 15, 2009 and an annual progress report on the plan by October 15 of each year thereafter. Implementation of the plan is contingent upon approval of the 2010 General Assembly of the expenditures of state and federal funds for this purpose.*

347. A. In the operation of any program of public assistance, including benefit and service programs in any locality, for which program appropriations are made to the Department of Social Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefor under federal and/or state statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality.

B. However, no such repayments may be required of the locality if the Department determines that such overpayment or payments to ineligible resulted from the promulgation of vague or conflicting regulations by the Department or from the failure of the Department to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions, causing the overpayment or payment to ineligible(s) to be made by the locality or from situations where a locality exercised due diligence, yet received incomplete or incorrect information from the client which caused the overpayment or payment to ineligible. If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the Department to the locality for the same program.

C. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the Department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the Department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.

D. To the extent permitted by federal law, the eligibility for social services of an alien who is a qualified alien (as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193) shall be determined without regard to alienage.

348. A. The amount for the Food Stamp program shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

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<p>B. Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department of Social Services shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for food stamp recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.</p> <p>C. To the extent permitted by federal law, food stamp recipients subject to a work requirement pursuant to § 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, shall be permitted to satisfy such work requirement by providing volunteer services to a public or private, nonprofit agency for the number of hours per month determined by dividing the household's monthly food stamp allotment by the federal minimum wage.</p> <p>D. The Department of Social Services shall, to the extent permitted by federal law, implement semi-annual reporting in the food stamp program. Households subject to semi-annual reporting shall have 12-month certification periods; however, if a household subject to semi-annual reporting includes (i) able-bodied adults without dependents who are subject to the food stamp time limit, (ii) homeless persons, or (iii) migrants, it may be assigned to a shorter certification period. Households not included in semi-annual reporting shall have certification periods based on guidelines from federal regulations.</p> <p>E. The Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the food stamp program.</p> <p>F. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for federal food stamps and ensure that they have access to benefits under the food stamp program. To the extent permitted by federal law, the department shall administer the food stamp program in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of food stamp receipt on their immigration sponsors and status.</p>				
349.	<p>1. It is hereby acknowledged that as of June 30, <del>2007</del> 2008 there existed with the federal government an unexpended balance of <del>\$49,914,919</del> \$53,615,681 in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State plan for the TANF program. Based on projected spending levels and appropriations in this act, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at <del>\$15,750,273 on June 30, 2008;</del> \$8,085,987 \$24,144,526 on June 30, 2009; and <del>\$8,085,987</del> \$86,676 on June 30, 2010.</p> <p>2. The Department of Social Service (DSS) shall report annually on October 1 to the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding spending; program results; clients served; the location, size, implementation status, and nature of projects funded with TANF funds; results of all formal evaluations; and recommendations for continuation, expansion, and redesign of the projects. Such report shall be combined with the report required by § 63.2-619, Code of Virginia.</p>			
349.05.	Executive Management (71300) .....		(\$23,948,683)	(\$24,274,238)
	Savings From Management Actions (71301).....	(\$23,948,683)	(\$24,274,238)	
	Fund Sources: General.....	(\$23,948,683)	(\$24,274,238)	
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Department of Social Services .....			\$1,766,986,177	\$1,774,383,889

ITEM 349.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			<b>\$1,797,754,911</b>	<b>\$1,838,546,779</b>
General Fund Positions.....	407.31	407.31		
	389.31	389.31		
Nongeneral Fund Positions.....	1,291.19	1,291.19		
	1,272.19	1,272.19		
Position Level .....	1,698.50	1,698.50		
	1,661.50	1,661.50		
Fund Sources: General .....	\$416,910,279	\$427,261,513		
	\$380,279,227	\$386,160,535		
Special.....	\$660,321,577	\$660,321,577		
	\$689,123,161	\$707,437,022		
Dedicated Special Revenue .....	\$1,500,000	\$1,500,000		
Federal Trust .....	\$688,254,321	\$685,300,799		
	\$726,852,523	\$743,449,222		
<b>§ 1-97. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)</b>				
350. Social Services Research, Planning, and Coordination (45000) .....			<del>\$1,630,003</del>	\$1,630,003
			\$1,600,003	
Research, Planning, Outreach, Advocacy, and Systems Improvement (45002).....	\$855,599	\$855,599		
Administrative Services (45006) .....	\$774,404	\$774,404		
	\$744,404			
Fund Sources: General .....	\$319,058	\$319,058		
	\$304,058			
Federal Trust .....	\$1,310,945	\$1,310,945		
	\$1,295,945			
Authority: Title 51.5, Chapter 7, Code of Virginia.				
351. Financial Assistance for Individual and Family Services (49000) .....			\$458,820	\$458,820
			\$500,820	\$500,820
Financial Assistance to Localities for Individual and Family Services (49001).....	\$458,820	\$458,820		
	\$500,820	\$500,820		
Fund Sources: Federal Trust .....	\$458,820	\$458,820		
	\$500,820	\$500,820		
Authority: Title 51.5, Chapter 7, Code of Virginia.				
Total for Virginia Board for People with Disabilities .....			<b>\$2,088,823</b>	<b>\$2,088,823</b>
			<b>\$2,100,823</b>	<b>\$2,130,823</b>
General Fund Positions.....	0.75	0.75		
Nongeneral Fund Positions.....	9.25	9.25		
Position Level .....	10.00	10.00		
Fund Sources: General .....	\$319,058	\$319,058		
	\$304,058			
Federal Trust .....	\$1,769,765	\$1,769,765		
	\$1,796,765	\$1,811,765		
<b>§ 1-98. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)</b>				
352. Statewide Library Services (14200) .....			\$900,831	\$900,831



ITEM 352.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
General Library Services (14202) .....	\$900,831	\$900,831		
Fund Sources: General .....	\$890,831	\$890,831		
Special .....	\$10,000	\$10,000		
Authority: § 51.5-74, Code of Virginia; P.L. 89-522, and P.L. 101-254, Federal Code.				
353. State Education Services (19100).....			<del>\$1,720,921</del>	<del>\$1,720,921</del>
			<del>\$1,970,921</del>	<del>\$1,970,921</del>
Braille and Large-Print Textbook Services (19101).....	\$484,558	\$484,558		
Educational Services (19102) .....	<del>\$1,236,363</del>	<del>\$1,236,363</del>		
	<del>\$1,486,363</del>	<del>\$1,486,363</del>		
Fund Sources: General .....	\$1,413,090	\$1,413,090		
Trust and Agency .....	\$42,000	\$42,000		
Federal Trust.....	<del>\$265,831</del>	<del>\$265,831</del>		
	<del>\$515,831</del>	<del>\$515,831</del>		
Authority: §§ 22.1-214 and 22.1-217, Code of Virginia; P.L. 89-313, P.L. 97-35 and P.L. 102-119, Federal Code.				
354. Rehabilitation Assistance Services (45400).....			<del>\$10,753,974</del>	<del>\$10,753,974</del>
			<del>\$11,020,974</del>	<del>\$11,020,974</del>
Low Vision Services (45401).....	<del>\$338,078</del>	<del>\$338,078</del>		
	<del>\$455,078</del>	<del>\$455,078</del>		
Vocational Rehabilitation Services (45404).....	<del>\$6,563,115</del>	<del>\$6,563,115</del>		
	<del>\$6,713,115</del>	<del>\$6,713,115</del>		
Independent Living Services (45407) .....	\$3,350,110	\$3,350,110		
Vending Stands, Cafeterias, and Snack Bars (45410).....	\$502,671	\$502,671		
Fund Sources: General .....	\$1,764,600	\$1,764,600		
Special .....	<del>\$1,145,980</del>	<del>\$1,145,980</del>		
	<del>\$1,295,980</del>	<del>\$1,295,980</del>		
Trust and Agency .....	\$91,500	\$91,500		
Federal Trust.....	<del>\$7,751,894</del>	<del>\$7,751,894</del>		
	<del>\$7,868,894</del>	<del>\$7,868,894</del>		
Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112, Federal Code.				
It is the intent of the General Assembly that visually handicapped persons who have completed vocational training as food service managers through programs operated by the Department be considered for food service management position openings within the Commonwealth as they arise.				
355. Regional Office Support and Administration (49700) .....			\$2,185,412	\$2,185,412
Regional and Areawide Assistance Administration (49701) .....	\$2,185,412	\$2,185,412		
Fund Sources: General .....	\$1,195,314	\$1,195,314		
Special .....	\$30,000	\$30,000		
Federal Trust.....	\$960,098	\$960,098		
Authority: Title 2.2, Chapter 36; Title 51.5, Chapter 13, Code of Virginia; P.L. 93-112 and P.L. 97-35, Federal Code.				
356. Rehabilitative Industries (81000).....			<del>\$21,318,730</del>	<del>\$21,318,730</del>
			<del>\$24,018,730</del>	<del>\$24,018,730</del>
Manufacturing Services (81003) .....	<del>\$21,318,730</del>	<del>\$21,318,730</del>		
	<del>\$24,018,730</del>	<del>\$24,018,730</del>		

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: Enterprise .....	\$21,278,730	\$21,278,730		
Federal Trust .....	\$23,978,730	\$23,978,730		
	\$40,000	\$40,000		
Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.				
The Industry Production Workers with the Virginia Industries for the Blind shall not be counted in the classified employment levels of the Department for the Blind and Vision Impaired.				
357.	Administrative and Support Services (49900).....		\$1,922,946	\$1,922,946
	General Management and Direction (49901).....	\$1,493,484		\$1,493,484
	Information Technology Services (49902).....	\$84,034		\$84,034
	Physical Plant Services (49915).....	\$345,428		\$345,428
	Fund Sources: General .....	\$1,561,691		\$1,561,691
	Special.....	\$180,813		\$180,813
	Federal Trust.....	\$180,442		\$180,442
Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35, Federal Code.				
357.05.	Executive Management (71300) .....		(\$237,176)	(\$253,669)
	Savings From Management Actions (71301).....	(\$237,176)		(\$253,669)
	Fund Sources: General.....	(\$237,176)		(\$253,669)
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
Total for Department for the Blind and Vision Impaired.....			<b>\$38,802,814</b>	<b>\$38,802,814</b>
			<b>\$41,782,638</b>	<b>\$41,766,145</b>
	General Fund Positions.....	100.40		100.40
	Nongeneral Fund Positions.....	63.60		63.60
	Position Level .....	164.00		164.00
	Fund Sources: General .....	\$6,825,526		\$6,825,526
		\$6,588,350		\$6,571,857
	Special.....	\$1,366,793		\$1,366,793
		\$1,516,793		\$1,516,793
	Enterprise .....	\$21,278,730		\$21,278,730
		\$23,978,730		\$23,978,730
	Trust and Agency .....	\$133,500		\$133,500
	Federal Trust.....	\$9,198,265		\$9,198,265
		\$9,565,265		\$9,565,265
<b>Virginia Rehabilitation Center for the Blind and Vision Impaired (263)</b>				
358.	Rehabilitation Assistance Services (45400).....		\$1,420,611	\$1,420,611
	Social and Personal Adjustment to Blindness Training (45408) .....	\$1,420,611		\$1,420,611
	Fund Sources: Special.....	\$2,000		\$2,000
	Federal Trust.....	\$1,418,611		\$1,418,611
Authority: § 51.5-1, Code of Virginia; P.L. 93-112, Federal Code.				

ITEM 359.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
359.	Administrative and Support Services (49900).....			\$1,064,464	\$1,064,464
	General Management and Direction (49901).....	\$412,080	\$412,080		
	Food and Dietary Services (49907) .....	\$238,000	\$238,000		
	Physical Plant Services (49915).....	\$414,384	\$414,384		
	Fund Sources: General.....	\$192,418	\$192,418		
	Special.....	\$27,000	\$27,000		
	Federal Trust.....	\$845,046	\$845,046		
	Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
359.05.	Executive Management (71300) .....			(\$28,430)	(\$28,430)
	Savings From Management Actions (71301).....	(\$28,430)	(\$28,430)		
	Fund Sources: General.....	(\$28,430)	(\$28,430)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Rehabilitation Center for the Blind and Vision Impaired .....			<b>\$2,485,075</b>	<b>\$2,485,075</b>
				<b>\$2,456,645</b>	<b>\$2,456,645</b>
	Nongeneral Fund Positions.....	26.00	26.00		
	Position Level .....	26.00	26.00		
	Fund Sources: General.....	\$192,418	\$192,418		
		\$163,988	\$163,988		
	Special.....	\$29,000	\$29,000		
	Federal Trust.....	\$2,263,657	\$2,263,657		
	Grand Total for Department for the Blind and Vision Impaired.....			<b>\$41,287,889</b>	<b>\$41,287,889</b>
				<b>\$44,239,283</b>	<b>\$44,222,790</b>
	General Fund Positions.....	100.40	100.40		
	Nongeneral Fund Positions.....	89.60	89.60		
	Position Level .....	190.00	190.00		
	Fund Sources: General.....	\$7,017,944	\$7,017,944		
		\$6,752,338	\$6,735,845		
	Special.....	<del>\$1,395,793</del>	<del>\$1,395,793</del>		
		\$1,545,793	\$1,545,793		
	Enterprise .....	\$21,278,730	\$21,278,730		
		\$23,978,730	\$23,978,730		
	Trust and Agency .....	\$133,500	\$133,500		
	Federal Trust.....	\$11,461,922	\$11,461,922		
		\$11,828,922	\$11,828,922		
	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES .....			<b>\$9,834,268,192</b>	<b>\$10,186,559,526</b>
				<b>\$9,987,744,641</b>	<b>\$10,755,087,215</b>
	General Fund Positions.....	9,713.75	9,715.25		
		9,580.75	9,522.75		
	Nongeneral Fund Positions.....	7,385.00	7,387.50		
		7,304.00	7,286.00		
	Position Level .....	17,098.75	17,102.75		

ITEM 359.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	16,884.75	16,808.75		
Fund Sources: General .....	\$4,200,265,482	\$4,395,456,723		
	\$3,812,260,531	\$3,945,200,794		
Special .....	\$1,161,589,104	\$1,162,641,911		
	\$1,191,296,360	\$1,203,972,449		
Enterprise .....	\$21,278,730	\$21,278,730		
	\$23,978,730	\$23,978,730		
Trust and Agency .....	\$922,298	\$922,298		
Dedicated Special Revenue .....	\$458,061,158	\$462,246,408		
	\$469,742,255	\$463,388,802		
Federal Trust .....	\$3,992,151,420	\$4,144,013,456		
	\$4,489,544,467	\$5,117,624,142		

ITEM 360.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF NATURAL RESOURCES				
§ 1-99. SECRETARY OF NATURAL RESOURCES (183)				
360.	Administrative and Support Services (79900).....		\$670,332	\$670,332
	General Management and Direction (79901).....	\$600,962	\$600,962	
	Council on Indians Support Services (79941).....	\$69,370	\$69,370	
	Fund Sources: General.....	\$670,332	\$670,332	
Authority: Title 2.2, Chapter 2, Article 7; and § 2.2-201, Code of Virginia.				
A. The Secretary of Natural Resources shall report to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation, and Natural Resources, and the House Committees on Appropriations and Conservation and Natural Resources, by November 4 of each year on implementation of the Chesapeake Bay nutrient reduction strategies. The report shall include and address the progress and costs of point source and nonpoint source pollution strategies. The report shall include, but not be limited to, information on levels of dissolved oxygen, acres of submerged aquatic vegetation, computer modeling, variety and numbers of living resources, and other relevant measures for the General Assembly to evaluate the progress and effectiveness of the tributary strategies. In addition, the Secretary shall include information on the status of all of Virginia's commitments to the Chesapeake Bay Agreements.				
B. It is the intent of the General Assembly that a reserve be created within the Virginia Water Quality Improvement Fund to support the purposes delineated within the Virginia Water Quality Improvement Act of 1997 (WQIA 1997) when year-end general fund surpluses are unavailable. Consequently, 15 percent of any amounts appropriated to the Virginia Water Quality Improvement Fund due to annual general fund revenue collections in excess of the official estimates contained in the general appropriation act shall be withheld from appropriation. When annual general fund revenue collections do not exceed the official revenue estimates contained in the general appropriation act, the reserve fund may be used for WQIA 1997 purposes as directed by the General Assembly within the general appropriation act.				
360.05.	Executive Management (71300).....		\$0	(\$2,618)
	Savings From Management Actions (71301).....	\$0	(\$2,618)	
	Fund Sources: General.....	\$0	(\$2,618)	
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Natural Resources .....		\$670,332	<del>\$670,332</del> \$667,714
	General Fund Positions.....	6.00	6.00	
	Position Level .....	6.00	6.00	
	Fund Sources: General.....	\$670,332	<del>\$670,332</del> \$667,714	
§ 1-100. CHIPPOKES PLANTATION FARM FOUNDATION (319)				
360.10.	Agricultural and Seafood Product Promotion and Development Services (53000).....		\$229,270	\$229,270
	Operation and Maintenance of Farm Museum (53004)....	\$229,270	\$229,270	
	Fund Sources: General.....	\$162,167	\$162,167	

ITEM 360.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Dedicated Special Revenue .....	\$67,103	\$67,103		
360.15.	Executive Management (71300) .....			(\$24,325)	(\$24,325)
	Savings From Management Actions (71301) .....	(\$24,325)	(\$24,325)		
	Fund Sources: General .....	(\$24,325)	(\$24,325)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Chippokes Plantation Farm Foundation .....			<b>\$229,270</b>	<b>\$229,270</b>
				<b>\$204,945</b>	<b>\$204,945</b>
	General Fund Positions .....	2.00	2.00		
	Position Level .....	2.00	2.00		
	Fund Sources: General .....	\$162,167	\$162,167		
		\$137,842	\$137,842		
	Dedicated Special Revenue .....	\$67,103	\$67,103		

**§ 1-101. DEPARTMENT OF CONSERVATION AND RECREATION (199)**

361.	Land and Resource Management (50300) .....			\$64,108,355	\$43,495,793
	Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements (50301) .....	\$51,683,654	\$31,683,654	\$65,220,655	\$60,738,367
		\$52,795,954	\$48,876,228		
	Dam Inventory, Evaluation and Classification and Flood Plain Management (50314) .....	\$2,564,174	\$1,951,612		
	Natural Heritage Preservation and Management (50317) .	\$3,591,418	\$3,591,418		
			\$3,641,418		
	Financial Assistance to Soil and Water Conservation Districts (50320) .....	\$5,347,940	\$5,347,940		
	Technical and Financial Assistance for Land Management (50322) .....	\$921,169	\$921,169		
	Fund Sources: General .....	\$16,558,116	\$16,308,116		
		\$17,670,416			
	Special .....	\$9,441,502	\$3,078,940		
			\$3,521,514		
	Dedicated Special Revenue .....	\$29,322,136	\$15,322,136		
			\$32,122,136		
	Federal Trust .....	\$8,786,601	\$8,786,601		

Authority: Title 10.1, Chapters 1, 5, 6, 7, and 21.1; Title 62.1, Chapter 3.1, Code of Virginia.

A. The funds provided in this Item for the Soil and Water Conservation Districts shall be distributed to the greatest extent possible to the districts in accordance with program, financial and resource allocation policies established by the Soil and Water Conservation Board. The June 30, 2009, and June 30, 2010, unexpended general fund balances in Financial Assistance to Soil and Water Conservation Districts are hereby reappropriated.

B. Included in the amount for Statewide Agricultural and Urban Non-Point Source Water Quality Improvements are \$685,473 the first year and \$685,473 the second year from the general fund as It is the intent of the General Assembly that balances in Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements be used for the Commonwealth's statewide match for participation in the federal Conservation Reserve Program. Any unexpended general fund balance designated for Virginia's Conservation Reserve Enhancement Program remaining on June 30, 2009, and June 30, 2010, shall be reappropriated.

ITEM 361.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>C.1. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to § 10.1-2129, Code of Virginia.</p> <p>2. <i>Notwithstanding the provisions of §§10.1-2128 and 10.1-2129, it is the intent of the General Assembly that the Department of Conservation and Recreation use interest earnings from the Water Quality Improvement Fund to support one position to administer grants from the fund.</i></p> <p>D. Included in this Item is \$10,000 the first year and \$10,000 the second year from the general fund to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.</p> <p>E. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to and for use of district-owned conservation equipment used by, landowners within the district. Such recoveries shall not exceed the amounts expended by a District on these services and equipment.</p> <p>F.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, \$600,000 the first year and \$600,000 the second year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Fund, established pursuant § 10.1-603.17, Code of Virginia. The funding provided in this paragraph shall be used for the provision of either grants or loans to localities owning dams in need of renovation and repair or for the provision of loans to private owners of dams in need of renovation and repair.</p> <p>2. Included in the amounts for this item is \$250,000 the first year from the general fund for the dredging of Aquia Creek to restore a navigable channel in this section of the Captain John Smith Chesapeake National Historic Trail, the first federally-designated national water trail.</p> <p>G.1. Notwithstanding the provisions of §§ 10.1-2128, 10.1-2129, and 10.1-2132, Code of Virginia, included in this Item <del>the first year</del> is \$20,000,000 <i>the first year from nongeneral funds and \$20,000,000 the second year from nongeneral funds for nonpoint pollution source reduction activities in accordance with the Virginia Water Quality Improvement Act of 1997. The source of the nongeneral funds the first year shall be \$15,000,000 from interest earnings collected by the Department of Environmental Quality on the Water Quality Improvement Fund and \$5,000,000 from the Water Quality Improvement Fund Reserve Fund held by the Department of Conservation and Recreation and established pursuant to Item 360 of this act. The source of the nongeneral funds the second year shall be \$4,800,000 from interest earnings collected by the Department of Conservation and Recreation on the Water Quality Improvement Fund. The Governor shall provide \$15,200,000 the second year for this paragraph from funds received from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.</i></p> <p>2. It is the intent of the General Assembly, that notwithstanding the provisions of § 10.1-2132, Code of Virginia, the Department of Conservation and Recreation is authorized to make Water Quality Improvement Grants to state agencies.</p> <p>3. All funds provided in paragraph G.1. shall be deposited in the Virginia Natural Resources Commitment Fund established by House Bill 1335 and Senate Bill 511 of the 2008 Session of the General Assembly and shall be dispersed pursuant to § 10.1-2128.1, Code of Virginia.</p> <p>4. <i>Notwithstanding §10.1-2128.1, Code of Virginia, eight percent of the funds deposited to the Virginia Natural Resources Commitment Fund shall be distributed to soil and water conservation districts to provide technical assistance for the implementation of agricultural best management practices. Of the remaining balance, 55 percent shall be used for matching grants for agricultural best management practices on lands exclusively within the Chesapeake Bay watershed and 37 percent shall be used for matching grants for agricultural best management practices on all other lands outside of the Chesapeake Bay watershed in the Commonwealth.</i></p>				

ITEM 361.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

H. Out of the appropriation for Land and Resource Management, \$362,562 the first year and \$392,574 the second year in special funds is provided from the sale of "Friend of the Chesapeake" license plates to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.

*I.1. Out of the amounts for Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements \$1,112,300 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Virginia Water Quality Improvement Act of 1997. This appropriation meets the mandatory deposit requirements associated with fiscal year 2008 excess general fund revenue collections.*

*2. Notwithstanding any other provision of state law, out of this deposit the Department of Conservation and Recreation is authorized to use up to \$500,000 for completion of the project to modernize, simplify, and improve the computerized system utilized by soil and water conservation districts to administer and report on implementation of state agricultural cost share practices initiated by the 2007 Session of the General Assembly.*

*J.1. Notwithstanding § 10.1-564, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Conservation and Recreation, in accordance with § 10.1-564 A (i).*

*2. The Virginia Soil and Water Conservation Board is authorized to amend the Erosion and Sediment Control Regulations (4 VAC 50-30 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§2.2-4006 et seq.) of the Administrative Process Act.*

*K. Pursuant to § 4-1.05 a.4. of this act, \$1,370 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.*

*L. The Director, Department of Conservation and Recreation, in consultation with the Virginia Resources Authority, is authorized to make cost effective financing available to Orange County or the dam owner for modifications necessary to the Lake of the Woods Dam to meet state dam safety requirements and to reduce the potential loss of life and damage to downstream property for this high hazard dam, with an inundation zone containing multiple dwellings and a major state highway. Notwithstanding § 10.1-603.19, Code of Virginia, such authority may be used to provide financial or other assistance from the Dam Safety, Flood Prevention and Protection Assistance Fund to secure funding or to provide a grant not to exceed \$1,000,000.*

362.	Leisure and Recreation Services (50400) .....			\$48,962,884	\$49,212,884
	Preservation of Open Space Lands (50401) .....	\$4,667,340	<del>\$4,667,340</del> \$10,142,340		\$55,236,726
	Financial Assistance for Recreational Development (50402) .....	\$7,100,991	\$7,100,991		
	Design and Construction of Outdoor Recreational Facilities (50403) .....	\$1,149,721	\$1,149,721		
	State Park Management and Operations (50404) .....	\$35,281,402	<del>\$35,531,402</del> \$36,080,244		
	Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406) .....	\$763,430	\$763,430		
	Fund Sources: General .....	\$27,081,030	<del>\$27,331,030</del> \$25,831,030		
	Special .....	\$14,538,719	<del>\$14,538,719</del> \$14,587,561		
	Debt Service .....	\$20,733	<del>\$20,733</del>		



ITEM 362.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				\$95,733
Dedicated Special Revenue .....	\$300,000	<del>\$300,000</del>		\$7,700,000
Federal Trust .....	\$7,022,402	\$7,022,402		

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Out of the amount for Financial Assistance for Recreational Development shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed \$213,750 the first year and \$213,750 the second year from the general fund.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director of the Department of Conservation and Recreation, and the Director of the Department of Planning and Budget.

3. *The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.*

B. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the Conservation and Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the Department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The Department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

C. Included in the amount for Preservation of Open-Space Lands is \$2,050,000 the first year and ~~\$2,050,000~~ \$1,947,500 the second year from the general fund for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

D.1. Included in the amount for Preservation of Open Space Lands is \$2,000,000 the first year and ~~\$2,000,000 the second year~~ from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia.

2. *The Governor shall provide \$2,000,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.*

E. Out of the amounts collected pursuant to Item 443 of this act, on or before June 30, 2009, and June 30, 2010, the Comptroller shall transfer all funds in excess of \$6,000,000 collected in each fiscal year to the Virginia Land Conservation Fund to be distributed pursuant to § 10.1-1020, Code of Virginia, for the preservation of open-space lands. There is hereby established a sum sufficient appropriation in the Department of Conservation and Recreation, not to exceed the amount of funds in excess of \$6,000,000 per year collected pursuant to Item 443.

F. The Director of the Department of Conservation and Recreation, at his discretion, is authorized to accept on behalf of the Commonwealth a gift of property known as Grand Caverns Park from the Upper Valley Regional Park Authority. This property is to be developed into a state park and the existing facilities are to be demolished or upgraded to the Division of State Parks' standards when a source of funding has been identified for these purposes. The Director is authorized to make the necessary upgrades to the park facilities to meet Division of State Parks' standards, as funding is available.

G. The Department of Conservation and Recreation shall report to the Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2008, the steps it has taken to secure the transfer of the property known as Grand Caverns Park from the Upper Valley

ITEM 362.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Regional Park Authority and what activities it has taken to demolish any substandard structures on the property or to enhance the number of visitors to the Grand Caverns.				
363.	Omitted.				
364.	Administrative and Support Services (59900).....			\$7,287,991	\$7,287,991
	General Management and Direction (59901).....	\$7,287,991	\$7,287,991		
	Fund Sources: General.....	\$6,072,594	\$6,072,594		
	Special.....	\$1,215,397	\$1,215,397		
	Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1 Code of Virginia.				
364.05.	Executive Management (71300) .....			(\$5,055,106)	(\$5,652,098)
	Savings From Management Actions (71301).....	(\$5,055,106)	(\$5,652,098)		
	Fund Sources: General.....	(\$5,055,106)	(\$5,652,098)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Conservation and Recreation .....			<del>\$120,359,230</del> \$116,416,424	<del>\$99,996,668</del> \$117,610,986
	General Fund Positions.....	453.50	458.50		
		441.50	445.50		
	Nongeneral Fund Positions.....	97.50	97.50		
	Position Level .....	551.00	556.00		
		539.00	543.00		
	Fund Sources: General .....	\$49,711,740	\$49,711,740		
		\$45,768,934	\$42,559,642		
	Special.....	\$25,195,618	\$18,833,056		
			\$19,324,472		
	Debt Service.....	\$20,733	\$20,733		
			\$95,733		
	Dedicated Special Revenue .....	\$29,622,136	\$15,622,136		
			\$39,822,136		
	Federal Trust.....	\$15,809,003	\$15,809,003		
<b>§ 1-102. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)</b>					
365.	Land Protection (50900) .....			\$14,722,205	\$14,722,205
	Land Protection Permitting (50925).....	\$4,337,092	\$4,337,092		
	Land Protection Compliance and Enforcement (50926) ...	\$6,347,347	\$6,347,347		
	Land Protection Outreach (50927) .....	\$3,813,209	\$3,813,209		
	Land Protection Planning and Policy (50928).....	\$224,557	\$224,557		
	Fund Sources: General .....	\$3,815,147	\$3,815,147		
	Special.....	\$969,003	\$969,003		
	Trust and Agency .....	\$3,000	\$3,000		
	Dedicated Special Revenue .....	\$5,705,165	\$5,705,165		
	Federal Trust.....	\$4,229,890	\$4,229,890		
	Authority: Title 5.1, Chapter 1; Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5; and Title 62.1, Chapter 20, Code of Virginia.				
	It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.				

ITEM 366.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
366.	Water Protection (51200).....			\$48,385,003	\$48,435,003
	Water Protection Permitting (51225).....	\$10,031,805	\$10,031,805		
	Water Protection Compliance and Enforcement (51226) ..	\$20,661,044	\$20,661,044		
	Water Protection Outreach (51227).....	\$4,318,127	\$4,368,127		
	Water Protection Planning and Policy (51228) .....	\$5,959,174	\$5,959,174		
	Water Protection Monitoring and Assessment (51229) ....	\$7,414,853	\$7,414,853		
	Fund Sources: General .....	\$20,578,937	\$20,628,937		
	Special .....	\$135,222	\$135,222		
	Trust and Agency .....	\$10,594,054	\$10,594,054		
	Dedicated Special Revenue .....	\$7,051,518	\$7,051,518		
	Federal Trust.....	\$10,025,272	\$10,025,272		
<p>Authority: Title 5.1, Chapter 1; Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.</p> <p>A. The Department of Environmental Quality is authorized to commit resources necessary to qualify for in-kind match for the U.S. Army Corps of Engineers for the John H. Kerr Dam and Reservoir, Virginia and North Carolina Feasibility Study, to be conducted in accordance with § 216 of the River and Harbors Flood Control Act of 1970.</p> <p>B. The appropriation includes annual membership dues for the Interstate Commission on the Potomac River Basin, \$156,000 the first year and \$156,000 the second year, from the general fund.</p> <p>C. The appropriation includes annual membership dues for the Ohio River Valley Water Sanitation Commission, \$49,500 the first year and \$49,500 the second year, from the general fund.</p> <p>D. Out of the amounts for this Item shall be paid \$50,000 the first year and \$100,000 the second year from the general fund to the Chesapeake Bay Foundation to support Chesapeake Bay education field studies.</p> <p>E. Notwithstanding the provisions of § 62.1-44.15, Code of Virginia, the Department of Environmental Quality is authorized to implement an inspection schedule for confined animal feeding operations using risk-based criteria.</p> <p><i>F. The Department of Environmental Quality shall ensure that, from available resources, adequate staffing is provided to expeditiously determine compliance with the provisions of the Hampton Roads Special Order by Consent dated September 26, 2007, and to ensure that timeframes established by the Order are also met.</i></p>					
367.	Air Protection (51300).....			\$18,622,666	<del>\$18,622,666</del> \$18,697,666
	Air Protection Permitting (51325).....	\$6,041,202	<del>\$6,041,202</del> \$6,116,202		
	Air Protection Compliance and Enforcement (51326) .....	\$6,207,965	\$6,207,965		
	Air Protection Outreach (51327) .....	\$792,641	\$792,641		
	Air Protection Planning and Policy (51328) .....	\$3,154,866	\$3,154,866		
	Air Protection Monitoring and Assessment (51329) .....	\$2,425,992	\$2,425,992		
	Fund Sources: General .....	\$3,144,505	<del>\$3,144,505</del> \$3,219,505		
	Enterprise .....	\$9,273,757	\$9,273,757		
	Dedicated Special Revenue .....	\$3,052,684	\$3,052,684		
	Federal Trust.....	\$3,151,720	\$3,151,720		
<p>Authority: Title 5.1, Chapter 1; Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.</p>					

ITEM 367.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

The Department of Environmental Quality is authorized to use up to \$300,000 each year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the Department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Board when the owner of the vehicle is financially unable to have the vehicle repaired.

368.	Environmental Financial Assistance (51500).....		\$118,792,181 <del>\$119,268,881</del>	\$115,042,181
	Financial Assistance for Environmental Resources Management (51502) .....	\$7,776,272	\$4,776,272	
	Virginia Water Facilities Revolving Fund Loans and Grants (51503) .....	\$25,406,763	\$24,656,763	
	Financial Assistance for Coastal Resources Management (51507) .....	\$4,424,500	\$4,424,500	
	Litter Control and Recycling Grants (51509).....	\$1,580,000	\$1,580,000	
	Virginia Water Quality Improvement Fund (51510).....	<del>\$55,700,000</del> \$56,176,700	\$55,700,000	
	Petroleum Tank Reimbursement (51511) .....	\$23,904,646	\$23,904,646	
	Fund Sources: General .....	<del>\$7,127,500</del> \$7,604,200	\$4,127,500	
	Trust and Agency .....	\$25,216,646	\$25,216,646	
	Dedicated Special Revenue .....	\$59,980,000	\$59,980,000	
	Federal Trust .....	\$26,468,035	\$25,718,035	

Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia.

A. Out of the amounts for Environmental Financial Assistance, \$3,000,000 the first year from the general fund shall be deposited to the Combined Sewer Overflow Matching Fund pursuant to § 62.1-241.12, Code of Virginia. From this fund, the City of Richmond shall receive \$1,500,000 in the first year and the City of Lynchburg shall receive \$1,500,000 in the first year.

B. Out of the amounts appropriated ~~for~~for Environmental Financial Assistance, the Department of Environmental Quality shall provide \$20,000 the first year and \$20,000 the second year from the general fund to the Tri-County Lake Administrative Commission for water quality monitoring at Smith Mountain Lake.

C. Out of the amounts for Environmental Financial Assistance, the Department of Environmental Quality shall provide \$10,000 each year from such funds as are available out of Dedicated Special Revenue for the implementation of a toll-free number as authorized by Senate Bill 648 of the 2008 Session of the General Assembly.

*D. Out of the amounts for this Item, \$476,700 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Virginia Water Quality Improvement Act of 1997. This appropriation meets the mandatory deposit requirement associated with fiscal year 2008 excess general fund revenue collections. Out of this amount, \$120,000 shall be provided to investigate factors that contribute to fish lesions and mortality in the Shenandoah, Potomac, and James Rivers.*

*E. Pursuant to Chapter 851, 2007 Acts of Assembly, the Virginia Public Building Authority is authorized to issue revenue bonds in order to finance Virginia Water Quality Improvement Grants to fund or reimburse approved capital costs for each such project as and to the extent determined by the Department of Environmental Quality pursuant to the provisions of this enactment and of Article 4 (§ 10.1-2128 et seq.) of Chapter 21.1 of Title 10.1, Code of Virginia, in an aggregate principal amount not to exceed \$250,000,000. The proceeds of such bonds are hereby appropriated for disbursement from the state treasury pursuant to Article X, Section 7 of the Constitution of Virginia, and § 2.2-1819, Code of Virginia.*

*F. Notwithstanding the provisions of § 10.1-1422.01.C.2., Code of Virginia, the Department of Environmental Quality is authorized to suspend payments for litter prevention and recycling grants in order to implement fund transfers authorized in Part 3 of this Act.*

ITEM 368.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<p><i>G. Out of this item, the Department of Environmental Quality shall expend up to \$10,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with the City of Alexandria for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1.</i></p> <p><i>H. Out of this item, the Department of Environmental Quality shall expend up to \$28,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with Isle of Wight County for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1.</i></p> <p><i>I. Out of this item, the Department of Environmental Quality shall expend up to \$10,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with Henry County for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1.</i></p> <p><i>J. The State Water Control Board shall give due consideration to the provision of additional nitrogen and phosphorus nutrient allocations to the Opequon Water Reclamation Facility based upon: (1) the Commonwealth's multiple investments in the facility through the Water Quality Improvement Fund, (2) the execution of a Water Quality Improvement Grant agreement for the installation of state-of-the art nutrient removal technology on or before December 31, 2008, (3) capital investments made prior to July 1, 2005 to expand the facility's capacity, (4) the capacity under which the facility will likely operate by December 31, 2010, (5) the facility's schedule for planning, design, and construction, and (6) the discharge flow authorized by the facility's VPDES permit and the tiered design flows contained in that permit.</i></p>				
369.	Administrative and Support Services (59900).....			\$23,054,698	\$23,054,698
	General Management and Direction (59901).....	\$17,841,066	\$17,841,066		
	Information Technology Services (59902).....	\$5,213,632	\$5,213,632		
	Fund Sources: General.....	\$11,250,867	\$11,250,867		
	Special.....	\$5,860,632	\$5,860,632		
	Enterprise.....	\$3,013,482	\$3,013,482		
	Trust and Agency.....	\$1,239,744	\$1,239,744		
	Dedicated Special Revenue.....	\$389,973	\$389,973		
	Federal Trust.....	\$1,300,000	\$1,300,000		
	<p>Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia.</p> <p>A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management and water programs.</p> <p>B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend up to <del>\$600,000</del> \$350,600 the first year and <del>\$260,074</del> \$432,810 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services.</p> <p>C. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend <del>\$501,503</del> \$1,082,308 the first year and <del>\$354,013</del> the second year from the balances in the Virginia Environmental Emergency Response Fund to develop and implement an enterprise content management system to provide a scalable, efficient means of storing, accessing, and managing agency mission critical documents.</p>				
369.05.	Executive Management (71300) .....			(\$5,112,808)	(\$4,936,486)

ITEM 369.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Savings From Management Actions (71301).....</i>	<i>(\$5,112,808)</i>	<i>(\$4,936,486)</i>		
<i>Fund Sources: General.....</i>	<i>(\$5,112,808)</i>	<i>(\$4,936,486)</i>		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Environmental Quality .....			<b>\$223,576,753</b>	<b>\$219,876,753</b>
			<b>\$218,940,645</b>	<b>\$215,015,267</b>
General Fund Positions.....	450.50	450.50		
	392.50	392.50		
Nongeneral Fund Positions.....	503.50	503.50		
Position Level .....	954.00	954.00		
	896.00	896.00		
Fund Sources: General .....	\$45,916,956	\$42,966,956		
	\$41,280,848	\$38,105,470		
Special.....	\$6,964,857	\$6,964,857		
Enterprise .....	\$12,287,239	\$12,287,239		
Trust and Agency .....	\$37,053,444	\$37,053,444		
Dedicated Special Revenue .....	\$76,179,340	\$76,179,340		
Federal Trust.....	\$45,174,917	\$44,424,917		

**§ 1-103. DEPARTMENT OF GAME AND INLAND FISHERIES (403)**

370.	Wildlife and Freshwater Fisheries Management (51100) .			\$40,581,585	\$40,581,585
	Wildlife Information and Education (51102).....	\$3,200,935	\$3,200,935		
	Enforcement of Recreational Hunting and Fishing Laws and Regulations (51103).....	\$16,466,419	\$16,466,419		
	Wildlife Management and Habitat Improvement (51106) .....	\$20,914,231	\$20,914,231		
	Fund Sources: Dedicated Special Revenue .....	\$30,638,339	\$30,638,339		
	Federal Trust.....	\$9,943,246	\$9,943,246		
 Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.					
 The Department shall maintain operation of, and visitor access to, state-owned fish hatcheries, including the Montebello fish hatchery. To offset the cost of supervising visitors at the fish hatcheries, the Department may charge a fee of up to \$1.00 per visitor.					
371.	Boating Safety and Regulation (62500).....			\$5,388,308	\$5,388,308
	Boat Registration and Titling (62501) .....	\$2,047,353	\$2,047,353		
	Boating Safety Information and Education (62502).....	\$421,128	\$421,128		
	Enforcement of Boating Safety Laws and Regulations (62503) .....	\$2,919,827	\$2,919,827		
	Fund Sources: Dedicated Special Revenue .....	\$4,595,416	\$4,595,416		
	Federal Trust.....	\$792,892	\$792,892		

Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.

A. Out of the amounts appropriated for Enforcement of Boating Safety Laws and Regulations, \$25,000 the first year and \$25,000 the second year in nongeneral funds is provided to develop the navigational aid system on Leesville Lake in conformance with U.S. Coast Guard standards.

B. Out of the amounts appropriated for Enforcement of Boating Safety Laws and Regulations, \$25,000 the first year and \$25,000 the second year in nongeneral funds is provided to further develop the navigational aid system on Smith Mountain Lake in conformance with U.S. Coast Guard standards.

ITEM 372.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
372.	Administrative and Support Services (59900).....			\$6,203,483	\$6,203,483
	General Management and Direction (59901).....	\$4,597,011	\$4,597,011		
	Information Technology Services (59902).....	\$1,606,472	\$1,606,472		
	Fund Sources: Dedicated Special Revenue.....	\$6,178,483	\$6,178,483		
	Federal Trust.....	\$25,000	\$25,000		
	Authority: Title 29.1, Chapter 1, Code of Virginia.				
	A. The Department of Game and Inland Fisheries shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the Department.				
	B. The Department of Game and Inland Fisheries, in cooperation with the Department of Corrections, shall to the extent possible, use inmate labor for routine work projects in wildlife management areas, fishing lakes, and boat ramps.				
373.	A. Pursuant to Chapter 322 of the 1994 Acts of Assembly, and Chapter 320 of the 1998 Acts of Assembly, deposits to the Game Protection Fund (§ 29.1-101, Code of Virginia) include an estimated <del>\$16,708,734</del> <i>\$14,608,734</i> the first year and <del>\$16,708,734</del> <i>\$14,608,734</i> the second year from revenue originating from the general fund.				
	B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Game and Inland Fisheries from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01, subparagraph O., of this act.				
	C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K., of this act, \$881,753 the first year from the Game Protection Fund and \$881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access.				
	Total for Department of Game and Inland Fisheries .....			<b>\$52,173,376</b>	<b>\$52,173,376</b>
	Nongeneral Fund Positions.....	496.00	496.00		
	Position Level .....	496.00	496.00		
	Fund Sources: Dedicated Special Revenue.....	\$41,412,238	\$41,412,238		
	Federal Trust.....	\$10,761,138	\$10,761,138		
<b>§ 1-104. DEPARTMENT OF HISTORIC RESOURCES (423)</b>					
374.	Historic and Commemorative Attraction Management (50200) .....			<del>\$10,315,801</del>	<del>\$5,315,801</del>
				<i>\$10,373,001</i>	<i>\$5,507,397</i>
	Financial Assistance for Historic Preservation (50204)....	<del>\$5,839,894</del>	<del>\$839,894</del>		
		<i>\$5,900,329</i>	<i>\$1,034,725</i>		
	Historic Resource Management (50205).....	<del>\$4,475,907</del>	<del>\$4,475,907</del>		
		<i>\$4,472,672</i>	<i>\$4,472,672</i>		
	Fund Sources: General.....	<del>\$8,744,781</del>	<del>\$3,744,781</del>		
		<i>\$8,801,981</i>	<i>\$3,936,377</i>		
	Special.....	\$634,441	\$634,441		
	Commonwealth Transportation .....	\$100,000	\$100,000		
	Federal Trust.....	\$836,579	\$836,579		
	Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.				
	A. General fund appropriations for historic and commemorative attractions not identified in § 10.1-2211 or § 10.1-2211.1, Code of Virginia, shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the department.				

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B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C.1. Out of the amounts for Financial Assistance for Historic Preservation shall be paid from the general fund grants to the following organization for the purposes prescribed in § 10.1-2211, Code of Virginia:

ORGANIZATION	FY 2009	FY 2010
United Daughters of the Confederacy	\$78,800	\$78,800

Notwithstanding the cited Code section, the United Daughters of the Confederacy shall make disbursements to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy for the purposes stated in that section. By November 1 of each year, the United Daughters of the Confederacy shall submit to the Director of the Department of Historic Resources a report documenting the disbursement of these funds for their specified purpose.

2. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$10,560 each year shall be distributed to the Stonewall Confederate Memorial Association.

3. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$7,500 each year shall be distributed to the Ladies Memorial Association of Petersburg.

4. *As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$90 the second year shall be distributed to the Town of Coeburn Municipal Graveyard.*

5. *As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$50 the second year shall be distributed to the McKenzie Cemetery in Grayson County.*

6. *As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$60 the second year shall be distributed to the Skinquarter Baptist Church Cemetery.*

D. Any June 30, 2009, and June 30, 2010, unexpended balances for Financial Assistance for Historic Preservation grants and for the Survey and Planning Cost Share Program within Historic Resource Management are hereby reappropriated if the following conditions are met:

1. The organization awarded the grant shall have obtained the required matching funds.
2. The organization shall have a written plan to complete the project within one more year, in accordance with policy established by the Department of Historic Resources, and the plan shall have been approved by the department.
3. The unexpended balances for a grant shall be reappropriated once only, unless the General Assembly authorizes an additional reappropriation.

E. Included in this appropriation is \$100,000 the first year and \$100,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

F. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of options, the department determines that the property should be sold or leased to a different public or private



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entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, the department is further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.

G. Notwithstanding the requirements of § 10.1-2213.1, Code of Virginia, ~~\$631,529~~ \$536,800 in the first year and ~~\$631,529~~ \$670,996 in the second year from the general fund is provided as a matching grant for charitable contributions received by the Montpelier Foundation on or after July 1, 2003, that were actually spent in the material restoration of Montpelier between July 1, 2003, and September 30, 2007.

H. Out of the amounts appropriated for Financial Assistance for Historic Preservation, \$5,190,000 the first year and \$190,000 the second year from the general fund is provided to the Department for the Civil War Historic Site Preservation Fund from which the department shall make grants to private non-profit organizations to match federal and other monies for preservation of any endangered Virginia Civil War historic site listed in the report "Report on the Nation's Civil War Battlefields," issued in 1993 by the National Parks Service's congressionally endorsed Civil War Sites Advisory Commission. Eligibility for these grants shall require recipient non-profit organizations to provide at least \$2 in matching funds for each \$1 received from the Civil War Historic Site Preservation Fund. Sites identified within the Commonwealth by the Civil War Sites Advisory Commission that are eligible for funding through this program include, but are not limited to: Appomattox in Appomattox County, Brandy Station in Culpeper County, Chancellorsville in Spotsylvania County, Cold Harbor in Hanover County, Fredericksburg in the City of Fredericksburg and Spotsylvania County, Glendale in Henrico County, New Market in Shenandoah County, and Petersburg in the City of Petersburg and Dinwiddie County.

I. Out of the appropriations for this Item, the department shall reimburse the Virginia Society of the Sons of the American Revolution for one additional grave site in New Providence Presbyterian Church in Rockbridge County.

J. The Department of Historic Resources shall follow and provide input on federal legislation designed to establish a new national system of recognizing and funding Presidential Libraries for those entities that are not included in the 1955 Presidential Library Act.

*K. Pursuant to §4-1.05.a.4. of this act, \$154,931 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.*

375.	Administrative and Support Services (59900).....			\$952,744	\$952,744
				\$895,544	\$895,544
	General Management and Direction (59901).....	\$952,744	\$952,744		
		\$895,544	\$895,544		
	Fund Sources: General.....	\$744,109	\$744,109		
		\$686,909	\$686,909		
	Special.....	\$32,000	\$32,000		
	Federal Trust.....	\$176,635	\$176,635		

Authority: Title 10.1, Chapters 10.1, 22 and 23, Code of Virginia.

Out of the amounts for Administrative and Support Services, the Department shall administer state grants to nonstate agencies pursuant to Item 493 of this act.

375.05.	Executive Management (71300) .....			(\$439,379)	(\$460,336)
	Savings From Management Actions (71301).....	(\$439,379)	(\$460,336)		
	Fund Sources: General.....	(\$439,379)	(\$460,336)		

Authority: Discretionary Inclusion

*Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

ITEM 375.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Total for Department of Historic Resources.....			<b>\$11,268,545</b> <i>\$10,829,166</i>	<b>\$6,268,545</b> <i>\$5,942,605</i>
General Fund Positions.....	34.50 <i>30.50</i>	34.50 <i>30.50</i>		
Nongeneral Fund Positions.....	18.50	18.50		
Position Level .....	<del>53.00</del> 49.00	<del>53.00</del> 49.00		
Fund Sources: General .....	<del>\$9,488,890</del>	<del>\$4,488,890</del>		
	<i>\$9,049,511</i>	<i>\$4,162,950</i>		
Special.....	\$666,441	\$666,441		
Commonwealth Transportation .....	\$100,000	\$100,000		
Federal Trust.....	\$1,013,214	\$1,013,214		

**§ 1-105. MARINE RESOURCES COMMISSION (402)**

376.	Marine Life Management (50500) .....		<del>\$15,384,705</del> <i>\$15,628,121</i>	<del>\$15,384,705</del> <i>\$16,460,694</i>
	Marine Life Information Services (50501) .....	\$757,827	\$757,827	
	Marine Life Regulation Enforcement (50503).....	<del>\$6,791,452</del> <i>\$7,034,868</i>	<del>\$6,791,452</del> <i>\$7,646,427</i>	
	Artificial Reef Construction (50506) .....	\$174,612	\$174,612	
	Chesapeake Bay Fisheries Management (50507).....	<del>\$4,974,122</del> <i>\$5,274,122</i>	<del>\$4,974,122</del> <i>\$5,274,122</i>	
	Oyster Propagation and Habitat Improvement (50508)....	<del>\$2,686,692</del> <i>\$2,607,706</i>	<del>\$2,686,692</del> <i>\$2,607,706</i>	
	Fund Sources: General .....	\$7,871,912	\$7,871,912	
	Special.....	<del>\$4,756,025</del> <i>\$4,999,441</i>	<del>\$4,756,025</del> <i>\$5,411,000</i>	
	Commonwealth Transportation .....	\$313,768	\$313,768	
	Dedicated Special Revenue .....	<del>\$160,000</del> <i>\$581,014</i>	<del>\$160,000</del> <i>\$581,014</i>	
	Federal Trust.....	\$2,283,000	\$2,283,000	

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.1, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. The appropriation includes annual membership dues to the Atlantic States Marine Fisheries Commission, \$39,000 the first year and \$41,000 the second year from the general fund.

B. This appropriation includes annual membership dues to the Potomac River Fisheries Commission, \$175,000 the first year and \$175,000 the second year from the general fund.

C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, \$139,156 the first year and \$139,156 the second year, pursuant to § 28.2-108, Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.

D. Pursuant to § 58.1-2289 D, Code of Virginia, \$174,612 the first year and \$174,612 the second year shall be transferred to Artificial Reef Construction from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats.

E. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in the Item on June 30, 2009, and June 30, 2010, shall be reappropriated and reallocated to the Marine Resources Commission for expenditure.

F. The Commission shall deposit proceeds from the sale of oyster shells, oyster seeds, and other subaqueous materials pursuant to § 28.2-550, Code of Virginia, to the Public Oyster Rock Replenishment Fund established by § 28.2-542, Code of Virginia. The proceeds from such sale shall be used for the same purposes specified in § 28.2-542, Code of Virginia.

ITEM 376.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<p>G. Out of the amounts appropriated for Chesapeake Bay Fisheries Management, \$40,000 the first year and \$40,000 the second year from the general fund is provided for transfer to the Virginia Institute of Marine Science for continued research and control of the Veined Rapa Whelk, an invasive species of snail that readily consumes commercially valuable shellfish such as hard clams and oysters.</p> <p>H. Upon the effective date of this act, the Commissioner of Marine Resources shall, as soon as practicable, apply for a permit from the United States Army Corps of Engineers to introduce, on an extensive scale, the oyster <i>Crassostrea ariakensis</i> into the waters of the Chesapeake Bay. If necessary, the Commissioner shall expeditiously exhaust all administrative appeals and remedies to obtain such permit. If all such administrative appeals and remedies have been exhausted and the permit described herein has not been granted, the Commissioner shall, as soon as practicable, appeal such denial of the permit in the proper court.</p> <p>I. By June 30, 2009, or as soon thereafter as practicable, the Commission shall promulgate a general permit to facilitate emergency response activities related to public utility infrastructure located in or near subaqueous beds and wetlands. The general permit shall enable immediate emergency response activities and include appropriate conditions for resource protection.</p> <p>J. Pursuant to § 28.2-302.3, Code of Virginia, <del>\$146,278</del> <i>\$389,694 the first year and \$402,244 the second year</i> in nongeneral fund proceeds from the Virginia Saltwater Recreational Fishing Development Fund shall be used each year to supplant a similar amount of general fund support for Marine Life Regulation Enforcement.</p>				
377.	Coastal Lands Surveying and Mapping (51000).....			\$2,133,781	\$2,133,781
	Coastal Lands and Bottomlands Management (51001).....	\$1,672,408	\$1,672,408		
	Marine Resources Surveying and Mapping (51002).....	\$461,373	\$461,373		
	Fund Sources: General.....	\$1,296,678	\$1,296,678		
	Dedicated Special Revenue.....	\$655,103	\$655,103		
	Federal Trust.....	\$182,000	\$182,000		
	Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code of Virginia.				
378.	Tourist Promotion (53600).....			\$220,000	\$220,000
	Virginia Saltwater Sport Fishing Tournament (53601).....	\$220,000	\$220,000		
	Fund Sources: Special.....	\$220,000	\$220,000		
	Authority: Title 28.2, Chapter 2, Code of Virginia.				
379.	Administrative and Support Services (59900).....			\$1,704,959	\$1,704,959
	General Management and Direction (59901).....	\$1,704,959	\$1,704,959		
	Fund Sources: General.....	\$1,622,459	\$1,622,459		
	Special.....	\$82,500	\$82,500		
	Authority: Title 28.2, Chapters 1 and 2, Code of Virginia.				
	<p>A. The Marine Resources Commission shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the Commission.</p> <p>B. From the amounts collected pursuant to § 28.2-200 et seq., Code of Virginia, and deposited into the Virginia Marine Products Fund (§ 3.1-684.63, Code of Virginia), the Marine Resources Commission may retain \$10,000 the first year and \$10,000 the second year for the administrative cost of issuing gear licenses.</p>				
379.05.	Executive Management (71300) .....			(\$700,249)	(\$768,191)

ITEM 379.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Savings From Management Actions (71301).....</i>	(\$700,249)	(\$768,191)		
<i>Fund Sources: General.....</i>	(\$700,249)	(\$768,191)		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Marine Resources Commission .....			<b>\$19,443,445</b> <b>\$18,986,612</b>	<b>\$19,443,445</b> <b>\$19,751,243</b>
General Fund Positions.....	136.50	136.50		
Nongeneral Fund Positions.....	23.00	23.00		
Position Level .....	159.50	159.50		
Fund Sources: General .....	<del>\$10,791,049</del>	<del>\$10,791,049</del>		
	<del>\$10,090,800</del>	<del>\$10,022,858</del>		
Special.....	<del>\$5,058,525</del>	<del>\$5,058,525</del>		
	<del>\$5,301,941</del>	<del>\$5,713,500</del>		
Commonwealth Transportation .....	\$313,768	\$313,768		
Dedicated Special Revenue .....	\$815,103	<del>\$815,103</del>		
		<del>\$1,236,117</del>		
Federal Trust.....	\$2,465,000	\$2,465,000		
<b>§ 1-106. VIRGINIA MUSEUM OF NATURAL HISTORY (942)</b>				
380. Museum and Cultural Services (14500) .....			\$3,936,814	\$3,936,814
Collections Management and Curatorial Services (14501) .....	\$229,512	\$229,512		
Education and Extension Services (14503) .....	\$849,459	\$849,459		
Operational and Support Services (14507) .....	\$1,784,333	\$1,784,333		
Scientific Research (14508).....	\$1,073,510	\$1,073,510		
Fund Sources: General .....	\$3,141,062	\$3,141,062		
Special.....	\$765,752	\$765,752		
Federal Trust.....	\$30,000	\$30,000		
<i>Authority: Title 10.1, Chapter 20, Code of Virginia.</i>				
<i>Out of the amounts for Museum and Cultural Services, not more than \$25,000 the first year and not more than \$25,000 the second year from the general fund is provided for travel advertising and promotion. Expenditures from these amounts shall be made only after consultation and collaboration with the Virginia Tourism Authority.</i>				
380.05. <i>Executive Management (71300) .....</i>			(\$384,527)	(\$479,559)
<i>Savings From Management Actions (71301).....</i>	(\$384,527)	(\$479,559)		
<i>Fund Sources: General.....</i>	(\$384,527)	(\$479,559)		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Virginia Museum of Natural History .....			<b>\$3,936,814</b> <b>\$3,552,287</b>	<b>\$3,936,814</b> <b>\$3,457,255</b>
General Fund Positions.....	<del>43.00</del> 38.00	<del>43.00</del> 38.00		

ITEM 380.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Nongeneral Fund Positions.....	9.50	9.50		
Position Level .....	<del>52.50</del>	<del>52.50</del>		
	47.50	47.50		
Fund Sources: General .....	\$3,141,062	\$3,141,062		
	\$2,756,535	\$2,661,503		
Special .....	\$765,752	\$765,752		
Federal Trust.....	\$30,000	\$30,000		
TOTAL FOR OFFICE OF NATURAL RESOURCES ....			<b>\$431,657,765</b>	<b>\$402,595,203</b>
			<b>\$421,773,787</b>	<b>\$414,823,391</b>
General Fund Positions.....	<del>1,126.00</del>	<del>1,131.00</del>		
	1,047.00	1,051.00		
Nongeneral Fund Positions.....	1,148.00	1,148.00		
Position Level .....	<del>2,274.00</del>	<del>2,279.00</del>		
	2,195.00	2,199.00		
Fund Sources: General .....	\$119,882,196	\$111,932,196		
	\$109,754,802	\$98,317,979		
Special .....	<del>\$38,651,193</del>	<del>\$32,288,631</del>		
	\$38,894,609	\$33,435,022		
Commonwealth Transportation .....	\$413,768	\$413,768		
Enterprise .....	\$12,287,239	\$12,287,239		
Trust and Agency .....	\$37,053,444	\$37,053,444		
Debt Service.....	\$20,733	<del>\$20,733</del>		
		\$95,733		
Dedicated Special Revenue .....	\$148,095,920	\$134,095,920		
		\$158,716,934		
Federal Trust.....	\$75,253,272	\$74,503,272		

ITEM 381.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF PUBLIC SAFETY				
§ 1-107. SECRETARY OF PUBLIC SAFETY (187)				
381.	Administrative and Support Services (79900).....		\$808,441	\$808,441
	General Management and Direction (79901).....	\$808,441	\$808,441	
	Fund Sources: General.....	\$808,441	\$808,441	
Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.				
A. The Secretary shall present revised state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Chairmen of the House and Senate Courts of Justice Committees by October 15, 2008, for each fiscal year through FY 2014 and by October 15, 2009, for each fiscal year through FY 2015. The Secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.				
B. The Secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15 of each year.				
C. The Secretary shall analyze the incidence of traumatic brain injury in the adult and juvenile state-responsible and local-responsible offender populations. Copies of the analysis shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2008.				
381.05.	Executive Management (71300) .....		\$0	(\$2,790)
	Savings From Management Actions (71301).....	\$0	(\$2,790)	
	Fund Sources: General.....	\$0	(\$2,790)	
Authority: Discretionary Inclusion				
Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Public Safety .....		\$808,441	<del>\$808,441</del> \$805,651
	General Fund Positions.....	7.00	7.00	
	Position Level .....	7.00	7.00	
	Fund Sources: General.....	\$808,441	<del>\$808,441</del> \$805,651	
§ 1-108. COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL (957)				
382.	Adjudication Training, Education, and Standards (32600) .....		\$813,182	\$813,182
	Prosecutorial Training (32604).....	\$189,200	\$189,200	
	Technical Assistance and Information Dissemination to Prosecutors (32606) .....	\$70,549	\$70,549	
	Administrative Services (32607) .....	\$553,433	\$553,433	

ITEM 382.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: General .....	\$774,732	\$774,732		
	Special .....	\$38,450	\$38,450		
	Authority: Title 2.2, Chapter 26, Article 7, Code of Virginia.				
	Included in this appropriation is \$75,600 the first year and \$75,600 the second year from the general fund for a position to provide assistance and training for Commonwealth's attorneys to combat gang crime.				
382.05.	Executive Management (71300) .....			(\$72,311)	(\$74,253)
	Savings From Management Actions (71301) .....	(\$72,311)	(\$74,253)		
	Fund Sources: General .....	(\$72,311)	(\$74,253)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Commonwealth's Attorneys' Services Council .			<b>\$813,182</b> <b>\$740,871</b>	<b>\$813,182</b> <b>\$738,929</b>
	General Fund Positions .....	7.00	7.00		
	Position Level .....	7.00	7.00		
	Fund Sources: General .....	\$774,732	\$774,732		
		\$702,421	\$700,479		
	Special .....	\$38,450	\$38,450		
	<b>§ 1-109. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (999)</b>				
383.	Crime Detection, Investigation, and Apprehension (30400) .....			\$17,458,952	\$17,458,952
	Enforcement and Regulation of Alcoholic Beverage Control Laws (30403) .....	\$17,458,952	\$17,458,952		
	Fund Sources: Enterprise .....	\$16,758,952	\$16,758,952		
	Federal Trust .....	\$700,000	\$700,000		
	Authority: §§ 4-1 through 4-145, 9-6.14:1 through 9-6.14:25, Code of Virginia.				
	A. No funds appropriated for this program shall be used for enforcement personnel to enforce local ordinances.				
	B. Revenues of the fund appropriated in Items 383 and 384 of this act are limited to those received pursuant to Title 4, Code of Virginia, excepting taxes collected by the Alcoholic Beverage Control Board.				
	C. By September 1 of each year, the Alcoholic Beverage Control Board shall report for the prior fiscal year the dollar amount of total wine liter tax collections in Virginia; the portion, expressed in dollars, of such tax collections attributable to the sale of Virginia wine in both ABC stores and in private stores; and, the percentage of total wine liter tax collections attributable to the sale of Virginia wine. Such report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees and the Virginia Wine Board.				
	D. Out of this appropriation, \$536,226 the first year and \$536,226 the second year and six positions from nongeneral funds shall be used to establish within the Department of Alcoholic Beverage Control a financial investigation unit to be used to identify under-reported income and to collect any resultant additional taxes owed.				
384.	Alcoholic Beverage Merchandising (80100) .....			\$480,495,512	\$494,995,512

ITEM 384.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Administrative Services (80101) .....	\$28,507,703	\$31,007,703		
Alcoholic Beverage Control Retail Store Operations (80102) .....	\$73,836,803	\$73,836,803		
Alcoholic Beverage Purchasing, Warehousing and Distribution (80103).....	\$378,151,006	\$390,151,006		
Fund Sources: Enterprise .....	\$480,495,512	\$494,995,512		
Authority: §§ 4-1 through 4-118.2, Code of Virginia and Item 643, Chapter 966 of the 1994 Acts of Assembly.				
A. Any plan to modernize and integrate the automated systems of the Department of Alcoholic Beverage Control shall be based on developing the integrated system in phases or modules.				
B. The Department of Alcoholic Beverage Control shall transfer \$35,000 the first year and \$35,000 the second year from nongeneral funds to the Governor's Office on Substance Abuse Prevention to support that agency's efforts to prevent tobacco and alcohol abuse by youth.				
C. Funds appropriated for services related to state lottery operations shall be used solely for lottery ticket purchases and prize payouts.				
Total for Department of Alcoholic Beverage Control .....			<b>\$497,954,464</b>	<b>\$512,454,464</b>
Nongeneral Fund Positions.....	1,048.00	1,048.00		
Position Level .....	1,048.00	1,048.00		
Fund Sources: Enterprise .....	\$497,254,464	\$511,754,464		
Federal Trust.....	\$700,000	\$700,000		

**§ 1-110. DEPARTMENT OF CORRECTIONAL EDUCATION (750)**

385.	Administrative and Support Services (19900).....			\$3,894,251	\$3,894,251
	General Management and Direction (19901).....	\$3,894,251	\$3,894,251		
	Fund Sources: General .....	\$3,824,481	\$3,824,481		
	Special.....	\$69,770	\$69,770		
386.	Instruction (19700).....			\$59,804,885	<del>\$59,621,920</del> \$60,351,920
	Adult Community Instructional Services (19706).....	\$1,155,595	\$1,155,595		
	Youth Instructional Services (19711).....	\$16,538,129	\$16,538,129		
	Career and Technical Instructional Services for Youth and Adult Schools (19712).....	\$19,153,140	\$18,970,175		
	Adult Instructional Services (19713) .....	\$12,422,806	<del>\$12,422,806</del> \$13,152,806		
	Instructional Leadership and Support Services (19714)....	\$10,535,215	\$10,535,215		
	Fund Sources: General .....	\$57,386,248	<del>\$57,203,283</del> \$57,933,283		
	Special.....	\$100,766	\$100,766		
	Federal Trust.....	\$2,317,871	\$2,317,871		

Authority: §§ 22.1-339 through 22.1-345, Code of Virginia.

*Included in the appropriation for this Item is \$730,000 the second year from the general fund for 10 additional instructor positions at adult correctional facilities. In utilizing these positions, the department shall give priority to staffing programs developed to increase inmate literacy in correctional facilities that employ evidence-based practices. Additional priority shall be given to the newest correctional facilities operated by the Department of Corrections. Furthermore, the Department of Correctional Education shall work with the Department of Corrections to fully maximize classroom space in correctional facilities by offering classes in the evenings.*



ITEM 386.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
386.05.	<i>Executive Management (71300) .....</i>			(\$3,260,966)	(\$3,740,814)
	<i>Savings From Management Actions (71301).....</i>	(\$3,260,966)	(\$3,740,814)		
	<i>Fund Sources: General.....</i>	(\$3,260,966)	(\$3,740,814)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Department of Correctional Education.....			<b>\$63,699,136</b> <b>\$60,438,170</b>	<b>\$63,516,171</b> <b>\$60,505,357</b>
	General Fund Positions.....	796.05 749.05	796.05 759.05		
	Nongeneral Fund Positions.....	15.50	15.50		
	Position Level .....	811.55 764.55	811.55 774.55		
	Fund Sources: General .....	\$61,210,729 \$57,949,763	\$61,027,764 \$58,016,950		
	Special.....	\$170,536	\$170,536		
	Federal Trust.....	\$2,317,871	\$2,317,871		

#### § 1-111. DEPARTMENT OF CORRECTIONS (799)

387.	Supervision of Offenders and Re-Entry Services (35100) .....			\$86,981,259 \$86,951,259	\$86,981,259 \$87,363,009
	Probation and Parole Services (35106).....	\$78,825,738 \$78,795,738	\$78,825,738 \$79,207,488		
	Day Reporting Centers (35107) .....	\$4,679,052	\$4,679,052		
	Community Residential Programs (35108).....	\$1,115,107	\$1,115,107		
	Administrative Services (35109) .....	\$2,361,362	\$2,361,362		
	Fund Sources: General.....	\$85,538,779	\$85,538,779 \$85,950,529		
	Special.....	\$115,000 \$85,000	\$115,000 \$85,000		
	Dedicated Special Revenue.....	\$1,327,480	\$1,327,480		

Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia.

A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the Chairmen of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Senate Courts of Justice; Rehabilitation and Social Services; and Finance Committees.

B. The Department of Corrections and the Virginia Parole Board shall analyze the comparative costs and benefits of state operation compared to contracting for privately-operated minimum security assisted living or nursing facilities, or other appropriate facilities or programs for lower-risk geriatric offenders. Copies of the analysis shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2008.

C. The Department of Corrections shall report on its progress in implementing evidence-based practices in selected probation and parole districts, and recommend steps to expand this initiative into additional districts. The report shall place particular emphasis on measuring the effectiveness of these practices in reducing recidivism. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2008.

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D. The Department of Corrections shall report on the potential costs and benefits of steps which would be required to divert up to 50 percent of prison-bound, nonviolent offenders who have scored no more than 38 points on the risk assessment instrument of the Virginia Criminal Sentencing Commission. The department shall consult with the commission on developing appropriate steps to secure the input of the Judicial Department in conducting this report. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2008.

E. The Department of Corrections shall report on the comparative costs and benefits of state operation compared to contracting for privately-operated minimum security pre-release or transitional facilities for offenders who are leaving prison, and return-to-custody facilities for habitual technical probation violators. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2008.

*F. This Item includes no funds for the lease of facilities located at the following location: Southwest Virginia Day Reporting Center, 11313 Highland Ave., Pound, Virginia 24279.*

*G.1. The Secretary of Public Safety, in cooperation with the Supreme Court of Virginia, the Virginia Sheriffs' Association, the Virginia Association of Regional Jails, the Virginia Association of Commonwealth's Attorneys, and the Virginia Criminal Sentencing Commission, shall form a task force to develop recommendations to expand the utilization of alternative methods of punishment for nonviolent, lower-risk offenders who have been sentenced by a court to a term of incarceration. The Departments of Planning and Budget, Corrections, and Criminal Justice Services, the Compensation Board, and the Virginia Criminal Sentencing Commission shall provide such assistance as may be necessary.*

*2. The Chairmen of the Senate Finance and House Appropriations Committees shall appoint a joint subcommittee to consider steps which may be appropriate to reduce the growth in the numbers of nonviolent, lower risk offenders entering state correctional facilities. The consideration of such steps shall recognize the need to protect public safety; to enable the courts to sentence offenders to appropriate alternative punishment options; and, to provide the Department of Corrections, regional and local jails, and local community corrections and pretrial release programs with the appropriate programs and management tools to operate within the resources available. Consideration shall also be given to other issues as determined by the joint subcommittee. The Chairmen may include such representatives from the Senate and House Committees on Courts of Justice as they may deem appropriate. The Secretary of Public Safety shall provide such assistance to the joint subcommittee as may be requested by the joint subcommittee.*

388. A. From July 1, 2008, to June 30, 2010, except in the circumstances listed below, the Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility:

1. Emergency projects needed to comply with Board of Corrections' standards or life, health, and safety code requirements;

2. Projects mandated through consent decrees or memoranda of understanding, pursuant to the Civil Rights of Institutionalized Persons Act, 42 U.S.C. § 1997 et seq., and required by the United States Department of Justice;

3.a. Adjustments to previously approved project funding levels, which had been based on planning study estimates, to conform to the actual project costs as determined by competitive bid.

b. Adjustments to previously approved project funding levels for PPEA projects, which had been based on planning study estimates, to conform to the actual contract costs.

4. New jails, jail renovations, or jail expansions by the following localities or authorities:

a. ~~The Counties of Brunswick, Dinwiddie, and Mecklenburg in order to proceed in planning for a new regional jail facility.~~ Meherrin River Regional Jail Authority, for a regional jail facility of not more than 400 beds, with new construction on not more than one site, and for which the Commonwealth's share of the total capital cost of the project shall not exceed \$50 million, and for which the revised plans and cost estimates pursuant to this paragraph shall be

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<p><i>subject to the approval of the Board of Corrections. The authority shall consider the costs and benefits of acquiring this facility using the process established under the Public Private Education and Infrastructure Act (PPEA), and shall submit a report on its analysis of this approach, along with its planning submissions, to the Board of Corrections. It is anticipated that the reimbursement of the Commonwealth's portion will not occur before July 1, 2012.</i></p> <p>b. The Counties of Warren, Page, Rappahannock, and Shenandoah (all or any combination of three of them), in order to proceed in planning for a regional jail facility.</p> <p><del>e. The City of Newport News, in order to proceed in planning for an expansion to the existing jail facility, to be constructed with local funds.</del></p> <p>dc. The Rockbridge Regional Jail Authority, in order to proceed in planning for expansion of the regional jail facility.</p> <p>ed. The City of Roanoke for expansion of its existing jail. The city shall explore the feasibility of joining the Western Virginia Regional Jail Authority as part of the planning process or expanding its existing jail.</p> <p><del>fe. The Southern Virginia Regional Jail Authority, in order to proceed in planning for a regional jail serving Patrick and Henry Counties and the City of Martinsville. Patrick County, in order to proceed to planning for a replacement jail pursuant to Item 280 of this act.</del></p> <p>gf. The County of Charlotte, in order to proceed in planning for an expansion of the existing local jail facility.</p> <p>hg. The City of Richmond, in order to proceed in planning for the replacement of the existing jail and the development of associated community corrections services. Included within the required submissions to the Department of Corrections from the City of Richmond shall be a report indicating the costs and benefits to the City and the Commonwealth of a regional versus a local jail, including a comparative analysis of the long term operating costs and documentation that the City has determined whether or not there is interest in the surrounding jurisdictions in developing a regional jail project.</p> <p>ih. The City of Virginia Beach, for a minimum-security work release center that will be planned as a multi-use facility. In addition to serving as a work release center, this facility would be available to serve as a secure and isolated regional quarantine facility for treatment of infected persons, when requested by the Governor in the event of a pandemic or similar medical emergency.</p> <p>ji. The City of Chesapeake, in order to proceed in planning for an expansion of its existing jail.</p> <p><del>k. The Prince William-Manassas Regional Jail Authority, in order to proceed in planning for a second expansion of its adult detention center.</del></p> <p>lj. The Virginia Peninsula Regional Jail Authority, in order to proceed in planning for expansion of the regional jail.</p> <p><del>B5. Notwithstanding the provisions of § 53.1-82.3, Code of Virginia, any locality or group of localities may submit by March 1 of any year the required studies prescribed by § 53.1-82.1, Code of Virginia, for the review and approval of a local or regional jail project by the Board of Corrections and for consideration by the Governor of inclusion of such project in the budget bill he will submit by December 20 of that year for consideration by the succeeding session of the General Assembly. The projects set forth in this item shall be subject to the provisions of §§ 53.1-80 through 53.1-82.3 of the Code of Virginia.</del></p> <p>EB.1. In addition to other criteria set out in the provisions of §§ 53.1-80 through 53.1-82.3, Code of Virginia, the Board of Corrections shall not approve or commit additional funds for the state share of the cost of construction, enlargement, or renovation of a local or regional jail facility unless the following conditions have been met:</p> <p>i. such project is consistent with the projected number of local and state responsible offenders to be housed in such facility;</p>				

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ii. such project meets the design criteria set out in the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities; and

iii. such project is proposed to be built using Community Custody Facilities Standards, as adopted by the Board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security.

~~DC.— The Department of Corrections shall establish a working group to provide technical assistance, upon request of the department, in evaluating the population projections that are used to justify the need for additional regional and local jail construction.— The department is authorized to request assistance from the State Compensation Board, Department of Corrections, Department of Juvenile Justice, Joint Legislative Audit and Review Commission, and the Virginia Criminal Sentencing Commission. The Chairmen of the House Appropriations and Senate Finance Committees shall appoint a joint subcommittee to review the Commonwealth's policies with respect to the oversight, approval and financing of local and regional jail capital projects and operational expenses, with a view towards developing appropriate and fiscally sound recommendations for defining and meeting the Commonwealth's long-term obligations for local and regional jails and related programs. The Departments of Corrections, Criminal Justice Services, General Services, Planning and Budget, the Treasury, and the Compensation Board, shall provide such assistance as may be requested by the joint subcommittee for this review.~~

~~ED.~~ The Department of Corrections shall provide an annual report on the status of jail construction and renovation projects as approved by the Board of Corrections. The report shall be limited to those projects which increase bed capacity. The report shall include a brief summary description of each project, the total capital cost of the project and the approved state share of the capital cost, the number of beds approved, along with the net number of new beds if existing beds are to be removed, and the closure of any existing facilities, if applicable. The report shall include the six-year population forecast, as well as the double-bunking capacity compared to the rated capacity for each project listed. The report shall also include the general fund impact on community corrections programs as reported by the Department of Criminal Justice Services, and the recommended financing arrangements and estimated general fund requirements for debt service as provided by the State Treasurer. Copies of the report shall be provided by January 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees.

~~FE.1.~~ No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the Board of Corrections.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to the operational provisions of §§ 53.1-5 and 53.1-68, Code of Virginia, as well as all rules, regulations, and inspections established by the Board of Corrections.

*F. In order to reduce the costs of constructing, expanding, and operating local and regional jails, the Board of Corrections is encouraged to review, and revise, as appropriate, its Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities so as to accomplish the following goals:*

*i. conforming the security standards to those used by the Department of Corrections for state correctional facilities to the extent appropriate;*

*ii. encouraging and enabling local and regional jail authorities to construct minimum security facilities suitable for housing convicted misdemeanants and other nonviolent inmates, either as part of a larger secure facility, or as a stand-alone facility; and*

*iii. requiring new jail construction or expansion projects to include adequate space to operate treatment programs, including, but not limited to, substance abuse treatment programs.*

ITEM 389.		Item Details(\$)		Appropriations(\$)	
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389.	Operation of State Residential Community Correctional Facilities (36100) .....			\$20,422,800	\$20,422,800
				\$20,022,800	\$20,022,800
	Community Facility Management (36101) .....	\$1,830,036	\$1,830,036		
	Supervision and Management of Probates (36102) .....	\$13,172,867	\$13,172,867		
		\$12,772,867	\$12,772,867		
	Rehabilitation and Treatment Services - Community Residential Facilities (36103) .....	\$1,822,423	\$1,822,423		
	Medical and Clinical Services - Community Residential Facilities (36104) .....	\$848,008	\$848,008		
	Food Services - Community Residential Facilities (36105) .....	\$1,217,803	\$1,217,803		
	Physical Plant Services - Community Residential Facilities (36106) .....	\$1,531,663	\$1,531,663		
	Fund Sources: General .....	\$18,322,800	\$18,322,800		
	Special .....	\$2,100,000	\$2,100,000		
		\$1,700,000	\$1,700,000		
Authority: §§ 53.1-67.2 through 53.1-67.8, Code of Virginia.					
A. Included within this appropriation is <del>\$2,000,000</del> \$1,500,000 the first year and <del>\$2,000,000</del> \$1,500,000 the second year from nongeneral funds to be used for operating expenses of diversion centers operated by the Department of Corrections. The nongeneral funds are to come from the fees collected from probationers, assigned to the diversion centers, to cover a portion of the cost of housing them, pursuant to § 19.2-316.3 C, Code of Virginia.					
B. Notwithstanding the provisions of § 53.1-67.1, Code of Virginia, the Department of Corrections shall not be required to operate a boot camp program for offenders placed on probation.					
C. For felony offenders who are under post-release or probation supervision and who have been found to be in violation of any supervisory condition, the Department of Corrections shall provide community corrections residential facilities and programs for judges to use, at their option, for placement in lieu of commitment to the department to serve all or a portion of the offenders' remaining sentences. Following a revocation hearing and a report based on the sentencing guidelines and the risk assessment instrument developed by the Virginia Criminal Sentencing Commission, a judge may order such an offender to be confined in jail or in one of the facilities operated by the Department of Corrections. While confined in jail or a community corrections facility, such offenders shall be eligible to participate in work release, public service, treatment, or rehabilitative programs as provided by § 53.1-131 of the Code of Virginia.					
390.	Operation of Secure Correctional Facilities (39800) .....			\$911,798,926	\$913,981,891
				\$891,300,510	\$897,241,073
	Supervision and Management of Inmates (39802) .....	\$489,492,771	\$489,267,807		
		\$466,227,298	\$468,002,334		
	Rehabilitation and Treatment Services - Prisons (39803) .....	\$33,284,222	\$33,692,151		
			\$33,872,151		
	Prison Management (39805) .....	\$75,578,774	\$75,578,774		
	Food Services - Prisons (39807) .....	\$43,552,641	\$43,552,641		
	Medical and Clinical Services - Prisons (39810) .....	\$136,660,118	\$136,660,118		
		\$139,427,175	\$141,004,773		
	Agribusiness (39811) .....	\$7,952,368	\$7,952,368		
	Correctional Enterprises (39812) .....	\$51,355,345	\$51,355,345		
	Physical Plant Services - Prisons (39815) .....	\$73,922,687	\$75,922,687		
	Fund Sources: General .....	\$838,934,441	\$841,117,406		
		\$839,438,027	\$843,698,590		

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Special.....	\$72,864,485	\$72,864,485		
	\$50,099,012	\$51,779,012		
<i>Federal Trust</i> .....	<i>\$1,763,471</i>	<i>\$1,763,471</i>		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Included in this appropriation is ~~\$725,000~~\$825,000 in the first year and ~~\$725,000~~\$1,005,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations:

1. \$150,000 the first year and \$150,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other ancillary services to family members;
2. \$600,000 the first year and ~~\$600,000~~780,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and
3. \$75,000 the first year and \$75,000 the second year for the Save Our Shelters "Pen Pals" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the department.

2. The State Comptroller shall continue the Contract Prisoners Special Revenue Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

3. Included in the appropriation for this Item is ~~\$19,249,140~~\$10,319,012 the first year and ~~\$19,249,140~~\$10,319,012 the second year from the Fund. The Director, Department of Planning and Budget, is authorized to increase this appropriation to support non-recurring expenditures of the Department of Corrections.

*4. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.*

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to effect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 70 of this act.

D. To the extent that the Department of Corrections privatizes food services, the Department shall also seek to maximize agribusiness operations.

E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.

F. The Department of Corrections shall administer a STATIC-99 screening to all potential sexually violent predators eligible for civil commitment pursuant to § 37.2-900 et. seq., Code of Virginia, within six months of their admission to the custody of the department. The results of such screenings shall be provided monthly to the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

G. The Department of Corrections, the Department of Correctional Education, and Liberty University shall develop a Memorandum of Agreement for the provision of either a secured on-line or self-contained computer-based program by Liberty University for the provision of post-secondary instruction to offenders to improve their ability to reenter society successfully upon their release from prison. Following the approval of and based upon this Memorandum of

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<p>Agreement, this program of instruction shall be established on a pilot basis at Green Rock Correctional Center using computer equipment and program content provided by Liberty University, beginning no later than November 1, 2008, and operating for no fewer than three semesters, unless security requirements dictate otherwise. The Departments of Corrections and Correctional Education shall provide a report on the implementation of this program by June 30, <del>2010</del>2009, to the Chairmen of the House Appropriations and Senate Finance Committees. The report shall include, but not be limited to, the types of offenders participating in this program, the educational progress that has been made by the participants, post-secondary credits which the participants may have earned, disciplinary actions taken against program participants, and whether such a program can or should be replicated for use in other correctional facilities.</p> <p><i>H. Out of this appropriation, \$2,263,417 the first year and \$1,763,471 the second year from nongeneral funds is included for inmate medical costs. The sources of the nongeneral funds are an award of \$1,763,471 each year from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice and, in the first year only, \$500,000 from revenue from inmate fees collected for medical services.</i></p> <p><i>I. The Department of Corrections shall analyze the claims records presented by the department's third-party claims administrator to determine the cause of any increase in the number of claims incurred by the department between FY 2007 and FY 2009. Furthermore, the department shall actively explore what steps it needs to take to reduce its reliance on contract physicians in those circumstances in which it would be cost beneficial to do so. The department shall report its findings to the Secretary of Public Safety and the Secretary of Finance by November 1, 2009.</i></p> <p><i>J. 1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall develop a behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of three years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse. For any such offender, the court may impose the appropriate sentence with the stipulation that the Department of Corrections place the offender in an intensive therapeutic community-style substance abuse treatment program as soon as possible after receiving the offender. Upon certification by the Department of Corrections that the offender has successfully completed such a program of a duration of 24 months or longer, the court may suspend the remainder of the sentence imposed by the court and order the offender released to supervised probation for a period specified by the court.</i></p> <p><i>2. If an offender assigned to the program voluntarily withdraws from the program, is removed from the program by the Department of Corrections for intractable behavior, fails to participate in program activities, or fails to comply with the terms and conditions of the program, the Department of Corrections shall notify the court, outlining specific reasons for the removal and shall reassign the defendant to another incarceration assignment as appropriate. Under such terms, the offender shall serve out the balance of the sentence imposed by the court, as provided by law.</i></p> <p><i>3. The Department of Corrections and the Supreme Court shall develop procedures to be used in implementing the program.</i></p> <p><i>4. The Department of Corrections shall collect the data and develop the framework and processes that will enable it to conduct an in-depth evaluation of the program three years after it has been in operation. The department shall submit a report periodically on the program to the Chief Justice as he may require and shall submit a report on the implementation of the program and its usage to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2010.</i></p>				

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*K. 1. The Department of Corrections is authorized to convey to the County of Pittsylvania, upon terms and conditions the Department deems proper, with the approval of the Governor and in a form approved by the Attorney General, a portion of the Camp 15 Work Camp facility near Chatham, consisting of 16 acres, more or less, to include the Diversion Center and outbuildings and the structure referred to as the Warden's Residence, pursuant to Senate Bill 1312 of the 2009 General Assembly.*

*2. The County of Pittsylvania, in order to proceed with the acceptance of and renovation of the Camp 15 Work Camp facility for use as an expansion of the current Pittsylvania County Jail, shall be exempted from the requirement to submit a Community Based Corrections Plan to the Board of Corrections. The required planning study shall be limited to the design of the renovation, in order to assure compliance with the construction standards established by the Board of Corrections. All construction shall be in accordance with applicable state standards. No state funds shall be provided for the renovation of this facility by Pittsylvania County.*

*L. It is the intention of the General Assembly that § 53.1-47 of the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles.*

391.	Administrative and Support Services (39900).....			\$78,042,506	\$77,752,834
				\$76,692,506	\$76,402,834
	General Management and Direction (39901).....	\$15,748,359	\$14,019,681		
	Information Technology Services (39902).....	<del>\$26,228,732</del>	<del>\$26,228,732</del>		
		\$26,178,732	\$26,178,732		
	Accounting and Budgeting Services (39903).....	\$3,481,305	\$3,481,305		
	Architectural and Engineering Services (39904).....	<del>\$6,148,426</del>	<del>\$7,587,432</del>		
		\$4,848,426	\$6,287,432		
	Human Resources Services (39914).....	\$2,614,684	\$2,614,684		
	Planning and Evaluation Services (39916).....	\$394,442	\$394,442		
	Procurement and Distribution Services (39918).....	\$8,044,266	\$8,044,266		
	Training Academy (39929).....	\$6,052,992	\$6,052,992		
	Offender Classification and Time Computation Services (39930) .....	\$9,329,300	\$9,329,300		
	Fund Sources: General.....	\$73,442,506	\$73,152,834		
	Special.....	<del>\$4,600,000</del>	<del>\$4,600,000</del>		
		\$3,250,000	\$3,250,000		

Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A. 1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes \$1,000,000 the first year and \$1,000,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of developing the offender management system. In addition to any general fund appropriations, the Department of Corrections may, subject to the authorization of the Director, Department of Planning and Budget, utilize additional revenue deposited in the Contract Prisoners Special Revenue Fund to support the development of the offender management system.

B. Included in this appropriation is ~~\$600,000~~ \$550,000 the first year and ~~\$600,000~~ \$550,00 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is ~~\$3,000,000~~ \$1,700,000 the first year and ~~\$3,000,000~~ \$1,700,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and



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Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the director of the Department of Corrections shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and the Secretary of Administration on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. The Department of Corrections is exempted from the approval requirements of Chapter 11 of the Construction and Professional Services Manual as issued by the Division of Engineering and Buildings. The Department of Corrections may authorize and initiate design-build contracts as deemed appropriate by the Director, Department of Corrections, in accordance with §§ 2.2-4301 and 2.2-4306, Code of Virginia.

F.1. The Department shall continue planning for the new correctional facility in Charlotte County. This facility shall be designed and operated with the objective of reducing the rate of recidivism. The design shall include one or more dormitory-style units to house transition centers for inmates about to be released from incarceration, return-to-custody centers for habitual technical probation violators, or similar programs. The facility shall maximize the provision of vocational education, substance abuse treatment, and intensive cognitive remediation treatment programs, using practices that have been demonstrated by widely accepted evidence to be effective in reducing recidivism. The facility plan shall also include transitional services linked with regional reentry councils, district probation offices and related public and private agencies, as well as the proposed strategy for measuring the effectiveness of this facility in reducing recidivism. The Department shall provide a report on the proposed conceptual design, the proposed levels and types of programs, and the proposed reentry and evaluation plans for this facility to the Chairmen of the Senate Finance and House Appropriations Committee by September 1, 2008.

2. If the department uses the process established under the Public-Private Education and Infrastructure Act (PPEA) to develop the plans for this facility and if any proposal it has under consideration involves private operation and financing of the facility, the department shall follow the procedures, and meet all the requirements, of Chapter 15 of Title 53.1, Code of Virginia. Before any comprehensive agreement is finalized, the Department of Planning and Budget shall conduct the cost benefit evaluation required by § 53.1-262, Code of Virginia. In addition, the Department of the Treasury shall evaluate the proposed financing to determine if it would be more advantageous to the state to finance the construction of the facility itself. Finally, any PPEA comprehensive agreement for construction of the Charlotte County facility shall be submitted to the Governor for approval after being reviewed by the Secretaries of Public Safety, Administration, and Finance.

3. *The Department of Corrections is authorized to enter into negotiations with the town of Drakes Branch in Charlotte County to design and construct water and wastewater treatment facilities needed to support the state correctional center proposed to be located in the town. The agreement may provide for either the department to build and operate the facilities or for the town to build and operate the facilities or some other cooperative arrangement. If the final agreement provides for the town to operate the facilities, it shall also provide that all future charges to be paid for all water and wastewater treatment for the correctional center shall be based solely on metered usage and that the correctional center shall be charged at a rate no higher than the lowest rate charged to any other customer of the water and wastewater treatment facilities. The agreement shall recommend the method for the Commonwealth to provide its pro rata share of the cost of designing and constructing the facilities, which shall be equal to that portion of the total cost attributable to providing water and wastewater treatment services to the proposed correctional center, but which shall not exceed \$12,000,000. The agreement shall recommend financing options for the Commonwealth's share of the cost of the design and construction of the facilities through the Virginia Public Building Authority or*

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*through alternative means, subject to the review of the Department of the Treasury. An alternative means of financing may be used only if the Secretary of Finance concludes that it would be more advantageous to the Commonwealth to do so. The Secretary of Finance, subject to the approval of the Governor, may authorize the Department of Corrections to enter into an interim agreement under the provisions of the Public-Private Educational Facilities and Infrastructure Act to fund a portion of the costs of planning and designing these facilities, using any other funds available for this project.*

G. The Department of Corrections shall conduct a thorough analysis of the physical plant of the Powhatan Correctional Center and project the cost of the upgrades, renovations, and repairs needed over the next ten years to maintain the facility in good working order as a secure correctional facility. It shall also project the cost of replacing the Powhatan Correctional Center with a facility of comparable security and bed capacity. With this data, and taking into account any operational efficiencies that would be effected with a new prison, the department shall prepare a report comparing the costs of renovating the existing facility with the projected costs of replacing it and shall make a recommendation concerning renovation or replacement. The department shall submit the report to the Secretaries of Public Safety and Finance by October 1, 2008.

H. The Department of Corrections shall strive to have no more than 500 general population and reception beds of its base bed space capacity vacant at any one time. The Director, Department of Planning and Budget, is authorized to increase the department's appropriation of revenue received from housing out of state inmates by \$14 per prisoner-day that the vacancy level falls below 500. Any such additional appropriation shall be used only for non-recurring expenses.

I. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by § 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

J. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the Department of Corrections' facilities, including an 8-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County (\$150,382.00, based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from 8 inches to 12 inches, in order to accommodate planned county needs.

K. Included in the appropriation for Administrative and Support Services is \$260,310 the first year from the general fund for the estimated net increase in the operating costs of adult correctional centers resulting from the enactment of House Bill 931 and Senate Bill 562 of the 2008 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

L. Included in the appropriation for this Item is \$29,362 the first year from the general fund for the estimated net increase in the operating costs of adult correctional centers resulting from the enactment of HB 113 and SB 368 (\$16,887), and of SB 284 (\$12,475) by the 2008 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

391.05.	<i>Executive Management (71300) .....</i>	(\$15,940,349)	(\$46,333,624)
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<i>Savings From Management Actions (71301).....</i>	<i>(\$15,940,349)</i>	<i>(\$46,333,624)</i>		
<i>Fund Sources: General.....</i>	<i>(\$15,940,349)</i>	<i>(\$46,333,624)</i>		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Corrections.....			<b>\$1,097,245,491</b>	<b>\$1,099,138,784</b>
			<b>\$1,059,026,726</b>	<b>\$1,034,696,092</b>
General Fund Positions.....	13,389.00	13,389.00		
	12,721.50	12,721.50		
Nongeneral Fund Positions.....	217.50	217.50		
Position Level .....	13,606.50	13,606.50		
	12,939.00	12,939.00		
Fund Sources: General .....	\$1,016,238,526	\$1,018,131,819		
	\$1,000,801,763	\$974,791,129		
Special.....	\$79,679,485	\$79,679,485		
	\$55,134,012	\$56,814,012		
Dedicated Special Revenue.....	\$1,327,480	\$1,327,480		
Federal Trust .....	\$1,763,471	\$1,763,471		
<b>§ 1-112. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)</b>				
392. Criminal Justice Training and Standards (30300) .....			\$2,355,681	<del>\$2,355,681</del>
				<del>\$2,330,681</del>
Law Enforcement Training and Education Assistance (30306) .....	\$2,355,681	<del>\$2,355,681</del>		
		<del>\$2,330,681</del>		
Fund Sources: General .....	\$2,320,681	<del>\$2,320,681</del>		
		<del>\$2,295,681</del>		
Special.....	\$35,000	\$35,000		
Authority: Title 9.1, Chapter 1, Code of Virginia.				
Out of this appropriation, \$75,000 the first year and <del>\$75,000</del> \$50,000 the second year from the general fund is authorized to oversee and conduct training of law enforcement and first responder personnel in managing persons with Alzheimer's disease or other memory-related impairments. The department shall provide the training coordinator position and the leadership role for developing, implementing, organizing, conducting, and promoting train-the-trainer courses while other participating first responder agencies shall provide other program support as needed.				
393. Criminal Justice Research, Planning and Coordination (30500) .....			\$537,517	\$537,517
Criminal Justice Research, Statistics, Evaluation, and Information Services (30504) .....	\$537,517	\$537,517		
Fund Sources: General .....	\$537,517	\$537,517		
Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.				
394. Asset Forfeiture and Seizure Fund Management and Financial Assistance Program (30600).....			\$5,308,104	\$5,308,104
Coordination of Asset Seizure and Forfeiture Activities (30602) .....	\$5,308,104	\$5,308,104		

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Fund Sources: General .....	\$12,566	\$12,566		
Special .....	\$5,295,538	\$5,295,538		
Authority: Title 19.2, Chapter 22.1, Code of Virginia.				
395. Financial Assistance for Administration of Justice Services (39000).....			\$82,364,599	\$82,219,599
			\$83,864,599	\$83,643,914
Financial Assistance for Administration of Justice Services (39001).....	\$82,364,599	\$82,219,599		
	\$83,864,599	\$83,643,914		
Fund Sources: General .....	\$36,268,870	\$36,123,870		
	\$37,768,870	\$37,673,870		
Special .....	\$100,000	\$100,000		
Trust and Agency .....	\$10,000,000	\$10,000,000		
Dedicated Special Revenue .....	\$10,513,464	\$10,513,464		
		\$10,387,779		
Federal Trust .....	\$25,482,265	\$25,482,265		

Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$12,000,000 the first year and an estimated \$12,000,000 the second year in federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, nine percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$829,930 the first year and \$729,930 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during fiscal year 2010 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,101,101 the first year and ~~\$1,101,101~~ \$993,083 the second year from the general fund and an estimated \$1,775,000 the first year and an estimated ~~\$1,775,000~~ \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2008, through June 30, 2010, except that the Board may approve a new academy for Roanoke County, to be supported with local funds, consistent with the Agreement dated February 5, 2007, by and between the Board of Supervisors of Roanoke County, the Sheriff of Roanoke County, and the Cardinal Criminal Justice Academy.

c. *The Board of Criminal Justice Services may approve a new criminal justice academy for Hanover County, to be supported with local funds, consistent with the Agreement dated October 17, 2008, by and between Hanover County, the Sheriff of Hanover County, and the Rappahannock Regional Criminal Justice Academy.*

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*d. The Board of Criminal Justice Services may approve a new criminal justice academy for the City of Newport News, to be supported with local funds, consistent with an agreement established by and between the City Council of Newport News, the City Manager of Newport News, and the Hampton Roads Criminal Justice Training Academy.*

2. Virginia Crime Victim-Witness Fund, \$5,124,059 the first year and \$5,124,059 the second year from dedicated special revenue, and \$3,100,000 the first year and \$3,100,000 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided to the Secretary of Public Safety, the Department of Planning and Budget and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2008.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and ~~\$1,615,000~~ \$1,456,568 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

C.1. Out of this appropriation, \$21,908,828 the first year and ~~\$21,908,828~~ \$23,408,828 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§ 53.1-182.1, Code of Virginia) and the Pretrial Services Act (§ 19.2-152.4, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the Department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

E. Subject to the conditions stated in this Item and with the prior written approval of the Director, Department of Planning and Budget, there is hereby re-appropriated the unexpended balances remaining in the appropriations made in the Financial Assistance for Administration of Justice Services program on June 30, 2008, and June 30, 2009. These reappropriations shall be used only for the purposes of the original appropriation for grants made by the Criminal Justice Services Board. This provision shall apply to funds obligated to and in the possession of state agency subgrantees and the Department of Criminal Justice Services.

F.1. Out of this appropriation, \$1,490,000 the first year and ~~\$1,490,000~~ \$1,343,831 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9-171.1, Code of Virginia. Localities shall match these funds based on the composite index of local ability-to-pay. The Department shall give priority to localities requesting school resource officers in high schools.

2. The Director, Department of Criminal Justice Services, is authorized to expend \$357,285 the first year and \$357,285 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

G. The Department of Criminal Justice Services shall provide a grant of \$75,000 the first year and ~~\$75,000 second year~~ to the County of Fairfax for the Fairfax Partnership on Youth.

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H. Included in the amounts appropriated in this Item is \$100,000 the first year and \$100,000 the second year from the general fund to support the dual diagnosis day reporting program operated by Chesterfield County Community Corrections.

I. Included in the amounts appropriated in this Item is \$450,000 the first year and \$450,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) to provide core and comprehensive services to victims of sexual violence.

J. Included in the amounts appropriated in this Item is \$45,000 the first year from the general fund for the planning phase of the Virginia Public Safety Memorial.

K. Included in the amounts appropriated in this item are \$150,000 the first year and ~~\$150,000~~ \$100,000 the second year from the general fund for the Virginia Center for Policing Innovation to provide basic training for local law enforcement agencies in Virginia in immigration law and policy and Spanish language.

L. Pursuant to Section 4-1.05.a.4. of this act, \$920,628 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.

M.1. Out of the amounts appropriated for this item, \$1,500,000 the first year and \$100,000 the second year from the general fund and shall be provided for the operations of the Southern Virginia Internet Crimes Against Children Task Force and the Northern Virginia Internet Crimes Against Children Task Force to expand the regional operations of these two task forces. Of the total amount provided, \$750,000 the first year shall be distributed to the Bedford County Sheriff's Office for the operation of the Southern Virginia Internet Crimes Against Children Task Force, and \$750,000 the first year shall be distributed to the Virginia State Police for the operation of the Northern Virginia Internet Crimes Against Children Task Force. In the second year, any funds provided from Item 475.50 shall be equally divided between the two task forces.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each complete a report on the actual expenditures and performance results achieved by the respective task forces during the first year. Copies of the task force reports shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees prior to the distribution of funds for the second year.

N. The Board of Criminal Justice Services shall allocate \$23,300,000 to offset reductions to sheriffs' offices and local and regional jails contained in Item 69 of this act, contingent upon and only to the extent such funds shall be made available to the Commonwealth by the Edward Byrne Memorial Justice Assistance Grant program, pursuant to the American Recovery and Reinvestment Act of 2009, and consistent with the requirements and provisions of that act.

396.	Regulation of Professions and Occupations (56000) .....			\$2,732,315	\$2,732,315
				\$2,682,315	\$2,682,315
	Business Regulation Services (56033) .....	\$2,732,315	\$2,732,315		
		\$2,682,315	\$2,682,315		
	Fund Sources: General .....	\$94,247	\$94,247		
	Special .....	\$2,638,068	\$2,638,068		
		\$2,588,068	\$2,588,068		
	Authority: Title 9.1, Chapter 1, Article 4, §§ 9.1-141, 9.1-139, 9.1-143, and 9.1-149, Code of Virginia.				
397.	Financial Assistance to Localities - General (72800) .....			\$206,501,876	\$205,001,876
				\$197,295,927	\$197,295,927
	Financial Assistance to Localities Operating Police Departments (72813) .....	\$206,501,876	\$205,001,876		
		\$197,295,927	\$197,295,927		

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Fund Sources: General .....	\$206,501,876	\$205,001,876		
	\$197,295,927	\$197,295,927		
Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.				
<p>A. <del>Except for the funds referred to in paragraph E of this Item, t</del>The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599). Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, <del>the amount distributed to each locality the first year and the second year shall be equal to 96.241 percent of that locality's final FY 2008 distribution as outlined in the Governor's 2008 budget reduction plan of October 9, 2008 and the amount distributed the second year shall be 93 percent of the final FY 2008 distribution. the total amount to be distributed to localities shall be \$197,295,927 the first year and \$197,295,927 the second year. The amount to be distributed to each locality in the second year shall be equal to the amount distributed to the locality in the first year.</del></p> <p>B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599).</p> <p>C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services.</p> <p>2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such date as determined by the Department. The Department shall provide this information to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days following the submission of the local certifications.</p> <p>D. The director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.</p> <p>E. <del>Out of the amounts appropriated for this item, \$1,500,000 the first year shall be provided for the operations of the Southern Virginia Internet Crimes Against Children Task Force and the Northern Virginia Internet Crimes Against Children Task Force to expand the regional operations of these two task forces. Of the total amount provided, \$750,000 shall be distributed to the Bedford County Sheriff's Office for the operation of the Southern Virginia Internet Crimes Against Children Task Force and \$750,000 shall be distributed to the Virginia State Police for the operation of the Northern Virginia-Washington, D.C., Internet Crimes Against Children Task Force.</del></p>				
398.	Administrative and Support Services (39900) .....		\$1,722,683	\$1,722,683
	General Management and Direction (39901) .....	\$1,722,683	\$1,722,683	
	Fund Sources: General .....	\$969,624	\$969,624	
	Special .....	\$753,059	\$753,059	
Authority: Title 9.1, Chapter 1, Code of Virginia.				
398.05.	Executive Management (71300) .....		(\$798,130)	(\$1,437,155)

ITEM 398.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Savings From Management Actions (71301).....</i>	<i>(\$798,130)</i>	<i>(\$1,437,155)</i>		
<i>Fund Sources: General.....</i>	<i>(\$798,130)</i>	<i>(\$1,437,155)</i>		
<i>Authority: Discretionary Inclusion</i>				
<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
Total for Department of Criminal Justice Services.....			<b>\$301,522,775</b>	<b>\$299,877,775</b>
			<b>\$292,968,696</b>	<b>\$292,083,986</b>
General Fund Positions.....	63.50	<del>63.50</del>		57.50
Nongeneral Fund Positions.....	71.50	71.50		
Position Level .....	135.00	<del>135.00</del>		129.00
Fund Sources: General .....	<del>\$246,705,381</del>	<del>\$245,060,381</del>		
	<del>\$238,201,302</del>	<del>\$237,442,277</del>		
Special.....	<del>\$8,821,665</del>	<del>\$8,821,665</del>		
	<del>\$8,771,665</del>	<del>\$8,771,665</del>		
Trust and Agency .....	\$10,000,000	\$10,000,000		
Dedicated Special Revenue .....	\$10,513,464	<del>\$10,513,464</del>		
		<del>\$10,387,779</del>		
Federal Trust.....	\$25,482,265	\$25,482,265		
<b>§ 1-113. DEPARTMENT OF EMERGENCY MANAGEMENT (127)</b>				
399. Emergency Preparedness (77500) .....			\$28,035,244	<del>\$27,749,656</del>
				<del>\$28,024,656</del>
Financial Assistance for Emergency Management and Response (77501).....	\$19,289,899	<del>\$19,289,899</del>		<del>\$19,564,899</del>
Emergency Planning, Training and Exercises (77502) .....	\$8,745,345	\$8,459,757		
Fund Sources: General .....	\$846,945	<del>\$561,357</del>		<del>\$836,357</del>
Special.....	\$1,431,904	\$1,431,904		
Commonwealth Transportation .....	\$30,000	\$30,000		
Federal Trust.....	\$25,726,395	\$25,726,395		
Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.				
A. The Department of Emergency Management shall provide a report on options for the implementation of a hazardous materials fee to fund the Commonwealth's hazardous materials activities such as the costs of providing funding to local hazardous materials teams and providing hazardous training to team members. This report shall include at a minimum the level of fee recommended to be imposed, the industries that would be impacted, the projected revenue generated, and activities the fee would support. The department shall provide copies of the report to the Secretary of Public Safety; the Director, Department of Planning and Budget; and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2008.				
B. Included within this appropriation is the continuation of \$160,810 the first year and \$160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.				
400. Emergency Response and Recovery (77600) .....			\$9,926,768	\$9,926,768



ITEM 400.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Emergency Response and Recovery Services (77601) .....	\$1,759,206	\$1,759,206		
Financial Assistance for Emergency Response and Recovery (77602).....	\$8,167,562	\$8,167,562		
Fund Sources: General .....	\$628,003	\$628,003		
Special .....	\$184,829	\$184,829		
Commonwealth Transportation .....	\$853,251	\$853,251		
Federal Trust.....	\$8,260,685	\$8,260,685		
Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-146.28(a) Code of Virginia.				
A. Included within this appropriation is \$217,060 the first year and \$217,060 the second year from the general fund to cover increasing costs to maintain training programs for the Reservist Program. The reservist training program is necessary to ensure that department staff are augmented by a sufficient number of properly trained volunteer responders during an emergency situation.				
B. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.				
<i>C. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.</i>				
401. Virginia Emergency Operations Center (77800) .....			\$3,210,367	\$3,210,367
Virginia Emergency Operations Center (Veoc) and Communications (77801).....	\$3,210,367	\$3,210,367		
Fund Sources: General .....	\$2,127,318	\$2,127,318		
Special .....	\$818,791	\$818,791		
Federal Trust.....	\$264,258	\$264,258		
Authority: Title 44 and §52-47, Code of Virginia.				
Included within this appropriation is \$387,500 the first year and \$387,500 the second year from the general fund to support the Integrated Flood Observing and Warning System (IFLOWS) program.				
402. Administrative and Support Services (79900).....			\$3,674,561	\$3,674,561
General Management and Direction (79901).....	\$3,674,561	\$3,674,561		
Fund Sources: General .....	\$2,325,777	\$2,325,777		
Special .....	\$480,870	\$480,870		
Commonwealth Transportation .....	\$50,000	\$50,000		
Federal Trust.....	\$817,914	\$817,914		

Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.

By July 15 of each year, the State Coordinator of Emergency Management shall assess emergencies and disasters that have been authorized sum sufficient funding by the Governor and provide to the Department of Planning and Budget written justification to support continuing sum sufficient funding longer than one year for a locally declared emergency (or disaster), three years for a state declared disaster, and five years for a nationally declared disaster. At the same time, the State Coordinator shall identify any disasters that can be closed

ITEM 402.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	due to fulfillment of the state's obligations.				
403.	Omitted.				
404.	A. All funds transferred to the Department of Emergency Management pursuant to the Governor's authority under § 44-146.28, Code of Virginia, shall be deposited into a special fund account to be used only for Disaster Recovery.				
	B. Included in the Federal Trust appropriation are amounts estimated at \$34,592 the first year and \$34,592 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.				
404.05.	<i>Executive Management (71300) .....</i>			(\$795,135)	(\$840,297)
	<i>Savings From Management Actions (71301).....</i>	(\$795,135)	(\$840,297)		
	<i>Fund Sources: General.....</i>	(\$795,135)	(\$840,297)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>A. Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	<i>B. The Director, Department of Planning and Budget, is authorized to transfer \$26,263 in general fund appropriation from project 15989 (Maintenance Reserve) to this Item in the first year.</i>				
	Total for Department of Emergency Management.....			<b>\$44,846,940</b> <b>\$44,051,805</b>	<b>\$44,561,352</b> <b>\$43,996,055</b>
	General Fund Positions.....	54.75	54.75		
	Nongeneral Fund Positions.....	83.25	83.25		
	Position Level .....	138.00	138.00		
	Fund Sources: General.....	<b>\$5,928,043</b>	<b>\$5,642,455</b>		
		<b>\$5,132,908</b>	<b>\$5,077,158</b>		
	Special.....	\$2,916,394	\$2,916,394		
	Commonwealth Transportation .....	\$933,251	\$933,251		
	Federal Trust.....	\$35,069,252	\$35,069,252		
<b>§ 1-114. DEPARTMENT OF FIRE PROGRAMS (960)</b>					
405.	Fire Training and Technical Support Services (74400) ....			\$6,876,413	\$6,876,413
	Fire Services Management and Coordination (74401).....	\$2,025,158	\$2,025,158		
	Virginia Fire Services Research (74402).....	\$355,000	\$355,000		
	Fire Services Training and Professional Development (74403) .....	\$3,197,253	\$3,197,253		
	Technical Assistance and Consultation Services (74404) .....	\$768,001	\$768,001		
	Emergency Operational Response Services (74405).....	\$251,001	\$251,001		
	Public Fire and Life Safety Educational Services (74406) .....	\$280,000	\$280,000		
	Fund Sources: Special.....	\$6,876,413	\$6,876,413		
	Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.				
	Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the revenue available from the Fire Programs Fund, after making the distributions set out in § 38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the administrative costs of all activities assigned to it by law.				

ITEM 406.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
406.	Financial Assistance for Fire Services Programs (76400) .....			\$22,325,000	\$23,825,000
	Fire Programs Fund Distribution (76401).....	\$19,000,000	\$20,500,000		
	Burn Building Grants (76402).....	\$2,500,000	\$2,500,000		
	Categorical Grants (76403).....	\$825,000	\$825,000		
	Fund Sources: Special.....	\$22,075,000	\$23,575,000		
	Federal Trust.....	\$250,000	\$250,000		
	Authority: §§ 38.2-401, Code of Virginia.				
407.	Regulation of Structure Safety (56200) .....			\$3,095,101	\$3,098,001
	State Fire Prevention Code Administration (56203) .....	\$3,095,101	\$3,098,001		
	Fund Sources: General .....	\$2,597,101	\$2,600,001		
	Special .....	\$498,000	\$498,000		
	Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
	A. The State Fire Marshall may charge no fee for any permits or inspections of any school, whether it be public or private.				
	B. This Item includes no funds for the lease of facilities located at 11755B Lee Highway, Sperryville, Virginia 22740 as of July 1, 2009.				
407.05.	Executive Management (71300) .....			(\$110,942)	(\$202,742)
	Savings From Management Actions (71301).....	(\$110,942)	(\$202,742)		
	Fund Sources: General.....	(\$110,942)	(\$202,742)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Fire Programs .....			<b>\$32,296,514</b>	<b>\$33,799,414</b>
				<b>\$32,185,572</b>	<b>\$33,596,672</b>
	General Fund Positions.....	31.00	<del>31.00</del>		
			30.00		
	Nongeneral Fund Positions.....	43.00	43.00		
	Position Level .....	74.00	<del>74.00</del>		
			73.00		
	Fund Sources: General .....	<del>\$2,597,101</del>	<del>\$2,600,001</del>		
		\$2,486,159	\$2,397,259		
	Special .....	\$29,449,413	\$30,949,413		
	Federal Trust.....	\$250,000	\$250,000		
<b>§ 1-115. DEPARTMENT OF FORENSIC SCIENCE (778)</b>					
408.	Law Enforcement Scientific Support Services (30900) ....			\$37,209,975	\$37,209,975
	Biological Analysis Services (30901) .....	\$10,535,958	<del>\$10,535,958</del>		\$39,890,982
			\$12,056,253		
	Chemical Analysis Services (30902) .....	\$8,177,068	\$8,177,068		
	Physical Evidence Services (30904) .....	\$9,386,087	\$9,386,087		
	Training and Standards Services (30905).....	\$724,133	\$724,133		
	Administrative Services (30906) .....	\$8,386,729	<del>\$8,386,729</del>		
			\$9,547,441		

ITEM 408.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

Fund Sources: General .....	\$35,703,991	<del>\$35,703,991</del> \$36,864,703
Federal Trust .....	\$1,505,984	<del>\$1,505,984</del> \$3,026,279

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Out of this appropriation, \$219,000 the first year and \$219,000 the second year from the general fund shall be used to fund payment in lieu of taxes made to the City of Richmond for the agency's central laboratory.

B. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chairman of the Forensic Science Board and to the respective Chairmen of the House and Senate Committees for Courts of Justice. The Department of Corrections shall assist the Board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chairman of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

408.05.	Executive Management (71300) .....			(\$877,447)	(\$1,926,661)
	Savings From Management Actions (71301) .....	(\$877,447)	(\$1,926,661)		
	Fund Sources: General .....	(\$877,447)	(\$1,926,661)		

Authority: Discretionary Inclusion

Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.

Total for Department of Forensic Science .....			<b>\$37,209,975</b>	<b>\$37,209,975</b>
			<b>\$36,332,528</b>	<b>\$37,964,321</b>

General Fund Positions .....	<del>320.00</del>	<del>320.00</del>
	315.00	316.00
Position Level .....	<del>320.00</del>	<del>320.00</del>
	315.00	316.00

Fund Sources: General .....	<del>\$35,703,991</del>	<del>\$35,703,991</del>
	\$34,826,544	\$34,938,042
Federal Trust .....	\$1,505,984	<del>\$1,505,984</del> \$3,026,279

#### § 1-116. DEPARTMENT OF JUVENILE JUSTICE (777)

409.	Operation of Community Residential and Nonresidential Services (35000) .....			\$5,437,896	\$5,437,896
	Community Residential and Non-Residential Custody and Treatment Services (35008) .....	\$5,437,896	\$5,437,896		
	Fund Sources: General .....	\$5,415,469	\$5,415,469		
	Federal Trust .....	\$22,427	\$22,427		

Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia.

Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles.

ITEM 410.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
410.	Supervision of Offenders and Re-Entry Services (35100) .....			\$57,944,290	\$57,944,290
	Juvenile Probation and Aftercare Services (35102) .....	\$57,944,290	\$57,944,290		
	Fund Sources: General .....	\$57,687,341	\$57,687,341		
	Special .....	\$145,000	\$145,000		
	Federal Trust .....	\$111,949	\$111,949		
	Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of Virginia.				
	A. Notwithstanding the provisions of §16.1-273 of the Code of Virginia, the Department of Juvenile Justice, including locally-operated court services units, shall not be required to provide drug screening and assessment services in conjunction with investigations ordered by the courts.				
	B. The Department of Juvenile Justice shall analyze the extent of juvenile gang activity as it affects the operation of court services units, local and regional detention facilities, and state juvenile correctional facilities. The analysis shall describe the programs which the department has developed to address gang activity, along with recommendations for further actions. Copies of the analysis shall be provided by September 1, 2008, to the Secretary of Public Safety and to the Chairmen of the Senate Finance and House Appropriations Committees.				
	C. The Department of Juvenile Justice shall analyze the level of federal, state, local and other funding for juvenile delinquency prevention programs in Virginia, and assess the current state of evaluation research in juvenile delinquency prevention in Virginia. The report shall include a review of the current utilization of funds provided through the Virginia Juvenile Community Crime Control Act. Copies of the analysis shall be provided by September 1, 2008, to the Secretary of Public Safety and to the Chairmen of the Senate Finance and House Appropriations Committees.				
	<i>D. This Item includes no funds for the lease of facilities located at Fifty Sixty Six Office Plaza, 11150 Fairfax Boulevard, Suite 500, Fairfax, Virginia 22030; 925 Capitol Landing Road, Suite C, Williamsburg, Virginia 23185; and 5427 Peters Creek Road, Roanoke, Virginia 24019 as of July 1, 2009.</i>				
411.	Financial Assistance to Local Governments for Juvenile Justice Services (36000) .....			\$52,697,635	\$52,697,635
	Financial Assistance for Juvenile Confinement in Local Facilities (36001) .....	\$35,194,793	<del>\$35,194,793</del> \$35,694,793		
	Financial Assistance for Probation and Parole - Local Grants (36002) .....	\$2,474,676	\$2,474,676		
	Financial Assistance for Community Based Alternative Treatment Services (36003) .....	\$15,028,166	<del>\$15,028,166</del> \$14,528,166		
	Fund Sources: General .....	\$50,787,956	\$50,787,956		
	Federal Trust .....	\$1,909,679	\$1,909,679		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia.

A. From July 1, 2008 to June 30, 2010, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The Board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

ITEM 411.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of \$50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of §16.1-322.1 of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this item.

E. Subject to the conditions stated in this paragraph and with the prior written approval of the Director, Department of Planning and Budget, there is hereby re-appropriated the unexpended balances remaining at the close of business on June 30, 2008, and June 30, 2009, in the appropriation for Financial Assistance for Juvenile Confinement in Local Facilities. The reappropriations shall be applicable only for payments owing for physical plant projects for local detention which have been approved by the Governor and for which contracts are in effect June 30, 2008, and June 30, 2009, respectively.

F.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes \$14,143,360 the first year and \$14,143,360 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. *The Director, Department of Planning and Budget, may increase the general fund appropriation for this item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.*

b. Subject to the conditions stated in this Item and with the prior written approval of the Director, Department of Planning and Budget, there are hereby reappropriated the unexpended balances remaining in the appropriations made in the Financial Assistance for Community Based Alternative Treatment Services service area on June 30, 2008, and June 30, 2009.

c. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

G. The department shall provide annual reports to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of Virginia Juvenile Community Crime Control Act programs. The annual report shall address the requirements of § 16.1-309.3, Code

ITEM 411.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>of Virginia, as well as identifying the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities, pursuant to §§ 16.1-309.2 through 16.1-309.10, Code of Virginia.</p> <p><i>H. Pursuant to Section 4-1.05.a.4. of this act, \$195,406 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</i></p>				
412.	Operation of Secure Correctional Facilities (39800).....		\$92,436,862	<del>\$92,436,862</del> \$91,217,739
	Juvenile Corrections Center Management (39801) .....	\$9,485,500	<del>\$9,485,500</del> \$8,652,573	
	Food Services - Prisons (39807) .....	\$6,593,821	\$6,593,821	
	Medical and Clinical Services - Prisons (39810) .....	\$8,891,244	\$8,891,244	
	Physical Plant Services - Prisons (39815) .....	\$5,842,338	\$5,842,338	
	Offender Classification and Time Computation Services (39830) .....	\$1,305,737	\$1,305,737	
	Juvenile Supervision and Management Services (39831) .....	\$48,412,452	<del>\$48,412,452</del> \$48,026,256	
	Juvenile Rehabilitation and Treatment Services (39832)..	\$11,649,868	\$11,649,868	
	Minimum Security Services (39833) .....	\$255,902	\$255,902	
	Fund Sources: General .....	\$88,286,713	\$88,286,713	
	Special .....	\$2,470,416	<del>\$2,470,416</del> \$1,251,293	
	Dedicated Special Revenue .....	\$25,000	\$25,000	
	Federal Trust .....	\$1,654,733	\$1,654,733	
<p>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 Virginia.</p> <p>A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care and treatment of said children.</p> <p><del>B. Included within this appropriation is \$838,696 from the general fund and \$50,000 from nongeneral funds in the first year and \$838,696 from the general fund and \$50,000 from nongeneral funds in the second year for the Department of Juvenile Justice to contract for the operation of two cottages at Beaumont Juvenile Correctional Center that have been converted into transitional housing space.</del></p> <p>C. Beginning with the effective date of any agreement whereby Culpeper County becomes a member of a detention home commission, or signs an agreement with a local detention home, to house juveniles in detention as provided in § 16.1-248.1 or § 16.1-284.1, Code of Virginia, the existing memorandum of agreement between Culpeper County and the Department of Juvenile Justice, under which the department currently houses Culpeper juveniles who are detained, shall be terminated. Culpeper County shall satisfy any amount owed the department for any days during which it housed such juveniles on behalf of the county, but shall be forgiven any outstanding amount for guaranteed bed space which it did not utilize. The amount to be forgiven shall be certified by the department, and the county shall apply an equal amount to the cost of joining a detention commission, or for providing alternative programs to detention, or both, over the five-year period following termination of the agreement with the department. The county shall submit an audited statement to the department demonstrating the appropriate expenditure of such funds no later than June 30, 2012.</p>				
413.	Administrative and Support Services (39900) .....		\$16,322,075	\$16,322,075
	General Management and Direction (39901) .....	\$5,789,042	\$5,789,042	
	Information Technology Services (39902) .....	\$3,656,006	\$3,656,006	
	Accounting and Budgeting Services (39903) .....	\$3,110,903	\$3,110,903	
	Architectural and Engineering Services (39904) .....	\$412,112	\$412,112	

ITEM 413.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Food and Dietary Services (39907) .....	\$350,379	\$350,379		
	Human Resources Services (39914).....	\$2,404,665	\$2,404,665		
	Planning and Evaluation Services (39916) .....	\$598,968	\$598,968		
	Fund Sources: General .....	\$15,979,031	\$15,979,031		
	Special.....	\$20,000	\$20,000		
	Federal Trust.....	\$323,044	\$323,044		
	Authority: §§ 66-3 and 66-13, Code of Virginia.				
413.05.	Executive Management (71300) .....			(\$10,412,597)	(\$11,082,181)
	Savings From Management Actions (71301).....	(\$10,412,597)	(\$11,082,181)		
	Fund Sources: General.....	(\$10,412,597)	(\$11,082,181)		
	Authority: Discretionary Inclusion				
	A. Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	B. The Director, Department of Planning and Budget, is authorized to transfer \$3,200,000 in general fund appropriation from project 15081 (Maintenance Reserve) to this Item in the first year.				
	Total for Department of Juvenile Justice.....			<b>\$224,838,758</b>	<b>\$224,838,758</b>
				<b>\$214,426,161</b>	<b>\$212,537,454</b>
	General Fund Positions.....	2,472.50	2,472.50		
		2,389.50	2,375.50		
	Nongeneral Fund Positions.....	16.00	16.00		
	Position Level .....	2,488.50	2,488.50		
		2,405.50	2,391.50		
	Fund Sources: General .....	\$218,156,510	\$218,156,510		
		\$207,743,913	\$207,074,329		
	Special.....	\$2,635,416	\$2,635,416		
			\$1,416,293		
	Dedicated Special Revenue .....	\$25,000	\$25,000		
	Federal Trust.....	\$4,021,832	\$4,021,832		
	<b>§ 1-117. DEPARTMENT OF MILITARY AFFAIRS (123)</b>				
414.	Higher Education Student Financial Assistance (10800) ..			\$3,047,717	\$3,047,717
				\$3,797,717	\$3,332,717
	Tuition Assistance (10811).....	\$2,602,297	\$2,602,297		
		\$3,352,297	\$2,887,297		
	Recruitment Incentives (10812).....	\$445,420	\$445,420		
	Fund Sources: General .....	\$3,047,717	\$3,047,717		
			\$3,247,717		
	Dedicated Special Revenue .....	\$750,000	\$85,000		
	Authority: Title 44, Chapters 1 and 2; § 23-7.3, Code of Virginia.				
415.	At Risk Youth Residential Program (18700) .....			\$4,197,311	\$4,197,311
				\$4,018,244	\$4,218,244
	Virginia Commonwealth Challenge Program (18701).....	\$4,197,311	\$4,197,311		
		\$4,018,244	\$4,218,244		
	Fund Sources: General .....	\$1,585,419	\$1,585,419		



ITEM 415.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Dedicated Special Revenue .....	\$50,000	\$50,000	
	Federal Trust.....	<del>\$2,561,892</del>	<del>\$2,561,892</del>	
		\$2,382,825	\$2,582,825	

Authority: Discretionary Inclusion.

The Department of Military Affairs is hereby authorized to designate building space at the State Military Reservation as an in-kind match for the receipt of federal funds under the Commonwealth Challenge program, equivalent to a value of \$253,040 each year.

416.	Defense Preparedness (72100).....		<del>\$29,374,781</del>	<del>\$29,374,781</del>
			<del>\$29,285,611</del>	<del>\$28,949,054</del>
	Armories Operations and Maintenance (72101).....	<del>\$3,990,135</del>	\$3,990,135	
		\$3,771,692		
	Virginia State Defense Force (72104) .....	\$240,132	\$240,132	
	Security Services (72105).....	<del>\$4,705,059</del>	<del>\$4,705,059</del>	
		\$4,645,059	\$4,555,059	
	Fort Pickett and Camp Pendelton Operations (72109) .....	<del>\$16,853,062</del>	<del>\$16,853,062</del>	
		\$17,042,335	\$17,042,335	
	Other Facilities Operations and Maintenance (72110).....	\$3,586,393	<del>\$3,586,393</del>	
			\$3,121,393	
	Fund Sources: General .....	\$3,950,865	\$3,950,865	
	Special .....	\$1,125,791	\$1,125,791	
	Dedicated Special Revenue .....	\$300,000	\$300,000	
	Federal Trust.....	<del>\$23,998,125</del>	<del>\$23,998,125</del>	
		\$23,908,955	\$23,572,398	

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

This item includes \$50,000 the first year and \$50,000 the second year from the general fund to pay the expenses of the Virginia Military Advisory Council.

417.	Disaster Planning and Operations (72200) .....		a sum sufficient	
	Communications and Warning System (72201).....	a sum sufficient		
	Disaster Assistance (72203).....	a sum sufficient		
	Fund Sources: General .....	a sum sufficient		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The amount for Disaster Planning and Operations provides for a military contingent fund, out of which to pay the military forces of the Commonwealth when aiding the civil authorities.

B. In the event units of the Virginia National Guard shall be in federal service, the sum allocated herein for their support shall not be used for any different purpose, except with the prior written approval of the Governor, other than to provide for the Virginia State Defense Force or for safeguarding properties used by the Virginia National Guard.

418.	Administrative and Support Services (79900).....		\$5,340,376	<del>\$5,340,376</del>
				<del>\$5,492,168</del>
	General Management and Direction (79901).....	\$2,350,450	<del>\$2,350,450</del>	
			\$2,502,242	
	Telecommunications (79930).....	\$2,989,926	\$2,989,926	
	Fund Sources: General .....	\$2,356,923	\$2,356,923	
	Dedicated Special Revenue .....	\$0	\$151,792	
	Federal Trust.....	\$2,983,453	\$2,983,453	

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

ITEM 418.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	The Department of Military Affairs shall advise and provide assistance to the Department of Accounts in administering the \$20,000 death benefit provided for certain members of the National Guard and United States military reserves killed in action in any armed conflict as of October 7, 2001, pursuant to § 44-93.1.B., Code of Virginia.				
418.05.	Executive Management (71300) .....			(\$693,683)	(\$1,148,072)
	Savings From Management Actions (71301).....	(\$693,683)	(\$1,148,072)		
	Fund Sources: General.....	(\$693,683)	(\$1,148,072)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Military Affairs.....			<del>\$41,960,185</del> \$41,748,265	<del>\$41,960,185</del> \$40,844,111
	General Fund Positions.....	50.47 45.47	50.47 45.47		
	Nongeneral Fund Positions.....	315.03 306.03	315.03 306.03		
	Position Level .....	<del>365.50</del> 351.50	<del>365.50</del> 351.50		
	Fund Sources: General .....	\$10,940,924	\$10,940,924		
		\$10,247,241	\$9,992,852		
	Special.....	\$1,125,791	\$1,125,791		
	Dedicated Special Revenue .....	<del>\$350,000</del> \$1,100,000	<del>\$350,000</del> \$586,792		
	Federal Trust .....	<del>\$29,543,470</del> \$29,275,233	<del>\$29,543,470</del> \$29,138,676		
<b>§ 1-118. DEPARTMENT OF STATE POLICE (156)</b>					
419.	Information Technology Systems, Telecommunications and Records Management (30200).....			\$44,658,828	<del>\$47,979,436</del> \$49,013,886
	Information Technology Systems and Planning (30201) ..	\$16,115,302	\$17,415,302		
	Criminal Justice Information Services (30203) .....	\$8,135,265	\$7,981,085		
	Telecommunications and Statewide Agencies Radio System (Stars) (30204) .....	\$17,490,591	\$19,666,591		
	Firearms Purchase Program (30206).....	\$683,291	<del>\$683,291</del> \$1,717,741		
	Sex Offender Registry Program (30207) .....	\$2,025,148	\$2,023,936		
	Concealed Weapons Program (30208).....	\$209,231	\$209,231		
	Fund Sources: General .....	\$32,535,688	\$32,480,296		
	Special.....	\$7,132,081	<del>\$10,608,081</del> \$11,642,531		
	Dedicated Special Revenue .....	\$3,700,000	\$3,700,000		
	Federal Trust .....	\$1,291,059	\$1,191,059		
	Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.				
	A. There is hereby re-appropriated the unexpended balances in this Item on June 30, 2008, and June 30, 2009.				
	B.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever possible.				

ITEM 419.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$3,700,000 the first year and \$3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.</p> <p>C. Out of the Motor Carrier Special Fund, \$900,000 the first year and \$900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.</p> <p>D.1. This appropriation includes \$2,510,000 the first year and \$2,510,000 the second year from the general fund for implementing the Statewide Agencies Radio System (STARS) project.</p> <p>2. The Secretary of Public Safety, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) projected total costs for the system, including project management costs and expected annual operating costs; (2) the status of site acquisition to support the system; (3) the activities related to in-house and contract project management; (4) the project timelines for implementing the system; and (5) other matters as the Secretary may deem appropriate. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.</p> <p>E. The department shall deposit to the general fund an amount estimated at \$100,000 in the first year and \$100,000 in the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to the passage of Chapter 742 of the 2003 Acts of Assembly.</p> <p>F. Notwithstanding the provisions of §§ 18.2-308, 18.2-308.2:2, 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the Firearms Transaction Program Fund, the Concealed Weapons Program, the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account - State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.</p> <p>G. Included within this appropriation is \$100,000 the first year from federal funds to be utilized by the Computer Evidence Recovery Unit and the High Technology Crime Unit of the Department of State Police for enhanced high-technology crime fighting capabilities.</p> <p>H. Pursuant to Section 4-1.05.a.4. of this act, \$1,176,627 of the June 30, 2008, balances required to be reappropriated have been transferred to the general fund.</p> <p>I. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the Registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.</p>				
420.	Law Enforcement and Highway Safety Services			
	(31000) .....		\$240,757,520	\$228,036,340
			\$236,266,079	\$225,628,859
	Aviation Operations (31001) .....	\$5,937,575	\$5,937,575	
			\$7,537,575	
	Commercial Vehicle Enforcement (31002).....	\$4,831,625	\$4,831,625	
	Counter-Terrorism (31003).....	\$4,870,195	\$4,870,195	
	Help Eliminate Auto Theft (Heat) (31004) .....	\$2,423,085	\$2,423,085	
	Drug Enforcement (31005).....	\$28,119,734	\$18,619,734	
	Crime Investigation and Intelligence Services (31006).....	\$23,490,202	\$23,490,202	
	Uniform Patrol Services (Highway Patrol) (31007).....	\$140,843,504	\$137,622,324	
		\$136,352,063	\$133,614,843	
	Motorists Assistance Program (31008) .....	\$1,631,282	\$1,631,282	
	Insurance Fraud Program (31009).....	\$8,126,987	\$8,126,987	

ITEM 420.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Vehicle Safety Inspections (31010) .....	\$20,483,331	\$20,483,331		
Fund Sources: General .....	\$172,335,396	<del>\$169,114,216</del> \$170,114,216		
Special .....	\$44,954,209	<del>\$35,454,209</del> \$36,054,209		
Commonwealth Transportation .....	\$8,656,474	\$8,656,474		
Trust and Agency .....	\$20,000	\$20,000		
Dedicated Special Revenue .....	\$0	\$483,960		
Federal Trust .....	<del>\$14,791,441</del> \$10,300,000	<del>\$14,791,441</del> \$10,300,000		

Authority: §§ 27-56, 33.1-292, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. The department shall provide a report on the utilization and performance of the positions provided in this and previous biennia for violent crime strike forces and for the state/local anti-crime partnership to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year.

B. Included in this appropriation is \$810,687 the first year and \$810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.

C. Included in this appropriation is \$414,768 the first year and \$414,768 the second year from the Commonwealth Transportation Fund to support 17 positions, all of which shall be Commercial Vehicle Enforcement Officers, that will be required to support operations at weigh stations statewide. The Department of Planning and Budget shall allot these funds on the basis of a plan submitted by the Department of State Police regarding operating hours of weigh stations statewide.

D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to Chapter 600 of the Acts of Assembly of 2000, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.

E. Included within this appropriation is \$1,045,375 the first year and ~~\$1,045,375~~ \$1,645,375 the second year from the Rescue Squad Assistance Fund to support the Department's aviation (med-flight) operations. *The second year appropriation shall include \$600,000 from a portion of the additional \$0.25 in the motor vehicle registration fee approved by the 2008 General Assembly and deposited in the Rescue Squad Assistance Fund.*

F. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

G. Included in this appropriation is \$110,000 the first year and \$110,000 the second year from the general fund to increase traffic enforcement on Interstate 81. These funds shall be used to enhance existing efforts by providing overtime payments for extended and additional work shifts so as not to reduce the current level of State Police patrols on this and other public highways in the Commonwealth.

H.1. Out of this appropriation, \$3,729,650 the first year and \$3,729,650 the second year from the general fund is provided for the monitoring of offenders required to comply with the Sex Offender Registry requirements. The State Police shall designate an appropriate number of personnel across its divisional offices to oversee and administer each division's activities related to the requirements of the Sex Offender Registry as stipulated in Chapters 847 and 814 of the

ITEM 420.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>Acts of Assembly of 2006. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.</p> <p>2. The Secretary of Public Safety, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted by division; (2) the number of investigations of violations by division; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's July 2005, "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees each year by January 1.</p> <p>I. Included within this appropriation is \$200,000 the first year and \$200,000 the second year from nongeneral funds to be used by the Department of State Police to record revenue related to overtime work performed by troopers at the end of a fiscal year and for which reimbursement was not received by the department until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue.</p> <p>J. Included within this appropriation is \$100,000 the first year and \$100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.</p> <p>K.1. Included in this appropriation is \$1,548,880 the first year and \$1,548,880 the second year in nongeneral funds to support 16 positions, all of which shall be state troopers dedicated to providing security for the Metro-Washington Airport Authority (the Authority).</p> <p>2. The State Comptroller shall set up the MWAA Security Special Revenue Fund on the Commonwealth Accounting and Reporting System to reflect the activities of the agreement between the Department of State Police and the Authority.</p> <p>3. The Department of State Police may, subject to the authorization of the Director, Department of Planning and Budget, utilize additional revenue deposited in the MWAA Security Special Revenue Fund for costs incurred in fulfilling the agreement.</p> <p>4. Positions supported by the MWAA Security Special Revenue Fund shall remain authorized only as long as the agreement between the department and the Authority remains in effect.</p> <p>L. The Department of State Police is authorized to purchase two helicopters to replace two aging helicopters it currently owns. The department shall use funds already included in the appropriation for this item for debt service to finance this purchase.</p> <p>M. Included in the appropriation for this item is <del>\$1,398,140</del> \$98,140 the first year <del>and \$843,360 the second year</del> from the general fund for the Department of State Police to increase the availability of currently sworn officers to provide law enforcement and highway patrol services. Among the methods to be used for this purpose, the Department of State Police shall consider the use of these funds for the payment of overtime compensation to sworn officers currently employed by the Department of State Police.</p>				
421.	Administrative and Support Services (39900)..... General Management and Direction (39901)..... Accounting and Budgeting Services (39903)..... Human Resources Services (39914)..... Physical Plant Services (39915)..... Procurement and Distribution Services (39918)..... Training Academy (39929)..... Cafeteria (39931) .....		\$20,015,162        \$4,945,005 \$1,590,152 \$2,280,392 \$4,708,374 \$1,857,238 \$3,895,357 \$738,644	\$20,015,162        \$4,945,005 \$1,590,152 \$2,280,392 \$4,708,374 \$1,857,238 \$3,895,357 \$738,644

ITEM 421.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	\$18,901,518	\$18,901,518		
Special .....	\$1,088,644	\$1,088,644		
Dedicated Special Revenue .....	\$25,000	\$25,000		
Authority: §§ 52-1 and 52-4, Code of Virginia.				
The Superintendent of State Police shall establish written procedures for the timely and accurate electronic reporting of crime data reported to the Department of State Police in accordance with the provisions of § 52-28, Code of Virginia. The procedures shall require the principal officer of the reporting organization to certify that the information provided is, to his knowledge and belief, a true and accurate report. Should the Superintendent have reason to believe that any crime data is missing, incomplete or incorrect after audit of the data, the Superintendent shall notify the reporting organization, as well as the Chairman of the Compensation Board and the Director of the Department of Criminal Justice Services. Upon receiving and verifying resubmitted data that corrects the report, the Superintendent shall notify the Chairman of the Compensation Board and the Director of the Department of Criminal Justice Services that the missing, incomplete or incorrect data has been satisfactorily submitted.				
422.	All revenue received from the sale of motor vehicles shall be reported separately from that received from the sale of other property of the Department.			
422.05.	<i>Executive Management (71300) .....</i>		(\$5,252,156)	(\$6,057,158)
	<i>Savings From Management Actions (71301) .....</i>	(\$5,252,156)	(\$6,057,158)	
	<i>Fund Sources: General .....</i>	(\$5,252,156)	(\$6,057,158)	
Authority: Discretionary Inclusion				
A. Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
B. The Director, Department of Planning and Budget, shall unallot and transfer to the general fund an amount estimated at \$476,284 on or before June 30, 2009, and shall unallot and transfer an amount estimated at \$3,779,155 on or before June 30, 2010.				
C. The Director, Department of Planning and Budget, shall unallot and transfer to the general fund an amount estimated at \$125,000 on or before June 30, 2009, from the Northern Virginia Internet Crimes Against Children Task Force.				
Total for Department of State Police .....			<b>\$305,431,510</b>	<b>\$296,030,938</b>
			<b>\$295,687,913</b>	<b>\$288,600,749</b>
General Fund Positions .....	2,429.00	2,429.00		
Nongeneral Fund Positions .....	376.00	<del>376.00</del>		
		383.00		
Position Level .....	2,805.00	<del>2,805.00</del>		
		2,812.00		
Fund Sources: General .....	\$223,772,602	\$220,496,030		
	\$218,520,446	\$215,438,872		
Special .....	\$53,174,934	<del>\$47,150,934</del>		
		\$48,785,384		
Commonwealth Transportation .....	\$8,656,474	\$8,656,474		
Trust and Agency .....	\$20,000	\$20,000		
Dedicated Special Revenue .....	\$3,725,000	<del>\$3,725,000</del>		
		\$4,208,960		
Federal Trust .....	<del>\$16,082,500</del>	<del>\$15,982,500</del>		
	\$11,591,059	\$11,491,059		

ITEM 423.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
§ 1-119. DEPARTMENT OF VETERANS SERVICES (912)				
423.	Higher Education Student Financial Assistance (10800).. Education Program Certification for Veterans (10814).....	\$704,223	\$704,223	\$704,223
	Fund Sources: Federal Trust.....	\$704,223	\$704,223	
	Authority: Title 2.2, Chapter 20, 24, 26, 27, Code of Virginia.			
424.	State Health Services (43000) .....		\$28,535,091	<del>\$28,535,091</del> \$33,657,205
	Veterans Care Center Operations (43013) .....	\$28,535,091	<del>\$28,535,091</del> \$33,657,205	
	Fund Sources: Special.....	\$26,560,091	\$26,560,091	
	Dedicated Special Revenue.....	\$75,000	\$75,000	
	Federal Trust.....	\$1,900,000	<del>\$1,900,000</del> \$7,022,114	
	Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.			
	<i>The anticipation loan authorized in Chapter 847, 2008 Acts of Assembly, for up to \$2,200,000 with no interest for operational costs for the Sitter &amp; Barfoot Veterans Care Center is to be paid back by June 30, 2010 from nongeneral funds received for services rendered.</i>			
425.	Veterans Benefit Services (46700).....		<del>\$6,232,901</del> \$6,282,901	<del>\$5,732,901</del> \$5,832,901
	Case Management Services for Veterans Benefits (46701) .....	<del>\$6,232,901</del> \$6,282,901	<del>\$5,732,901</del> \$5,832,901	
	Fund Sources: General.....	<del>\$6,082,901</del> \$6,132,901	<del>\$5,582,901</del> \$5,682,901	
	Special.....	\$150,000	\$150,000	
	Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.			
	A. Notwithstanding § 23-7.4:1, Code of Virginia, the department shall provide the State Council of Higher Education for Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.			
	B. No child may receive the education benefits provided by § 23-7.4:1, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent.			
	C. Out of the amounts appropriated for Case Management Services for Veterans Benefits, <del>\$2,500,000</del> \$2,422,078 the first year, <del>\$2,000,000</del> \$1,972,078 the second year, and five positions each year from the general fund, and \$150,000 each year in nongeneral funds, is provided for the creation of a "Wounded Warrior" program, to be developed in cooperation with the Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Department of Rehabilitative Services, to monitor and coordinate mental health and rehabilitative services for Virginia's veterans, members of the Virginia National Guard, and Virginia residents in the Armed Forces Reserves, pursuant to House Bill 475 and Senate Bill 297 of the 2008 Session of the General Assembly. This program is to facilitate support for covered individuals in order to assure that these individuals receive timely assessments and treatment for stress-related injuries and brain disorders caused by service in combat zones. <del>Included in the amounts appropriated for the first year is \$100,000\$50,000 from the general fund for the continued development of the TurboVet program. Included in this appropriation is \$100,000 each year from the general fund for the continued development of the electronic claims system pilot project.</del>			

ITEM 426.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
426.	Historic and Commemorative Attraction Management (50200) .....			\$1,106,447	\$1,106,447
	Historic Landmarks and Facilities Management (50203) .	\$271,908	\$271,908		
	State Veterans Cemetery Management and Operations (50206) .....	\$834,539	\$834,539		
	Fund Sources: General .....	\$830,347	\$830,347		
	Special .....	\$27,460	<del>\$27,460</del>		
			\$51,100		
	Federal Trust .....	\$248,640	<del>\$248,640</del>		
			\$225,000		
	Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.				
	The Department of General Services shall continue to provide routine building and grounds maintenance for the Virginia War Memorial as part of services provided under the seat of government rental plan.				
427.	Administrative and Support Services (49900) .....			\$2,256,984	\$2,256,984
	General Management and Direction (49901) .....	\$2,256,984	\$2,256,984		
	Fund Sources: General .....	\$1,634,793	\$1,634,793		
	Special .....	\$622,191	\$622,191		
	Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.				
427.05.	Executive Management (71300) .....			(\$586,689)	(\$596,380)
	Savings From Management Actions (71301) .....	(\$586,689)	(\$596,380)		
	Fund Sources: General .....	(\$586,689)	(\$596,380)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Veterans Services .....			<del>\$38,835,646</del>	<del>\$38,335,646</del>
				\$38,298,957	\$42,961,380
	General Fund Positions .....	<del>101.00</del>	101.00		
		100.00	100.00		
	Nongeneral Fund Positions .....	509.00	509.00		
	Position Level .....	<del>610.00</del>	610.00		
		609.00	609.00		
	Fund Sources: General .....	<del>\$8,548,041</del>	\$8,048,041		
		\$8,011,352	\$7,551,661		
	Special .....	\$27,359,742	<del>\$27,359,742</del>		
			\$27,383,382		
	Dedicated Special Revenue .....	\$75,000	\$75,000		
	Federal Trust .....	\$2,852,863	<del>\$2,852,863</del>		
			\$7,951,337		
	<b>§ 1-120. VIRGINIA PAROLE BOARD (766)</b>				
428.	Probation and Parole Determination (35200) .....			\$760,236	\$760,236
	Adult Probation and Parole Services (35201) .....	\$760,236	\$760,236		
	Fund Sources: General .....	\$760,236	\$760,236		
	Authority: Title 53.1, Chapter 4, Code of Virginia.				



ITEM 428.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
428.05.	<i>Executive Management (71300) .....</i>			(\$49,522)	(\$2,647)
	<i>Savings From Management Actions (71301).....</i>	(\$49,522)	(\$2,647)		
	<i>Fund Sources: General.....</i>	(\$49,522)	(\$2,647)		
	<i>Authority: Discretionary Inclusion</i>				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Virginia Parole Board .....			<b>\$760,236</b>	<b>\$760,236</b>
				<b>\$710,714</b>	<b>\$757,589</b>
	General Fund Positions.....	6.00	<del>6.00</del>		
			5.60		
	Position Level .....	6.00	<del>6.00</del>		
			5.60		
	Fund Sources: General .....	\$760,236	\$760,236		
		\$710,714	\$757,589		
	TOTAL FOR OFFICE OF PUBLIC SAFETY .....			<b>\$2,688,223,253</b>	<b>\$2,694,105,321</b>
				<b>\$2,615,379,283</b>	<b>\$2,602,542,810</b>
	General Fund Positions.....	<del>19,727.27</del>	<del>19,727.27</del>		
		18,918.77	18,908.37		
	Nongeneral Fund Positions.....	<del>2,694.78</del>	<del>2,694.78</del>		
		2,685.78	2,692.78		
	Position Level .....	<del>22,422.05</del>	<del>22,422.05</del>		
		21,604.55	21,601.15		
	Fund Sources: General .....	\$1,832,145,257	\$1,828,151,325		
		\$1,786,142,967	\$1,754,984,248		
	Special .....	\$205,371,826	\$200,847,826		
		\$180,776,353	\$178,371,320		
	Commonwealth Transportation .....	\$9,589,725	\$9,589,725		
	Enterprise .....	\$497,254,464	\$511,754,464		
	Trust and Agency .....	\$10,020,000	\$10,020,000		
	Dedicated Special Revenue .....	\$16,015,944	\$16,015,944		
		\$16,765,944	\$16,611,011		
	Federal Trust.....	\$117,826,037	\$117,726,037		
		\$114,829,830	\$121,212,042		

ITEM 429.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
OFFICE OF TECHNOLOGY					
§ 1-121. SECRETARY OF TECHNOLOGY (184)					
429.	Administrative and Support Services (79900).....			\$545,683	\$545,683
	General Management and Direction (79901).....	\$545,683	\$545,683		
	Fund Sources: General.....	\$545,683	\$545,683		
	Authority: Title 2.2, Chapter 2, Article 9, Code of Virginia.				
429.05.	Executive Management (71300).....			\$0	(\$2,182)
	Savings From Management Actions (71301).....	\$0	(\$2,182)		
	Fund Sources: General.....	\$0	(\$2,182)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Secretary of Technology .....			\$545,683	<del>\$545,683</del> \$543,501
	General Fund Positions.....	5.00	5.00		
	Position Level .....	5.00	5.00		
	Fund Sources: General.....	\$545,683	<del>\$545,683</del> \$543,501		
§ 1-122. INNOVATIVE TECHNOLOGY AUTHORITY (934)					
430.	Economic Development Services (53400).....			\$5,847,337	<del>\$5,847,337</del> \$5,722,337
	Technology Entrepreneurial Development Services (53415) .....	\$4,059,262	<del>\$4,059,262</del> \$3,934,262		
	Commonwealth Technology Policy Services (53416).....	\$131,016	\$131,016		
	Technology Industry Development Services (53419) .....	\$334,258	\$334,258		
	Technology Industry Research and Developmental Services (53420).....	\$1,322,801	\$1,322,801		
	Fund Sources: General.....	\$5,847,337	<del>\$5,847,337</del> \$5,722,337		
	Authority: Title 2.2, Chapter 22, Code of Virginia, and Discretionary Inclusion.				
	A. The appropriation in this Item shall be used for the purpose of and in accordance with the terms and conditions specified in Title 2.2, Chapter 22, Code of Virginia.				
	B. The Innovative Technology Authority is hereby authorized to transfer funds in this appropriation to the Center for Innovative Technology to expend said funds for realizing the statutory purposes of the Authority, by contracting with governmental and private entities, notwithstanding the provisions of § 4-1.05 b of this act.				
	C. This appropriation shall be disbursed in twelve equal monthly installments each fiscal year.				
	D. Before the beginning of each fiscal year, the Innovative Technology Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget, a report of its operating plan. Within three months after the end of the fiscal year, the Center shall submit to the same entities a detailed expenditure report for the concluded fiscal year. Both reports shall be prepared in the formats as approved by the Director, Department of Planning and Budget.				

ITEM 430.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	E. As part of its mission to foster technological innovation in the Commonwealth, the Innovative Technology Authority is encouraged to include in its activities Virginia private research universities, such as George Washington University.				
	F. The Center for Innovative Technology shall continue to support efforts of public and quasi-public bodies within the Commonwealth to enhance or facilitate the prompt availability of and access to advanced electronic communications services, commonly known as broadband, throughout the Commonwealth, monitoring trends and advances in advanced electronic communications technology to plan and forecast future needs for such technology, and identify funding options.				
	G. The General Assembly supports the Innovative Technology Authority's stated mission to enhance federal research funding to Virginia's colleges and universities and to industry. It is also the intent of the General Assembly to promote a greater reliance by the Authority on nongeneral fund revenues for the Authority's operations and programs.				
	<del>H. Out of this appropriation, \$250,000 \$125,000 the first year and \$250,000 \$125,000 the second year from the general fund is provided for operational support of the Virginia Electronic Commerce Technology Center.</del>				
	<i>H. Notwithstanding any other provision of law, any interest earned on moneys in the Advanced Communications Assistance Fund, as well as any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall be reverted to the general fund.</i>				
430.05.	Executive Management (71300) .....			(\$551,459)	(\$959,627)
	Savings From Management Actions (71301) .....	(\$551,459)	(\$959,627)		
	Fund Sources: General .....	(\$551,459)	(\$959,627)		
	Authority: Discretionary Inclusion				
	<i>Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.</i>				
	Total for Innovative Technology Authority .....			<b>\$5,847,337</b> <b>\$5,295,878</b>	<b>\$5,847,337</b> <b>\$4,762,710</b>
	Fund Sources: General .....	\$5,847,337 \$5,295,878	\$5,847,337 \$4,762,710		
<b>§ 1-123. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)</b>					
431.	Information Systems Management and Direction (71100) .....			\$1,302,859	\$1,302,859
	Geographic Information Access Services (71105) .....	\$1,302,859	\$1,302,859		
	Fund Sources: Dedicated Special Revenue .....	\$1,302,859	\$1,302,859		
	Authority: Title 2.2, Chapter 20.1, Code of Virginia.				
	A.1. All state and nonstate agencies receiving an appropriation in Part 1 shall comply with the guidelines and related procedures issued by Virginia Information Technologies Agency for effective management of geographic information systems in the Commonwealth.				
	2. All state and nonstate agencies identified in paragraph A 1 that have a geographic information system, shall assist the department by providing any requested information on the systems including current and planned expenditures and activities, and acquired resources.				
	3. The State Corporation Commission, Virginia Employment Commission, the Department of Game and Inland Fisheries, and other nongeneral fund agencies are encouraged to use their own fund sources for the acquisition of hardware and development of data for the spatial data library in the Virginia Geographic Information Network.				

ITEM 431.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>B. The Virginia Information Technologies Agency, through its Geographic Information Network Division (VGIN), or its counterpart, shall acquire on a four-year cycle high-resolution digital orthophotography of the land base of Virginia pursuant to VGIN's Virginia Base Mapping Program (VBMP) and digital road centerline files. VGIN shall administer the maintenance of the VBMP and appropriate addressing and standardized attribution in collaboration with local governments. All digital orthophotography, Digital Terrain Models and ancillary data produced by the VBMP, but not including digital road centerline files, shall be the property of the Commonwealth of Virginia and administered by VGIN. The VGIN, or its counterpart, will be responsible for protecting the data through appropriate license agreements and establishing appropriate terms, conditions, charges and any limitations on use of the data. VGIN will license the data at no charge (other than media / transfer costs) to Virginia governmental entities or their agents. Such data shall not be subject to release by such entities under the Freedom of Information Act or similar laws. VGIN in its discretion may release certain data by posting to the Internet. Distribution of the data for commercial or private use or to users outside the Commonwealth will be the sole responsibility of VGIN or its agent(s) and shall require payment of a license fee to be determined by VGIN. All fees collected as a result will be added to the GIS Fund as established in the Code of Virginia § 2.2-2028. Collected fees and grants are hereby appropriated for future data updates or to cover the costs of existing digital ortho acquisition or for other purposes authorized in § 2.2-2028.</p>				
431.10.	Emergency Response Systems Development Technology Services (71200).....		\$49,818,979	\$48,113,801
			\$43,818,979	\$42,113,801
	Emergency Communication Systems Development Services (71201).....			
	\$10,065,195	\$10,065,195		
	\$2,734,309	\$2,734,309		
	Financial Assistance to Localities for Enhanced Emergency Communications (71202).....			
	\$27,690,882	\$25,985,704		
	\$34,403,024	\$32,290,251		
	Financial Assistance to Service Providers for Enhanced Emergency Communications Services (71203).....			
	\$12,062,902	\$12,062,902		
	\$6,681,646	\$7,089,241		
	Fund Sources: Dedicated Special Revenue .....			
	\$49,818,979	\$48,113,801		
	\$43,818,979	\$42,113,801		

Authority: Title 2.2, Chapter 20.1, and Title 56, Chapter 15, Code of Virginia.

A.1. Out of the amounts for Emergency Communication Systems Development Services, \$1,000,000 the first year and \$1,000,000 the second year from dedicated special revenue shall be used for development and deployment of improvements to the statewide E-911 network.

2. These funds shall remain unallotted until their expenditure has been approved by the Wireless E-911 Services Board.

B. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$1,750,000 the first year and \$1,750,000 the second year from Financial Assistance to Localities for Enhanced Emergency Communications dedicated special revenue shall be used to support the efforts of the Virginia Geographic Information Network, or its counterpart, for providing the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services. Funding is to be earmarked for major updates of the VBMP and digital road centerline files.

C. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$6,000,000 the first year and \$6,000,000 the second year from Financial Assistance to Service Providers for Enhanced Emergency Communications Services dedicated special revenue shall be used to support the efforts of sheriff dispatchers within the Compensation Board.

D. Notwithstanding the provisions of § 56-484.13, Code of Virginia, the E-911 Services Board shall consist of 16 members as follows: the Director of the Virginia Department of Emergency Management, who shall serve as chairman of the Board; the Comptroller, who shall serve as the treasurer of the Board; the Chief Information Officer, and the following 13 members to be appointed by the Governor: one member representing the Virginia Department of Emergency Management, one member representing the Virginia State Police, one member

ITEM 431.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>representing a local exchange carrier providing E-911 service in Virginia, two members representing wireless service providers authorized to do business in Virginia, three county, city or town PSAP directors or managers representing diverse regions of Virginia, one Virginia sheriff, one chief of police, one fire chief, one emergency medical services manager, and one finance officer of a county, city, or town.</p> <p><i>E. The operating expenses, administrative costs, and salaries of the employees of the Public Safety Communications Division shall be paid from the Wireless E-911 Fund created pursuant to § 56-484.17.</i></p>				
432.	Information Technology Development and Operations (82000) .....		\$5,017,472	\$5,017,472
	Network Services -- Data, Voice, and Video (82003) .....	\$5,017,472	\$5,017,472	
	Data Center Services (82005) .....	a sum sufficient		
	Desktop and End User Services (82006) .....	a sum sufficient		
	Computer Operations Security Services (82010) .....	a sum sufficient		
	Fund Sources: Special .....	\$5,017,472	\$5,017,472	
	Internal Service .....	a sum sufficient		
<p>Authority: Title 2.2, Chapter 20.1, Code of Virginia.</p> <p>A. Amounts for Information Technology Development and Operations represent an internal service fund and shall be paid solely from revenues derived from charges for services. The estimated cost for Network Services — Data, Voice, and Video is \$75,073,365 in each year, for Data Center Services is \$63,802,078 in each year, for Desktop and End User Services is \$112,141,024 in each year, and for Computer Operations Security Services is \$7,380,773 in each year.</p> <p>B. Political subdivisions and local school divisions are hereby authorized to purchase information technology goods and services of every description from the Virginia Information Technologies Agency and its vendors, provided that such purchases are not prohibited by the terms and conditions of the contracts for such goods and services.</p> <p>C. Also included in the amounts for Network Services - Data, Voice, and Video are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.</p>				
433.	Information Technology Planning and Quality Control (82800) .....		\$2,283,715	\$2,283,715
	<del>Technology Management Oversight Services (82801) .....</del>	<del>\$2,283,715</del>	<del>\$2,283,715</del>	<del>\$2,283,715</del>
	<del>Information Technology Investment Management Oversight Services (82801) .....</del>	<del>\$0</del>	<del>\$2,874,196</del>	<del>\$5,157,911</del>
	<del>Enterprise Development Services (82803) .....</del>	<del>\$0</del>	<del>\$2,874,196</del>	
	Fund Sources: General .....	\$2,283,715	<del>\$2,283,715</del>	
	Special .....	\$0	\$3,387,911	
			\$1,770,000	
<p>Authority: Title 2.2, Chapter 20.1, Code of Virginia.</p> <p>A.1. <i>Effective July 1, 2009, the Virginia Enterprise Applications Program Office will cease as an agency and the activities will become effective as the Division of Enterprise Applications, headed by the Chief Applications Officer, under this program.</i></p> <p>2. <i>Effective July 1, 2009, the amounts provided in this item include funding for the Division's operation and projects currently under the Virginia Enterprise Applications Program Division (VEAP). The Information Technology Investment Board will not budget any amounts for these projects from revenues it receives from billings or overhead which it charges to other agencies for services, unless it can clearly demonstrate that the project benefits the Commonwealth and is recoverable under Federal overhead guidelines.</i></p>				

ITEM 433.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

3. On July 1 and January 1 of each year, the CAO shall report and recommend to the Chief Information Officer and the Information Technology Investment Board the processes reviewed and the data standards established and adopted in § 2.2-2033, Code of Virginia. The CAO shall report every six months to the Governor and the Information Technology Investment Board progress in the areas the division is responsible for implementing and any agencies and institutions that have not cooperated with the implementation.

B. 1. Notwithstanding any other provision of law except the limitations imposed by § 2.2-518, § 2.2-4803 and § 2.2-4806, Code of Virginia, Executive Department agencies and institutions may enter into management agreements with CGI Technologies & Solutions, Inc. (CGI) for debt collection and cost recovery services pursuant to Statements of Work 6 and 7 of the Enterprise Applications Master Services Agreement between the Commonwealth of Virginia and CGI. Work on enhanced collections and recoveries shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and General Assembly.

2. Moneys resulting from enhanced collections and cost recoveries pursuant to this item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023, Code of Virginia.

C. Nothing in this item shall prevent Executive Department agencies or institutions from committing resources to support the coordinated efforts of the CAO. Such agency commitments shall be detailed in the CAO's quarterly reports to the Information Technology Investment Board.

D. Effective July 1, 2009, the working capital advance established for the Virginia Enterprise Applications Program Office (VEAP) is hereby brought forward to this item to cover up to \$30,000,000 for expenditures from anticipated revenues from enhanced collections and cost recoveries to be collected pursuant to this item and will be deposited to the Virginia Technology Infrastructure Fund. The repayments of any such working capital advance shall be made from such enhanced collections and cost recoveries. No funds derived from this working capital advance shall be expended without the prior budget approval of the Information Technology Investment Board and the Secretary of Finance. The CAO shall inform the Governor, the Chairmen of the House Appropriations and Senate Finance Committees of the anticipated use.

E. The Department of Planning and Budget shall not take any administrative actions to reduce these amounts without notification to the Chairmen of the House Appropriations and Senate Finance Committees.

F. The Information Technology Investment Board shall work with the Secretaries of Technology and Finance to close any projected differences between budgeted funds and projected costs by reducing costs within affected agencies for decentralized services through changes in transformation planning, applications services, and information technology contract support. The Information Technology Investment Board shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on these efforts by October 1, 2009.

434.	Administrative and Support Services (89900).....		a sum	sufficient
	General Management and Direction (89901).....	a sum	sufficient	
	Accounting and Budgeting Services (89903) .....	a sum	sufficient	
	Human Resources Services (89914).....	a sum	sufficient	
	Procurement and Contracting Services (89918) .....	a sum	sufficient	
	Audit Services (89931) .....	a sum	sufficient	
	Web Development and Support Services (89940) .....	a sum	sufficient	
	Fund Sources: Internal Service.....	a sum	sufficient	

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A. Operational costs for Administrative and Support Services shall be paid solely from charges to other programs within this agency.

ITEM 434.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.

C. The requirement that the Department of Mental Health, Mental Retardation and Substance Abuse Services purchase information technology equipment or services from VITA according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.

D.1. The Department of Human Resource Management shall review all compensation actions for VITA employees for proper application of the Commonwealth's classification and compensation policies or procedures. Subject to a memorandum of agreement between these two agencies, such review shall be undertaken in a timely manner and the results reported back to VITA within five business days of completion.

2. No later than November 1 of each year the department shall report its findings of any material deviations from such policies or procedures and the corrective actions that have been taken to the Virginia Information Technologies Investment Board, the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Legislative Audit and Review Commission.

E. The Board shall not delegate any duties or responsibilities to the chairman other than to preside over meetings or act as the Board's spokesperson in public meetings. The chairman shall have no powers or duties greater than those given to any other Board member. The Board shall use the Chief Information Officer to arrange Board and committee meetings and agendas and solicit the Chief Information Officer's advice on Information Technology Investment Board meeting topics and the frequency of meetings.

F. Total outstanding tax supported capital leases entered into as part of the infrastructure public private partnership shall not exceed the following amounts:

FY 2009	\$100,924,511
FY 2010	\$92,869,429
FY 2011	\$80,077,305
FY 2012	\$69,165,610
FY 2013	\$63,449,809
FY 2014	\$61,996,583
FY 2015	\$48,585,958
FY 2016	\$42,280,313

G. Consistent with the Cost Allocation Plan (CAP) submitted to the United States Department of Health and Human Services, Division of Cost Allocation, the Director, Department of Planning and Budget, is authorized to transfer appropriations between Executive Branch agencies based on telecommunication and technology rates approved by the Joint Legislative Audit and Review Commission. Transfers may be made among Executive Branch agencies if current funding exceeds actual charges or additional funding is needed to cover the telecommunication and technology charges. Any such transfers shall be included in the monthly status of adjustments to appropriations report required by §4-8.01 of this act.

ITEM 435.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
435.	Information Technology Security Oversight (82900).....			a sum	sufficient
	Technology Security Oversight Services (82901) .....	a sum	sufficient		
	Fund Sources: Internal Service .....	a sum	sufficient		
	Authority: Title 2.2, Chapter 20.1, Code of Virginia.				
	Amounts for Technology Security Oversight Services are \$2,738,757 the first year and \$2,738,757 the second year and represent an internal service fund that shall be paid solely from revenues derived from charges for services.				
435.05.	Executive Management (71300) .....			(\$337,419)	(\$510,731)
	Savings From Management Actions (71301).....	(\$337,419)	(\$510,731)		
	Fund Sources: General.....	(\$337,419)	(\$510,731)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Information Technologies Agency.....			<b>\$58,423,025</b> <b>\$52,085,606</b>	<b>\$56,717,847</b> <b>\$53,081,312</b>
	General Fund Positions.....	24.00	<del>24.00</del> 27.00		
	Nongeneral Fund Positions.....	<del>365.00</del> 375.00	<del>365.00</del> 354.00		
	Position Level .....	<del>389.00</del> 399.00	<del>389.00</del> 381.00		
	Fund Sources: General .....	<del>\$2,283,715</del> \$1,946,296	<del>\$2,283,715</del> \$2,877,180		
	Special.....	\$5,017,472	<del>\$5,017,472</del> \$6,787,472		
	Dedicated Special Revenue .....	<del>\$51,121,838</del> \$45,121,838	<del>\$49,416,660</del> \$43,416,660		
	TOTAL FOR OFFICE OF TECHNOLOGY.....			<b>\$64,816,045</b> <b>\$57,927,167</b>	<b>\$63,110,867</b> <b>\$58,387,523</b>
	General Fund Positions.....	29.00	<del>29.00</del> 32.00		
	Nongeneral Fund Positions.....	<del>365.00</del> 375.00	<del>365.00</del> 354.00		
	Position Level .....	<del>394.00</del> 404.00	<del>394.00</del> 386.00		
	Fund Sources: General .....	<del>\$8,676,735</del> \$7,787,857	<del>\$8,676,735</del> \$8,183,391		
	Special.....	\$5,017,472	<del>\$5,017,472</del> \$6,787,472		
	Dedicated Special Revenue .....	<del>\$51,121,838</del> \$45,121,838	<del>\$49,416,660</del> \$43,416,660		



ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

### OFFICE OF TRANSPORTATION

#### § 1-124. SECRETARY OF TRANSPORTATION (186)

436.	Administrative and Support Services (79900).....			\$775,126	\$775,126
	General Management and Direction (79901).....	\$775,126	\$775,126		
	Fund Sources: Commonwealth Transportation .....	\$775,126	\$775,126		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this Act shall be implemented by the Secretary of Transportation, including the Secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. The efficient and cost-effective movement of people and goods will consider the needs in, and connectivity of, all modes of transportation, including bicycling, walking, public transportation, highways, freight and passenger rail, ports, and airports. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. Stewardship of the environment will be a priority in the allocation of resources and the planning and evaluation of projects and activities by transportation agencies.

4. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes. The Secretary is hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such funds are authorized under P.L. 109-59 of the 109th Congress, or any successor or related federal transportation legislation.

B. New or increased revenues designated by the General Assembly as regional or local transportation dollars shall be used exclusively for transportation projects and services within that region or localities. The Commonwealth shall not use the revenues for any other purpose.

C.1. The Secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in this act. Furthermore, the Secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues. By June 1 of each year, the Secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

2. Federal funds included in the highway funds distributed pursuant to §33.1-23.1 B, Code of Virginia, may be distributed to the greatest extent possible to the primary system of state highways and then to the other highway systems taking into consideration the federal eligibility requirements in order to maximize the benefit of the federal funds to the Commonwealth. Such distribution will not change the total amount of funds available to be provided pursuant to §33.1-23.1 or change the total amount of funding that would otherwise be distributed.

ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

3. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the Board. Such funds shall be federally obligated within 24 months of their allocation by the Board and expended within 48 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the Board shall use such federal funds for any other project eligible under 23 USC 149.

4. Funds apportioned under federal law for the Surface Transportation Program shall be distributed and administered in accordance with federal requirements, including that seven percent that is required to be allocated for public transportation purposes.

5. Funds apportioned under federal law for the Equity Bonus program shall be allocated as required by federal law, including that thirteen percent that is required to be allocated for public transportation purposes. Funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the public transportation's portion of federal Equity Bonus program funds.

6. Notwithstanding paragraph B of this Item, the required matching funds for enhancement projects in addition to Congressionally-designated projects included in any federal appropriation bill are to be provided by the mode, system or recipient of the federal-aid funding.

7.a. Federal funds provided to the National Highway System, Surface Transportation Program, Equity Bonus Program and Congestion Mitigation and Air Quality categories as well as the required State matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate to local and regional public transit operators, for operating and/or capital purposes, state revenues designated by formula for primary, urban, and secondary highways.

b. Federal funds apportioned as the Highway Bridge Program shall be allocated and obligated as required by federal law to eligible projects across the Commonwealth. The Commonwealth Transportation Board shall consider the sufficiency and deficiency ratings of such eligible projects in making their allocations.

8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.

9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.

D. The Secretary may ensure that appropriate action is taken to maintain a minimum cash balance and/or cash reserve in the Highway Maintenance and Operating fund.

E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

ITEM 436.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>F. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.</p> <p>G. <i>The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in the prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.</i></p> <p>H. <i>No more than seven days after the enactment of House Bill 1600, 2009 Session of the General Assembly, the Secretary of Transportation shall provide to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees a prioritized and comprehensive listing of transportation projects that would be ready to be advertised if funding were to become available in the federal economic stimulus package, regardless of whether or not final criteria have been released.</i></p>				
	Total for Secretary of Transportation.....		\$775,126	\$775,126
	Nongeneral Fund Positions.....	6.00	6.00	
	Position Level .....	6.00	6.00	
	Fund Sources: Commonwealth Transportation .....	\$775,126	\$775,126	
<b>§ 1-125. DEPARTMENT OF AVIATION (841)</b>				
437.	Financial Assistance for Airports (65400).....		\$22,578,515	\$22,580,675
	Financial Assistance for Airport Maintenance (65401).....	\$1,000,000	\$1,000,000	
	Financial Assistance for Airport Development (65404)....	\$20,078,515	\$20,080,675	
	Financial Assistance for Aviation Promotion (65405).....	\$1,500,000	\$1,500,000	
	Fund Sources: Commonwealth Transportation .....	\$22,578,515	\$22,580,675	
<p>Authority: Title 5.1, Chapters 1, 3, and 5; Title 58.1, Chapter 6, Code of Virginia.</p> <p>A. It is the intent of the General Assembly that the Department of Aviation match federal funds for Airport Assistance to the maximum extent possible. <i>In furtherance of this maximization, the Commonwealth Transportation Board may request funding from the Commonwealth Airport Fund for surface transportation projects that provide airport access. The Aviation Board shall consider such requests and provide funding as it so approves.</i> However, the legislative intent expressed herein shall not be construed to prohibit the Virginia Aviation Board from allocating funds for promotional activities in the event that federal matching funds are unavailable.</p> <p>B. The department is authorized to expend up to \$400,000 of Aviation Special Funds in each year to support a partnership between industry, academia, and Virginia Small Aircraft Transportation System. The project shall target research efforts to promote safety and greater access for rural airports.</p> <p>C. The department is authorized to pay to the Civil Air Patrol from Aviation Special Funds \$100,000 the first year and \$100,000 the second year. The provisions of § 2.2-1505, Code of Virginia, and § 4-5.05 of this act shall not apply to the Civil Air Patrol.</p> <p>D. Out of the amounts included in Financial Assistance for Airports shall be paid to the Washington Airports Task Force from the special funds in this appropriation \$500,000 the first year and \$500,000 the second year.</p>				
438.	Air Transportation System Planning, Regulation, Communication and Education (65500).....		\$3,139,987 \$3,182,699	\$2,837,987 \$2,880,699

ITEM 438.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Aviation Licensing and Regulation (65501).....	\$101,167	\$101,167		
	Aviation Communication and Education (65502) .....	\$747,954	\$747,954		
		\$790,666	\$790,666		
	General Aviation Personnel Development (65503) .....	\$26,400	\$26,400		
	Air Transportation Planning and Development (65504) ...	\$2,264,466	\$1,962,466		
	Fund Sources: Commonwealth Transportation .....	\$2,639,987	\$2,337,987		
		\$2,682,699	\$2,380,699		
	Federal Trust .....	\$500,000	\$500,000		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
439.	State Aircraft Flight Operations (65600) .....			\$1,794,444	\$1,794,444
	State Aircraft Operations and Maintenance (65602) .....	\$1,794,444	\$1,794,444		
	Fund Sources: General .....	\$41,864	\$41,864		
	Commonwealth Transportation .....	\$1,752,580	\$1,752,580		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
440.	Administrative and Support Services (69900) .....			\$1,212,589	\$1,212,589
				\$1,169,877	\$1,169,877
	General Management and Direction (69901) .....	\$1,212,589	\$1,212,589		
		\$1,169,877	\$1,169,877		
	Fund Sources: Commonwealth Transportation .....	\$1,212,589	\$1,212,589		
		\$1,169,877	\$1,169,877		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
	A. The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record-keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.				
	B. The Virginia Aviation Board and the Department of Aviation may obligate funds in excess of the current biennium appropriation for aviation financial assistance programs supported by the Commonwealth Transportation Fund provided 1) sufficient cash is available to cover projected costs in each year and 2) sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.				
440.05.	Executive Management (71300) .....			(\$3,000,480)	(\$3,165,480)
	Savings From Management Actions (71301) .....	(\$3,000,480)	(\$3,165,480)		
	Fund Sources: General .....	(\$6,280)	(\$6,280)		
	Commonwealth Transportation .....	(\$2,994,200)	(\$3,159,200)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Department of Aviation .....			\$28,725,535	\$28,425,695
				\$25,725,055	\$25,260,215
	Nongeneral Fund Positions .....	33.00	33.00		

ITEM 440.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Position Level .....	33.00	33.00		
Fund Sources: General .....	\$41,864	\$41,864		
	\$35,584	\$35,584		
Commonwealth Transportation .....	<del>\$28,183,671</del>	<del>\$27,883,831</del>		
	\$25,189,471	\$24,724,631		
Federal Trust .....	\$500,000	\$500,000		

**§ 1-126. DEPARTMENT OF MOTOR VEHICLES (154)**

441.	Ground Transportation Regulation (60100) .....		\$153,779,986	\$154,929,986
			\$153,914,227	\$155,108,973
	Customer Service Centers Operations (60101) .....	\$105,350,858	\$106,500,858	
		\$105,485,099	\$106,679,845	
	Ground Transportation Regulation and Enforcement (60103) .....	\$36,897,177	\$36,897,177	
	Motor Carrier Regulation Services (60105) .....	\$11,531,951	\$11,531,951	
	Fund Sources: Commonwealth Transportation .....	\$148,333,386	\$149,483,386	
		\$148,467,627	\$149,662,373	
	Trust and Agency .....	\$5,446,600	\$5,446,600	

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Commissioner, Department of Motor Vehicles, is authorized to establish, where feasible and cost efficient, contracts with private/public partnerships with commercial operations, to provide for simplification and streamlining of service to citizens through electronic means. Provided, however, that such commercial operations shall not be entitled to compensation as established under § 46.2-205, Code of Virginia, but rather at rates limited to those established by the Commissioner.

B. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions. To mitigate the impact of the Real ID Act of 2005 on customer service centers, the Department of Motor Vehicles shall promulgate policies to direct vehicle registration renewal transactions to more efficient delivery channels pursuant to the provisions of Senate Bill 116 (2008). In addition, notwithstanding the provisions § 46.2-342, Code of Virginia, and in accordance with the newly released regulations governing the Real ID Act of 2005, the Department may issue driver's licenses and identification cards with photographs in color or black and white.

C. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

ITEM 441.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	D. Effective July 1, 2007, the base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first \$500,000 and 5.0 percent of all gross collections in excess of \$500,000 made by the entity during each fiscal year. The Commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.				
	E. 1. The Department of Motor Vehicles shall report on the effectiveness of Senate Bill 116, 2008 Session of the General Assembly, to reduce the number of vehicle registration renewals undertaken in customer service centers and the increase in the number of renewals by mail and internet as well as changes in the utilization of the multi-year renewal option. Such report shall include an enumeration of the revenues generated, by type of renewal transactions, as well as a comparison of the costs to revenue for each type of renewal transaction.				
	2. The report shall also include an update on the cost allocation study and a proposal to provide for full allocation of all incurred costs including the administrative and operating costs of the central office and customer services centers. The update shall compare the true costs of the Department's services to the fees, penalties and other sources of revenue available to the Department. The activities to be assessed include, but are not limited to, driver services (e.g., driver's licenses, learner's licenses, identification cards, revocation/suspension, reinstatements, information maintenance and distribution), vehicle services, motor carrier services, transportation safety services, dealer services, financial assistance to localities, and support services.				
	3. As part of the effort to develop performance goals and strategies, the Department shall calculate the average wait time and the related average cost per transaction conducted at each customer service center. The calculations shall be included in the report, by customer service center. The calculations shall determine the impact to DMV revenues if wait times are reduced or increased by increments of five minutes. For increased wait times, the upper limit shall be an average wait time of 45 minutes. For reduced wait times, the lower limit shall be an average wait time of 10 minutes.				
	4. The Department shall submit reports on the status of these efforts by December 1, 2008, and December 1, 2009, to the Governor, the Secretary of Transportation, the Chairs of the Senate Committees on Transportation and Finance, and the Chairmen of the House Committees on Transportation and Appropriations.				
442.	Ground Transportation System Safety (60500) .....			\$5,528,007	\$5,528,007
	Highway Safety Services (60508) .....	\$5,528,007	\$5,528,007		
	Fund Sources: Commonwealth Transportation .....	\$4,795,683	\$4,795,683		
	Federal Trust .....	\$732,324	\$732,324		
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
443.	Administrative and Support Services (69900) .....			\$64,134,079	\$62,638,970
				\$62,174,022	\$63,185,722
	General Management and Direction (69901) .....	\$26,272,602	\$24,777,493		
	Information Technology Services (69902) .....	\$33,213,175	\$33,213,175		
		\$31,073,290	\$33,557,867		
	Facilities and Grounds Management Services (69915) .....	\$4,648,302	\$4,648,302		
		\$4,828,130	\$4,850,362		
	Fund Sources: Commonwealth Transportation .....	\$56,497,079	\$55,001,970		
		\$59,537,022	\$58,748,722		
	Trust and Agency .....	\$6,400,000	\$6,400,000		
		\$1,400,000	\$3,200,000		
	Federal Trust .....	\$1,237,000	\$1,237,000		
	Authority: Title 46.2, Chapters 1 and 2, and § 46.2-697.1; Title 58.1, Chapters 17, 21, and 24, Code of Virginia.				
	A. The Department of Transportation shall reimburse the Department of Motor Vehicles for the operating costs of the Fuels Tax Evasion Program.				

ITEM 443.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<p>B. The Department of Motor Vehicles shall retain <del>\$6,400,000</del>\$1,400,000 in the first year and <del>\$6,400,000</del>\$3,200,000 in the second year from the Department of Motor Vehicles' Uninsured Motorists Fund to effect its information technology initiatives and implementation of the federal Real ID Act. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission pursuant to § 46.2-710, Code of Virginia.</p> <p>C.1. In order to implement the abusive driver program established under the provisions of § 46.2-206.1, Code of Virginia, the commissioner may impose an administrative cost of up to thirteen percent of the revenues collected. The commissioner is also authorized to use outside vendors, where appropriate, to assist in the administration of the abuser driver program. If, following receipt of vendor bids for program administration, it is anticipated that administrative costs will exceed thirteen percent of the revenues collected, the Governor may authorize the expenditure of additional revenues to implement the program.</p> <p>2. The Director, Department of Planning and Budget, is hereby authorized to adjust the appropriations for the department.</p> <p>D. The Department of Motor Vehicles is authorized to retain as special revenue one-quarter of one percent in the first year of the gross collections of sales and use tax on motor vehicles to reimburse the department for ongoing operational expenses.</p>				
443.05.	Executive Management (71300) .....			(\$7,137,247)	(\$3,378,494)
	Savings From Management Actions (71301).....	(\$7,137,247)	(\$3,378,494)		
	Fund Sources: Commonwealth Transportation.....	(\$7,137,247)	(\$3,378,494)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
444.	Omitted.				
445.	Omitted.				
	Total for Department of Motor Vehicles.....			<b>\$223,442,072</b>	<b>\$223,096,963</b>
				<b>\$214,479,009</b>	<b>\$220,444,208</b>
	Nongeneral Fund Positions.....	2,038.00	2,038.00		
	Position Level .....	2,038.00	2,038.00		
	Fund Sources: Commonwealth Transportation .....	\$209,626,148	\$209,281,039		
		\$205,663,085	\$209,828,284		
	Trust and Agency .....	\$11,846,600	\$11,846,600		
		\$6,846,600	\$8,646,600		
	Federal Trust.....	\$1,969,324	\$1,969,324		
	<b>Department of Motor Vehicles Transfer Payments (510)</b>				
446.	Ground Transportation System Safety (60500) .....			\$30,255,029	\$30,255,029
	Financial Assistance for Transportation Safety (60507) ...	\$30,255,029	\$30,255,029		\$0
			\$0		
	Fund Sources: Federal Trust.....	\$30,255,029	\$30,255,029		\$0
			\$0		
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
447.	Financial Assistance to Localities - General (72800) .....			\$42,831,500	\$42,831,500

ITEM 447.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
			\$38,391,500	\$0
Financial Assistance to Localities - Mobile Home Tax (72803) .....	\$10,440,000	\$10,440,000		
	\$6,000,000	\$0		
Financial Assistance to Localities - Rental Vehicle Tax (72810) .....	\$32,000,000	\$32,000,000		
		\$0		
Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814) .....	\$391,500	\$391,500		
		\$0		
Fund Sources: Commonwealth Transportation .....	\$391,500	\$391,500		
		\$0		
Trust and Agency .....	\$42,440,000	\$42,440,000		
	\$38,000,000	\$0		
Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1208, Code of Virginia.				
Total for Department of Motor Vehicles Transfer Payments.....			<b>\$73,086,529</b>	<b>\$73,086,529</b>
			<b>\$68,646,529</b>	<b>\$0</b>
Fund Sources: Commonwealth Transportation .....	\$391,500	\$391,500		
		\$0		
Trust and Agency .....	\$42,440,000	\$42,440,000		
	\$38,000,000	\$0		
Federal Trust .....	\$30,255,029	\$30,255,029		
		\$0		
<b>Department of Motor Vehicles Transfer Payments (530)</b>				
447.05. Ground Transportation System Safety (60500) .....			\$0	\$30,255,029
Financial Assistance for Transportation Safety (60507) ..	\$0	\$30,255,029		
Fund Sources: Federal Trust .....	\$0	\$30,255,029		
Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
447.10. Financial Assistance to Localities - General (72800) .....			\$0	\$38,391,500
Financial Assistance to Localities - Mobile Home Tax (72803) .....	\$0	\$6,000,000		
Financial Assistance to Localities - Rental Vehicle Tax (72810) .....	\$0	\$32,000,000		
Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814) .....	\$0	\$391,500		
Fund Sources: Commonwealth Transportation .....	\$0	\$391,500		
Trust and Agency .....	\$0	\$38,000,000		
Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1208, Code of Virginia.				
The Department of Motor Vehicles Transfer Payments is authorized to reduce payments to localities under the Mobile Home Tax and Rental Vehicle Tax Programs to effect the cash transfers of administrative costs included in § 3-1.01 of this act.				
Total for Department of Motor Vehicles Transfer Payments.....			<b>\$0</b>	<b>\$68,646,529</b>
Fund Sources: Commonwealth Transportation .....	\$0	\$391,500		



ITEM 447.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Trust and Agency</i> .....	\$0	\$38,000,000		
<i>Federal Trust</i> .....	\$0	\$30,255,029		
Grand Total for Department of Motor Vehicles.....			<b>\$296,528,601</b>	<b>\$296,183,492</b>
			<b>\$283,125,538</b>	<b>\$289,090,737</b>
Nongeneral Fund Positions.....	2,038.00	2,038.00		
Position Level .....	2,038.00	2,038.00		
Fund Sources: Commonwealth Transportation .....	\$210,017,648	\$209,672,539		
	\$206,054,585	\$210,219,784		
Trust and Agency .....	\$54,286,600	\$54,286,600		
	\$44,846,600	\$46,646,600		
Federal Trust.....	\$32,224,353	\$32,224,353		

**§ 1-127. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)**

448.	Ground Transportation Planning and Research (60200) ...		\$2,956,580	\$3,056,317
	Rail and Public Transportation Planning, Regulation, and Safety (60203).....	\$2,956,580	\$3,056,317	
	Fund Sources: Commonwealth Transportation .....	\$2,956,580	\$3,056,317	

Authority: Titles 33.1 and 58.1, Code of Virginia.

A. The Commonwealth Transportation Board may allocate up to three percent of the funds appropriated in Item 449 and Item 450 to support costs of project development, project administration and project compliance incurred by the Department of Rail and Public Transportation in implementing rail, public transportation and congestion management grants and programs set out in §§ 58.1-638, 33.1-221.1:1.1 and 33.1-221.1:1.2, Code of Virginia.

B. Out of the amounts identified in this Item, \$268,400 the first year and \$275,800 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

449.	Financial Assistance for Public Transportation (60900) ...		\$261,714,161	\$275,217,276
	Public Transportation Programs (60901) .....	\$251,343,066	\$264,698,233	
	Congestion Management Programs (60902).....	\$5,344,000	\$5,344,000	
	Human Service Transportation Programs (60903) .....	\$5,027,095	\$5,175,043	
	Fund Sources: Special.....	\$674,060	\$697,652	
	Commonwealth Transportation .....	\$261,040,101	\$274,519,624	

Authority: Titles 33.1 and 58.1, Code of Virginia.

A.1. Except as provided in Item 448 A, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided in § 58.1-638, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is \$186,035,124 the first year and \$194,366,436 the second year from the Transportation Trust Fund.

2. Included in Human Service Transportation Programs is \$1,500,000 the first year and \$2,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. In accordance with paragraph A 1, \$146,911,125 the first year and \$152,881,320 the second year is the estimated allocation to statewide Formula Assistance as provided in § 58.1-638, Code of Virginia. The allocation of Formula Assistance to each recipient shall be limited to the recipient's maximum eligibility as defined in § 58.1-638, Code of Virginia. When the initial allocation to a recipient is greater than the recipient's eligibility to receive Formula Assistance, the Commonwealth Transportation Board may transfer the surplus funds to the statewide Capital Assistance program for distribution under that program. The Commonwealth Transportation Board may hold harmless from a reduction in state formula assistance any transit system that maintains service levels from the previous year.

ITEM 449.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>4. In accordance with Paragraph A 1, \$35,445,961 the first year and \$36,728,340 the second year from the Commonwealth Mass Transit Fund is the estimated allocation to statewide Capital Assistance.</p> <p>5. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, \$2,126,758 the first year and \$2,203,701 the second year is the estimated allocation to statewide Special Programs as provided in § 58.1-638, Code of Virginia.</p> <p>6. Not included in this appropriation is an amount estimated at \$22,913,649 the first year and \$23,382,741 the second year allocated to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.</p> <p>B. The Commonwealth Transportation Board shall operate a program entitled the Transportation Efficiency Improvement Fund (TEIF). The purpose of the TEIF program is to reduce traffic congestion by supporting transportation demand management programs and projects designed to reduce the movement of passengers and freight on Virginia's highway system. Using transportation revenues generally available to the Board, funds shall be apportioned as determined by the Board to designated transportation projects in addition to funds allocated pursuant to § 33.1-23.1, Code of Virginia. Total TEIF program funding shall not exceed \$4,000,000 the first year and \$4,000,000 the second year.</p> <p>C. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro Rail from payments authorized and allocated in this program and pursuant to § 58.1-1720, Code of Virginia.</p> <p>D. Funds appropriated to the Department of Rail and Public Transportation and allocated to the Northern Virginia Transportation Commission to be allocated to its member jurisdictions are held in trust by the Commission for those jurisdictions until released by specific authorization from the governing bodies of the jurisdictions for the purpose for which funds were appropriated.</p> <p>E. It is the intent of the Governor and General Assembly that the principles of local maintenance of effort, transit sustainability, public benefit, and asset management shall be incorporated into all public transportation programs for which funds are appropriated by the General Assembly and allocated by the Commonwealth Transportation Board. Beginning in the first year, the Director, Department of Rail and Public Transportation shall recommend, and the Board may consider, the establishment of a maintenance of effort requirement to ensure sustained local investment for public transportation operations. In addition, the director shall examine and report to the Governor, the General Assembly, and the Commonwealth Transportation Board on the establishment and incorporation of all principles no later than June 30, 2009. In the second year, the Commonwealth Transportation Board shall begin to incorporate such principles in the allocation of public transportation funding for FY 2010.</p> <p><i>F. Notwithstanding the provisions of § 58.1-638 subdivision 4f, for the second year, at the written request of the governing board of the transit property, the Commonwealth Transportation Board shall allocate no more than the fiscal year 2009 capital allocation from the Mass Transit Fund to the operating expenses of such transit property in accordance with § 58.1-638 subdivision 4b. In determining such amount for allocation, only the funds available for capital purposes in the Commonwealth Mass Transit Fund, exclusive of any federal funding or debt financing, shall be included. Each transit system may flex a portion of their capital grant for operating expenses up to the amount of operating assistance that would have been available for each system in fiscal year 2009, based on the Six-Year Program adopted by the Commonwealth Transportation Board in June 2008. Each transit system shall provide a report to DRPT detailing the actual amount of capital funds used to support operations of the transit system, as well as an estimate of any foregone federal, state, local or private sources of capital funding.</i></p>				
450.	Financial Assistance for Rail Programs (61000).....		\$42,916,432	\$43,167,735
	Rail Preservation Programs (61002) .....	\$3,372,600	\$3,385,641	
	Rail Enhancement Programs (61003).....	\$39,543,832	\$39,782,094	

ITEM 450.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Commonwealth Transportation .....		\$42,916,432	\$43,167,735
	Authority: Title 33.1, Code of Virginia.			
	<p>A. Except as provided in Item 448 A., the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development Program in accordance with § 33.1-221.1:1.2, Code of Virginia. The Board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to the Shortline Railway Preservation and Development Fund. Such allocations shall not exceed \$3,000,000 the first year and \$3,000,000 the second year.</p> <p>B.1. It is the intent of the Governor and the General Assembly that immediately upon the completion of the Statewide Rail Plan in July 2008, a process for determining the appropriate balance of resource allocation between the movement of freight and passengers on Virginia's rail system, particularly between Richmond and Washington, shall be determined based on the principles outlined in Chapter 896 of the 2007 Session of the General Assembly and § 33.1-221.1:1.1 of the Code of Virginia. Such process recommendations, which shall be completed and reported no later than September 30, 2008, shall be recommended to the Governor, General Assembly, and Commonwealth Transportation Board by the Director, Department of Rail and Public Transportation.</p> <p>2. In accordance with the intent of the General Assembly, the Statewide Rail Plan shall include specific provisions for the improvement of passenger and freight train performance brought about by track concerns that typically arise during extreme hot weather conditions</p> <p>3. The Department shall inform the Chairs of the Senate Committees on Transportation and Finance and the House Committees on Transportation and Appropriations on the collaborative effort to improve rail operations on the corridor by December 15, 2008.</p>			
451.	Public Transportation System Acquisition and Construction (61300) .....		\$259,504,324	\$259,504,324
	Transportation System Development, Construction, and Program Management (61301) .....		\$259,504,324	\$259,504,324
	Fund Sources: Special .....		\$158,600,000	\$158,600,000
	Commonwealth Transportation .....		\$100,904,324	\$100,904,324
	Authority: Titles 33.1 and 58.1, Code of Virginia.			
	<p>A. Of the amounts appropriated in this Item from special funds, the source of \$158,600,000 the first year and \$158,600,000 the second year is the local funding partners' share for the cost of the Dulles Corridor Metrorail Project.</p> <p>B. Of the amounts appropriated in this Item from the Commonwealth Transportation Fund, the source of \$100,904,324 the first year and \$100,904,324 the second year is the estimated federal funding for the Dulles Corridor Metrorail Project.</p> <p>C. The Director, Department of Planning and Budget, is authorized to transfer sufficient appropriation from Item 457 of this act for the Dulles Toll Road's share of the Dulles Corridor Metrorail Project, as approved by the Commonwealth Transportation Board each year.</p> <p>D. In connection with the construction of the rail mass transit system in the right-of-way of the Dulles Access/Toll Road connector (DATRC), a <del>sound wall</del> <i>sound walls</i> shall be constructed from the beginning of the DATRC and Route 123 in McLean, including the ramp connecting the DATRC with Route 123 abutting the Hallcrest townhouse subdivision.</p>			
452.	Administrative and Support Services (69900) .....		\$5,018,646	\$5,018,646
	General Management and Direction (69901) .....		\$5,018,646	\$5,018,646
	Fund Sources: Commonwealth Transportation .....		\$5,018,646	\$5,018,646
	Authority: Titles 33.1 and 58.1, Code of Virginia.			

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		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

452.05.	<i>Executive Management (71300) .....</i>			(\$16,110,112)	(\$24,716,487)
	<i>Savings From Management Actions (71301).....</i>	(\$16,110,112)	(\$24,716,487)		
	<i>Fund Sources: Commonwealth Transportation .....</i>	(\$16,110,112)	(\$24,716,487)		

*Authority: Discretionary Inclusion*

*A. Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.*

*B. The director shall implement actions as necessary to carry out the appropriation reductions contained in this item provided that the proportional reductions among the subprograms contained in Item 449 do not conflict with the requirements set out in that item and provided further that reductions to Item 450 reflect the proportional reductions to the revenue sources dedicated to such activities.*

Total for Department of Rail and Public Transportation..			<b>\$572,110,143</b>	<b>\$585,964,298</b>
			<b>\$556,000,031</b>	<b>\$561,247,811</b>

Nongeneral Fund Positions.....	55.00	55.00		
	53.00	53.00		
Position Level .....	55.00	55.00		
	53.00	53.00		

Fund Sources: Special.....	\$159,274,060	\$159,297,652		
Commonwealth Transportation .....	<del>\$412,836,083</del>	<del>\$426,666,646</del>		
	\$396,725,971	\$401,950,159		

#### § 1-128. DEPARTMENT OF TRANSPORTATION (501)

453.	Environmental Monitoring and Evaluation (51400).....			\$14,571,143	\$15,008,277
	Environmental Monitoring and Compliance for Highway Projects (51408) .....	\$11,426,808	\$11,769,612		
	Environmental Monitoring Program Management and Direction (51409) .....	\$3,144,335	\$3,238,665		
	Fund Sources: Commonwealth Transportation .....	\$14,571,143	\$15,008,277		

*Authority: Title 33.1, Code of Virginia.*

454.	Ground Transportation Planning and Research (60200)...			\$46,537,766	\$47,639,698
	Ground Transportation System Planning (60201) .....	\$40,036,034	\$41,087,114		
	Ground Transportation System Research (60202).....	\$2,156,968	\$2,077,477		
	Ground Transportation Program Management and Direction (60204) .....	\$4,344,764	\$4,475,107		
	Fund Sources: Commonwealth Transportation .....	\$46,537,766	\$47,639,698		

*Authority: Title 33.1, Code of Virginia.*

1. Included in the amount for ground transportation system planning and research is no less than \$4,000,000 the first year and no less than \$4,000,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs.

2. In addition, the Commonwealth Transportation Board may approve the expenditures of up to \$1,000,000 the first year and \$1,000,000 the second year from the highway share of the Transportation Trust Fund for the completion of advance activities, prior to the initiation of an individual project's design along existing highway corridors, to determine short-term and long-term improvements to the corridor. Such activities shall consider safety, access

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management, alternative modes, operations, and infrastructure improvements. Such funds shall be used for, but are not limited to, the completion of activities prior to the initiation of an individual project's design or to benefit identification of needs throughout the state or the prioritization of those needs. For federally eligible activities, the activity or item shall be included in the Commonwealth Transportation Board's annual update of the Six-Year Improvement program so that (i) appropriate federal funds may be allocated and reimbursed for the activities and (ii) all requirements of the federal Statewide Transportation Improvement Program can be achieved.

3.a. The ~~Multimodal Transportation Planning~~ Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of such funds in this paragraph. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

b. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled.

c. For allocation of funds under Paragraph 1, the Office may give a higher priority for planning grants to those local governments that complete a build-out analysis of their comprehensive plans and zoning. Such build-out analyses shall be shared with the regional planning district commission or metropolitan planning organization and the department.

455.	Highway System Acquisition and Construction (60300).. Dedicated and Statewide Construction (60302).....	\$396,826,380	\$386,715,157	\$1,487,092,134	\$1,409,630,527
	Interstate Construction (60303).....	\$356,086,921	\$336,524,050		
	Primary Construction (60304).....	\$288,250,852	\$268,129,296		
	Secondary Construction (60306).....	\$187,089,614	\$202,298,876		
	Urban Construction (60307).....	\$215,475,779	\$171,299,682		
	Highway Construction Program Management (60315).....	\$43,362,588	\$44,663,466		
	Fund Sources: Commonwealth Transportation .....	\$1,249,753,633	\$1,178,428,289		
	Trust and Agency .....	\$237,338,501	\$231,202,238		

Authority: Title 33.1, Chapter 1; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. Included in the amounts for dedicated and statewide construction is \$15,000,000 the first year and \$15,000,000 the second year from the Commonwealth Transportation Fund, which shall be allocated to localities for revenue sharing. The remaining amount needed to provide any required funding to fulfill the Commonwealth's allocation of equivalent revenue sharing matching funds pursuant to § 33.1-23.05, Code of Virginia, shall be provided from the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds as outlined in § 33.1-23.4:01, Code of Virginia.

B. Notwithstanding § 33.1-23.1 of the Code of Virginia, the net proceeds from the lease or sale of surplus and residue property purchased under this program shall be applied to the system and locality where the residue property is located. This funding shall be provided as an adjustment to the allocations distributed to the systems and localities according to § 33.1-23.1 of the Code of Virginia.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds.

D. Included in the amounts for dedicated and statewide construction is the reappropriation of \$32,500,000 the first year and \$30,400,000 the second year for anticipated expenditure of amounts collected in prior years from bond proceeds or dedicated special revenues. The amounts will be provided from balances in the Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to FY 2009 and FY 2010 estimated revenues.

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E. Projects being developed and procured through adopted state, local or regional design-build provisions, other than those required by § 33.1-12(2)(b), Code of Virginia, may be considered for funding from the Transportation Partnership Opportunity Fund. In addition, an application requesting funding from the fund shall be limited to requesting only one form of assistance and the limitations included in § 33.1-221.1:8(E), Code of Virginia.

F. Upon issuance of a resolution by a local governing body that a property has been designated for school construction, and upon presentation of such resolution to the Commonwealth Transportation Board with an accompanying notification that such project is ready to move forward, the Commonwealth Transportation Board shall immediately reduce the speed limit on abutting primary and secondary roadways to 35 miles per hour or less.

G. The Secretary of Transportation shall ensure that as part of its Six-Year Program Update the programmatic allocations are revised to reflect the reduction of revenues, estimated at \$61,800,000 in the first year and \$65,400,000 in the second year, resulting from the repeal of the abusive driver fees.

H. The Department shall complete an assessment of improvements needed to the intersection of Route 522 and Route 617 in Powhatan County to support development of the Powhatan State Park. The Department shall provide a report including estimates of costs to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2008.

*I.1. It is the intent of the General Assembly that prior to the completion of construction of High Occupancy Toll Lanes on the I-495 Capital Beltway, the Virginia Transportation Research Council (VTRC) will conduct a review of reforestation best practices and approaches used with major infrastructure improvements in densely populated areas. The VTRC shall report its findings to the Secretary of Transportation and the Commonwealth Transportation Board prior to December 31, 2009.*

*2. Following completion of the review, the Department of Transportation shall recommend to the Secretary and Commonwealth Transportation Board the most effective approach to restore vegetation within the construction corridor. The Department shall provide a report including estimates of costs to the Secretary and the Chairmen of the House Appropriations and Senate Finance Committees by June 30, 2010.*

456.	Highway System Maintenance (60400) .....			\$1,327,581,110	\$1,376,405,501
	Interstate Maintenance (60401) .....	\$284,643,933	\$296,029,690		
	Primary Maintenance (60402) .....	\$376,263,151	\$391,313,677		
	Secondary Maintenance (60403) .....	\$385,586,015	\$400,507,836		
	Transportation Operations Services (60404) .....	\$177,604,839	\$181,966,631		
	Highway Maintenance Program Management and Direction (60405) .....	\$103,483,172	\$106,587,667		
	Fund Sources: Commonwealth Transportation .....	\$1,327,581,110	\$1,376,405,501		

Authority: Title 33.1, Chapter 1, Code of Virginia.

A. Out of the funds provided in this program, \$156,459,333 the first year and \$160,053,633 the second year in federal funds shall be used to address the maintenance of pavements and bridges and the operations of the transportation system. These funds shall be matched by other funds appropriated to this Item.

B. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

C. Should federal law be changed to permit privatization of rest area operations, the Department is hereby authorized to accept or solicit proposals for their development and/or operation under the Public Private Transportation Act.

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		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	D. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.				
457.	Commonwealth Toll Facilities (60600) .....			\$119,040,847	\$121,388,148
	Toll Facility Acquisition and Construction (60601) .....	\$47,276,554	\$51,690,713		
	Toll Facility Debt Service (60602) .....	\$16,343,950	\$13,232,600		
	Toll Facility Maintenance and Operation (60603) .....	\$30,580,401	\$31,557,770		
	Toll Facilities Revolving Fund (60604).....	\$24,839,942	\$24,907,065		
	Fund Sources: Commonwealth Transportation .....	\$24,839,942	\$24,907,065		
	Trust and Agency .....	\$7,147,815	\$7,241,194		
	Debt Service.....	\$87,053,090	\$89,239,889		
	Authority: §§ 33.1-23.03:1 and 33.1-267 through 33.1-295, Code of Virginia.				
	A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.				
	B. Funds as appropriated are provided for other toll facility initiatives as needed during the biennium including but not limited to funding activities to advance projects pursuant to the Public-Private Transportation Act.				
	C. Funds as appropriated may be used for a one-time final grant payment to the appropriate entity for maintenance of a publicly operated toll facility not owned and operated by the Commonwealth that has received in fiscal year 2007 financial assistance for maintenance or that under agreement the Department provided maintenance services in order for such facility to begin paying all of its maintenance expenses from sources other than Commonwealth Transportation Funds no later than July 1, 2009.				
458.	Financial Assistance to Localities for Ground Transportation (60700).....			\$351,910,885	\$365,557,170
	Financial Assistance for City Road Maintenance (60701) .....	\$293,354,012	\$305,088,172		
	Financial Assistance for County Road Maintenance (60702) .....	\$44,325,349	\$46,098,363		
	Financial Assistance for Planning, Access Roads, and Special Projects (60704) .....	\$14,231,524	\$14,370,635		
	Fund Sources: Commonwealth Transportation .....	\$351,910,885	\$365,557,170		
	Authority: Title 33.1, Chapter 1, Code of Virginia.				
	A. Notwithstanding §§ 33.1-23.5:1 and 33.1-41.1, Code of Virginia, the Department of Transportation shall adjust for inflation the payments made as part of Financial Assistance to Localities distributions and report such inflation adjustment to the Commonwealth Transportation Board.				
	B. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, \$7,000,000 the first year and \$7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.1-221, 33.1-221.1:1, and 33.1-223, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be \$1,500,000 the first year and \$1,500,000 the second year.				
	C. Out of the amounts for Financial Assistance for Planning, Access Roads, and Special Projects, \$50,000 the first year and \$50,000 the second year from the Commonwealth Transportation Fund shall be provided to support the transportation planning activities of the Northern Virginia Transportation Authority. The Authority shall comply with all applicable federal and state regulations to receive the funds.				
	D. For any city or town that assumes responsibility for its construction program as outlined in § 33.1-23.3 D, Code of Virginia, the matching highway fund requirement contained in § 33.1-44, Code of Virginia, shall be waived for all new projects approved on or after July 1, 2005.				

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E. Local partnership fund balances shall be distributed to qualifying local governments, on a pro rata basis based on eligible project costs. To qualify, a local government must assume responsibility for administering a local highway construction project and have not administered a project during the period July 1, 2005, through June 30, 2007. Further, use of the funds should be limited to projects with unfunded construction elements in either the secondary or urban six-year improvement programs for projects that have the right-of-way procured and the engineering substantially completed.

F. The Department of Transportation is encouraged to promote the construction and improvement of primary and secondary highways by counties, consistent with Section 33.1-75.3 of the Code of Virginia, whether or not such improvements are contained in the Six-Year Improvement Program or Plan. If such improvements are not contained in the Six-Year Improvement Program or Plan, the counties may not seek reimbursement from the department for the improvements.

459.	Non-Toll Supported Transportation Debt Service (61200) .....			\$228,638,827	\$258,326,913
	Highway Transportation Improvement District Debt Service (61201) .....	\$7,530,713	\$7,528,150		
	Designated Highway Corridor Debt Service (61202) .....	\$61,714,940	\$70,114,660		
	Federal Highway Revenue Anticipation Notes Debt Service (61203) .....	\$152,297,928	\$152,303,120		
	Commonwealth Transportation Capital Projects Bond Act Debt Service (61204) .....	\$7,095,246	\$28,380,983		
	Fund Sources: General .....	\$40,000,000	\$40,000,000		
	Trust and Agency .....	\$188,638,827	\$218,326,913		

Authority: Titles 15, 33, and 58 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; and Chapter 896, Acts of Assembly of 2007.

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002 (the "District Contract").

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.

3. The contract payments may be supplemented from primary funds allocated to the highway construction district in which the project financed is located, or from the secondary system construction allocation to the county or counties in which the project financed is located, and from any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2002 Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2002 Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts for Designated Highway Corridor Construction, \$40,000,000 the first year and \$40,000,000 the second year shall be paid from the general fund to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to



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§ 58.1-815, Code of Virginia. This payment shall be in lieu of the deposit of state recordation taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would otherwise be deposited to the Fund shall be retained by the general fund. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at \$9,000,000 the first year and \$12,000,000 the second year, shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

3. The Commissioner shall report on or before July 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the cash balances in the Route 58 Corridor Development Fund. In addition, the report shall include the following program-to-date information: (i) a comparison of actual spending to allocations by project and district; (ii) expenditures by project, district, and funding source; and (iii) a six-year plan for planned future expenditures from the Fund by project and district.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 58.1-815.1, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts transferred from Item 264 of this act to this Item.

b. An amount estimated at \$5,000,000 the first year and \$12,000,000 the second year, which shall be transferred from the highway share of the Transportation Trust Fund.

c. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 58.1-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at \$6,100,000 the first year and \$5,600,000 the second year.

d. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be \$816,000 the first year and \$816,000 the second year.

2. The Fund shall support the issuance of bonds at a total authorized level of \$500,200,000 for the purposes provided in the "Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.

3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

4. Should the actual distribution of recordation taxes to the localities set forth in § 58.1-815.1, Code of Virginia, exceed the amount required for debt service on the bonds issued pursuant to the above act, such excess amount shall be transferred to the Northern Virginia Transportation District Fund in furtherance of the program described in § 33.1-221.1:3, Code of Virginia.

5. Should the actual distribution of recordation taxes to said localities be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.

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D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall include funds transferred from Item 264 of this act to this Item, and an amount estimated at \$1,500,000 the first year and \$1,500,000 the second year received from the City of Chesapeake pursuant to a contract or other alternative mechanism for the purpose provided in the "Oak Grove Connector, City of Chesapeake Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994," Chapters 233 and 662, Acts of Assembly of 1994 (hereafter referred to as the "Oak Grove Connector Act").

2. The amounts shown in paragraph E of this Item shall be available from the City of Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant to the Oak Grove Connector Act.

3. Should the actual distribution of recordation taxes and such local revenues from the City of Chesapeake as may be received pursuant to a contract or other alternative mechanism to the City of Chesapeake account of the Set-aside Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of the Oak Grove Connector Act.

E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:

	FY 2009	FY 2010
Transportation Contract Revenue Refund Bonds, Series 2002 (Route 28)	\$7,530,713	\$7,528,150
Commonwealth of Virginia Transportation Revenue Bonds: U.S. Route 58 Corridor Development Program:		
Series 1999B	\$6,667,538	\$0
Series 2001B	\$3,758,363	\$3,757,863
Series 2002 B (Refunding)	\$7,239,438	\$7,237,688
Series 2003A (Refunding)	\$9,915,275	\$9,921,275
Series 2004B	\$14,048,050	\$23,093,800
Series 2006C	\$3,173,000	\$3,173,000
Series 2007B	\$4,197,750	\$4,197,750
Northern Virginia Transportation District Program:		
Series 1999A	\$1,083,938	\$0
Series 2001A	\$2,823,663	\$2,825,163
Series 2002A	\$12,363,944	\$12,362,194
Series 2004A	\$6,152,000	\$8,294,500
Series 2006B	\$973,363	\$973,363
Series 2007A	\$1,987,600	\$4,523,000
Transportation Program Revenue Bonds:		
Series 2006A (Oak Grove Connector, City of Chesapeake)	\$2,225,775	\$2,227,325

F.1. Out of the amounts provided for this Item, an estimated \$152,297,928 the first year and \$152,303,120 the second year shall be provided from federal highway and highway assistance reimbursements for the debt service payments on the Federal Highway Reimbursement Anticipation Notes.

2. Notwithstanding Chapters 1019 and 1044, Acts of Assembly of 2000, this act, or any other provision of law, any additional amounts needed to offset the debt service payment requirements on the Transportation Trust Fund attributable to the issuance of Federal Highway Reimbursement Anticipation Notes shall be provided from the Priority Transportation Fund to the extent available and then from the portion of the Transportation Trust Fund available for highway construction purposes prior to making the allocations required by § 33.1-23.1 B of the Code of Virginia.

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G. Out of the amounts provided for this Item, an estimated \$7,100,000 the first year and \$28,400,000 the second year shall be provided from the Priority Transportation Fund for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.

H. The Commonwealth Transportation Board is hereby authorized, by and with the consent of the Governor, to issue, pursuant to the applicable provisions of the State Revenue Bond Act (§ 33.1-267 et seq., Code of Virginia) as amended from time to time, revenue obligations of the Commonwealth to be designated "Commonwealth of Virginia Transportation Capital Projects Revenue Bonds, Series 2009" at one or more times in an aggregate principal amount not to exceed \$180,000,000, after all costs. The net proceeds of the Bonds shall be used exclusively for the purpose of providing funds for paying the costs incurred or to be incurred for construction or funding of transportation projects set forth in Item 449.10 of Chapter 847 of the Acts of Assembly of 2007, including but not limited to environmental and engineering studies; rights-of-way acquisition; improvements to all modes of transportation; acquisition, construction and related improvements; and any financing costs and other financing expenses. Such costs may include the payment of interest on the Bonds for a period during construction and not exceeding one year after completion of construction of the projects.

460.	Administrative and Support Services (69900).....			\$242,361,599	\$249,287,558
	General Management and Direction (69901).....	\$151,090,245	\$155,488,064		
	Information Technology Services (69902).....	\$67,653,482	\$69,683,086		
	Facilities and Grounds Management Services (69915).....	\$11,710,592	\$12,061,909		
	Employee Training and Development (69924).....	\$11,907,280	\$12,054,499		
	Fund Sources: Commonwealth Transportation .....	\$242,361,599	\$249,287,558		

Authority: Title 33.1, Code of Virginia.

A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Transportation Trust Fund.

D. Notwithstanding any other provision of law, the Department may assess and collect the costs of providing services to other entities, public and private. The Department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the Commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the Commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the Commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F.1. Any action to modernize and integrate the automated systems of the Department of Transportation shall be based on a plan that includes developing the integrated system in phases, or modules. When such plan is approved and to minimize the financial impact, the Department may incrementally budget for the modernization.

2. The Department of General Services, the Department of the Treasury, the Department of Human Resource Management, the Department of Planning and Budget, and the Department of Accounts shall support the system modernization effort of the Department of Transportation

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through the adoption of statewide data standards. These data standards shall include, but not be limited to, vendor tables, agency identification information, state employee identification information, charts of accounts, receiving information, invoice information, purchase information including commodity codes, and any other essential data standards necessary to conduct business. The Departments of General Services, Treasury, Human Resource Management, Planning and Budget, and Accounts shall provide the Virginia Enterprise Applications Program (VEAP) Office Director and the Department of Transportation with such data standards by October 1, 2008, and the VEAP Office Director shall adopt these data standards as the Commonwealth's standards for future enterprise applications. Within 60 days of their adoption, the VEAP Office Director shall present such data standards to the Information Technology Investment Board for their approval as provided in § 2.2-2458, Code of Virginia. Upon approval by the Information Technology Investment Board, the Commonwealth shall use such data standards for all new Commonwealth information systems implementation projects including, but not limited to, Commonwealth enterprise application initiatives.

G. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

H. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

I. Out of the amounts for General Management and Direction, allocations shall be provided to support the capital lease agreement with Fairfax County for the Northern Virginia District building. An amount estimated at \$7,800,000 the first year and \$7,800,000 the second year shall be provided from Commonwealth Transportation Funds.

J. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

461. A full accrual system of accounting shall be effected by the Department, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia.

462.	2007 Transportation Initiative (61700) .....		\$180,000,000	\$0
	Fund Sources: Commonwealth Transportation .....	\$180,000,000	\$0	

A. There is hereby reappropriated the unexpended general fund balance remaining in this program on June 30, 2008. On or before June 30, 2009, the State Comptroller shall revert up to \$180,000,000 of this general fund appropriation to the balance of the general fund.

B. There is hereby appropriated within this Item \$180,000,000 the first year from the Commonwealth Transportation Fund.

C. The Commonwealth Transportation Funds appropriated in the first year of this item shall be used to meet required expenditures for the purposes set out in Item 449.10, Chapter 847, 2007 Session of the General Assembly.

462.05.	Executive Management (71300) .....		(\$339,161,307)	(\$359,867,190)
	Savings From Management Actions (71301) .....	(\$339,161,307)	(\$359,867,190)	
	Fund Sources: Commonwealth Transportation .....	(\$339,161,307)	(\$359,867,190)	

Authority: Discretionary Inclusion

A. Appropriation reductions in this item and specified in § 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other items of this act.

ITEM 462.05.	Item Details(\$)		Appropriations(\$)	
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*B. 1. The Commonwealth Transportation Commissioner shall implement actions as necessary to carry out the appropriation reductions contained in this item pursuant to the terms and limitations set forth in the following paragraphs and in compliance with the intent and provisions of Item 436 of this act. The Director, Department of Planning and Budget, is authorized to transfer appropriations in this act as necessary to carry out the budget reductions contained in this item.*

*2. In carrying out the appropriation reductions contained in this item, the actions implemented will be based on a Comprehensive Plan developed by the Commonwealth Transportation Commissioner which follows the outline documented in "VDOT's Blueprint" as presented to the Commonwealth Transportation Board on February 13, 2009. The Commissioner shall present the proposed Comprehensive Plan to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees prior to implementation. The Plan shall define the relative proportion of reductions that shall be achieved through reductions in the Six-Year Program, changes to the department's organizational structure at both the administrative and operational levels in both the field and central office, and adjustments to service levels for maintenance and operational programs provided by the department. Implementation of these actions will begin in fiscal year 2009 and continue through fiscal year 2010. The Plan shall be phased so as to ensure that the necessary savings are achieved to meet the budgetary reductions set out in this item.*

*3. Such plan shall also:*

*a. ensure that maintenance and operations of existing highway infrastructure is focused on emergency response, congestion mitigation, pavement rehabilitation based on the lowest pavement condition ratings, and bridge repair and replacement based on structurally deficient structures;*

*b. set service and staffing levels for VDOT programs that have clear and measurable performance requirements;*

*c. ensure contractual spending of VDOT funding comprise no less than 70 percent of total VDOT expenditures each fiscal year;*

*d. reconfigure, including the elimination and consolidation of organizational units and VDOT facilities, to achieve at least a 30 percent reduction in the number of 1) central office divisions, 2) residency offices, and 3) equipment and repair shops;*

*e. as part of the consolidation of organizational units, ensure that the supervisory layers between the lowest line staff and the leadership position reporting directly to the Commissioner or Deputy Commissioner shall be no more than five;*

*f. use an objective methodology on which to base all actions and take no actions until public input has been considered;*

*g. ensure that appropriate accountability, compliance, and oversight by auditors is conducted on all programs and functions on a periodic basis; and*

*h. have no more than 7,500 full-time positions filled on June 30, 2010.*

*C. The Commissioner shall provide a quarterly progress report detailing each action and its impact on the VDOT budget to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees, and the Commonwealth Transportation Board. Such reports shall include a detailed enumeration of progress that has been made to reduce the department's expenditure levels in order to meet the reduction levels required by this item, an update on the next phase of actions planned to address the reductions, any obstacles encountered in implementing these reductions, and any adjustments to the Plan are required by the Commonwealth Transportation Board.*

Total for Department of Transportation.....

**\$3,997,734,311    \$3,843,243,792**

ITEM 462.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
				<b>\$3,658,573,004</b>	<b>\$3,483,376,602</b>
	Nongeneral Fund Positions.....	9,500.00	9,500.00		
		8,850.00	8,350.00		
	Position Level .....	9,500.00	9,500.00		
		8,850.00	8,350.00		
	Fund Sources: General .....	\$40,000,000	\$40,000,000		
	Commonwealth Transportation .....	\$3,437,556,078	\$3,257,233,558		
		\$3,098,394,771	\$2,897,366,368		
	Trust and Agency .....	\$433,125,143	\$456,770,345		
	Debt Service.....	\$87,053,090	\$89,239,889		
<b>§ 1-129. MOTOR VEHICLE DEALER BOARD (506)</b>					
462.10.	Consumer Affairs Services (55000) .....			\$218,871	\$218,871
	Consumer Assistance (55002) .....	\$218,871	\$218,871		
	Fund Sources: Special.....	\$218,871	\$218,871		
	Authority: Title 46.2, Chapter 15, Code of Virginia.				
	Of the amounts provided in this item, \$218,871 the first year and \$218,871 the second year from special funds shall be provided for Consumer Assistance Services.				
462.20.	Regulation of Professions and Occupations (56000) .....			\$1,991,911	\$1,994,682
	Motor Vehicle Dealer and Salesman Regulation (56023) .....	\$1,061,538	\$1,061,538		
	Administrative Services (56048) .....	\$930,373	\$933,144		
	Fund Sources: Special.....	\$1,991,911	\$1,994,682		
	Authority: Title 46.2, Chapter 15, Code of Virginia.				
	A. Of the amounts provided in this item, \$1,061,538 the first year and \$1,061,538 the second year from special funds shall be provided for Motor Vehicle Dealer and Salesman Regulation.				
	B. Of the amounts provided in this item, \$930,373 the first year and \$933,144 the second year from special funds shall be provided for Administrative Services.				
	Total for Motor Vehicle Dealer Board .....			<b>\$2,210,782</b>	<b>\$2,213,553</b>
	Nongeneral Fund Positions.....	22.00	22.00		
	Position Level .....	22.00	22.00		
	Fund Sources: Special.....	\$2,210,782	\$2,213,553		
<b>§ 1-130. VIRGINIA PORT AUTHORITY (407)</b>					
463.	Economic Development Services (53400) .....			\$7,035,170	\$6,799,266
	National and International Trade Services (53413) .....	\$5,899,220	\$5,652,231		
	Port Traffic Rate Management (53425) .....	\$221,697	\$232,782		
	Commerce Advertising (53426) .....	\$914,253	\$914,253		
	Fund Sources: Special.....	\$7,035,170	\$6,799,266		
	Authority: Title 62.1, Chapter 10, Code of Virginia.				
464.	Port Facilities Planning, Maintenance, Acquisition, and Construction (62600) .....			\$64,641,173	\$75,840,273
	Maintenance and Operations of Ports and Facilities (62601) .....	\$4,000,000	\$4,000,000		

ITEM 464.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Port Facilities Planning (62606).....	\$800,300	\$809,868		
Debt Service for Port Facilities (62607).....	\$59,840,873	\$71,030,405		
Fund Sources: Special.....	\$43,048,473	\$42,969,603		
Commonwealth Transportation .....	\$21,592,700	\$32,870,670		

Authority: Title 62.1, Chapter 10; Title 33.1, Chapter 1, Code of Virginia.

A. 1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority refunded bonds issued on October 22, 1996, in the amount of \$38,300,000 for the purposes of completing the Phase II Expansion at Norfolk International Terminals and replacing and improving equipment at other port facilities. The debt service on the 2006 refunding bonds is estimated to be \$3,115,900 the first year and \$3,119,900 the second year.

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on July 11, 2002, in the amount of \$135,000,000 to reconstruct the Norfolk International Terminal (South), Capital Project 407-16644, Phase I. The project also includes the replacement of equipment, the purchase of the Physical Oceanographic Real-Time System, and other equipment required to enhance the security and protection of the port properties. Debt service on bonds referenced in this paragraph is estimated to be \$10,205,393 the first year, and \$10,207,583 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on April 14, 2005, in the amount of \$60,000,000, for the purpose of regrading and reconstruction of Norfolk International Terminals (South), Phase III, land acquisition, and other improvements, Capital Project 407-16644. The debt service on bonds referenced in this paragraph is estimated to be \$4,280,856 the first year and \$4,283,856 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue Commonwealth Port Fund bonds up to the amount of \$155,000,000, for the purpose of developing the Craney Island Marine Terminal and creating road and rail access to such terminal, Capital Project 407-17513. Such bonds shall not be issued prior to July 1, 2009~~2010~~. ~~The debt service on bonds referenced in this paragraph is estimated to be \$11,265,000 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.~~

5. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds; Series 2002, Series 2005, refunding Series 2006, or Series 2009; bonds authorized by paragraphs A 1, A 2, A 3, and A 4; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A 1, A 2, A 3, and A 4 is estimated at \$17,602,149 the first year and \$28,876,339 the second year.

6. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed \$420,000,000.

B.1. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has issued Port Facilities Revenue Bonds, Series 1997, in the amount of \$98,065,000 to finance the cost of capital projects for the Virginia Port Authority marine and intermodal terminals. The debt service on the bonds is estimated at \$2,598,440 the first year from special funds. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority refunded certain maturities of the bonds in 2007. The debt service on the 2007 refunding bonds is estimated at \$3,745,650 the first year and \$6,344,250 the second year from special funds. The Virginia Port Authority is authorized to transfer to the Virginia International Terminals Inc. (VIT), from the revenues of the Authority's port facilities, funds that are available for the purpose under the Authority's applicable Bond Resolution.

ITEM 464.	Item Details(\$)		Appropriations(\$)	
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<p>2. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on June 18, 2003, issued additional Port Facilities Revenue bonds in the amount of \$55,155,000 to regrade and reconstruct the Norfolk International Terminal (South) backlands (Phase II, capital outlay project 407-16644), and to construct security related facilities at Norfolk International Terminals (North) and Portsmouth Marine Terminal (capital outlay project 407-16961). Total debt service on these bonds referenced in this paragraph is estimated at \$3,485,900 the first year and \$3,486,100 the second year from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.</p>				
<p>3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount of up to \$90,000,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals, and other improvements to port facilities (capital outlay project 407-17252). The debt service on these bonds, estimated to be \$4,479,619 the first year and \$4,476,619 the second year, will be paid from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.</p>				
<p>4. Prior to the 2006-2008 biennium, the Virginia Port Authority purchased, through their master equipment lease program, equipment at a total cost of \$60,163,170 (capital outlay projects 407-16962 and 407-16989). Total debt service on the equipment leases referenced in this paragraph is estimated at \$7,000,000 the first year and \$6,905,000 the second year from special funds, and such lease purchases may be refunded by the Authority.</p>				
<p>5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of \$39,000,000 (capital outlay project 407-16962). Total debt service referenced in this paragraph, including any interim financing issued in anticipation of such program, is estimated at \$5,250,000 the first year and \$5,250,000 the second year from special funds, and such lease purchases may be refunded by the Authority.</p>				
<p>6. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued additional bonds, in an amount of \$93,000,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals (NIT), reconstruction and expansion of Portsmouth Marine Terminal (PMT), land acquisitions adjacent to NIT and PMT, and other improvements to port facilities (capital outlay project 407-16644). The debt service on these bonds, estimated to be \$6,200,000 the first year and \$6,200,000 the second year, will be paid from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.</p>				
<p>7. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue short-term debt on a revolving basis as interim or anticipation financing in order to cover costs of planning, design, and construction pending the receipt of bond or master equipment lease program proceeds authorized in paragraphs A 4, B 5, and B 6 in an amount not to exceed the authorized amount for the projects. In the aggregate, the short-term debt shall not exceed \$200,000,000 at any point in time and may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The debt service, including associated fees, on the short-term debt may be paid, as recommended by the Authority and approved by the Board, from the bond or master equipment lease proceeds, special funds, or other revenues or proceeds. Out of this authorization, the Virginia Port Authority is authorized to use up to \$14,000,000 in the first year for initial infrastructure improvements related to the Craney Island Marine Terminal project authorized by Item C-173 of this act.</p>				
<p>8. Total debt service paid from special funds for all bonds, lease agreements, and short-term debt noted herein shall not exceed \$42,000,000 the first year and \$42,000,000 the second year.</p>				
<p>C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain an appropriate account with a qualified public depository. As implementation occurs, these systems and related procedures shall be subject to review and approval by the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System.</p>				



ITEM 464.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	D. There is hereby reappropriated the unexpended general fund balance remaining in this program on June 30, 2008, derived from Item 449.10, Chapter 847, 2007 Acts of Assembly. Special and Commonwealth Transportation revenues collected by the Authority during the biennium and not appropriated for another purpose shall be used to meet additional costs or cash flow requirements of projects including those enumerated in paragraph 4 of Item 449.10 of Chapter 847 of the Acts of Assembly of 2007.				
465.	Financial Assistance for Port Activities (62800).....			\$3,052,500	\$3,107,625
	Aid to Localities (62801) .....	\$1,000,000	\$1,000,000		
	Payment in Lieu of Taxes (62802).....	\$2,052,500	\$2,107,625		
	Fund Sources: General .....	\$950,000	\$950,000		
	Special .....	\$1,102,500	\$1,157,625		
	Commonwealth Transportation .....	\$1,000,000	\$1,000,000		
	Authority: Title 62.1, Chapter 10, Code of Virginia.				
	Of the amounts in this Item, \$950,000 the first year and \$950,000 the second year from the general fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate. The funds shall be transferred to Item 458 of this act for distribution by the Commonwealth Transportation Board for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities and shall be treated as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.				
466.	Administrative and Support Services (69900).....			\$15,862,550	\$15,554,653
	General Management and Direction (69901).....	\$5,932,550	\$5,929,855		
	Security Services (69923).....	\$9,930,000	\$9,624,798		
	Fund Sources: Special.....	\$13,862,550	\$13,554,653		
	Commonwealth Transportation .....	\$2,000,000	\$2,000,000		
	Authority: Title 62.1, Chapter 10, Code of Virginia.				
	A. Out of the amounts in this Item, the Executive Director is authorized to expend from special funds amounts not to exceed \$37,500 the first year and \$37,500 the second year, for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.				
	B. Prior to purchasing airline and hotel accommodations related to overseas travel, the Virginia Port Authority shall provide an itemized list of projected costs for review by the Secretary of Transportation.				
466.05.	Executive Management (71300).....			(\$14,632,620)	(\$13,827,920)
	Savings From Management Actions (71301).....	(\$14,632,620)	(\$13,827,920)		
	Fund Sources: Commonwealth Transportation.....	(\$14,632,620)	(\$13,827,920)		
	Authority: Discretionary Inclusion				
	Appropriation reductions in this Item and specified in Section 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other Items of this act.				
	Total for Virginia Port Authority.....			<b>\$90,591,393</b> \$75,958,773	<b>\$101,301,817</b> \$87,473,897

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Nongeneral Fund Positions.....	157.00	157.00		
	146.00	146.00		
Position Level .....	157.00	157.00		
	146.00	146.00		
Fund Sources: General .....	\$950,000	\$950,000		
Special.....	\$65,048,693	\$64,481,147		
Commonwealth Transportation .....	\$24,592,700	\$35,870,670		
	\$9,960,080	\$22,042,750		
<b>§ 1-131. TOWING AND RECOVERY OPERATIONS (507)</b>				
466.10. Consumer Affairs Services (55000) .....			\$353,761	<del>\$353,761</del>
				\$403,761
Consumer Assistance (55002) .....	\$353,761	<del>\$353,761</del>		
		\$403,761		
Fund Sources: Special.....	\$353,761	<del>\$353,761</del>		
		\$403,761		
Authority: Title 46.2, Chapter 28, Code of Virginia.				
Out of the amounts provided in this item, \$353,761 the first year and \$353,761 the second year from special funds shall be provided for Regulation of Vehicle Towing and Recovery Operations.				
Total for Towing and Recovery Operations.....			<b>\$353,761</b>	<b><del>\$353,761</del></b>
				\$403,761
Nongeneral Fund Positions.....	3.00	3.00		
Position Level .....	3.00	3.00		
Fund Sources: Special.....	\$353,761	<del>\$353,761</del>		
		\$403,761		
TOTAL FOR OFFICE OF TRANSPORTATION .....			<b>\$4,989,029,652</b>	<b><del>\$4,858,461,534</del></b>
			<b>\$4,602,722,070</b>	<b><del>\$4,449,841,702</del></b>
Nongeneral Fund Positions.....	11,814.00	11,814.00		
	11,151.00	10,651.00		
Position Level .....	11,814.00	11,814.00		
	11,151.00	10,651.00		
Fund Sources: General .....	\$40,991,864	\$40,991,864		
	\$40,985,584	\$40,985,584		
Special.....	\$226,887,296	<del>\$226,346,113</del>		
		\$226,396,113		
Commonwealth Transportation .....	\$4,113,961,306	\$3,958,102,370		
	\$3,737,100,004	\$3,557,078,818		
Trust and Agency .....	\$487,411,743	<del>\$511,056,945</del>		
	\$477,971,743	\$503,416,945		
Debt Service.....	\$87,053,090	\$89,239,889		
Federal Trust.....	\$32,724,353	\$32,724,353		

ITEM 467.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

## CENTRAL APPROPRIATIONS

## § 1-132. CENTRAL APPROPRIATIONS (995)

467.	Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100).....		\$16,678,402	\$0 \$10,399,188
	Interest Earned on Educational and General Programs Revenue (11106).....	\$16,678,402	\$0 \$10,399,188	
	Fund Sources: General.....	\$16,678,402	\$0	
		\$13,280,645	\$8,280,645	
	Higher Education Operating.....	\$3,397,757	\$2,118,543	

Authority: Discretionary Inclusion.

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.01 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.01 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee.

C. In accordance with § 2.2-5004 and 5005, Code of Virginia, this Item provides ~~\$15,066,217~~ \$12,040,957 from the general fund and \$3,397,757 from nongeneral funds in the first year and \$7,040,957 from the general fund and \$2,118,543 from nongeneral funds in the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes ~~\$1,612,185~~ \$1,239,688 in the first year and \$1,239,688 the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding \$5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of \$5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of \$5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

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		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
468.	Planning, Budgeting, and Evaluation Services (71500)....			\$950,000	\$950,000
	Program Evaluation Service (71506) .....	\$950,000	\$950,000	\$810,200	\$650,000
		\$810,200	\$650,000		
	Fund Sources: General .....	\$950,000	\$950,000		
		\$810,200	\$650,000		

Authority: Discretionary Inclusion.

Out of this appropriation ~~\$950,000~~ \$810,200 in the first year and ~~\$950,000~~\$650,000 in the second year from the general fund is provided to support comprehensive reengineering efforts aimed at increasing state government productivity and efficiency. This funding will support efforts to: 1) reengineer processes performed by multiple agencies and examine opportunities for enhanced collaboration or consolidation (e.g. licensure) on an enterprise-wide basis, 2) reengineer multiple and complex services within a large agency setting to improve the organization and effectiveness of service delivery, and 3) establish results teams, which will include, government, private sector, and consultant support to identify new productivity projects and to improve the use of performance measurement in the Commonwealth. The Director, Department of Planning and Budget will provide semiannual reports on these efforts to the Governor and the Chairmen of Senate Finance and House Appropriations as well as the Council on Virginia's Future. Any unexpended balance remaining in this Item on June 30, 2009, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the biennium.

469.	Revenue Administration Services (73200).....		a sum sufficient
	Designated Refunds for Taxes and Fees (73215).....	a sum sufficient	
	Fund Sources: General .....	a sum sufficient	

Authority: Discretionary Inclusion.

A. There is hereby appropriated from the affected funds in the state treasury, for refunds of taxes and fees, and the interest thereon, in accordance with law, a sum sufficient.

B. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002, and (3) payment of the remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum sufficient.

470.	Distribution of Tobacco Settlement (74500)				
	a sum sufficient, estimated at .....			\$91,431,429	\$91,618,010
	Payments to Tobacco Producers and Tobacco Growing Communities (74501) .....	\$77,000,000	\$77,000,000		
	Payments for Tobacco Usage Prevention (74502) .....	\$14,431,429	\$14,618,010		
	Fund Sources: Trust and Agency .....	\$91,431,429	\$91,618,010		

Authority: Title 3.1, Chapter 11, and Title 32.1, Chapter 14, Code of Virginia.

A.1. There is hereby appropriated a sum sufficient estimated at \$77,000,000 each year from nongeneral funds for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the Tobacco Indemnification and Community Revitalization Fund in accordance with §3.1-1109.1, Code of Virginia. Such expenditures shall be made pursuant to §3.1-1112, Code of Virginia.

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2. From the amount deposited into the Tobacco Indemnification and Community Revitalization Fund pursuant to § 3.1-1111, Code of Virginia, shall be paid 50 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.1-336.2, Code of Virginia, and Item 56 Paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3.1-01, paragraph Q, of this act.

B.1. The State Comptroller shall deposit ten percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Tobacco Settlement Fund, pursuant to § 32.1-360, Code of Virginia. There is hereby appropriated a sum sufficient estimated at \$14,431,429 the first year and \$14,618,010 the second year from available balances in the Fund for the purposes set forth in § 32.1-361, Code of Virginia.

2. From the amount deposited into the Virginia Tobacco Settlement Fund pursuant to § 32.1-360, Code of Virginia, shall be paid ten percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.1-336.2, Code of Virginia, and Item 56 paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3.1-01, paragraph Q, of this act.

C. The amounts deposited by the State Comptroller pursuant to paragraph B shall 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.

471.	Personal Property Tax Relief Program (74600) .....		\$950,000,000	\$950,000,000
	Reimbursements to Localities for Personal Property Tax Relief (74601).....	\$950,000,000	\$950,000,000	
	Fund Sources: General .....	\$950,000,000	\$950,000,000	

Authority: Discretionary Inclusion.

A.1. Included in this Item is \$950,000,000 from the general fund in the first year and \$950,000,000 from the general fund in the second year to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this Item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at \$950.0 million pursuant Chapter 1 of the Acts of Assembly of 2004, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph E of this Item.

B. Any unexpended balance remaining in this Item as of June 30, 2008, and June 30, 2009, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the succeeding year. Any unexpended balance remaining in this Item on June 30, 2010, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium, including without limitation for the purpose of providing reimbursement to localities for personal property tax relief with respect to bills for tax year 2005 and earlier.

C. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1 of the Acts of Assembly of 2004, Special Session I, the determination of each county's, city's and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Chapter 35.1 of Title 58.1 of the Code of Virginia for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1 of the Acts of Assembly of 2004, Special Session I, this paragraph shall become effective upon the effective date of this act.

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D. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1 of the Acts of Assembly, 2004 Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Chapter 25 of Title 15.2 of the Code of Virginia or the provisions of a local government charter or Chapter 4, 5, 6, 7 or 8 of Title 15.2 of the Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

E. The Secretary of Finance may authorize advance payment, from funds appropriated in this Item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1 of the Acts of Assembly, 2004 Special Session I, if the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006, (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004, (3) received reimbursements pursuant to the provisions of Chapter 35.1 of Title 58.1 of the Code of Virginia between January 1 and June 30, 2004, (4) utilizes the cash method of accounting, and (5) would suffer fiscal hardship in the absence of such advance payment.

F. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Chapter 35.1 of Title 58.1 of the Code of Virginia as it existed prior to the amendments effected by Chapter 1 of the Acts of Assembly, 2004 Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year.

472.	Compensation and Benefit Supplements (75700).....			\$53,256,863	\$136,157,136
				\$9,668,739	\$11,578,744
	Supplements to Employee Compensation (75701).....	\$44,730,850	\$126,688,040		
		\$1,142,726	\$2,109,648		
	Supplements to Employee Benefits (75702).....	\$8,526,013	\$9,469,096		
	Fund Sources: General .....	\$53,256,863	\$136,157,136		
		\$9,668,739	\$11,578,744		

Authority: Discretionary Inclusion.

A. Transfers from this Item may be made to supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;
2. Adjustments to rates of pay for budgeted overtime of salaried employees;
3. Salary increases for positions with salaries listed elsewhere in this act;
4. Salary increases for locally elected constitutional officers and their employees;
5. In-band salary adjustments for employees subject to the Virginia Personnel Act to recognize changes in duties or professional skill development, establish internal alignment (equitable salary relationships), or respond to labor market conditions (retention);
6. Employer costs of employee benefit programs when required by salary-based pay adjustments;
7. Salary increases for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and

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8. Adjustments to the cost of employee benefits to include but not limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of increases in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D.1. The Department of Human Resource Management may approve pilot compensation programs within agencies that support the redesigned classified compensation plan. Such pilot programs approved by the department shall have clearly defined objectives, specified time frames, and shall be restricted to no more than two years. Such pilot programs shall be funded from existing agency appropriations or from funds provided for salary increases specified elsewhere in this Item, or a combination of both. A report on any approved pilot program(s) shall be made to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees within six months of the pilot's conclusion.. The Secretary of Administration shall approve any change in compensation plans based on pilot programs, prior to their implementation.

2. Any pilot programs or alternative pay plans authorized under the provisions of this paragraph shall provide for average annual salary increases that are no greater than those authorized in this Item for classified state employees.

E. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.

2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.

3. Employees who are otherwise eligible but whose 403 (b) provider does not participate in the cash match program by establishing a 401 (a) account are ineligible to receive a cash match.

4. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

F. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning

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and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

G. There is hereby created the Pre-Medicare Eligible Retiree Health Benefits Trust Fund (the Fund). The funds of the Pre-Medicare Eligible Retiree Health Benefits Trust fund shall be deemed separate and independent trust funds, shall be segregated from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the participating retirees. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of such trust funds for any purpose other than as provided in law for benefits, refunds, and administrative expenses. The Fund is established to pay the health insurance benefits of retirees and their dependents who are not yet eligible for Medicare under the plan established under § 2.2-2818. Deposits to the Fund shall be made from general fund appropriations, retiree payroll deductions and other retiree payments together with any earnings on those deposits. Fund deposits are irrevocable and are not subject to the claims of creditors. The Department of Human Resource Management shall use the assistance of the Virginia Retirement System in establishing, investing, and maintaining the Fund. The Board of Trustees of the Virginia Retirement System shall administer and manage the investment of the Fund as custodian and provide staff. The Virginia Retirement System shall invest the Funds in accordance with Article 3.1 (§ 51.1-124.30 et seq.) of Chapter 1 of Title 51.1, and no officer, director, or member of the Board or of any advisory committee of the Virginia Retirement System or any of its tax exempt subsidiary corporations whose actions are within the standard of care in Article 3.1 of Chapter 1 of Title 51.1 shall be held personally liable for losses suffered by the Fund on investments made under the authority of this chapter. The Fund shall annually reimburse the Virginia Retirement System for all reasonable costs incurred and associated, directly and indirectly, with the administration of this chapter and management and investment of the Fund.

H.1. The base salary of the following employees shall be increased by two percent on November 25, 2008; and an additional two percent on November 25, 2009:

a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;

c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c; and

d. Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office.

e. Heads of agencies in the Legislative Department;

f. Full-time employees in the Legislative Department, other than officials elected by popular vote; and

g. Secretaries and administrative assistants as provided for in Item 1 of this act.

h. Judges and Justices in the Judicial Department;

i. Heads of agencies in the Judicial Department; and,

j. Full-time employees in the Judicial Department.

k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission; the Executive Directors of the Virginia College Savings Plan and the Virginia Office for Protection and Advocacy; and the Directors of the State Lottery Department, and the Virginia Retirement System;



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<p>1. Full-time employees of the State Corporation Commission; the Virginia College Savings Plan; the State Lottery Department; Virginia Workers' Compensation Commission; the Virginia Retirement System; and Virginia Office for Protection and Advocacy.</p> <p>2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.</p> <p>b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments; employees of Independent agencies; and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.</p> <p>3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan two percent on November 25, 2008; and an additional two percent on November 25, 2009. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances where employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.</p> <p>4. Out of the appropriation for this Item is included \$23,648,968 the first year and \$67,781,591 the second year from the general fund to support the general fund portion of costs associated with the salary increase provided in this paragraph.</p> <p>5. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of existing pay plans provide a base salary increase to their employees:</p> <p>a. The heads of agencies in the Legislative and Judicial Departments;</p> <p>b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;</p> <p>c. The Attorney General;</p> <p>d. The Director of the Virginia Retirement System;</p> <p>e. The Director of the State Lottery Department;</p> <p>f. The Director of the University of Virginia Medical Center;</p> <p>g. The Executive Director of the Virginia College Savings Plan;</p> <p>h. The Executive Director of the Virginia Port Authority; and</p> <p>i. The Executive Director of the Virginia Office for Protection and Advocacy.</p> <p>1. The base rates of pay, and related employee benefits, for wage employees may be increased by up to two percent no earlier than November 25, 2008; and an additional two percent no earlier than November 25, 2009. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.</p> <p>J.1. The base salary of the following employees shall be increased by two percent on December 1, 2008; and an additional two percent on December 1, 2009:</p> <p>a. Locally elected constitutional officers;</p> <p>b. General Registrars and members of local electoral boards;</p> <p>c. Full-time employees of locally elected constitutional officers; and</p>				

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<p>d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.</p> <p>2. Out of the appropriation for this Item is included \$11,507,448 the first year and \$31,464,654 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.</p> <p>K. Out of the appropriation for this Item, \$9,574,434 the first year and \$27,441,795 the second year from the general fund is provided to increase faculty salaries at institutions of higher education by two percent effective November 25, 2008, and an additional two percent effective November 25, 2009. Institutions may award the salary increase on the basis of merit so as not to exceed an average of two percent at each institution each year.</p> <p>L.1. Out of the appropriation for this Item, amounts estimated at \$19,111,711 the first year and \$14,757,282 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.</p> <p>2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.</p> <p>3. The Department of Human Resources Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.</p> <p>4. <i>Notwithstanding any provision of law, effective July 1, 2009, coverage for lap band and gastric bypass surgery under the state employee health insurance program shall be conditional on the successful participation in a progressive weight management program to be developed by the Department of Human Resource Management.</i></p> <p>5. <i>For the second year, health insurance premiums charged to state agencies and active state employees for the state employee health insurance program shall remain at the levels charged in the first year. Cost increases to the state employee health insurance program above the first year increase shall be absorbed by excess cash balances in the health insurance fund.</i></p> <p>M. Out of the general fund appropriation for this Item is included \$1,094,913 the first year and \$1,714,892 the second year to support the general fund portion of the costs associated with changes in premiums paid by state agencies on behalf of their employees for workers compensation coverage. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies based upon new workers compensation premiums as provided by the Department of Human Resource Management. Also, the Director, Department of Planning and Budget, is authorized to transfer funds between agencies based on these new premiums.</p> <p>N. The Commonwealth shall refrain from pre-funding of the future actuarial liabilities resulting from the indirect subsidy for early retiree health benefits, pending the outcome of a review of such health insurance program by the Department of Human Resource Management, including the indirect subsidy therefore. General funds budgeted to state agencies for this purpose estimated at <del>\$6,711,290</del> \$11,680,611 the first year and \$7,003,078 the second year shall revert to this item.</p>				
472.10.	Reversion Clearing Account - Employee Benefits			
	Reversion (23300).....		(\$58,458,756)	(\$60,943,376)
			(\$61,758,944)	(\$87,203,333)

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Fund Sources: General .....	(\$58,458,756)	(\$60,943,376)		
	(\$61,758,944)	(\$87,203,333)		

Authority: Discretionary Inclusion.

A.1. Due to excess balances in the state employee Health Insurance Fund, the Director of the Department of Planning and Budget is hereby directed to withhold and transfer to this Item general fund appropriations of \$28,896,423 in the first year and \$30,152,770 in the second year from state agencies and institutions representing amounts budgeted for the employer contributions into the state employee health insurance program. The Director of the Department of Human Resources Management shall provide a premium credit to the agencies equal to such transfer along with a corresponding credit representing savings to agencies supported in whole or in part from nongeneral funds.

2. *For the second year, health insurance premiums charged to state agencies and active state employees for the state employee health insurance program shall remain at the levels charged in the first year. Cost increases to the state employee health insurance program above the first year increase shall be absorbed by the health insurance fund.*

B.1. Contribution rates paid to the Virginia Retirement System (VRS) for the retirement benefits of state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that assume an investment return of eight percent, a cost of living increase of three percent, and an amortization period of 30 years.

2. Retirement contribution rates for ~~each~~ *the first year*, excluding the five percent employee portion, shall be: 8.81 percent for public school teachers, 6.23 percent for state employees, 20.05 percent for state police officers, 14.23 percent for the Virginia Law Officers Retirement System, and 34.51 percent for the Judicial Retirement System. *Retirement contribution rates for the second year, excluding the five percent employee portion, shall be: 8.81 percent for public school teachers, 6.26 percent for state employees, 20.05 percent for state police officers, 14.23 percent for the Virginia Law Officers Retirement System, and 34.51 percent for the Judicial Retirement System.*

3. Contribution rates paid on behalf of state employees to other programs administered by the VRS *in the first year* shall be: 0.82 percent for the public employee group life insurance program, ~~1.94~~ *1.79* percent for the Virginia Sickness and Disability Program, and 1.18 percent for the state employee retiree health insurance credit. *Contribution rates paid on behalf of state employees to other programs administered by the VRS in the second year shall be: 0.79 percent for the public employee group life insurance program, 1.00 percent for the Virginia Sickness and Disability Program, and 1.00 percent for the state employee retiree health insurance credit.*

4. Contribution rates paid on behalf of public school teachers shall be 1.08 percent *in the first year* and 1.04 percent *in the second year* for the teacher retiree health insurance credit.

C.1. The Director of the Department of Planning and Budget shall withhold and transfer general fund amounts estimated at ~~\$12,039,214~~ *\$15,339,402* the first year and ~~\$12,559,658~~ *\$37,540,615* the second year from the appropriations of state agencies and institutions of higher learning to this Item, representing savings from changes in the contribution rates for state employee benefits as provided for in paragraph B of this Item.

2. The Director of the Department of Planning and Budget shall withhold and transfer general fund amounts estimated at \$78,931 the first year and \$78,931 the second year from the appropriations of the Compensation Board for reimbursements to Constitutional Officers to this Item, representing savings from changes in the contribution rates for VRS benefits as provided for in paragraph B of this Item.

3. The Director of the Department of Planning and Budget shall withhold and transfer general fund amounts estimated at \$17,444,188 the first year and \$18,152,017 the second year from Item 140 of this act and transfer to this item, representing the savings that will be realized from the application of the contribution rates for public teachers included in paragraph B of this Item.

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*D.1 Notwithstanding any provision to the contrary, any references to a period of 14 days or a period of 28 days in §§ 51.1-1111, -1112, -1122, and -1123 of the Virginia Sickness and Disability Program (VSDP) are hereby changed to a period of 45 days. Moreover, the period of 45 days shall be consecutive days that the participating employee is (i) actively at work and (ii) fully released to return to work full time, full duty. The Virginia Retirement System shall develop policies and procedures to administer the effects of the 45-day period in connection with participants who are deemed to have a major chronic condition.*

*2. Notwithstanding any provision to the contrary, any eligible employee commencing employment or re-employment on or after July 1, 2009, shall not be entitled to receive Virginia Sickness and Disability Program benefits under Article 3, Chapter 11 of Title 51.1 (Nonwork Related Disability Benefits) until the employee completes one continuous year of active employment or re-employment.*

*3. Notwithstanding any provision to the contrary, for all eligible employees commencing employment or re-employment on or after July 1, 2009, short-term disability coverage under the Virginia Sickness and Disability Program shall provide income replacement for no more than 60 percent of a participating employee's creditable compensation for the first 60 months of continuous state service after employment or re-employment.*

*4. The Director of the Department of Planning and Budget shall withhold and transfer general fund amounts of \$1,279,000 the second year from the appropriations of state agencies and institutions of higher learning to this item, representing savings from reduced expenditures for short-term disability benefits pursuant to the policy changes authorized in this item.*

*E. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System (VRS) the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia. Instead, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to VRS beginning with the June 30, 2009 actuarial valuation.*

473.	Payments for Special or Unanticipated Expenditures (75800) .....			\$22,956,806	\$43,016,406
				\$26,877,525	\$2,414,250
	Miscellaneous Contingency Reserve Account (75801) .....	\$1,500,000	<del>\$1,500,000</del>		
			\$300,000		
	Economic Development Assistance (75804) .....	\$3,300,000	<del>\$11,400,000</del>		
			\$0		
	Base Realignment and Closure Assistance (75805) .....	\$7,500,000	<del>\$19,500,000</del>		
			\$0		
	Undistributed Support for Designated State Agency Activities (75806) .....	<del>\$10,656,806</del>	<del>\$10,616,406</del>		
		\$14,577,525	\$2,114,250		
	Fund Sources: General .....	<del>\$22,956,806</del>	<del>\$43,016,406</del>		
		\$26,877,525	\$2,414,250		

Authority: Discretionary Inclusion.

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

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would

ITEM 473.	Item Details(\$)		Appropriations(\$)	
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otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the State Lottery Department, Virginia College Savings Plan, and the Virginia Office for Protection and Advocacy;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These indemnity payments will compensate growers, producers, and owners for a portion of the difference between the appraised value of each animal destroyed or slaughtered or animal product destroyed in order to control or eradicate an animal disease outbreak and the total of any salvage value plus any compensation paid by the federal government.

D. Out of the appropriation for this Item is included \$1,200,000 ~~each year~~ *in the first year* from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

1. To address the six conditions listed in § 4-1.03 c 5 of this act.

2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities and services which cannot be absorbed within agency appropriations to include unbudgeted benefits associated with Workforce Transition Act requirements.

3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.

4. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.

5. In addition, if the amounts appropriated in this item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to \$1,000,000 in the first year and \$1,000,000 in the second year from the general fund amounts appropriated for the Governor's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.4. of this item.

6. To make additional payments to public institutions of higher education pursuant to Item 467 of this Act, up to a maximum of \$1,000,000, in the event that amounts appropriated for that purpose are insufficient.

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7. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.

E. Included in this appropriation is \$300,000 each year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 56, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 56, Paragraph B of this act.

F. Any unexpended balance remaining in this Item on June 30, 2009, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the current biennium. Any unexpended balance remaining in this Item on June 30, 2010, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.

G. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.

H.1. Out of the appropriation for this Item, \$7,500,000 in the first year ~~and \$19,500,000 the second year~~ from the general fund is included to assist impacted localities in funding needs associated with the implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC) which were subsequently agreed to by the President and the United States' Congress. Grants allocated from this appropriation shall be aimed at fostering collaborative efforts among state agencies, local governments and regional entities to address quantifiable costs or impacts resulting from specific actions to implement the recommendations of the BRAC or to protect the Commonwealth's strategic, homeland security, and economic interests in response to such implementation and similar actions. Individual grants may be for either operating or capital expenses but shall be matched by either cash or in-kind contributions. Moreover, no grant shall be used to supplant funding currently provided by other levels of government or by private sources. *The Governor shall restore \$19,500,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.*

2. Notwithstanding 1.B of Chapter 266 of the 2006 Acts of Assembly, any locality in which a United States Navy Master Jet Base is located may use state and local funds set aside for this purpose and administered by the Virginia National Defense Industrial Authority to mitigate adverse affects on any military operations caused by the encroachment of incompatible land uses.

3. The Governor shall approve all grants from this appropriation based on a written evaluation of the proposals received. The evaluation shall be prepared by staff from the Office of Commonwealth Preparedness, the Office of the Secretary of Commerce and Trade, the Office of the Secretary of Finance and the Virginia National Defense Industrial Authority, and among other factors, shall consider the significance of the impact being addressed, the likelihood that the proposal will achieve its intended objective, and the amount and type of commitment to match state funds. In allocating state funds, priority shall be given first to any locality in which a United States Navy Master Jet Base is located, to assist in the retention of the Defense Advanced Research Projects Agency to assist in improvements resulting from the expansion of Fort Lee, and then to proposals which have regional impact. From the amounts provided in paragraph H.1. of this item, \$10,000,000 in the second year shall be provided to assist in the retention of DARPA and \$2,000,000 in the second year shall be provided for improvements related to the expansion of Fort Lee. The Governor shall notify the chairmen of the House Appropriations Committee and the Senate Finance Committee of the recipient and the purpose of each approved grant at least 15 days prior to the actual distribution of funds.

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I. It is the intent of the General Assembly to fulfill the commitment made to provide incentive payments for the location of a research-related entity in accordance with the time frames set out in § 2.2-2240.1 D, Code of Virginia.

J. Out of the appropriation for this Item, the Governor is authorized to expend \$1,300,000 the first year ~~and \$9,400,000 the second year~~ from the general fund to provide an incentive for the location of an aerospace engine manufacturer to the Commonwealth. *The Governor shall restore \$9,400,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.*

~~K.1. Out of the appropriation for this Item, \$1,151,352 in the first year and \$1,110,952 in the second year from the general fund is provided for the increased cost of rent payments for state agencies under the Department of General Services rent plan at the Seat of Government.~~

21. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies and between agencies as required, based upon new rental rates approved by the Joint Legislative Audit and Review Commission.

L. Out of the appropriation for this Item, up to ~~\$9,505,454~~ *\$13,005,454* the first year ~~and \$9,505,454 the second year~~ from the general fund is provided to state agencies for costs incurred as the result of ~~new changes to decentralized services and other~~ rates for information technology services charged by the Virginia Information Technologies Agency. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies based upon information provided by the Virginia Information Technologies Agency. Also, the Director, Department of Planning and Budget, is authorized to transfer funds between Executive Branch agencies based on these ~~new~~ decentralized rates approved by the Joint Legislative Audit and Review Commission. Transfers may be made if current funding exceeds actual charges.

M. Out of the general fund appropriation for this Item, the Governor is authorized to expend \$2,000,000 the first year ~~and \$2,000,000 the second year~~ to provide an incentive for the location of a research-related entity in accordance with § 2.2-2240.1, Code of Virginia. *The Governor shall restore \$2,000,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.*

N. *Out of the general fund appropriation for this Item in the second year, the Director, Department of Planning and Budget, is authorized to transfer \$376,280 to the impacted agencies listed in this paragraph. These amounts, previously transferred from the agencies, cover costs of services for the payroll services bureau operated by the Department of Accounts. Beginning in the second year the payroll services bureau will be an internal service fund and the agencies will pay for expenses incurred in processing payroll.*

Agency Name	FY 2010
Supreme Court of Virginia	\$22,946
Department of Emergency Management	\$11,359
Department of Human Resource Management	\$6,928
State Board of Elections	\$3,508
Virginia Information Technologies Agency	\$3,491
Virginia Commission for the Arts	\$618
Compensation Board	\$2,665
Department of Taxation	\$133,271
Department for the Aging	\$1,637
Department of Housing and Community Development	\$12,618
Department of Labor and Industry	\$13,701
Department of Education	\$21,477
Library of Virginia	\$19,745
Department of Minority Business Enterprise	\$970
Department of Business Assistance	\$5,191

ITEM 473.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Department of Historic Resources</i>		\$3,956		
<i>Department of Medical Assistance Services</i>		\$23,544		
<i>Department of Correctional Education</i>		\$96,385		
<i>Virginia Enterprise Applications Program</i>		\$206		
<i>Commonwealth's Attorneys' Services Council</i>		\$1,030		
<i>Department of Fire Programs</i>		\$13,980		
		<b>\$376,280</b>		

*O. The Director of the Department of Planning and Budget is authorized to transfer amounts totaling \$1,572,071 in the first year and \$1,737,970 in the second year to Items 1, 5, 6, 29 and 51 to fund their portion of the increased charges to legislative branch agencies and the Governor's office from the Department of General Services for the Maintenance and Operation of the Capitol and the General Assembly Building.*

474. A. The Oil Overcharge Expendable Trust Fund shall be established on the books of the Comptroller and the interest earned by investment of funds credited to the Oil Overcharge Expendable Trust Fund shall be allocated to such fund periodically. This fund represents the Commonwealth's proportionate share of the recoveries from the Exxon Corporation, Diamond Shamrock Refining and Marketing Company, Stripper Well and the Texaco Corporation litigations, for petroleum pricing violations between 1973 and 1981.

B.1. Any expenditure involving oil overcharges by the Exxon Corporation shall be utilized according to regulations and procedures of the five state energy conservation and benefits programs specified in the Warner Amendment (Section 155, P.L. 97-377) to provide restitution to the broad class of parties injured by the alleged overcharges. These programs are:

a. Low Income Home Energy Assistance Program, 42 U.S.C. § 8621 et seq.

b. State Energy Conservation Program, 42 U.S.C. § 6321 et seq.

c. Energy Extension Service, 42 U.S.C. § 7001 et seq.

d. Institutional Conservation Program, 42 U.S.C. § 6371 et seq.

e. Weatherization Assistance Program, 42 U.S.C. § 6861 et seq.

2. Any expenditure involving oil overcharges from the approved settlement In Re: The Department of Energy Stripper Well Litigation (MDL No. 378) or the approved settlement in the case of the Diamond Shamrock Refining and Marketing Company (Civil Action No. C2-84-1432) shall be utilized to fund one or more energy-related programs which are designed to benefit, directly or indirectly, consumers of petroleum products. These programs shall be limited to:

a. Administration and operation of the five energy conservation and benefit programs specified under the Warner Amendment (Section 155, P.L. 97-377),

b. Those programs approved by the U.S. Department of Energy's Office of Hearings and Appeals in Subpart V Refund Proceedings,

c. Those programs referenced in the Chevron consent order (46 FR 52221), and

d. Such other restitutionary programs approved by the District Court or the U.S. Department of Energy's Office of Hearings and Appeals.

C. Before appropriations to the Oil Overcharge Expendable Trust Fund can be expended, approval for the use of the funds must be obtained from the United States Department of Energy. Applications to the United States Department of Energy must be made through the Department of Mines, Minerals and Energy.

D. The Governor shall submit such statements and reports as are required by court orders, settlements, or the Departments of Energy or Health and Human Services regarding use(s) of these funds and shall also report annually to the Chairmen of the House Appropriations and Senate Finance Committees on the activities funded by transfers from this Item.



ITEM 475.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
475.	Two Year College Transfer Grant (11500) .....			\$300,000	\$1,800,000
	Fund Sources: General .....	\$300,000	\$1,800,000		
	A. Out of the appropriation for this item, the Director, Department of Planning and Budget shall transfer \$300,000 the first year and \$1,800,000 the second year to the State Council of Higher Education for Virginia for the Two-Year College Transfer Grant Program.				
	B. Once such funds are transferred, the State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with the provisions of Chapter 850 and Chapter 899, 2007 Acts of Assembly.				
475.10.	Miscellaneous Reversion Clearing Account (22600) .....			<del>(\$17,500,000)</del>	<del>(\$17,500,000)</del>
	Designated Reversions From Agency Appropriations (22601) .....	<del>(\$17,500,000)</del>	<del>(\$17,500,000)</del>	<del>(\$32,599,579)</del>	<del>(\$15,094,279)</del>
	Fund Sources: General .....	<del>(\$17,500,000)</del>	<del>(\$17,500,000)</del>		
		<del>(\$32,599,579)</del>	<del>(\$15,094,279)</del>		

Authority: Discretionary Inclusion.

A.1. The head of each agency in the Executive Department, except for the institutions of higher education, shall develop a plan for achieving increased productivity or budgetary savings during the 2008-2010 biennium to be submitted to the Governor no later than August 1, 2008. Such plans shall not include savings based on reductions in the nonpersonal service appropriations for transfer payments (aid to localities) subject to budget reductions in Item 475.20 of this act. The plan shall be in such form as prescribed by the Governor.

2. Upon approval of the plan by the Governor, general fund savings identified by these plans estimated at \$17,500,000 the first year and \$17,500,000 the second year shall be transferred to this item by the Director, Department of Planning and Budget. Any agency general fund appropriations unexpended on June 30, 2008, that state agencies identify to the Director, Department of Planning and Budget, prior to June 2, 2008, may be reappropriated to state agencies for use to offset these savings. To qualify for this purpose, such unexpended appropriations identified by state agencies must be discretionary in nature and cannot result from unexpended pass through funding to entities outside of state government, including aid to local government payments.

*B. Notwithstanding Section 2.2-2813, Code of Virginia, or any other provision of law, effective July 1, 2009, executive branch agencies shall not pay per diems to citizen members of boards or commissions. In the second year, the Director, Department of Planning and Budget, shall transfer \$77,022 from agencies' general fund appropriation to this Item to reflect this purpose.*

*C.1 The Governor shall develop guidelines for the Executive Branch and Administrative Agencies to decrease the need for printed materials, particularly those well-suited for electronic distribution on the internet. Beyond a limited number for senior decision makers in the Executive, Legislative, and Judicial branches of government, all annual or special reports will be made electronically available on the internet and not printed. Within guidelines established by the Governor, there shall be business case exceptions for departments and agencies in the executive branch to request exceptions for those documents that are essential to the public and must be, given their nature and general use, made available in a printed format. The intent of the General Assembly is, to the fullest extent possible, to make documents available to the general public on the internet and reduce the cost associated with printing those documents. The Governor will report to the Chairmen of the House Appropriations Committee and the Senate Finance Committee a plan to implement this provision within 30 days of enactment and issue guidelines for the implementation of the plan with 60 days of enactment.*

2. General fund savings realized through reduced printing expenditures, estimated at \$200,000 in the first year and \$500,000 the second year shall be transferred to this item by the Director of the Department of Planning and Budget.

ITEM 475.20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
475.20.	Reversion Clearing Account - Aid to Local Governments (23400).....			(\$50,000,000)	(\$50,000,000)
	Fund Sources: General.....	(\$50,000,000)	(\$50,000,000)		
	Authority: Discretionary Inclusion.				
	<p>A. The purpose of this item is to capture savings in state aid to local government programs in a manner that provides localities flexibility in how such savings are implemented. This reversion is necessary as a result of the downward adjustment in general fund revenues caused by the slowing of the Virginia economy.</p> <p>B. Within 30 days after enactment of this act, the Director of the Department of Planning and Budget, shall provide the chief operating officer of each city and county in the Commonwealth a list of certain state aid to local government programs along with an estimate of the general fund amount for each program that each county and city could expect to receive from the state during each year of the biennium. The total amount listed for these programs will serve as the basis for calculating the savings apportioned to each city and county for this item. The savings apportionment will be equal to the percentage of the aggregate general fund amount for all of these state aid programs in each city and county totaling \$50,000,000 in each year.</p> <p>C. Each city and county in the Commonwealth shall have flexibility in determining how it will implement the savings apportioned to it. Each city or county can choose to (1) take the total savings out of one program included on the list provided by the Department of Planning and Budget, (2) reduce multiple state aid programs on a proportional basis or by a specified percentage reduction, or (3) reimburse the Commonwealth in aggregate for their share of the savings, thereby keeping the state aid programs at an unreduced level. Each locality may also use number 3 above in combination with 1 or 2. The governing body of each city or county shall make its selection and certify its choice to the Director, Department of Planning and Budget, by August 30, 2008. Within 10 days of receipt, the Director, Department of Planning and Budget, shall review such certification for accuracy to ascertain that the required savings apportioned to the city or county are obtainable using the selection(s) submitted on the certification. Unless, the Director, Department of Planning and Budget, finds a certification to include savings that are not obtainable or sustainable, the certification shall be approved and implemented without further delay. In the event that a city or county has not submitted or obtained an approved certification by October 1, 2008, the Director, Department of Planning and Budget, is hereby authorized to withhold an amount equivalent to the savings apportioned to the affected city or county from the aid to local government programs that the Director determines are most discretionary and represent general purpose aid to the local government in question before he begins to withhold any funds from categorical grants serving a particular functional area or public service. The Director, Department of Planning and Budget, shall notify the affected locality of his decision in this regard and such decision shall remain in force unless it is superseded by the subsequent approval of a certification for the affected city or county after October 1, 2008.</p> <p>D. The savings in state aid to local government programs identified by each city or county on their approved certification (or by the Director, Department of Planning and Budget, in absence of an approved certification) shall be transferred from the other items where such amounts are appropriated in this act to offset the reversion amount listed in this item. Payments from local governments electing to use option (3) above in paragraph C shall be deposited to a suspense account which shall be administered pursuant to § 3-1.03 Y. of this act.</p>				
475.25.	Transition Support (70800) .....			\$0	\$628,965
	Fund Sources: General.....	\$0	\$628,965		
	Authority: Discretionary Inclusion.				
	A.1. The Commonwealth's financial support for the transition is \$508,100 to be allocated as follows:				

ITEM 475.25.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

	<b>FY 2010</b>
Office of the Governor	\$353,600
Office of the Lieutenant Governor	\$67,100
Office of the Attorney General	\$87,400

2. Included in this Item is \$403,965 the second year from the general fund for transition support. In addition, the Department of General Services shall fund \$104,135 of the transition costs from the rent plan at the seat of government.

3. The allocation to agencies performing the transition support will be based on a plan approved by the Director, Department of Planning and Budget.

B. Included in this Item is \$225,000 the second year from the general fund to be transferred to the Department of General Services to support anticipated costs for the inauguration on January 16, 2010. Funds shall be allocated based on a plan approved by the Director, Department of Planning and Budget.

475.50. A. General Conditions:

1. The Governor is hereby authorized to allocate sums from this item to state agencies and institutions of higher education pursuant to the American Recovery and Reinvestment Act of 2009, subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Any unexpended balance remaining in the item as of June 30, 2009, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the succeeding fiscal year. Any unexpended balance remaining in this item on June 30, 2010, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.

3. Records Management and Reporting

a. Agencies receiving funds from the item shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving funds from this item shall comply with all federal reporting requirements for the receipt of any funds from the American Recovery and Reinvestment Act of 2009 and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving funds from this item shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

4. The Governor shall submit a quarterly report to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made from this item.

B. Apportionment

1. The following table represents the estimated potential revenues to be received from the federal distributions of the American Recovery and Reinvestment Act:

Medicaid - Federal Medicaid Assistance Percentage	\$1,284,768,015
Medicaid - Disproportionate Share Hospitals	\$4,344,643
Foster Care and Adoption	\$13,360,349
Immunization	\$5,621,650
Fiscal Stabilization - Education	\$983,865,903

ITEM 475.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Fiscal Stabilization - General</i>				\$218,904,149
<i>Title 1 - Grants to Local Education Authorities</i>				\$165,311,666
<i>Title 1 - School Improvement</i>				\$47,913,000
<i>Part B of the IDEA - Special Education</i>				\$281,415,033
<i>Part B of the IDEA - Preschool Special Education</i>				\$9,470,492
<i>Part C of the IDEA - Early Intervention Services</i>				\$10,265,580
<i>Educational Technology</i>				\$10,801,292
<i>Education for Homeless</i>				\$1,009,000
<i>Work Study</i>				\$3,743,333
<i>Vocational Rehabilitation</i>				\$11,601,624
<i>Independent Living</i>				\$342,443
<i>Highways and Bridges</i>				\$694,461,000
<i>Transit Capital Grants - Urban</i>				\$93,340,956
<i>Transit Capital Grants - Rural</i>				\$18,555,163
<i>Rail Modernization - Fixed Guideway</i>				\$4,209,386
<i>Drinking Water State Revolving Fund</i>				\$20,761,000
<i>Clean Water State Revolving Fund</i>				\$80,826,900
<i>Weatherization</i>				\$96,931,634
<i>State Energy Program</i>				\$69,266,744
<i>Emergency Food and Shelter</i>				\$1,247,314
<i>The Emergency Food Assistance Program</i>				\$1,704,161
<i>Food Stamp Administration</i>				\$5,300,000
<i>School Lunch Equipment</i>				\$2,194,703
<i>Elderly Nutrition</i>				\$3,029,000
<i>CCDF Childcare</i>				\$37,892,000
<i>Head Start</i>				\$11,179,767
<i>Community Services Block Grant</i>				\$16,009,000
<i>Public Housing Capital Fund</i>				\$51,212,000
<i>Community Development Block Grant - Entitlement</i>				\$11,311,643
<i>Community Development Block Grant - Non-Entitlement</i>				\$5,331,340
<i>HOME Investment Partnerships Program</i>				\$44,189,767
<i>Homelessness Prevention</i>				\$24,934,000
<i>Crime Victims Assistance Grants</i>				\$1,013,000
<i>Crime Victims Compensation</i>				\$345,687
<i>Internet Crimes Against Children</i>				\$1,901,510
<i>Violence Against Women</i>				\$5,516,971
<i>Byrne Justice Assistance Grant</i>				\$39,369,013
<i>Unemployment Insurance Administration</i>				\$13,737,000
<i>Employment Service</i>				\$8,596,000
<i>Community Service for Older Americans</i>				\$2,570,474
<i>Workforce Investment Act - Adult</i>				\$5,280,438
<i>Workforce Investment Act - Youth</i>				\$13,113,750
<i>Dislocated Workers</i>				\$13,564,389
<i>Food Stamp Benefits</i>				\$355,000,000
<i>Child Support Enforcement</i>				\$40,400,000
<b>TOTAL</b>				<b>\$4,847,033,882</b>

2. The appropriation in this item includes an amount estimates at \$368,795,338 the first year and \$593,665,047 the second year from federal funds to be distributed to the Department of Medical Assistance Services for payment Medicaid expenses from the Medicaid - Federal Medicaid Assistance Percentage and the Medicaid - Disproportionate Share Hospitals funds cited in paragraph B.1. above.

3. The appropriation in this item includes an amount estimated at \$365,187,984 the second year from federal funds to be distributed to the Department of Education - Direct Aid to Public Education (Item 141) for payment to local school divisions from the Fiscal Stabilization - Education fund cited in paragraph B.1. above.

4. a. The appropriation in this item includes an amount estimated at \$126,744,967 the second year from federal funds to be distributed to the educational and general program at institutions of higher education from the Fiscal Stabilization - Education fund cited in paragraph B.1. above.

ITEM 475.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*b. Allocations for institutions of higher education from the Fiscal Stabilization - Education fund cited in paragraph B.1. above are as follows:*

<i>Institution</i>	<i>Amount</i>
<i>Christopher Newport University</i>	<i>\$3,492,779</i>
<i>Virginia Community College System</i>	<i>\$19,406,739</i>
<i>George Mason University</i>	<i>\$10,912,431</i>
<i>James Madison University</i>	<i>\$7,301,608</i>
<i>Longwood University</i>	<i>\$3,169,668</i>
<i>Virginia Institute of Marine Science</i>	<i>\$660,246</i>
<i>Norfolk State University</i>	<i>\$4,230,688</i>
<i>Old Dominion University</i>	<i>\$12,787,803</i>
<i>Radford University</i>	<i>\$5,482,461</i>
<i>Richard Bland College</i>	<i>\$343,420</i>
<i>University of Mary Washington</i>	<i>\$2,387,643</i>
<i>University of Virginia</i>	<i>\$10,722,655</i>
<i>University of Virginia's College at Wise</i>	<i>\$1,618,522</i>
<i>Virginia Commonwealth University</i>	<i>\$20,541,737</i>
<i>Virginia Military Institute</i>	<i>\$1,242,513</i>
<i>Virginia State University</i>	<i>\$1,305,733</i>
<i>Virginia Polytechnic Institute and State University</i>	<i>\$17,322,599</i>
<i>The College of William and Mary in Virginia</i>	<i>\$3,815,722</i>

*c. 1) Consistent with the provisions of the Section 14004 (a), Title XIV of the American Recovery and Reinvestment Act of 2009, it is the intent of the General Assembly that funding in this item is to mitigate the need to raise tuition on in-state students at public colleges and universities. By October 1, 2009, the State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees the educational and general program tuition and fee increases at each higher education institution for fiscal year 2010 including an estimate of additional revenue generated from these increases by student type and domicile.*

*2) The State Council of Higher Education for Virginia and the Director, Department of Planning and Budget shall inform each Board of Visitors on the requirements of Title XIV of the American Recovery and Reinvestment Act of 2009. The tuition actions of each Board of Visitors will be incorporated in the report submitted to the Secretary of Education required under Section 14008 (6), Title XIV of the American Recovery and Reinvestment Act of 2009.*

*3) The Governor and the General Assembly will review the actions of the Board of Visitors of each college or university concerning tuition and fees and other relevant information in accordance with the objectives and requirements of Title XIV of the American Recovery and Reinvestment Act of 2009 or regulation thereto.*

*5. The appropriation in this item includes an amount estimated at \$109,452,074 in the second year from federal funds contained in the Fiscal Stabilization - General fund cited in paragraph B.1. above. This appropriation shall be distributed to the items and purposes prescribed below:*

<i>Item C-14.40, Luter School of Business, for the purpose of advancing capital projects to full planning</i>	<i>\$1,100,230</i>
<i>Item C-19.15, Integrated Science Center Phase III, for the purpose of advancing capital projects to full planning</i>	<i>\$2,200,230</i>
<i>Item C-39.15, Duke Hall, for the purpose of advancing capital projects to full planning</i>	<i>\$1,100,230</i>
<i>Item C-61.50, Ruffner Hall, for the purpose of advancing capital projects to full planning</i>	<i>\$1,100,230</i>
<i>Item C-91.10, Engineering Signature Building, for the purpose of advancing capital projects to full planning</i>	<i>\$1,100,230</i>
<i>Item C-177.20, for the purpose of capital planning</i>	<i>\$4,450,000</i>
<i>Item C-0, for the purpose of project detailed planning</i>	<i>\$16,650,000</i>
<i>Item 361 G, for the purpose of Best Management Practices</i>	<i>\$5,200,000</i>
<i>Item 254, for the purpose of the Commonwealth Technology Research Fund</i>	<i>\$1,000,000</i>
<i>Item 470, for the purpose of the Virginia Tobacco Settlement Fund</i>	<i>\$7,309,000</i>

ITEM 475.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Item 110, for the purpose of the Fort Monroe Federal Area Development Authority</i>			\$1,556,934	
<i>Item 361 G, for the purpose of Best Management Practices</i>			\$10,000,000	
<i>Item 473 H, for the purpose of the Base Realignment and Closure Commission</i>			\$19,500,000	
<i>Item 473 I, for the purpose of Rolls Royce incentive package</i>			\$9,400,000	
<i>Item 105, for the purpose of the Governor's Opportunity Fund</i>			\$588,945	
<i>Item C-181.20, for the purpose of capital improvements</i>			\$4,000,000	
<i>Item 473 M, for the purpose of SRI International</i>			\$2,000,000	
<i>Item 277, for the purpose of regional jail reimbursement</i>			\$2,633,289	
<i>Item 105, for the purpose of investment performance grants</i>			\$1,562,756	
<i>Item 362, for the purpose of the Virginia Land Conservation Fund</i>			\$2,000,000	
<i>Item C-0, for the purpose of building maintenance at state agencies and institutions of higher education</i>			\$15,000,000	
 6. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department for the Aging for elderly nutritional services from the amounts cited in paragraph B.1. above.				
 7. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Health from the Drinking Water State Revolving Fund cited in paragraph B.1. above.				
 8. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Mental Health, Mental Retardation and Substance Abuse Services for early intervention services from Part C of the Individuals with Disabilities Education Act of 2004 cited in paragraph B.1. above.				
 9. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Rehabilitative Services for independent living services cited in paragraph B.1. above.				
 10. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Rehabilitative Services for vocational rehabilitation services cited in paragraph B.1. above.				
 11. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Social Services for child support enforcement cited in paragraph B.1. above.				
 12. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Social Services for child care services from the Child Care and Development Block Grant cited in paragraph B.1. above.				
 13. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Social Services for food stamp benefits cited in paragraph B.1. above.				
 14. The appropriation in this item includes amounts estimated from federal funds to be distributed to the Department of Social Services from the Community Services Block Grant cited in paragraph B.1. above.				
 15. The appropriation in this item includes an amount estimated at \$23.3 million the second year from federal funds to be distributed to the Compensation Board for Sheriff's Offices from the Byrne Justice Assistance Grant cited in paragraph B.1. above.				
 16. It is the intent of the General Assembly that the Commonwealth maximize use of the funds available from the American Recovery and Reinvestment Act of 2009. The Governor shall take all actions necessary to ensure that applications for funds are submitted and that funds are received in a timely manner. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law. To the extent that such funds are not appropriated in and distributed from the legislative appropriation in this item, the Governor shall authorize such appropriation in accordance with the provisions of this act and shall make such a transfer or distributions as necessary to ensure the appropriate and timely use of the available federal funds. All such transactions to				

ITEM 475.50.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>create or increase an appropriation or to transfer an appropriation pursuant to the American Recovery and Reinvestment Act of 2009 shall be reported to the Chairmen of the House Appropriations Committee and the Senate Finance Committee on a quarterly basis.</i>				
Total for Central Appropriations .....			<b>\$1,009,614,744</b> <b>\$951,407,772</b>	<b>\$1,095,098,176</b> <b>\$916,791,545</b>
Fund Sources: General .....	\$918,183,315	\$1,003,480,166		
	\$856,578,586	\$823,054,992		
<i>Higher Education Operating</i> .....	\$3,397,757	\$2,118,543		
Trust and Agency .....	\$91,431,429	\$91,618,010		
TOTAL FOR CENTRAL APPROPRIATIONS .....			<b>\$1,009,614,744</b> <b>\$951,407,772</b>	<b>\$1,095,098,176</b> <b>\$916,791,545</b>
Fund Sources: General .....	\$918,183,315	\$1,003,480,166		
	\$856,578,586	\$823,054,992		
<i>Higher Education Operating</i> .....	\$3,397,757	\$2,118,543		
Trust and Agency .....	\$91,431,429	\$91,618,010		
TOTAL FOR EXECUTIVE DEPARTMENT .....			<b>\$36,719,429,448</b> <b>\$36,145,536,709</b>	<b>\$37,389,237,325</b> <b>\$36,913,787,134</b>
General Fund Positions .....	51,983.07	51,995.07		
	50,887.84	50,808.06		
Nongeneral Fund Positions .....	59,032.98	59,209.98		
	58,358.89	58,299.39		
Position Level .....	111,016.05	111,205.05		
	109,246.73	109,107.45		
Fund Sources: General .....	\$16,492,050,605	\$17,012,730,431		
	\$15,715,910,870	\$15,367,635,003		
Special .....	\$1,736,493,775	\$1,726,102,196		
	\$1,742,903,973	\$1,755,585,895		
Higher Education Operating .....	\$5,478,504,048	\$5,674,622,127		
	\$5,517,810,512	\$5,836,847,036		
Commonwealth Transportation .....	\$4,128,209,305	\$3,972,350,369		
	\$3,751,348,003	\$3,571,326,817		
Enterprise .....	\$720,719,403	\$735,219,403		
	\$723,419,403	\$737,919,403		
Trust and Agency .....	\$1,897,688,791	\$1,846,525,403		
	\$1,900,644,766	\$2,186,891,552		
Debt Service .....	\$246,595,305	\$257,254,247		
	\$261,366,959	\$276,382,822		
Dedicated Special Revenue .....	\$789,444,413	\$783,737,509		
	\$805,359,571	\$808,222,490		
Federal Trust .....	\$5,229,723,803	\$5,380,695,640		
	\$5,726,772,652	\$6,372,976,116		

ITEM 476.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

## INDEPENDENT AGENCIES

## § 1-133. STATE CORPORATION COMMISSION (171)

476.	Regulation of Business Practices (55200) .....			\$57,353,267	\$56,424,577
	Corporation Commission Clerk's Services (55203) .....	\$9,978,943	\$9,129,340		
	Regulation of Investment Companies, Products and Services (55210) .....	\$7,309,726	\$6,910,835		
	Regulation of Financial Institutions (55215) .....	\$14,333,044	\$14,128,204		
	Regulation of Insurance Industry (55216) .....	\$25,731,554	\$26,256,198		
	Fund Sources: Special .....	\$57,353,267	\$56,424,577		

Authority: Article IX, Constitution of Virginia; Title 8.9A, Part 4; Title 12.1, Chapter 4; Title 13.1; Title 55, Chapter 6, Article 6; Title 56, Chapter 15, Article 5; Title 58.1, Chapter 28; Title 59.1, Chapter 6.1, Code of Virginia; Title 13.1, Chapter 3.1; Title 38.2; Title 58.1, Chapter 25; and Title 65.2, Chapter 8, Code of Virginia.

Out of the amounts appropriated to this Item, the Commission is authorized to expend an amount not to exceed \$10,000 the first year and \$10,000 the second year for the payment of annual membership dues to the National Conference of Insurance Legislators.

477.	Regulation of Public Utilities (56300) .....			\$21,688,777	<del>\$22,617,467</del> \$23,007,467
	Regulation of Telecommunications Companies (56301) .....	\$3,753,582	\$3,966,610		
	Regulatory Accounting and Policy Issues (56302) .....	\$3,421,408	\$3,554,192		
	Public Utility Economics and Finance (56303) .....	\$2,377,461	\$2,482,434		
	Utility Safety (56304) .....	\$3,812,547	<del>\$3,817,503</del> \$4,684,987		
	Regulation of Energy Companies (56305) .....	\$5,309,544	\$5,699,538		
	Valuation and Taxation of Public Service Companies (56306) .....	\$3,014,235	<del>\$3,097,190</del> \$2,619,706		
	Fund Sources: Special .....	\$20,440,277	<del>\$21,341,245</del> \$21,230,916		
	Dedicated Special Revenue .....	\$1,248,500	<del>\$1,276,222</del> \$1,776,551		

Authority: Title 56, Chapter 10, Code of Virginia.

478.	Distribution of Fees From and to Regulated Entities and Localities (56400) .....			\$14,090,346	\$14,128,386
				\$7,246,687	\$6,856,941
	Distribution of Uninsured Motorist Fee (56401) .....	<del>\$13,574,250</del> \$6,730,591	<del>\$13,612,290</del> \$6,340,845		
	Distribution of Rolling Stock Taxes (56402) .....	\$516,096	\$516,096		
	Fund Sources: Trust and Agency .....	<del>\$14,090,346</del> \$7,246,687	<del>\$14,128,386</del> \$6,856,941		

Authority: § 58.1-2652, Code of Virginia.

479.	Administrative and Support Services (59900) .....			\$0	\$0
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Authority: Article IV, Section 14 and Article IX, Constitution of Virginia; Title 12.1, Code of Virginia.

A. Operational costs for this program shall be paid solely from charges to agency programs.



ITEM 479.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>B. Out of the amounts for this Item, shall be paid the annual salary of the chairman, \$160,409 from July 1, 2008, <del>to November 24, 2008, \$163,617 from November 25, 2008, to November 24, 2009, and \$166,889 from November 25, 2009, to June 30, 2010,</del> and for the other two Commissioners of the State Corporation Commission, each at \$158,652 from July 1, 2008, <del>to November 24, 2008, \$161,825 from November 25, 2008, to November 24, 2009, and \$165,062 from November 25, 2009, to June 30, 2010.</del></p> <p>C. Notwithstanding the provisions of § 13.1-775 1 A of the Code of Virginia, the State Corporation Commission shall continue the following annual registration fees for domestic and foreign corporations to be collected on or after July 1, 2008. The new annual rates shall be one hundred dollars for every foreign and domestic corporation authorized to do business in the Commonwealth whose number of authorized shares is 5,000 shares or less. Any such corporation whose number of authorized shares is more than 5,000 shall pay an annual registration fee of \$100 plus \$30 for each 5,000 shares or fraction thereof in excess of 5,000 up to a maximum of \$1,700. The Commission shall deposit these funds into a special fund and transfer three-fourths of the receipts to the general fund semiannually.</p>				
Total for State Corporation Commission.....			<del>\$93,132,390</del> \$86,288,731	<del>\$93,170,430</del> \$86,288,985
Nongeneral Fund Positions.....	653.00	<del>653.00</del> 658.00		
Position Level .....	653.00	<del>653.00</del> 658.00		
Fund Sources: Special.....	\$77,793,544	<del>\$77,765,822</del> \$77,655,493		
Trust and Agency .....	\$14,090,346	<del>\$14,128,386</del> \$7,246,687		
Dedicated Special Revenue.....	\$1,248,500	<del>\$1,276,222</del> \$1,776,551		
<b>§ 1-134. STATE LOTTERY DEPARTMENT (172)</b>				
480. State Lottery Operations (81100).....			\$79,962,842	\$79,962,842
Regulation and Law Enforcement (81105).....	\$3,047,261	\$3,047,261		
Gaming Operations (81106).....	\$70,275,067	\$70,275,067		
Administrative Services (81107) .....	\$6,640,514	\$6,640,514		
Fund Sources: Enterprise .....	\$79,962,842	\$79,962,842		
Authority: Title 58.1, Chapter 40, Code of Virginia.				
Out of the amounts for State Lottery Operations shall be paid:				
1. Reimbursement for compensation and reasonable expenses of the members of the State Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.				
2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.				
3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.				
481. Disbursement of Lottery Prize Payments (81200) .....			a sum	sufficient
Payment of Lottery Prizes (81201).....		a sum sufficient		
Fund Sources: Enterprise .....		a sum sufficient		
Authority: Title 58.1, Chapter 40, Code of Virginia.				

ITEM 481.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

There is hereby appropriated from affected funds in the state treasury, for payment of prizes awarded by the state lottery and of commissions to lottery sales agents, in accordance with law, a sum sufficient.

Total for State Lottery Department.....			<b>\$79,962,842</b>	<b>\$79,962,842</b>
Nongeneral Fund Positions.....	309.00	309.00		
Position Level .....	309.00	309.00		
Fund Sources: Enterprise .....	\$79,962,842	\$79,962,842		

**§ 1-135. VIRGINIA COLLEGE SAVINGS PLAN (174)**

482.	Investment, Trust, and Insurance Services (72500) a sum sufficient, estimated at .....			\$131,169,197	<del>\$146,354,274</del> \$156,354,274
	Payments to Institutions of Higher Education (72505).....	\$125,000,000	<del>\$140,000,000</del> \$150,000,000		
	Investment Services for Virginia Prepaid Education Program (72506) .....	\$2,867,911	\$2,953,949		
	Investment Services for Virginia Education Savings Trust Program (72507) .....	\$3,301,286	\$3,400,325		
	Fund Sources: Enterprise .....	\$131,169,197	<del>\$146,354,274</del> \$156,354,274		

Authority: Title 23, Chapter 4.9, Code of Virginia.

A. Amounts for Payments to Institutions of Higher Education represent the payment of benefits to postsecondary educational institutions on behalf of program participants, estimated at \$125,000,000 the first year and ~~\$140,000,000~~ \$150,000,000 the second year, to be funded from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

B. Amounts for Payments to Institutions of Higher Education cover the current obligations of the Fund as provided for in Title 23, Chapter 4.9, Code of Virginia.

C. Amounts for Investment Services cover variable or unpredictable costs of the Virginia Prepaid Education Program, estimated at \$2,876,911 the first year and \$2,953,949 the second year, to be funded from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

D. Amounts for Trust Services cover variable and unpredictable costs of the Virginia Education Savings Trust, estimated at \$3,301,286 the first year and \$3,400,325 the second year, to be funded from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

483.	Information Technology Development and Operations (82000) .....			\$1,154,943	<del>\$1,154,943</del> \$1,229,943
	Information Systems Development Services (82004) .....	\$1,154,943	<del>\$1,154,943</del> \$1,229,943		
	Fund Sources: Enterprise .....	\$1,154,943	<del>\$1,154,943</del> \$1,229,943		

Authority: Title 23, Chapter 4.9, Code of Virginia.

The Virginia College Savings Plan is authorized to establish a self-supporting "operational enterprise" fund to account for the revenues and expenditures of providing services to other college savings plans operated under § 529 of the Internal Revenue Code, as amended, at locations outside of the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," revenues from operations performed for programs outside of Virginia shall exceed all direct and indirect costs of providing these services. The board shall set rates charged to meet this requirement and shall set other policies as may be appropriate. Revenues and expenses of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. Revenues in excess of expenses shall be retained in the

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fund to support the entire program. Additionally, revenues that remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.				
484.	Administrative and Support Services (79900).....		\$5,160,133	<del>\$5,268,677</del> \$5,868,677
	General Management and Direction (79901).....	\$5,160,133	<del>\$5,268,677</del> \$5,868,677	
	Fund Sources: Enterprise .....	\$5,160,133	<del>\$5,268,677</del> \$5,868,677	
Authority: Title 23, Chapter 4.9, Code of Virginia.				
	Total for Virginia College Savings Plan.....		<b>\$137,484,273</b>	<b><del>\$152,777,894</del></b> <b>\$163,452,894</b>
	Nongeneral Fund Positions.....	60.00	60.00	
	Position Level .....	60.00	60.00	
	Fund Sources: Enterprise .....	\$137,484,273	<del>\$152,777,894</del> \$163,452,894	
<b>§ 1-136. VIRGINIA RETIREMENT SYSTEM (158)</b>				
485.	Personnel Management Services (70400) .....		<del>\$9,476,951</del> \$9,426,951	<del>\$9,476,951</del> \$9,626,951
	Administration of Retirement and Insurance Programs (70415) .....	<del>\$9,476,951</del> \$9,426,951	<del>\$9,476,951</del> \$9,626,951	
	Fund Sources: General .....	<del>\$78,000</del> \$28,000	<del>\$78,000</del> \$28,000	
	Trust and Agency .....	\$9,398,951	<del>\$9,398,951</del> \$9,598,951	
Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a participation fee to each employer served by the Virginia Retirement System for any services provided pursuant to Title 51.1 of the Code of Virginia. The fee shall be utilized to pay the administrative expenses of all administrative services, including non-retirement programs. Retirement contributions required by the Board shall be reduced to pay such fees in a manner prescribed by the Board of Trustees.				
B. Included in this appropriation is <del>\$78,000</del> \$28,000 each year from the general fund for administrative costs associated with and contribution supplements for the Volunteer Firefighters' and Rescue Squad Workers' Service Award Program.				
C. State agencies and institutions of higher education shall make payments to the Virginia Retirement System for retirement contributions, Virginia Sickness and Disability Program contributions, and retiree healthcare credit contributions on a quarterly basis.				
D. Any person included in the membership of a retirement system provided by Chapter 1 (§ 51.1-124.1 et seq.), 2 (§ 51.1-200 et seq.), 2.1 (§ 51.1-211 et seq.), or 3 (§ 51.1-300 et seq.) of Title 51.1, Code of Virginia, who (i) rendered at least 15 years of total creditable service as a local officer as defined in § 51.1-124.3 or as an employee of a local social services board and (ii) after terminating service as a local officer or employee of a local social service board, was employed by a local government that does not elect to provide a health insurance credit under § 51.1-1402, shall be eligible for the credit provided by § 51.1-1403, provided that the retired employee is participating in a health insurance plan. The Commonwealth shall be charged with the credit as provided for in subsection A of § 51.1-1403. In such case, the health insurance credit shall be determined based upon the amount of state service or service as a local officer or employee of a local social service board, whichever is greater.				

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	<p><i>E.1. In the second year, as an alternative to the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees pursuant to § 51.1-145(I), Code of Virginia, rates paid to the VRS on behalf of employees of participating counties, cities, towns, and local public school divisions may, at each participating employer's option, be based on the results of the June 30, 2007 actuarial valuation of assets and liabilities assuming an investment return of eight percent, a cost of living increase of three percent, and an amortization period of 30 years.</i></p> <p><i>2. Counties, cities, towns, and local public school divisions electing to utilize the optional actuarial assumptions authorized in paragraph E.1 must certify to the board of the Virginia Retirement System by resolution adopted by the local board that they: 1) are electing to exercise such option, and 2) have reviewed and understand the information provided by the Virginia Retirement System outlining the potential future fiscal implications of such election.</i></p> <p><i>3. Prior to electing to utilize the optional actuarial assumptions authorized in paragraph E.1 local public school divisions must receive the concurrence of the local governing body. Such concurrence must be documented by a resolution of the governing body.</i></p> <p><i>4. The board of the Virginia Retirement System shall: 1) provide all counties, cities, towns, and local public school divisions participating in the Virginia Retirement System with a summary of the implications inherent in the use of the actuarial assumptions set out in paragraph E.1., and 2) shall establish minimum fiscal standards for participation in this program of alternative actuarial assumptions that will consider, but not necessarily be limited to, the index of local fiscal stress.</i></p>				
486.	Investment, Trust, and Insurance Services (72500).....			\$18,180,679	\$18,180,679
	Investment Management Services (72504) .....	\$18,180,679	\$18,180,679		
	Fund Sources: Trust and Agency .....	\$18,180,679	\$18,180,679		
	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
	In addition to such other powers as shall be vested in the Board, the Board shall have the full power to invest, reinvest, and manage the assets of the Commonwealth Pre-Medicare Eligible Retiree Health Benefits Trust Fund and the Line of Duty Death and Health Benefits Trust Fund. The Board shall maintain a separate accounting for the assets of these funds.				
487.	Administrative and Support Services (79900).....			\$30,154,167	\$33,629,167
	General Management and Direction (79901).....	\$10,612,231	\$10,612,231		
	Information Technology Services (79902).....	\$19,541,936	\$23,016,936		
	Fund Sources: Trust and Agency .....	\$30,154,167	\$33,629,167		
	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
	Out of the amounts appropriated to this Item, the Director is authorized to expend an amount not to exceed \$25,000 the first year and \$25,000 the second year for expenses commonly borne by business enterprises. Such expenses shall be recorded separately by the agency.				
488.	In the event any political subdivision of the Commonwealth of Virginia participating in the programs administered by the Virginia Retirement System fails to remit contributions or other fees and costs of the programs as duly prescribed, the Board of Trustees of the Virginia Retirement System shall inform the State Comptroller and the participating political subdivision of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the appropriate fund from any non earmarked moneys otherwise distributable to such political subdivision by any department or agency of the state.				
	Total for Virginia Retirement System.....			<b>\$57,811,797</b>	<b>\$61,286,797</b>
				<b>\$57,761,797</b>	<b>\$61,436,797</b>
	Nongeneral Fund Positions.....	296.00	297.00		

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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	300.00	301.00		
Position Level .....	<del>296.00</del>	<del>297.00</del>		
	300.00	301.00		
Fund Sources: General .....	\$78,000	\$78,000		
	\$28,000	\$28,000		
Trust and Agency .....	\$57,733,797	<del>\$61,208,797</del>		
		\$61,408,797		
<b>§ 1-137. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)</b>				
489.	Employment Assistance Services (46200) .....		\$26,772,131	\$23,358,656
			\$27,372,131	\$23,958,656
	Workers Compensation Services (46204) .....	\$26,772,131	\$23,358,656	
		\$27,372,131	\$23,958,656	
	Fund Sources: Dedicated Special Revenue .....	\$26,772,131	\$23,358,656	
		\$27,372,131	\$23,958,656	
Authority: Title 19.2, Chapters 21.1 and 21.2, Code of Virginia.				
<i>Out of the amounts appropriated for this item, \$50,000 the second year is provided for compensation of Kurt E. Beach, a former member of the Smithfield Police Department, for injuries to his health that occurred in the course of his employment. In addition, beginning July 1, 2010, and ending June 30, 2020, additional payments of \$20,000 per year shall be paid to Kurt E. Beach to offset the continuing costs of his health care.</i>				
490.	Financial Assistance for Supplemental Assistance Services (49100) .....		\$5,145,575	\$5,145,575
	Crime Victim Compensation (49104) .....	\$5,145,575	\$5,145,575	
	Fund Sources: Dedicated Special Revenue .....	\$3,945,575	\$3,945,575	
	Federal Trust .....	\$1,200,000	\$1,200,000	
Authority: Title 65.2, Chapter 2; Title 38.2, Chapter 50, Code of Virginia.				
A. Out of the amounts for Workers' Compensation Services shall be paid the annual salary of the chairman, \$158,286 from July 1, 2008, <del>to November 24, 2008, \$161,452 from November 25, 2008, to November 24, 2009, and \$164,681 from November 25, 2009, to June 30, 2010,</del> and for each of the other two Commissioners of the Virginia Workers' Compensation Commission, \$155,034 from July 1, 2008, <del>to November 24, 2008, \$158,135 from November 25, 2008, to November 24, 2009, and \$161,298 from November 25, 2009, to June 30, 2010.</del>				
B. In addition, retired Commissioners recalled to active duty will be paid as authorized by § 17.1-327, Code of Virginia.				
	Total for Virginia Workers' Compensation Commission .		<del>\$31,917,706</del>	<del>\$28,504,231</del>
			\$32,517,706	\$29,104,231
	Nongeneral Fund Positions .....	<del>216.00</del>	<del>216.00</del>	
		232.00	232.00	
	Position Level .....	<del>216.00</del>	<del>216.00</del>	
		232.00	232.00	
	Fund Sources: Dedicated Special Revenue .....	\$30,717,706	\$27,304,231	
		\$31,317,706	\$27,904,231	
	Federal Trust .....	\$1,200,000	\$1,200,000	
<b>§ 1-138. VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY (175)</b>				
491.	Protective Services (45300) .....		\$3,193,089	\$3,193,089

ITEM 491.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Protection and Advocacy (45307).....	\$3,193,089	\$3,193,089		
Fund Sources: General.....	\$247,464	\$247,464		
Special.....	\$307,665	\$307,665		
Federal Trust.....	\$2,637,960	\$2,637,960		
Authority: Title 51.5, Chapter 8.1, Code of Virginia.				
492.	A. Included in the federal trust appropriations are amounts estimated at \$78,705 the first year and \$78,705 the second year to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payments into the general fund, as provided in § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited into the general fund.			
	B. Notwithstanding the provisions of § 51.5-39.7, Code of Virginia, the implementation date for establishing an ombudsman section in the Virginia Office for Protection and Advocacy is deferred until July 1, 2010.			
Total for Virginia Office for Protection and Advocacy....			<b>\$3,193,089</b>	<b>\$3,193,089</b>
General Fund Positions.....	1.88	1.88		
Nongeneral Fund Positions.....	33.12	33.12		
Position Level .....	35.00	35.00		
Fund Sources: General.....	\$247,464	\$247,464		
Special.....	\$307,665	\$307,665		
Federal Trust.....	\$2,637,960	\$2,637,960		
TOTAL FOR INDEPENDENT AGENCIES.....			<b>\$403,502,097</b>	<b>\$418,895,283</b>
			<b>\$397,208,438</b>	<b>\$423,438,838</b>
General Fund Positions.....	1.88	1.88		
Nongeneral Fund Positions.....	<del>1,567.12</del>	<del>1,568.12</del>		
	<del>1,587.12</del>	<del>1,593.12</del>		
Position Level .....	<del>1,569.00</del>	<del>1,570.00</del>		
	<del>1,589.00</del>	<del>1,595.00</del>		
Fund Sources: General.....	<del>\$325,464</del>	<del>\$325,464</del>		
	<del>\$275,464</del>	<del>\$275,464</del>		
Special.....	<del>\$78,101,209</del>	<del>\$78,073,487</del>		
		<del>\$77,963,158</del>		
Enterprise .....	<del>\$217,447,115</del>	<del>\$232,740,736</del>		
		<del>\$243,415,736</del>		
Trust and Agency .....	<del>\$71,824,143</del>	<del>\$75,337,183</del>		
	<del>\$64,980,484</del>	<del>\$68,265,738</del>		
Dedicated Special Revenue .....	<del>\$31,966,206</del>	<del>\$28,580,453</del>		
	<del>\$32,566,206</del>	<del>\$29,680,782</del>		
Federal Trust.....	<del>\$3,837,960</del>	<del>\$3,837,960</del>		

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## STATE GRANTS TO NONSTATE ENTITIES

## § 1-139. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)

493.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$0	\$0
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Authority: Discretionary Inclusion.

A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this Item shall be administered under the provisions of § 4-5.05 of this act.

B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this Item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts.

C.1. Any balances not drawn down by recipient organizations on June 30, 2010, from appropriations in this item shall not revert to the general fund, but shall be carried forward on the books of the Comptroller. These balances shall remain available for distribution to affected organizations until June 30, 2011, at which time any undistributed balances shall revert to the general fund, except that, in the case of organizations which have not filed an application to receive their appropriations by December 1, 2009, the Governor may direct that the undistributed balances be reverted to the general fund on that date. The Governor shall report amounts reverted and the affected organizations in the 2010 Budget Bill.

2. The balances indicated for FY 2006 grants for the following organizations were reverted to the general fund pursuant to §4-1.05.a.4. of this act, and in accordance with the preceding paragraph:

Organization	Grant Amount	Balance Reverted
Campagna Center Exterior Repairs	\$50,000	\$1,000
Christiansburg Institute Museum and Archive	\$25,000	\$79
Connor House	\$25,000	\$20,593
Dinwiddie Institute	\$12,500	\$12,500
Environmental Alliance for Senior Involvement	\$5,000	\$4,376
Old Brick House Foundation	\$75,000	\$23,059
Paramount Theatre	\$12,500	\$328
Riddick's Folly, Inc	\$4,233	\$4,233
King and Queen Marriott School Project	\$50,000	\$500

3. The balances indicated for FY 2007 grants for the following organizations were reverted to the general fund pursuant to §4-1.05.a.4. of this act:

Grant	Balance
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<b>Organization</b>	<b>Amount</b>	<b>Reverted</b>
Corrottoman Civic Center	\$20,000	\$20,000
Hampton Roads Arts Trust	\$100,000	\$100,000
Julian Stanley Wise Foundation	\$12,500	\$12,500
Williamsburg Area Performing Arts Center	\$12,500	\$5,500

4. Any undistributed balances for FY 2007 grants for the following organizations will revert to the general fund on June 30, 2009:

<b>Organization</b>	<b>Grant Amount</b>	<b>Balance to Revert</b>
Autism Center of Virginia	\$12,500	\$12,500
Birthplace of Country Music Alliance	\$600,000	\$45,706
Bristol Fire Museum	\$75,000	\$75,000
Clover Community Center	\$25,000	\$14,300
Connor House	\$100,000	\$100,000
Patrick County Music Association	\$35,000	\$35,000
Pocahontas Train Station	\$25,000	\$1,223
Red Hill, to the Patrick Henry Memorial Foundation	\$5,000	\$5,000
R.E. Lee Commission	\$1,000	\$1,000
Winchester-Frederick County Historical Society	\$20,000	\$1,696
Working Watermen's Memorial	\$2,000	\$2,000

5. Any undistributed balances for FY 2008 grants for the following organization will revert to the general fund on June 30, 2009 (balance to revert reflects a five percent reduction to all FY 2008 nonstate agency grants under Item 481 of Chapter 847 of the 2007 Acts of Assembly that has already been transferred to the general fund):

<b>Organization</b>	<b>Grant Amount</b>	<b>Balance to Revert</b>
AARP of Virginia	\$75,000	\$71,250
Benjamin Lomond House, to Prince William County	\$22,500	\$21,375
Brandy Station Foundation	\$15,000	\$3,526
Chatham Train Depot	\$25,000	\$23,750
City of Fredericksburg - Historic Circuit Courthouse	\$350,000	\$107,401
Dismal Swamp Canal Trail, to the City of Chesapeake for	\$50,000	\$47,500
Downing Gross Cultural Arts Center	\$5,000	\$4,750
Dunn's Meadow, to the Town of Abingdon for	\$25,000	\$23,750
Economic Development Authority of Gloucester County	\$25,000	\$23,750
Elizabeth House Project	\$25,000	\$23,750
Endview Plantation	\$37,500	\$35,625
Floyd County Historical Preservation Trust	\$37,500	\$20,663
Freedom Museum	\$25,000	\$23,750
Gadsby's Tavern Museum	\$18,750	\$17,813
Grandma Moses House, to Augusta County for the	\$10,000	\$9,500
Greenway Court	\$50,000	\$47,500
Hampton University Museum Foundation	\$25,000	\$23,750
Historic Blenheim	\$20,000	\$19,000
Historic Petersburg Foundation	\$100,000	\$95,000
Historic Pocahontas, Inc.	\$60,000	\$41,715
James Madison Memorial Foundation	\$25,000	\$23,750
James Monroe Memorial Foundation	\$10,000	\$9,429



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	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Jewish Council for the Aging</i>	\$49,100		\$46,645	
<i>Job Education Training Corps</i>	\$30,000		\$8,500	
<i>Lee Hall Mansion</i>	\$12,500		\$11,875	
<i>Nansemond County Training School Heritage Center</i>	\$150,000		\$91,327	
<i>Neediest Kids</i>	\$25,000		\$23,750	
<i>Occupational Enterprises, Inc.</i>	\$25,000		\$1,656	
<i>Patrick Henry Memorial - Brookneal</i>	\$2,500		\$2,375	
<i>Pleasant Grove House, to County of Fluvanna for</i>	\$25,000		\$21,141	
<i>Railroad Museum of Virginia, Inc.</i>	\$125,000		\$118,750	
<i>Rebecca Vaughan House, to the Southampton County</i>				
<i>Historical Society for</i>	\$50,000		\$47,500	
<i>Rice's Hotel / Hughlett's Tavern Foundation, Inc.</i>	\$2,500		\$2,375	
<i>Scrabble School Presesrvation Foundation</i>	\$12,500		\$11,875	
<i>Staunton Performing Arts Center</i>	\$150,000		\$71,896	
<i>Stonewall Camp #380, Confederate Monument</i>	\$1,000		\$950	
<i>Town of Pulaski - Calfee Park</i>	\$25,000		\$23,750	
<i>Vision of Truth Ministries</i>	\$250,000		\$237,500	

D. The appropriation to those entities in this Item that are marked with an asterisk (\*) shall not be subject to the matching requirements of § 4-5.05 of this act.

E. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., C. and D. of this Item:

Total for State Grants to Nonstate Entities-Nonstate Agencies .....			\$0	\$0
TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....			\$0	\$0
TOTAL FOR PART 1: OPERATING EXPENSES.....			<b>\$37,634,111,885</b>	<b>\$38,321,677,698</b>
			<b>\$37,057,207,663</b>	<b>\$37,850,588,768</b>
General Fund Positions.....	55,752.16	55,775.16		
	54,647.93	54,577.15		
Nongeneral Fund Positions.....	60,730.60	60,908.60		
	60,076.51	60,024.01		
Position Level .....	116,482.76	116,683.76		
	114,724.44	114,601.16		
Fund Sources: General .....	\$16,965,376,894	\$17,488,664,200		
	\$16,192,469,335	\$15,843,232,198		
Special .....	\$1,827,774,959	\$1,817,337,928		
	\$1,834,185,157	\$1,846,711,298		
Higher Education Operating.....	\$5,478,504,048	\$5,674,622,127		
	\$5,517,810,512	\$5,836,847,036		
Commonwealth Transportation .....	\$4,128,209,305	\$3,972,350,369		
	\$3,751,348,003	\$3,571,326,817		
Enterprise .....	\$938,166,518	\$967,960,139		
	\$940,866,518	\$981,335,139		
Trust and Agency .....	\$1,969,652,850	\$1,922,002,502		
	\$1,965,765,166	\$2,255,401,486		
Debt Service.....	\$246,595,305	\$257,254,247		
	\$261,366,959	\$276,382,822		
Dedicated Special Revenue .....	\$844,465,858	\$835,148,201		
	\$860,981,016	\$860,733,511		
Federal Trust.....	\$5,235,366,148	\$5,386,337,985		
	\$5,732,414,997	\$6,378,618,461		

Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2009	FY2010	FY2009	FY2010

## 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. 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 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

	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
1. The General Assembly hereby authorizes the capital projects listed in §§ 2-41 and 2-42 for the indicated agencies and institutions of higher education and hereby appropriates and reappropriates therefore sums from the sources and in the amount indicated. 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 §§ 2-41 and 2-42 is hereby authorized.				
2. The issuance of bonds for any project listed in § 2-41 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 Item C-179 or C-180 shall be authorized pursuant to § 23-19, Code of Virginia.				
4. In the event that the cost of any capital project listed in §§ 2-41 and 2-42 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 §§ 2-41 and 2-42 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 §§ 2-41 and 2-42 for such capital project.				
5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.				
6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.				
7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in Item C-179 of § 2-41 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of any project listed in Item C-180 under the authorization of § 2-42 of this act.				
8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of 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, 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 the books of the Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.				
G. There is hereby appropriated:				
1. The appropriations unexpended at the close of the previous biennium in the appropriations and reappropriations in Items C-325 through C-325.10 made by Chapter 847, Acts of Assembly of 2007, and				
2. The appropriations unexpended at the close of the previous biennium of any amount transferred from Items C-325 through C-326.10 to any capital project established by authority of the Governor which conforms to the conditions in paragraph H below.				
H. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:				
1. Construction is in progress.				
2. Equipment purchases have been authorized by the Governor but not received.				
3. Plans and specifications have been authorized by the Governor but not completed.				

Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2009	FY2010	FY2009	FY2010

4. Obligations were outstanding at the end of the previous biennium.

I. The Department of Planning and Budget is hereby authorized to administratively appropriate any nongeneral fund component of any capital project authorized in Chapters 859/827 (2002), Chapters 884/854 (2002), or Chapters 887/855 (2002).

J. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

- a. a description of the purpose to be achieved by the proposal;
- b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;
- c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;
- d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and
- e. a recommendation and planned course of action based on this analysis.

K. Conditions Applicable to Alternative Financing

1. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

- a. A member of the agency or institution's governing body;
- b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or
- c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

L. The budget bill submitted by the Governor shall include a synopsis of previous appropriations for capital projects from the General Assembly and authorizations by the Governor for such projects.

M. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

N. Any capital project that has received a supplemental appropriation due to cost overruns must be completed within the revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

O. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

Item Details(\$)		Appropriations(\$)	
First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

P. The Governor shall provide the Chairmen of the Senate Finance and House Appropriations Committees an opportunity to review the six year capital improvement plan prior to the beginning of each new biennial budget cycle.

Q. On or before June 30, 2009, the State Comptroller shall revert the following amounts from the agency, fund code, and project code listed.

Agency Name/Project Title	Fund	Project Code	Amount
Radford University			
Renovate Porterfield Hall	0100	16618	\$467,600
Renovate Porterfield Hall	0817	16618	\$1,378,000
Renovate Whitt Hall	0100	17332	\$4,545,000
Renovate Powell Hall	0100	17333	\$5,948,000
Department of Corrections			
Construct Charlotte County Prison	0965	17729	\$7,000,000
Department of Mental Health, Mental Retardation and Substance Abuse Services			
Plan Community Housing	0965	17733	\$233,000
Plan Community Housing	0965	17774	\$250,000
Central Capital			
Unallocated Planning Funds	0965	17777	\$3,475,150
Planning Projects Listed Below			\$16,650,000

Agency Code	Project Code	Fund Code
146	17645	0965
204	17650	0965
204	17652	0965
207	17654	0965
207	17655	0965
208	17657	0965
208	17658	0965
208	17662	0965
211	17664	0965
212	17665	0965
213	17627	0965
213	17667	0965
214	17668	0965
215	17671	0965
216	17674	0965
216	17675	0965
217	17619	0965
221	17678	0965
229	17681	0965
236	17682	0965
242	17690	0965
242	17691	0965
247	17695	0965
247	17697	0965
260	17705	0965
260	17711	0965
260	17750	0965
425	17626	0965
777	17727	0965
799	17728	0965
799	17729	0965

R. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed, or demolished from the property of the Commonwealth of Virginia, Department of Corrections, shall not be subject to review and approval of the Art and Architectural Review Board as contemplated in Code of Virginia

Item Details(\$)		Appropriations(\$)	
First Year	Second Year	First Year	Second Year
FY2009	FY2010	FY2009	FY2010

§ 2.2-2402, et. seq. In the event the Department seeks to construct a non-institutional type building not associated with the daily operation of a correctional facility such as a Probation & Parole District Office or Regional Office, the Department shall submit plans for Art and Architectural Review Board review and approval.

S. On or before August 30, 2008, the State Comptroller shall revert to the general fund an amount estimated at \$55,000,000 from the following capital projects listed in the table below by agency, fund code, and project code; provided however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the director shall subsequently verify an unpaid obligation cannot be paid as a result of this reversion:

Agency Code	Project Code	Fund Code
194	17091	0100
194	17490	0100
199	16937	0100
204	17189	0100
208	16713	0100
208	16792	0100
208	16793	0100
208	17424	0100
208	17494	0100
211	17119	0100
212	16798	0100
212	17306	0100
214	16301	0100
214	16802	0100
214	17017	0100
214	17317	0100
214	17323	0100
215	17325	0100
216	16808	0100
216	16809	0100
217	16813	0100
221	17339	0100
236	16403	0100
236	16825	0100
236	17452	0100
242	16774	0100
246	17362	0100
246	17451	0100
260	16178	0100
260	16501	0100
260	16614	0100
260	16718	0100
260	16837	0100
260	16841	0100
260	16850	0100
268	17489	0100
425	17209	0100
702	17231	0100
720	17140	0100
777	17179	0100
799	16110	0100
799	16113	0100

T. On or before June 30, 2009, the State Comptroller shall revert to the general fund an amount estimated at \$15,000,000 from the following capital projects listed in the table below by agency, fund code, and project code; provided, however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the Director shall subsequently verify an unpaid obligation which cannot be paid as a result of this reversion.

ITEM C-1.	Item Details(\$)			Appropriations(\$)	
	First Year FY2009	Second Year FY2010		First Year FY2009	Second Year FY2010
	<i>Agency Code</i>	<i>Project Code</i>	<i>Fund Code</i>		
	194	14260	0100		
	212	12733	0100		
	213	12724	0100		
	216	12718	0100		
	247	12712	0100		
	260	12611	0100		
	301	12253	0100		
	799	10887	0100".		

## OFFICE OF ADMINISTRATION

## § 2-1. DEPARTMENT OF GENERAL SERVICES (194)

C-1.	Improvements: State Capitol Renovation and Southern Extension (16881).....			\$5,500,000	\$0
	Fund Sources: Bond Proceeds.....	\$5,500,000	\$0		
	This Item contains supplemental funding not originally included in the capital project as authorized in 2003 (Chapter 1042, 2003 Acts of the Assembly). The total cost of the project with this supplement is \$109,238,000.				
C-2.	Omitted.				
C-3.	Omitted.				
C-5.	The Department of General Services is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium on the behalf of the Department of Social Services, Department of Rehabilitative Services, Department of Health, and the Virginia Employment Commission in the Danville region.				
C-5.05.	New Construction: Construct Main Street Centre Employee Parking Deck (17784).....			\$0	\$15,825,000
	Fund Sources: Bond Proceeds.....	\$0	\$15,825,000		
	This Item contains supplemental funding for the construction of the Main Street Centre employee parking deck authorized in 2008 (Chapter 1, 2008 Acts of the Assembly, Special Session I). These funds, in addition to the remaining \$7,200,000 authorized for the Main Street Centre project in Chapter 1, 2008 Acts of the Assembly, Special Session I will bring the total cost of the project to \$23,025,000 the project with the supplement is \$23,000,000.				
C-5.10.	The Department of General Services is authorized to make any repair or tenant buildout projects at the Main Street Centre facility up to \$2,000,000 using rent plan funds. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.				
C-5.20.	New Construction: Construct Educational Wing of Virginia War Memorial (17177) .....			\$0	\$6,500,000
	Fund Sources: Bond Proceeds.....	\$0	\$6,500,000		
	This item contains \$6.5 million in Virginia Public Building Authority bond authority, to repay the Treasury Loan authorized for this purpose in Chapter 847, 2008 Acts of Assembly, to support construction of an educational wing for the Virginia War Memorial and expand the Shrine of Memory to include Virginians killed in action in the War on Terror. These funds supplement \$2.0 million in private funds bringing the total cost of this project to \$9.1 million.				
C-5.30.	The Director, Department of General Services, in consultation with the State Comptroller, the Auditor of Public Accounts, and the Department of Planning and Budget shall review all submissions under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq., Code of Virginia) pertaining to the Replacement / Renovation of the 8th /				

ITEM C-5.30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>9th Street Office Building Complex including alternative financing options. The Director, Department of General Services shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2009 on: 1) the potential for proceeding with any of the PPEA proposals under an operating lease concept or how the PPEA proposals could be modified in order to proceed under an operating lease concept, and 2) the cost of such PPEA proposal relative to the Commonwealth's standard capital program.</i>				
Total for Department of General Services.....			<b>\$5,500,000</b>	<b>\$0</b> <i>\$22,325,000</i>
Fund Sources: Bond Proceeds .....	\$5,500,000	\$0 <i>\$22,325,000</i>		
TOTAL FOR OFFICE OF ADMINISTRATION .....			<b>\$5,500,000</b>	<b>\$0</b> <i>\$22,325,000</i>
Fund Sources: Bond Proceeds .....	\$5,500,000	\$0 <i>\$22,325,000</i>		
<b>OFFICE OF AGRICULTURE AND FORESTRY</b>				
<b>§ 2-2. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)</b>				
C-6. New Construction: Construct Eastern Shore Marketing and Inspection Office (17076).....			\$1,115,000	\$0
Fund Sources: Bond Proceeds .....	\$1,115,000	\$0		
C-7. Omitted.				
Total for Department of Agriculture and Consumer Services.....			<b>\$1,115,000</b>	<b>\$0</b>
Fund Sources: Bond Proceeds .....	\$1,115,000	\$0		
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY.....			<b>\$1,115,000</b>	<b>\$0</b>
Fund Sources: Bond Proceeds .....	\$1,115,000	\$0		
<b>OFFICE OF COMMERCE AND TRADE</b>				
<b>§ 2-3. VIRGINIA EMPLOYMENT COMMISSION (182)</b>				
C-8. Improvements: Institute One Stop Centers (17527) .....			\$3,600,000	\$0
Fund Sources: Special.....	\$3,600,000	\$0		
Total for Virginia Employment Commission .....			<b>\$3,600,000</b>	<b>\$0</b>
Fund Sources: Special.....	\$3,600,000	\$0		
TOTAL FOR OFFICE OF COMMERCE AND TRADE.....			<b>\$3,600,000</b>	<b>\$0</b>
Fund Sources: Special.....	\$3,600,000	\$0		
<b>OFFICE OF EDUCATION</b>				
C-9. Omitted.				
C-10. Omitted.				
C-11. Omitted.				



ITEM C-12.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
§ 2-4. CHRISTOPHER NEWPORT UNIVERSITY (242)					
C-12.	New Construction: Construct University Entrance and Interior Road (17538) .....			\$1,405,000 \$4,500,000	\$0
	Fund Sources: Higher Education Operating.....	\$1,405,000 \$4,500,000	\$0		
C-13.	New Construction: Construct University Chapel (17539) .....			\$9,000,000	\$0
	Fund Sources: Higher Education Operating.....	\$9,000,000	\$0		
C-14.	New Construction: Construct Ratcliffe Hall Addition (17567) .....			\$9,350,000	\$0
	Fund Sources: Higher Education Operating.....	\$1,000,000	\$0		
	Bond Proceeds .....	\$8,350,000	\$0		
C-14.10.	New Construction: Construct Residential Housing (17632) .....			\$13,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$13,500,000	\$0		
C-14.20.	Acquisition: Land Acquisition (17633).....			\$14,400,000 \$20,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$14,400,000 \$20,000,000	\$0		
C-14.30.	Improvements: Renovate and Expand Gosnold Hall (16828) .....			\$0	\$2,345,000
	Fund Sources: Bond Proceeds .....	\$0	\$2,345,000		
	Additional funds provided in this Item are for the equipment portion of a originally funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the supplement is \$31,203,224.				
C-14.40.	New Construction: Alumni House (17800).....			\$0	\$4,000,000
	Fund Sources: Bond Proceeds .....	\$0	\$4,000,000		
C-14.50.	Improvements: Special Collections Library Environmental Improvements (16774) .....			\$0	\$3,035,000
	Fund Sources: Bond Proceeds .....	\$0	\$3,035,000		
	This amendment provides authorization for \$3,035,000 of revenue bonds to be issued by the Virginia College Building Authority. Christopher Newport University may elect to finance this project through the Christopher Newport University Real Estate Foundation in lieu of revenue bonds issued through the Virginia College Building Authority.				
C-14.60.	Christopher Newport University is authorized to sell the real property located at 812 Riverside Drive in Newport News, Virginia. One-hundred percent of the proceeds of from the sale shall be used to acquire real property previously approved by the University's Board of Visitors in its Master Plan.				

ITEM C-14.70.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-14.70.	Planning: New Luter School of Business (17691) .....			\$0	\$950,000
	Fund Sources: Higher Education Operating.....	\$0	\$950,000		
	<i>This appropriation provides funding to complete detailed planning for the New Luter School of Business project. Christopher Newport University is authorized to use up to \$950,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. In addition, \$1,100,230 of federal funds from Item 475.50 B 5 shall be transferred to this project to complete detailed planning.</i>				
	Total for Christopher Newport University.....			<b>\$47,655,000</b>	<b>\$0</b>
				<b>\$56,350,000</b>	<b>\$10,330,000</b>
	Fund Sources: Higher Education Operating.....	\$11,405,000	\$0		
		\$14,500,000	\$950,000		
	Bond Proceeds .....	\$36,250,000	\$0		
		\$41,850,000	\$9,380,000		
<b>§ 2-5. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)</b>					
C-15.	New Construction: Construct Integrated Science Center (16296) .....			\$11,825,000	\$0
	Fund Sources: Bond Proceeds .....	\$11,825,000	\$0		
	<i>This Item contains supplemental funding for the Integrated Science Center as well as funding for equipment originally authorized in 2002 (Chapter 814, 2002 Acts of Assembly). A separate administrative action will reduce \$5,700,000 in private funds. The total cost of the project with the supplement is \$65,524,581.</i>				
C-16.	<del>Improvements: Replace Zable Stadium Systems (17553)</del> .....			\$2,000,000	\$0
	<i>Improvements: Improve Intercollegiate Athletic Facilities (17553)</i>				
	Fund Sources: Bond Proceeds .....	\$2,000,000	\$0		
C-17.	Improvements: Renovate the Campus Center and Trinkle Hall (17554).....			\$35,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$35,000,000	\$0		
C-18.	Improvements: Renovate Graduate Student Residence Halls (17555).....			\$2,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,500,000	\$0		
C-19.	Omitted.				
C-19.05.	New Construction: Construct New School of Education (17586) .....			\$0	\$2,819,000
	Fund Sources: Bond Proceeds .....	\$0	\$2,819,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2008 (Chapter 1, 2008 Acts of Assembly, Special Session I). The total cost of the project with this supplement is \$40,904,000.</i>				

ITEM C-19.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-19.10.	<i>New Construction: Expand Small Hall (16784).....</i>			\$0	\$2,248,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$2,248,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with this supplement is \$28,281,000.</i>				
C-19.15.	<i>Planning: Integrated Science Center, Phase III (17650)..</i>			\$0	\$2,050,000
	<i>Fund Sources: Higher Education Operating .....</i>	\$0	\$2,050,000		
	<i>This appropriation provides funding to complete detailed planning for the Integrated Science Center, Phase III project. The College of William and Mary is authorized to use up to \$2,050,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. In addition, \$2,200,230 of federal funds from Item 475.50 B 5 shall be transferred to this project to complete detailed planning.</i>				
	Total for The College of William and Mary in Virginia..			\$51,325,000	\$0
					\$7,117,000
	<i>Fund Sources: Higher Education Operating .....</i>	\$0	\$2,050,000		
	<i>Bond Proceeds .....</i>	\$51,325,000	\$0		
			\$5,067,000		
<b>§ 2-5.1. RICHARD BLAND COLLEGE (241)</b>					
C-19.20.	<i>New Construction: Construct Science and Technology Center (17687) .....</i>			\$0	\$1,000,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$1,000,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2008 (Chapter 1, 2008 Acts of Assembly, Special Session I).</i>				
	Total for Richard Bland College .....			\$0	\$1,000,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$1,000,000		
<b>§ 2-6. GEORGE MASON UNIVERSITY (247)</b>					
C-20.	<i>Improvements: Renovate Presidents Park II (17540) .....</i>			\$15,633,000	\$0
	<i>Fund Sources: Bond Proceeds .....</i>	\$15,633,000	\$0		
C-21.	<i>New Construction: Construct Performing Arts Building Addition (17486) .....</i>			\$2,000,000	\$0
	<i>Fund Sources: Higher Education Operating .....</i>	\$2,000,000	\$0		
	<i>This Item contains supplemental funding for construction of an addition to the Fairfax Performing Arts Building originally authorized in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$11,000,000.</i>				
C-22.	<i>New Construction: Construct Academic VI and Research II Facility (17365) .....</i>			\$5,500,000	\$0
	<i>Fund Sources: Bond Proceeds .....</i>	\$5,500,000	\$0		
	<i>Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the equipment funding is \$61,864,000.</i>				

ITEM C-23.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-23.	New Construction: Construct Academic V, Fairfax Campus (16832).....			\$4,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$4,500,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2003 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the equipment funding is \$30,228,000.				
C-24.	New Construction: Construct Physical Education Addition, Phase II (17368).....			\$1,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,000,000	\$0		
	This Item contains supplemental funding for construction of an addition to the Physical Education Building, Phase II originally authorized in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$11,706,000.				
C-25.	New Construction: Construct Hotel Conference Center (PPEA) (17374).....			\$10,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$10,000,000	\$0		
	This Item contains supplemental funding for construction of a Hotel Conference Center originally authorized in 2007 (Chapter 847, 2007 Acts of Assembly). The total cost of the project with the supplement is \$50,000,000.				
C-26.	New Construction: Construct Parking Deck IV (17569) ..			\$27,233,000	\$0
	Fund Sources: Bond Proceeds .....	\$27,233,000	\$0		
C-27.	New Construction: Construct Housing VIII (17570) .....			\$102,460,000	\$0
	Fund Sources: Bond Proceeds .....	\$102,460,000	\$0		
C-28.	New Construction: Construct Southwest Campus Dining (17571).....			\$14,639,000	\$0
	Fund Sources: Bond Proceeds .....	\$14,639,000	\$0		
C-29.	New Construction: Construct Smithsonian Conservation & Research Center Housing and Dining (17572) .....			\$20,142,000	\$0
	Fund Sources: Bond Proceeds .....	\$20,142,000	\$0		
C-30.	New Construction: Construct Parking Deck III - Phase II (17573) .....			\$27,237,000	\$0
	Fund Sources: Bond Proceeds .....	\$27,237,000	\$0		
C-31.	New Construction: Construct West Campus Connector and Campus Entrances (17574).....			\$13,922,000	\$0
	Fund Sources: Bond Proceeds .....	\$13,922,000	\$0		
C-32.	New Construction: Construct East Campus Fields and Courts, Phase I (17575).....			\$3,249,000	\$0

ITEM C-32.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Bond Proceeds .....	\$3,249,000	\$0		
C-33.	New Construction: Construct Tract and Field Stadium (17576) .....			\$8,320,000	\$0
	Fund Sources: Bond Proceeds .....	\$8,320,000	\$0		
C-34.	Improvements: Renovate West Fields (17577).....			\$3,194,000	\$0
	Fund Sources: Bond Proceeds .....	\$3,194,000	\$0		
C-35.	New Construction: Construct Fairfax Administration Building (17579)				
	George Mason University is hereby granted approval to enter into a comprehensive agreement with a private entity, pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002, for the construction of the Fairfax Administration Building. Authority is also granted to construct the project with alternative financing, which may include an agreement of any University related foundation for the design, construction and financing of the project, and to enter into a capital lease or leases for any component of the project that may qualify as a capital lease. If such project is constructed on land owned by or leased to a University related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinance. The permitting official for such project shall be the Bureau of Capital Outlay Management. George Mason shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget. Any such capital lease shall be exempt from the requirements of Chapter 4-3.03 (b) 2 of the Appropriation Act.				
C-36.	New Construction: Expand Prince William Freedom Center (17580)				
	George Mason University is hereby granted approval to enter into a comprehensive agreement with a private entity, pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002, for the construction of the Prince William Freedom Center Expansion. Authority is also granted to construct the project with alternative financing, which may include an agreement of any University related foundation for the design, construction and financing of the project, and to enter into a capital lease or leases for any component of the project that may qualify as a capital lease. George Mason shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget. Any such capital lease shall be exempt from the requirements of Chapter 4-3.03 (b) 2 of the Appropriation Act.				
C-36.10.	New Construction: Belmont Bay Science Center (17634) .....			\$0 \$5,000,000	\$1,000,000
	Fund Sources: Higher Education Operating.....	\$0 \$5,000,000	\$1,000,000		
	George Mason University may enter into a capital lease agreement for a period of up to 20 years at an annual cost of up to \$1,000,000 from nongeneral funds for the Belmont Bay Science Center.				
	<i>Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall transfer \$6,000,000 of the amount appropriated to the Science Museum of Virginia, to plan the construction of the Belmont Bay Science Center to project 17634 (George Mason University, New Construction: Belmont Bay Science Center).</i>				
C-36.20.	New Construction: Construct Biocontainment Laboratory (17371) .....			\$8,300,000	\$0
	Fund Sources: Higher Education Operating.....	\$2,475,000	\$0		

ITEM C-36.20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Bond Proceeds .....	\$5,825,000	\$0		
C-36.30.	<i>New Construction: Construct Arts Facility, Prince William (16745) .....</i>			\$0	\$1,000,000
	Fund Sources: Higher Education Operating.....	(\$4,000,000)	\$0		
	Bond Proceeds .....	\$4,000,000	\$0		
			\$1,000,000		
	<i>This Item contains supplemental funding for the construction of the Prince William Performing Arts Center, originally authorized in 2002 (Chapter 899, 2002 Acts of Assembly). The total cost of the project with the supplement is \$50,200,000.</i>				
C-36.40.	The Point of View ICAR Conference Center shall, to the extent practicable, be planned and constructed using on-site septic systems, or if a septic system is not practicable, shall not include any sewage treatment facility larger than what is necessary to service the Point of View ICAR Conference Center and the residue property in a manner consistent with the existing comprehensive plan. The state support for the Point of View ICAR Conference Center project is specified, and limited to, the amounts detailed in separate capital bond legislation.				
C-36.50.	<i>New Construction: Swing Space and Data Center (17142) .....</i>			\$6,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$6,000,000	\$0		
C-36.55.	<i>New Construction: Construct Academic II and Parking, Arlington Campus (16523) .....</i>			\$0	\$8,550,000
	Fund Sources: Bond Proceeds .....	\$0	\$8,550,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2000 (Chapter 1073, 2000 Acts of Assembly). The total cost of the project with this supplement is \$82,609,697.</i>				
C-36.60.	<i>Improvements: Renovate Thompson, West and Pohick (16607) .....</i>			\$0	\$500,000
	Fund Sources: Bond Proceeds .....	\$0	\$500,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2002 (Chapters 827 and 859 2002 Acts of Assembly). The total cost of the project with this supplement is \$17,446,000.</i>				
C-36.70.	<i>Improvements: Student Union Building II Renovation Supplement (16253) .....</i>			\$0	\$8,000,000
	Fund Sources: Bond Proceeds .....	\$0	\$8,000,000		
C-36.80.	<i>Improvements: Campus Security, Arlington Campus (17801) .....</i>			\$0	\$2,500,000
	Fund Sources: Higher Education Operating.....	\$0	\$2,500,000		
	Total for George Mason University .....			<del>\$273,329,000</del>	<del>\$1,000,000</del>
				\$278,329,000	\$21,550,000
	Fund Sources: Higher Education Operating.....	\$475,000	\$1,000,000		
		\$5,475,000	\$3,500,000		
	Bond Proceeds .....	\$272,854,000	\$0		
			\$18,050,000		

ITEM C-37.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
§ 2-7. JAMES MADISON UNIVERSITY (216)					
C-37.	New Construction: Construct Music Recital Hall (16807) .....			\$676,000	\$0
	Fund Sources: Bond Proceeds .....	\$676,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2003 (Chapters 1042, 2003 Acts of Assembly). The total cost of this project with this supplement is \$37,688,915.				
C-38.	New Construction: Renovate and Expand Athletics/Recreation (17562) .....			\$50,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$50,000,000	\$0		
C-39.	Acquisition: Acquire Rockingham Memorial Hall (17168) .....			\$18,600,000	\$0
	Fund Sources: Higher Education Operating.....	\$2,000,000	\$0		
	Bond Proceeds .....	\$16,600,000	\$0		
C-39.05.	New Construction: Construct Center for the Arts (16806) .....			\$0	\$5,918,000
	Fund Sources: Bond Proceeds .....	\$0	\$5,918,000		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2003 (Chapter 1042, 2003 Acts of Assembly). The total cost of the project with the supplement is \$60,035,742.				
C-39.10.	Acquisition: Acquire Grace Street Property (17793).....			\$0	\$12,000,000
	Fund Sources: Higher Education Operating.....	\$0	\$6,000,000		
	Bond Proceeds .....	\$0	\$6,000,000		
C-39.15.	Planning: Renovation and Addition to Duke Hall (17675) .....			\$0	\$1,075,000
	Fund Sources: Higher Education Operating.....	\$0	\$1,075,000		
	This appropriation provides funding to complete detailed planning for the renovation and addition to the Duke Hall project. James Madison University is authorized to use up to \$1,075,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. In addition, \$1,100,230 of federal funds from Item 475.50 B 5 shall be transferred to this project to complete detailed planning.				
C-39.20.	Acquisition: Property Acquisition (17024) .....			\$0	\$3,000,000
	Fund Sources: Higher Education Operating.....	\$0	\$3,000,000		
	Out of this appropriation, \$3,000,000 from nongeneral funds in the second year is provided to allow James Madison University to purchase property adjacent to the campus.				
	Total for James Madison University .....			\$69,276,000	\$0
					\$21,993,000
	Fund Sources: Higher Education Operating.....	\$2,000,000	\$0		
			\$10,075,000		

ITEM C-39.20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Bond Proceeds .....	\$67,276,000	\$0 \$11,918,000		
<b>§ 2-8. LONGWOOD UNIVERSITY (214)</b>					
C-40.	Improvements: Energy Efficient Project (17561)				
	This Item authorizes the University to enter into an energy performance contract with an approved energy services company in order to reduce energy operating costs in one or more facilities. Prior to entering into such contract, the University shall submit a financial feasibility study to the Treasury Board for its review and approval.				
C-40.10.	New Construction: Renovate and Expand Bedford Hall (16802) .....			\$1,900,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,900,000	\$0		
C-40.20.	Equipment: Renovate Jarman Building (16301).....			\$1,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,500,000	\$0		
	Total for Longwood University.....			<b>\$3,400,000</b>	<b>\$0</b>
	Fund Sources: Bond Proceeds .....	\$3,400,000	\$0		
<b>§ 2-9. UNIVERSITY OF MARY WASHINGTON (215)</b>					
C-41.	Improvements: Renovate Monroe Hall (16803) .....			\$1,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,500,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 859, 2002 Acts of Assembly). The total cost of this project with this supplement is \$14,041,000.				
C-42.	Improvements: Lee Hall Renovation (16594) .....			\$750,000	\$0
	Fund Sources: Bond Proceeds .....	\$750,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 859, 2002 Acts of Assembly). The total cost of this project with this supplement is \$19,756,000.				
C-43.	New Construction: Construct Convocation Center (17021) .....			\$2,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,000,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2004 (Chapter 4, 2004 Acts of Assembly). The total cost of this project with this supplement is \$26,000,000.				
C-44.	Improvements: Renovate and Alter Portions of Four Academic Buildings (16804).....			\$1,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,000,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 859, 2002 Acts of Assembly). The total cost of this project with this supplement is \$3,242,000.				



ITEM C-44.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-44.10.	New Construction: Construct Melchers Welding Addition (17628).....			\$0	\$800,000
	Fund Sources: Higher Education Operating.....	\$0	\$800,000		
C-44.20.	<p>1. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or operational-related facilities through alternative financing agreements including public-private partnerships.</p> <p>2. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University's obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.</p> <p>3. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenues bonds issued by or for UMWF will provide construction and/or permanent financing.</p> <p>4. The University of Mary Washington is further authorized to convey parcels of land to the UMWF, which will develop the land for the purpose of establishing residential housing for students and/or faculty and staff, office, retail, and other commercial land uses in accordance with the University's approved Master Plan.</p>				
	Total for University of Mary Washington.....			\$5,250,000	\$800,000
	Fund Sources: Higher Education Operating.....	\$0	\$800,000		
	Bond Proceeds.....	\$5,250,000	\$0		

#### § 2-10. NORFOLK STATE UNIVERSITY (213)

C-45.	Omitted.
C-46.	<p>A. Subject to the provision of this act, Norfolk State University is authorized to enter into a written agreement or agreements with the Norfolk State University Foundation (NSUF) / Enterprise &amp; Empowerment Foundation of Norfolk State University (E2F) for the development of one or more student housing projects adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.</p> <p>B. Norfolk State University is further authorized to enter into written agreements with NSUF/E2F to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the university's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied university-owned housing; (iii) assign students to the facilities in preference to other university-owned facilities; (iv) otherwise support the student housing facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.</p>

ITEM C-46.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-46.05.	<i>Improvements: Renovate and Expand Student Center (16873) .....</i>			\$0	\$7,500,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$7,500,000		
	<i>This Item contains supplemental funding for the renovation and expansion of the Student Center originally authorized in 2003 (Chapter 1042, 2003 Acts of Assembly). The total cost of this project with the supplement is \$42,220,000.</i>				
	<i>Total for Norfolk State University .....</i>			\$0	\$7,500,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$7,500,000		
<b>§ 2-11. OLD DOMINION UNIVERSITY (221)</b>					
C-47.	<i>New Construction: Construct Powhatan Sports Complex (17483) .....</i>			\$7,207,000	\$0 \$4,500,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$7,207,000	\$0 \$4,500,000		
	<i>This Item contains supplemental funding for the construction of the Powhatan Sports Complex, originally authorized in 2007 (Chapter 847, 2007 Acts of Assembly). The total cost of the project with the supplement is <del>\$36,000,000</del> \$40,500,000.</i>				
C-48.	<i>New Construction: Construct Residence Hall, Phase II (17342) .....</i>			\$34,779,000	\$0
	<i>Fund Sources: Bond Proceeds .....</i>	\$34,779,000	\$0		
	<i>This Item contains supplemental funding for the construction of the Residence Hall, Phase II originally authorized in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$67,245,000.</i>				
C-49.	<i>Acquisition: Acquire Additional Property (17345) .....</i>			\$1,970,000	\$0
	<i>Fund Sources: Higher Education Operating.....</i>	\$1,970,000	\$0		
	<i>This Item contains supplemental funding for the acquisition of additional property originally authorized in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$3,940,000.</i>				
C-50.	<i>Improvements: Renovate Baseball Stadium (17549).....</i>			\$3,000,000	\$0
	<i>Fund Sources: Higher Education Operating.....</i>	\$3,000,000	\$0		
C-50.10.	<i>Equipment: Hughes Hall (16821).....</i>			\$1,300,000	\$0
	<i>Fund Sources: Bond Proceeds .....</i>	\$1,300,000	\$0		
C-50.20.	<i>Improvements: Webb University Center (17640) .....</i>			\$0	\$3,875,000
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$3,875,000		
	<i>This Item contains supplemental funding for improvements to the Webb University Center, originally authorized in 2008 (Chapter 847, 2008 Acts of Assembly). A separate administrative action will reduce \$3,875,000 in higher education operating funds. The total cost of the project will remain at \$8,658,683.</i>				
C-50.30.	<i>Old Dominion University is hereby granted authority to convey the current President's residence to the Old Dominion University Real Estate Foundation (ODUREF) in order to reconstruct the facility. Authority is also granted to construct this project with alternative</i>				

ITEM C-50.30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*financing options which may include an agreement with the ODUREF for the design, construction and financing of the project, and to enter into a capital lease or lease for the project that may qualify as a capital lease. Old Dominion University shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget. Any such capital lease shall be exempt from the requirements of § 4-3.03(b) 2 of this act.*

Total for Old Dominion University .....			<b>\$48,256,000</b>	<b>\$0</b>
				<b>\$8,375,000</b>

Fund Sources: Higher Education Operating.....	\$4,970,000	\$0		
Bond Proceeds .....	\$43,286,000	\$0		
		\$8,375,000		

#### § 2-12. RADFORD UNIVERSITY (217)

C-51.	New Construction: Construct Parking Deck (17532).....		\$11,698,000	\$0
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Fund Sources: Bond Proceeds .....	\$11,698,000	\$0		
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C-52.	New Construction: Construct New Forensic Institute (17533) .....		\$4,592,000	\$0
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Fund Sources: Higher Education Operating.....	\$4,592,000	\$0		
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C-53.	Acquisition: Acquire Land (17534) .....		\$5,000,000	\$0
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Fund Sources: Higher Education Operating.....	\$5,000,000	\$0		
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C-54.	New Construction: Construct Student Fitness Center (17563) .....		\$32,000,000	\$0
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Fund Sources: Bond Proceeds .....	\$32,000,000	\$0		
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C-55.	New Construction: Construct Addition to Hurlburt Hall (17564) .....		\$20,000,000	\$0
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Fund Sources: Higher Education Operating.....	\$10,000,000	\$0		
Bond Proceeds .....	\$10,000,000	\$0		

C-56.	New Construction: Construct New Residence Halls (17565) .....		\$36,000,000	\$0
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Fund Sources: Bond Proceeds .....	\$36,000,000	\$0		
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C-57.	Improvements: Renovate Young Hall (16814).....		\$284,000	\$0
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Fund Sources: Bond Proceeds .....	\$284,000	\$0		
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Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the supplement is \$6,000,000.

C-58.	Improvements: Renovate Davis Hall (16865) .....		\$149,000	\$0
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Fund Sources: Bond Proceeds .....	\$149,000	\$0		
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Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the supplement is \$2,000,000.

ITEM C-59.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-59.	<del>New Construction: Construct College of Business and Economics Building (17618)</del> ..... <i>New Construction: Construct New College of Business (17618)</i>			\$10,000,000	\$0
	Fund Sources: Higher Education Operating.....	\$10,000,000	\$0		
C-60.	<p>A. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.</p> <p>B. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this Item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.</p> <p>C. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the university's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other university facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.</p>				
C-60.05.	<i>Improvements: Renovate Heth Hall (17334)</i> .....			\$0	\$7,076,000
	<i>Fund Sources: Bond Proceeds</i> .....	\$0	\$7,076,000		
	Total for Radford University.....			<b>\$119,723,000</b>	<b>\$0</b> <b>\$7,076,000</b>
	Fund Sources: Higher Education Operating.....	\$29,592,000	\$0		
	Bond Proceeds .....	\$90,131,000	\$0		
			\$7,076,000		
<b>§ 2-13. UNIVERSITY OF VIRGINIA (207)</b>					
C-61.	New Construction: Construct Information Technology and Communications Data Center (17578).....			\$13,061,000	\$0
	Fund Sources: Higher Education Operating.....	\$161,000	\$0		
	Bond Proceeds .....	\$12,900,000	\$0		
C-61.40.	<i>Improvements: New Cabell Hall Renovation (17654)</i> .....			\$720,000	\$3,000,000
	<i>Fund Sources: Higher Education Operating</i> .....	\$720,000	\$3,000,000		
	<p>1. This appropriation provides funding to complete detailed planning for the New Cabell Hall Renovation project. The University of Virginia is authorized to use up to \$720,000 of nongeneral funds in the first year for which it shall be reimbursed when the project is funded to move into the construction phase.</p>				

ITEM C-61.40.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	2. Out of this appropriation, \$3,000,000 from nongeneral fund sources are authorized in the second year to complete the terrace connector between New Cabell Hall and the South Lawn project across Jefferson Avenue.				
C-61.50.	Planning: Ruffner Hall Renovation (17655).....			\$0	\$500,000
	Fund Sources: Higher Education Operating.....	\$0	\$500,000		
	This appropriation provides funding to complete detailed planning for the Ruffner Hall Renovation project. The University of Virginia is authorized to use up to \$500,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. In addition, \$1,100,230 of federal funds shall from Item 475.50 B 5 shall be transferred to this project to complete detailed planning.				
C-62.	Improvements: Expand Central Grounds Chiller (17528) .....			\$5,700,000	\$0
	Fund Sources: Higher Education Operating.....	\$5,700,000	\$0		
C-63.	New Construction: Medical Research Building (MR-6) (16282) .....			\$765,000	\$0
	Fund Sources: Bond Proceeds .....	\$765,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 1999 (Chapter 935, 1999 Acts of Assembly). The total cost of the project with the equipment funding is \$84,100,000.				
C-63.05.	New Construction: Arts and Sciences Building (16528)...			\$0	\$716,000
	Fund Sources: Bond Proceeds .....	\$0	\$716,000		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2000 (Chapter 1073, 2000 Acts of Assembly). The total cost of the project with this supplement is \$105,716,000.				
C-63.06.	New Construction: Construct Alderman Road Housing, Phase II (17794) .....			\$0	\$8,900,000
	Fund Sources: Bond Proceeds .....	\$0	\$8,900,000		
	Total for University of Virginia.....			<b>\$19,526,000</b>	<b>\$0</b>
				<b>\$20,246,000</b>	<b>\$13,116,000</b>
	Fund Sources: Higher Education Operating.....	\$5,861,000	\$0		
		\$6,581,000	\$3,500,000		
	Bond Proceeds .....	\$13,665,000	\$0		
			\$9,616,000		
<b>§ 2-13.1. UNIVERSITY OF VIRGINIA MEDICAL CENTER (209)</b>					
C-63.07.	Improvements: Renovate and Equip Medical Center Facilities (17795).....			\$0	\$40,000,000
	Fund Sources: Bond Proceeds .....	\$0	\$40,000,000		
	Total for University of Virginia Medical Center.....			<b>\$0</b>	<b>\$40,000,000</b>
	Fund Sources: Bond Proceeds .....	\$0	\$40,000,000		

ITEM C-63.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
§ 2-13.2. UNIVERSITY OF VIRGINIA'S COLLEGE AT WISE (246)					
C-63.10.	New Construction: Renovate and Expand Drama Building (16830) .....			\$0	\$735,000
	Fund Sources: Bond Proceeds .....	\$0	\$735,000		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2002 (Chapters 827 and 859, Acts of Assembly). The total cost of the project with the supplement is \$15,155,667.				
C-63.11.	Planning: Library (17806) .....			\$0	\$250,000
	Fund Sources: General.....	\$0	\$250,000		
	Total for University of Virginia's College at Wise .....			\$0	\$985,000
	Fund Sources: General.....	\$0	\$250,000		
	Bond Proceeds .....	\$0	\$735,000		
§ 2-14. VIRGINIA COMMONWEALTH UNIVERSITY (236)					
C-64.	New Construction: Construct Monroe Park Campus Addition Art Gallery, Phase I (17535) .....			\$19,394,000	\$0
	Fund Sources: Higher Education Operating.....	\$19,394,000	\$0		
C-65.	New Construction: Construct Executive Conference Center, Monroe Park Campus Addition (17536).....			\$33,957,000	\$0
	Fund Sources: Bond Proceeds .....	\$33,957,000	\$0		
C-66.	<del>New Construction: Construct Belvidere and Grace Street Parking Deck I (17566) .....</del>			<del>\$14,942,000</del>	<del>\$0</del>
	New Construction: Construct West Grace Street Parking Deck (17566).....			\$27,581,000	
	Fund Sources: Higher Education Operating.....	\$3,331,000	\$0		
	Bond Proceeds .....	<del>\$14,942,000</del>	<del>\$0</del>		
		\$24,250,000			
C-67.	New Construction: Construct Medical Sciences Building, Phase II (16721) .....			\$3,700,000	\$0
	Fund Sources: Bond Proceeds .....	\$3,700,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the equipment funding is \$68,629,634.				
C-67.05.	New Construction: Construct New School of Medicine, Phase I (17683).....			\$0	\$58,436,000
	Fund Sources: Bond Proceeds .....	\$0	\$58,436,000		
	This Item contains supplemental funding for the construction of the new School of Medicine, originally authorized in 2008 (Chapter 1, 2008 Acts of Assembly). The total cost of the project with the supplement is \$116,436,000.				

ITEM C-67.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-67.10.	<i>Improvements: Renovate Massey Cancer Center Laboratory Support (17685).....</i>			\$0	\$5,013,000
	<i>Fund Sources: Bond Proceeds.....</i>	\$0	\$5,013,000		
	Total for Virginia Commonwealth University.....			<b>\$71,993,000</b>	<b>\$0</b>
				<b>\$84,632,000</b>	<b>\$63,449,000</b>
	Fund Sources: Higher Education Operating.....	\$19,394,000	\$0		
		\$22,725,000			
	Bond Proceeds.....	\$52,599,000	\$0		
		\$61,907,000	\$63,449,000		

### § 2-15. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

C-68.	Improvements: Supplemental Funding for Previously Authorized Capital Projects (17167).....			\$35,000,000	\$0
	Fund Sources: Trust and Agency .....	\$35,000,000	\$0		
	This item contains supplemental funding for the nongeneral fund portion of a previously approved project as originally authorized Chapter 951, 2005 Acts of Assembly. The total amount of this appropriation is \$35,000,000.				
C-69.	New Construction: Construct Phase III Buildings, Loudoun Campus, Northern Virginia (17377).....			\$8,600,000	\$0
	Fund Sources: Bond Proceeds .....	\$8,600,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$39,765,000.				
C-70.	New Construction: Construct Phase I of Regional Health Professions Center, Virginia Beach Campus, Tidewater (17378).....			\$8,200,000	\$0
	Fund Sources: Bond Proceeds.....	\$8,200,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$29,560,000.				
C-71.	New Construction: Construct Phase II Building, Midlothian Campus, John Tyler (17386).....			\$2,800,000	\$0
	Fund Sources: Bond Proceeds.....	\$2,800,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$23,993,000.				
C-72.	New Construction: Construct Phase VI Academic Building, Annandale Campus, Northern Virginia (17387) .....			\$6,100,000	\$0
	Fund Sources: Bond Proceeds.....	\$6,100,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 2006 (Chapter 3, 2006 Acts of Assembly, Special Session I). The total cost of the project with the supplement is \$35,429,000.				

ITEM C-73.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-73.	Improvements: Renovate Science Building, Annandale Campus, Northern Virginia (16178) .....			\$700,000	\$0
	Fund Sources: Bond Proceeds .....	\$700,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 1999 (Chapter 935, 1999 Acts of Assembly). The total cost of the project with the supplement is \$20,451,103.				
C-74.	New Construction: Construct Historic Triangle Campus, Thomas Nelson (16837).....			\$5,640,000	\$0
	Fund Sources: Bond Proceeds .....	\$5,640,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project approved in 2002 (Chapters 857 and 859, 2002 Acts of Assembly). The total cost of the project with the supplement is \$31,304,137.				
C-74.10.	Equipment: Equipment for Dental Hygiene Facility, Thomas Nelson Community College (17635).....			\$2,400,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,400,000	\$0		
C-75.	Improvements: Renovate Hobbs (Suffolk) Campus, Paul D. Camp (17388).....			\$210,000	\$0
	Fund Sources: Bond Proceeds .....	\$210,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2004 (Chapter 4, 2004 Acts of Assembly, Special Session I). The total cost of the project with this supplement is \$2,154,000.				
C-76.	New Construction: Construct Tri-Cities Higher Education Center (17488).....			\$900,000	\$0
	Fund Sources: Bond Proceeds .....	\$900,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2004 (Chapter 4, 2004 Acts of Assembly, Special Session I). The total cost of the project with this supplement is \$1,743,290.				
C-77.	New Construction: Construct Student Center, Portsmouth Campus, Tidewater (17397).....			\$5,406,000	\$0
	Fund Sources: Higher Education Operating.....	\$1,100,000	\$0		
	Bond Proceeds .....	\$4,306,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously authorized capital project, approved in 2006, (Chapter 3, 2006 Acts of Assembly). The total cost of the project with this supplement is \$15,190,000.				
C-78.	New Construction: Construct West Access Way, Reconfigure West Roadway, Blue Ridge (17621) .....			\$780,000	\$0
	Fund Sources: Trust and Agency .....	\$780,000	\$0		
C-79.	New Construction: Construct Regional Storm Water Detention Facility, Patrick Henry (17622).....			\$259,000	\$0
	Fund Sources: Trust and Agency .....	\$259,000	\$0		



ITEM C-80.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-80.	New Construction: Construct Historic Triangle Parking Lot, Phase II, Thomas Nelson (17623).....			\$5,658,000	\$0
	Fund Sources: Trust and Agency .....	\$5,658,000	\$0		
C-81.	New Construction: Construct Welcome Center Visitor Entrance and Parking, Hampton Campus, Thomas Nelson (17624).....			\$6,118,000	\$0
	Fund Sources: Trust and Agency .....	\$6,118,000	\$0		
C-81.10.	Improvements: Supplement Rockbridge Regional Center, Dabney S. Lancaster Community College (17639) .....			\$75,000	\$0
	Fund Sources: Bond Proceeds .....	\$75,000	\$0		
C-81.20.	Equipment: Equipment, Booth Center, Southwest Virginia Community College (17636) .....			\$979,373	\$0
	Fund Sources: Bond Proceeds .....	\$979,373	\$0		
C-81.30.	New Construction: Construct Student Center, Chesapeake Campus, Tidewater (17625) .....			\$20,753,000	\$0
	Fund Sources: Bond Proceeds .....	\$20,753,000	\$0		
C-81.40.	New Construction: Construct Student Center, Virginia Beach Campus, Tidewater (17067).....			\$6,560,000	\$0
	Fund Sources: Higher Education Operating.....	\$3,657,000	\$0		
	Bond Proceeds .....	\$2,903,000	\$0		
C-81.50.	New Construction: Construct Student Center, Norfolk Campus, Tidewater (17068) .....			\$3,825,000	\$0
	Fund Sources: Higher Education Operating.....	\$2,162,000	\$0		
	Bond Proceeds .....	\$1,663,000	\$0		
C-81.55.	New Construction: Academic Building Phase III, Manassas Campus, Northern Virginia Community College (17501).....			\$0	\$6,059,000
	Fund Sources: Bond Proceeds .....	\$0	\$6,059,000		
	<i>Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2007 (Chapter 847, 2007 Acts of Assembly). The total cost of the project with equipment is \$29,854,200.</i>				
C-81.56.	New Construction: Construct Student Recreation Center, Blue Ridge (17785).....			\$0	\$10,698,000
	Fund Sources: Bond Proceeds .....	\$0	\$10,698,000		
C-81.57.	New Construction: Construct Exterior Multi Use Plaza, Virginia Western (17786) .....			\$0	\$2,000,000
	Fund Sources: Trust and Agency.....	\$0	\$2,000,000		
C-81.58.	New Construction: Construct Academic Building, Chesapeake Campus, Tidewater (17787).....			\$0	\$4,925,000

ITEM C-81.58.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$4,925,000		
C-81.59.	<i>New Construction: Construct Technical Education Building, Rappahannock (17788).....</i>			\$0	\$22,491,000
	<i>Fund Sources: Trust and Agency.....</i>	\$0	\$22,491,000		
C-81.60.	<i>New Construction: Construct Bookstore, Central Virginia (17789).....</i>			\$0	\$545,000
	<i>Fund Sources: Higher Education Operating.....</i>	\$0	\$545,000		
C-81.61.	<i>Improvements: Blackwater Building, Tidewater Community College (17117)</i>				
	<i>Funding for this project approved for 9(d) debt bond proceeds in Items 198.70 and 326.30, Chapter 847, 2008 Acts of Assembly, may be used for equipment purchases and to provide improvements to existing central plant heating and cooling equipment on the Virginia Beach Campus of Tidewater Community College.</i>				
C-81.62.	<i>Acquisition: Acquire Contiguous Property, Piedmont Virginia (17790)</i>				
	<i>The Virginia Community College System is authorized, with approval of the Governor or as otherwise provided by law, to acquire, at no cost to the Commonwealth, certain real property, described generally as 5.91 acres, more or less, and all improvements thereon including the 10,228 square foot building formerly used as the Monticello Visitors Center, situated adjacent to the Campus on State Route 20 in Albemarle County, said conveyance being for the beneficial purpose of establishing a Workforce Training Center. Prior to acceptance of said property, assurances satisfactory to the Virginia Community College System and the Governor shall be made indicating that the property is free from hazardous materials and conditions.</i>				
C-81.63.	<i>Acquisition: Acquire Property, Downtown Campus, J. Sargeant Reynolds (17791)</i>				
	<i>The Virginia Community College System, with the approval of the Governor or as otherwise provided by law, is authorized to acquire, by exchange and at no additional cost to the Commonwealth, certain real property described generally as approximately 6,987 square feet of land, more or less, situated adjacent to the Downtown Campus of J. Sargeant Reynolds Community College and approximately 7,559 square feet between Duval Street and Interstate 95 in the City of Richmond, and air rights over land below; in exchange for approximately 6,270 square feet of State Board for Community College property on the Downtown Campus of J. Sargeant Reynolds Community College; said conveyances being for the beneficial purpose of street improvements by the City of Richmond. Prior to acceptance of said property, assurances satisfactory to the Virginia Community College System and the Governor shall be made indicating that the property is free from hazardous materials and conditions.</i>				
C-81.64.	<i>New Construction: Construct Walking and Biking Trail, Wytheville (17792).....</i>			\$0	\$880,000
	<i>Fund Sources: Trust and Agency.....</i>	\$0	\$880,000		
C-81.65.	<i>Planning: Workforce Training Center, Woodbridge Campus, Northern Virginia Community College (17802) .....</i>			\$0	\$250,000
	<i>Fund Sources: General.....</i>	\$0	\$250,000		
	Total for Virginia Community College System .....			\$120,963,373	\$0
					\$47,848,000
	<i>Fund Sources: General.....</i>	\$0	\$250,000		
	<i>Higher Education Operating.....</i>	\$6,919,000	\$0		

ITEM C-81.65.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Trust and Agency .....	\$47,815,000	\$545,000 \$0		
	Bond Proceeds .....	\$66,229,373	\$25,371,000 \$0 \$21,682,000		
<b>§ 2-16. VIRGINIA MILITARY INSTITUTE (211)</b>					
C-82.	Improvements: Renovate Mallory Hall (16797) .....			\$760,000	\$0
	Fund Sources: Bond Proceeds .....	\$760,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of this project with this supplement is \$13,800,000.				
C-83.	Improvements: Renovate Kilbourne Hall Complex (17119) .....			\$485,000	\$0
	Fund Sources: Bond Proceeds .....	\$485,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a previously funded capital project authorized in 2004 (Chapters 4, 2004 Acts of Assembly). The total cost of this project with this supplement is \$27,985,000.				
C-84.	New Construction: Construct South Hill Parking (17559) .....			\$2,816,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,816,000	\$0		
C-85.	New Construction: Construct Lackey Parking (17560) ....			\$1,958,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,958,000	\$0		
C-85.10.	Planning: Renovate Post Hospital (17803) .....			\$0	\$205,000
	Fund Sources: Higher Education Operating .....	\$0	\$205,000		
	Total for Virginia Military Institute .....			<b>\$6,019,000</b>	<b>\$0</b> <b>\$205,000</b>
	Fund Sources: Higher Education Operating .....	\$0	\$205,000		
	Bond Proceeds .....	\$6,019,000	\$0		
<b>§ 2-17. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)</b>					
C-86.	New Construction: Construct Basketball Practice Facility (17529) .....			\$20,000,000	\$0
	Fund Sources: Higher Education Operating .....	\$10,600,000	\$0		
	Bond Proceeds .....	\$9,400,000	\$0		
C-87.	Improvements: Renovate Henderson Hall (16758) .....			\$3,458,000	\$0
	Fund Sources: Bond Proceeds .....	\$3,458,000	\$0		
	Additional funds provided in this Item are for the equipment portion of a originally funded capital project authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with the supplement is \$16,110,000.				

ITEM C-88.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-88.	Improvements: Repair McComas Hall Exterior Wall Structure (17556) .....			\$6,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$6,000,000	\$0		
C-89.	Improvements: Renovate Ambler Johnston (17557) .....			<del>\$55,000,000</del> \$65,000,000	\$0
	Fund Sources: Bond Proceeds .....	<del>\$55,000,000</del> \$65,000,000	\$0		
C-90.	Improvements: Renovate Owens and West End Market Food Courts (17558) .....			\$5,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$5,000,000	\$0		
C-91.	New Construction: New Residence Hall (16682) .....			\$8,047,000	\$0
	Fund Sources: Bond Proceeds .....	\$8,047,000	\$0		
Additional funds provided in this Item are for a originally funded capital project authorized in 2000 (Chapter 1073, Acts of Assembly). The total cost of the project with the supplement is \$31,088,021.					
C-91.05.	<i>New Construction: Construct Institute for Critical Technology and Applied Science, Phase II (17291) .....</i>			\$0	\$3,981,000
	<i>Fund Sources: Bond Proceeds .....</i>	<i>\$0</i>	<i>\$3,981,000</i>		
<i>Additional funds provided in this Item are for the equipment portion of a originally funded capital project authorized in 2007 (Chapter 3, 2006 Acts of Assembly). The total cost of the project with the supplement is \$35,000,000.</i>					
C-91.10.	<i>New Construction: Parking Facility (17804) .....</i>			\$0	\$30,000,000
	<i>Fund Sources: Bond Proceeds .....</i>	<i>\$0</i>	<i>\$30,000,000</i>		
C-91.20.	<i>Planning: Engineering Signature Building (17658) .....</i>			\$0	\$983,350
	<i>Fund Sources: Higher Education Operating .....</i>	<i>\$0</i>	<i>\$983,350</i>		
<i>This appropriation provides funding to complete detailed planning for the new Engineering Signature Building project. Virginia Tech is authorized to use up to \$983,350 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. In addition, \$1,100,230 of federal funds from Item 475.50 B 5 shall be transferred to this project to complete detailed planning.</i>					
Total for Virginia Polytechnic Institute and State University .....				<del>\$97,505,000</del> \$107,505,000	<del>\$0</del> \$34,964,350
	Fund Sources: Higher Education Operating .....	\$10,600,000	\$0		
			\$983,350		
	Bond Proceeds .....	<del>\$86,905,000</del> \$96,905,000	<del>\$0</del> \$33,981,000		
<b>§ 2-18. VIRGINIA STATE UNIVERSITY (212)</b>					
C-92.	Improvements: Renovate and Expand the Bookstore (17530) .....			\$3,333,000	\$0

ITEM C-92.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Higher Education Operating.....	\$3,333,000	\$0		
C-93.	New Construction: Construct Gateway Residence Hall, Phase II (17531).....			\$38,342,000	\$0
	Fund Sources: Bond Proceeds .....	\$38,342,000	\$0		
C-93.05.	Improvements: Renovate Rogers Stadium (16121).....			\$3,125,000	\$0
	Fund Sources: Higher Education Operating.....	\$3,125,000	\$0		
	<i>This Item contains supplemental funding for the renovation of Rogers Stadium originally authorized in 1998 (Chapter 1, 1998 Acts of Assembly, Special Session I). The total cost of this project with the supplement is \$14,835,151.</i>				
	Total for Virginia State University .....			<b>\$41,675,000</b> <b>\$44,800,000</b>	<b>\$0</b>
	Fund Sources: Higher Education Operating.....	\$3,333,000	\$0		
		\$6,458,000			
	Bond Proceeds .....	\$38,342,000	\$0		
<b>§ 2-19. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)</b>					
C-94.	New Construction: Construct West African Exhibit (17537) .....			\$426,000	\$0
	Fund Sources: Special.....	\$426,000	\$0		
	Total for Frontier Culture Museum of Virginia.....			<b>\$426,000</b>	<b>\$0</b>
	Fund Sources: Special.....	\$426,000	\$0		
<b>§ 2-20. JAMESTOWN-YORKTOWN FOUNDATION (425)</b>					
C-95.	Improvements: Create Jamestown Legacy Walk - II (17548) .....			\$193,000	\$0
	Fund Sources: Special.....	\$193,000	\$0		
C-95.10.	Omitted.				
	Total for Jamestown-Yorktown Foundation .....			<b>\$193,000</b>	<b>\$0</b>
	Fund Sources: Special.....	\$193,000	\$0		
<b>§ 2-21. THE SCIENCE MUSEUM OF VIRGINIA (146)</b>					
C-96.	Improvements: Restore the Exterior Stucco (17585) .....			\$1,100,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,100,000	\$0		
	Total for The Science Museum of Virginia .....			<b>\$1,100,000</b>	<b>\$0</b>
	Fund Sources: Bond Proceeds .....	\$1,100,000	\$0		
<b>§ 2-22. VIRGINIA MUSEUM OF FINE ARTS (238)</b>					
C-97.	Improvements: Renovate Carpenter Shop (17582).....			\$1,695,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,695,000	\$0		

ITEM C-98.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-98.	Improvements: Replace Boiler Plant (17583).....			\$975,000	\$0
	Fund Sources: Bond Proceeds .....	\$975,000	\$0		
C-99.	Improvements: Replace Chiller Plant (17584).....			\$1,080,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,080,000	\$0		
	Total for Virginia Museum of Fine Arts .....			<b>\$3,750,000</b>	<b>\$0</b>
	Fund Sources: Bond Proceeds .....	\$3,750,000	\$0		
	TOTAL FOR OFFICE OF EDUCATION.....			<b>\$981,364,373</b>	<b>\$1,800,000</b>
				<b>\$1,021,543,373</b>	<b>\$286,308,350</b>
	Fund Sources: <i>General</i> .....	\$0	\$500,000		
	Special.....	\$619,000	\$0		
	Higher Education Operating.....	<del>\$94,549,000</del>	<del>\$1,800,000</del>		
		<del>\$109,820,000</del>	<del>\$22,608,350</del>		
	Trust and Agency .....	<del>\$47,815,000</del>	<del>\$0</del>		
			<del>\$25,371,000</del>		
	Bond Proceeds .....	<del>\$838,381,373</del>	<del>\$0</del>		
		<del>\$863,289,373</del>	<del>\$237,829,000</del>		

## OFFICE OF FINANCE

## § 2-23. DEPARTMENT OF TAXATION (161)

C-100.	The Department of Taxation is authorized to enter into capital leases for office space for processing and central office functions.				
	Total for Department of Taxation.....			<b>\$0</b>	<b>\$0</b>
	TOTAL FOR OFFICE OF FINANCE.....			<b>\$0</b>	<b>\$0</b>

## OFFICE OF HEALTH AND HUMAN RESOURCES

## § 2-24. DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (720)

C-101.	Omitted.				
C-102.	Omitted.				
C-103.	Improvements: Address Life Safety Issues at State Facilities (17596) .....			\$24,000,000	\$0
	Improvements: Life Safety and Major Mechanical Repairs Umbrella (17596)				
	Fund Sources: Bond Proceeds .....	\$24,000,000	\$0		

C-103.05. A. Notwithstanding any other provision of law, the following provisions shall be implemented:

1. The Department of General Services (DGS), with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall rebuild and resize the Southeastern Virginia Training Center to a 75-bed facility to serve profound and severely disabled clients;

2. The Director, Department of Planning and Budget, shall transfer \$23,768,000 of the amount appropriated in Chapter 1 and Chapter 2, 2008 Acts of Assembly, Special Session I for project 17458 (Repair/Replace Southeastern Virginia Training Center) for the purpose stated in paragraph A.1. of this item;

ITEM C-103.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<p>3. The Department of General Services, with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall build, acquire, or renovate 12 community-based Intermediate Care Facilities (ICF-MR) and 6 MR Homes in Health Planning Region V. Priority should be given to projects which can be completed on existing state-owned property within Health Planning Region V;</p> <p>4. The Director, Department of Planning and Budget shall transfer \$8,438,160 of the amount appropriated in Chapter 1 and Chapter 2, 2008 Acts of Assembly, Special Session I for project 17457, (Repair/Replace Central Virginia Training Center) for the purpose stated in paragraph A.3. of this item.</p> <p>5. Of the remaining appropriation in Chapter 1 and Chapter 2, 2008 Acts of Assembly, Special Session I for project 17457, (Repair/Replace Central Virginia Training Center), \$10,061,840 is designated for project 17733, (Construction of Community Housing for Central Virginia).</p> <p>6. The Governor, the Director, Department of Planning and Budget and the Director, Department of General Services, shall suspend the regular capital outlay process and initiate an expedited, fast track capital outlay process to ensure the timely availability of both the rebuilt and resized Southeastern Virginia Training Center and the 12 community-based Intermediate Care Facilities (ICF-MR) and 6 Mental Retardation Homes in Health Planning Region V. The Governor's expedited process shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees for approval by July 15, 2009.</p> <p>B. The Department of General Services (DGS), with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall examine the potential uses for the Southeastern Virginia Training Center property and report on such uses to Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.</p>				
C-103.10.	New Construction: Replace Western State Hospital (17276) .....		\$20,000,000	\$0
	Fund Sources: Special .....	\$20,000,000	\$0	
<p>This Item contains supplemental funding for the nongeneral fund portion of a previously approved project as originally authorized in Chapter 3, 2006 Acts of Assembly and Chapter 1, 2008 Acts of Assembly, Special Session I. The total cost of the project with the supplement is \$132,150,000.</p>				
	Total for Department of Mental Health, Mental Retardation and Substance Abuse Services .....		<b>\$24,000,000</b> <b>\$44,000,000</b>	<b>\$0</b>
	Fund Sources: Special .....	\$20,000,000	\$0	
	Bond Proceeds .....	\$24,000,000	\$0	
<b>§ 2-25. WOODROW WILSON REHABILITATION CENTER (203)</b>				
C-104.	Improvements: Abate Asbestos in Kitchen and Dining Facilities (16969) .....		\$7,946,000	\$0
	Improvements: Renovate Harold E. Watson Kitchen and Dining Hall (16969)			
	Fund Sources: Bond Proceeds .....	\$7,946,000	\$0	
	Total for Woodrow Wilson Rehabilitation Center .....		<b>\$7,946,000</b>	<b>\$0</b>
	Fund Sources: Bond Proceeds .....	\$7,946,000	\$0	

ITEM C-105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

**§ 2-26. DEPARTMENT OF SOCIAL SERVICES (765)**

C-105. 1. The Department of Social Services is hereby granted approval to enter into new capital leases for any child support, regional, or day care office under the following circumstances: The lease is bid through the standard Request for Proposals process in cooperation with the Department of General Services; the Department of Accounts and the Department of Planning and Budget have determined that the lease is a capital or a capital outlay lease; the Department of Planning and Budget agrees that the time constraints in responding to the landlord's offer preclude a decision memorandum under § 4-4.01 n of this act; and the Department of General Services agrees that the proposed lease is the most cost-effective of the options available to the Commonwealth.

2. Such new lease or renewal may not exceed 20 years and may provide for the option for the Department or the Commonwealth to take possession of such facilities at the expiration of such leases. Any such agreement shall be subject to review and approval by the Department of General Services.

Total for Department of Social Services .....	\$0	\$0
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**§ 2-27. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)**

C-106.	Improvements: Renovate Administration and Activities Building (17593).....		\$7,214,000	\$0
	Fund Sources: Bond Proceeds .....	\$7,214,000	\$0	
	Total for Department for the Blind and Vision Impaired.....		\$7,214,000	\$0
	Fund Sources: Bond Proceeds .....	\$7,214,000	\$0	
	TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES.....		<b>\$39,160,000</b> <b>\$59,160,000</b>	<b>\$0</b>
	Fund Sources: <i>Special</i> .....	\$20,000,000	\$0	
	Bond Proceeds .....	\$39,160,000	\$0	

**OFFICE OF NATURAL RESOURCES**

**§ 2-28. DEPARTMENT OF CONSERVATION AND RECREATION (199)**

C-107.	Improvements: Repair Various State Park and Soil and Water Conservation District Dams (17587).....		\$20,000,000	\$10,000,000
	Fund Sources: Bond Proceeds .....	\$20,000,000	\$10,000,000	

A. Included in this appropriation is funding for the major modification, upgrade, or rehabilitation of dams owned or maintained by the Department of Conservation of Recreation and the Virginia Soil and Water Conservation Districts to bring impounding structures into compliance with dam safety requirements promulgated by the Virginia Soil and Water Conservation Board, pursuant to § 10.1-605, Code of Virginia. Major modifications, upgrades, and renovations include, but are not limited to, engineering and dam break inundation zone mapping and incremental damage analysis, widening of the existing emergency spillways, adding new emergency spillways, increasing the storage volume for impounded water, providing overtopping protection for the entire dam, concrete rehabilitation and repair, pressure grouting, riser tower replacement and repair, outfall pipe sleeving, concrete joint sealing, gate replacement, toe drain construction, installation of monitoring wells, embankment stabilization, rip rap replacement or tree removal.

B. Included in these amounts is \$5,000,000 the second year from bond proceeds to match the local contribution of the City of Manassas for improvements to the Lake Manassas T. Nelson Elliot Dam.



ITEM C-107.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	C. Included in these amounts is \$5,000,000 the second year from bond proceeds to match the local contribution of the City of Bedford for improvements to the Stoney Creek Reservoir Dam.				
C-108.	Omitted.				
C-109.	Omitted.				
C-110.	Acquisition: Preservation of Open Space and Historic Resources Through Conservation (17597).....			\$30,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$30,000,000	\$0		
	Included in this appropriation is funding for projects involving the acquisition of land for the purposes of conservation, open space and historic preservation, such land to be held by or on behalf of or for the benefit of the Commonwealth, its agencies or public bodies, including but not limited to the Department of Conservation and Recreation, the Department of Forestry, and the Virginia Outdoors Foundation. The Secretary of Natural Resources, and where applicable the Secretary of Agriculture and Forestry, shall be consulted prior to any acquisition funded through this project.				
	Total for Department of Conservation and Recreation .....			\$50,000,000	\$10,000,000
	Fund Sources: Bond Proceeds .....	\$50,000,000	\$10,000,000		
<b>§ 2-29. DEPARTMENT OF GAME AND INLAND FISHERIES (403)</b>					
C-111.	Improvements: Dam Safety Program (15261).....			\$1,000,000	\$0
	Fund Sources: Dedicated Special Revenue .....	\$1,000,000	\$0		
C-112.	Acquisition: Wildlife Management Areas (16365).....			\$1,000,000	\$0
	Fund Sources: Dedicated Special Revenue .....	\$250,000	\$0		
	Federal Trust.....	\$750,000	\$0		
C-113.	New Construction: Boating Access Program (13317) .....			\$1,000,000	\$0
	Fund Sources: Federal Trust.....	\$1,000,000	\$0		
C-113.05.	New Construction: Construct New Headquarters Facility (17783).....			\$0	\$10,000,000
	Fund Sources: Dedicated Special Revenue .....	\$0	\$10,000,000		

A. The Department of Game and Inland Fisheries, with the concurrence of the Secretaries of Natural Resources and Administration, is hereby authorized to enter into a comprehensive agreement with a private entity, pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002, for the design and construction of a new structure to replace its existing headquarters. The principal cost of the agreement shall not exceed \$10.0 million. The Department is also authorized to sell or trade for value its existing headquarters, and associated buildings and grounds located at 4000, 4010 and 4016 West Broad Street, Richmond, Virginia.

B. Notwithstanding the provisions of Item 444 of Chapter 847, 2007 Acts of Assembly, the Commissioner of the Virginia Department of Transportation shall immediately transfer two parcels of property located at and adjacent to 10267 Telegraph Road, Ashland, Virginia, known as the "Atlee Maintenance Lot" and "OFF RT 623 ADJ HWY PROP", Hanover County PID #7787-34-5666 and PID #7787-34-5926, respectively, totaling approximately 6.03 acres to the Department of Game and Inland Fisheries for the location of its headquarters. Prior to this transfer, the Department of Transportation shall continue to address any environmental

ITEM C-113.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

remediation necessary to reuse the property. The Department of Game and Inland Fisheries shall modify its Request for Proposals dated August 25, 2008 to accommodate this specific location. In addition, the project size shall comply with the Department of General Services' space guidelines.

C. It is the intent of the General Assembly that the reuse of this property by the Department of Game and Inland Fisheries involves transportation related activities, including but not limited to (i) the titling, registration and numbering of watercraft pursuant to state and federal laws and regulations, and (ii) the enforcement of state and federal boating safety laws and regulations.

D. In the event that the Department of Game and Inland Fisheries determines that the environmental remediation efforts of the Department of Transportation described in paragraph B of this item do not allow for the reuse of the property as the new Department of Game and Inland Fisheries headquarters, the Department of Game and Inland Fisheries, in consultation with the Department of General Services, shall examine other existing state-owned property including property owned by the Department of Game and Inland Fisheries or the Department of Conservation and Recreation. The Department of Game and Inland Fisheries, prior to entering into any contract or agreement and no later than October 1, 2009, shall report to the Chairmen of the House Appropriations and Senate Finance Committees, on the project options under consideration to include project cost, project size and project location.

Total for Department of Game and Inland Fisheries .....			\$3,000,000	\$0
				\$10,000,000

Fund Sources: Dedicated Special Revenue .....	\$1,250,000	\$0		
			\$10,000,000	
Federal Trust .....	\$1,750,000	\$0		

TOTAL FOR OFFICE OF NATURAL RESOURCES ....			\$53,000,000	\$10,000,000
				\$20,000,000

Fund Sources: Dedicated Special Revenue .....	\$1,250,000	\$0		
			\$10,000,000	
Federal Trust .....	\$1,750,000	\$0		
Bond Proceeds .....	\$50,000,000	\$10,000,000		

#### OFFICE OF PUBLIC SAFETY

##### § 2-30. DEPARTMENT OF FORENSIC SCIENCE (778)

C-114.	New Construction: Expand Laboratory Space in Norfolk Forensic Lab Building (17173) .....		\$3,827,000	\$0
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Fund Sources: Bond Proceeds .....	\$3,827,000	\$0		
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This Item contains supplemental funding for the renovation of laboratory space on the fifth floor of the Forensic Eastern Laboratory facility, originally authorized in 2005 (Chapter 951, 2005 Acts of Assembly). The total cost of this project with this supplement is \$5,027,000.

C-115. If suitable land becomes available for the expansion or replacement of the Department of Forensic Science's Roanoke Regional Lab, the Governor is authorized to use a portion of the unappropriated general fund balance in this act to purchase such land.

Total for Department of Forensic Science.....			\$3,827,000	\$0
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Fund Sources: Bond Proceeds .....	\$3,827,000	\$0		
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##### § 2-31. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (999)

C-115.10.	Maintenance Reserve (14702) .....		\$400,000	\$400,000
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		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<b>ITEM C-115.10.</b>					
	Fund Sources: Enterprise .....	\$400,000	\$400,000		
	Total for Department of Alcoholic Beverage Control .....			<b>\$400,000</b>	<b>\$400,000</b>
	Fund Sources: Enterprise .....	\$400,000	\$400,000		
<b>§ 2-32. DEPARTMENT OF CORRECTIONS (799)</b>					
C-116.	New Construction: Construct New Dairy and Dairy Processing Center (16994).....			\$7,178,000	\$0
	Fund Sources: Bond Proceeds .....	\$7,178,000	\$0		
	This Item contains supplemental funding for the project to renovate an existing building at Powhatan Correctional Center into an expanded dairy processing center and to construction a new expanded dairy barn and milking parlor at Powhatan Correctional Center, originally authorized in 2004 (Chapter 4, 2004 Acts of Assembly). The total cost of the project with the supplement is \$15,078,000. The project will enable the Department of Corrections to expand its production of milk and other dairy products. The department shall limit its customer base for dairy products to governmental entities and private vendors that have contracts with governmental entities to provide food services.				
C-117.	New Construction: Medium Security Correctional Facility, Mount Rogers Planning District (17491).....			\$4,000,000	\$0 \$1,700,000
	Fund Sources: Bond Proceeds .....	\$4,000,000	\$0 \$1,700,000		
	This Item contains supplemental funding for the project to construct a new medium security prison in the Mt. Rogers planning district, originally authorized in 2007 (Chapter 847, 2007 Acts of Assembly). The total cost of the project with the supplement is <del>\$104,500,000</del> \$106,200,000.				
C-118.	Improvements: Powhatan Electrical System Upgrade (16105) .....			\$2,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,000,000	\$0		
	This Item contains supplemental funding for the project to upgrade the electrical system at Powhatan Correctional Center, originally authorized in 1998 (Chapter 1, Acts of Assembly, 1998 Special Session). The total cost of the project with the supplement is \$2,812,524.				
C-119.	Improvements: Install Fire Safety Systems and Exits (16426) .....			\$890,000	\$0
	Fund Sources: Bond Proceeds .....	\$890,000	\$0		
	This Item contains supplemental funding for the umbrella project to install fire safety systems and exits at various correctional facilities, originally authorized in 2000 (Chapter 1073, Acts of Assembly, 2000 Reconvened Session). The total cost of the project with the supplement is \$2,993,000.				
C-120.	New Construction: Upgrade Powhatan Wastewater Treatment Plant (17607) .....			\$3,812,000	\$0
	Fund Sources: Bond Proceeds .....	\$3,812,000	\$0		
C-121.	New Construction: Replace Modular Units at Marion (17608) .....			\$4,401,000	\$0

ITEM C-121.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Bond Proceeds .....	\$4,401,000	\$0		
C-122.	Improvements: Locking Systems and Cell Door Replacement (16113) .....			\$2,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,500,000	\$0		
	This Item contains supplemental funding for the umbrella project to replace cell locking systems and doors in various correctional centers, originally authorized in 1998 (Chapter 1, Acts of Assembly, 1998 Special Session). The total cost of the project with the supplement is \$5,557,000.				
C-123.	<del>Improvements: Replace Prison Door Control Panels (17609) .....</del> <i>Improvements: Repair/Replace Door Controls (17609)</i> .....			\$2,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,500,000	\$0		
C-124.	Equipment: Install Auger/Grinder Collection Systems (16433) .....			\$800,000	\$0
	Fund Sources: Bond Proceeds .....	\$800,000	\$0		
	This Item contains supplemental funding for the umbrella project to install auger grinder systems at various correctional centers, originally authorized in 2001 (Chapter 1073, 2001 Acts of Assembly), for additional subprojects. The total cost of all the subprojects with the supplement is \$1,200,000.				
C-125.	New Construction: Construct New Kitchen and Dining Hall at Halifax (17610).....			\$4,061,000	\$0
	Fund Sources: Bond Proceeds .....	\$4,061,000	\$0		
C-126.	Improvements: Replace Sally Port at Southampton (17611) .....			\$1,613,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,613,000	\$0		
C-127.	Improvements: Replace Plumbing and Heating Systems in Field Units (17612) .....			\$2,500,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,500,000	\$0		
C-128.	Improvements: Upgrade Electrical Systems, Various Facilities (15200) .....			\$600,000	\$0
	Fund Sources: Bond Proceeds .....	\$600,000	\$0		
	This Item contains supplemental funding for the umbrella project to upgrade the electrical systems of all the correctional field units, originally authorized in 1994 (Chapter 966, 1994 Acts of Assembly), for additional subprojects. The total cost of all the subprojects with the supplement is \$4,129,641.				
C-129.	New Construction: Install Elevated Water Storage Tank at Greensville (17613) .....			\$2,771,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,771,000	\$0		
C-130.	Improvements: Replace Windows (17614).....			\$2,000,000	\$0

ITEM C-130.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Fund Sources: Bond Proceeds .....	\$2,000,000	\$0		
C-131.	Improvements: Renovate Bathrooms and Provide Handicapped Access at Chesterfield (17615) .....			\$500,000	\$0
	Fund Sources: Bond Proceeds .....	\$500,000	\$0		
C-132.	Improvements: Install Railings and Mesh at Greenville (17616) .....			\$622,000	\$0
	Fund Sources: Bond Proceeds .....	\$622,000	\$0		
C-133.	New Construction: Expand Sally Port Building at Deerfield (17617) .....			\$238,000	\$0
	Fund Sources: Bond Proceeds .....	\$238,000	\$0		
C-134.	New Construction: Upgrade St. Brides Water Treatment Plant (17620) .....			\$3,353,000	\$0
	Fund Sources: Bond Proceeds .....	\$3,353,000	\$0		
C-134.10.	The authorized purpose of capital project number 799-1611 is hereby modified to include the costs of water improvements necessary to serve the state correctional facilities located in Culpeper County, including an 8-inch water service line, engineering, and land and easement acquisition costs, as set out in Item 391, paragraph J., of this act. This change in scope will still meet the original intent of project number 799-16111 of addressing VPDES permit discharge issues at the Coffeewood Correctional Center water treatment plant.				
C-134.20.	New Construction: Craigsville Wastewater Treatment Plant (17637) .....			\$1,000,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,000,000	\$0		
	<p>A. The Commonwealth shall provide for its estimated 56 percent share of the capital cost of constructing a wastewater treatment plant to be operated by the Town of Craigsville. The state share of the construction cost for this project shall consist of three parts: (i) a grant of up to \$2,700,000 from the Water Quality Improvement Fund by the Department of Environmental Quality, in furtherance of improving the health of the Chesapeake Bay; (ii) a 20-year loan with a principal amount of \$2,384,191, more or less, from the Department of Environmental Quality, to be repaid by the Department of Corrections as specified in paragraph B. of this item, and (iii) Virginia Public Building Authority (VPBA) bonds in an amount of up to \$1,000,000, as specified in this item.</p> <p>B. No payment shall be made to the Town of Craigsville until the Department of Corrections has entered into a new contract with the Town of Craigsville, which, along with other appropriate terms, shall provide that all charges to be paid for all future wastewater treatment for the Augusta Correctional Center shall be based solely upon the Augusta Correctional Center's actual metered usage and that the Augusta Correctional Center shall be charged at a rate no higher than the lowest rate charged to any other customer of the wastewater treatment plant. The contract shall also provide for an annual payment of \$120,000 from the Department of Corrections to the Town of Craigsville for 20 years, representing the reimbursement of debt service on the loan provided to the Town of Craigsville by the Department of Environmental Quality.</p>				
C-134.25.	Improvements: Replace Roofs Umbrella Project (16732) .....			\$0	\$5,000,000
	Fund Sources: Bond Proceeds .....	\$0	\$5,000,000		

ITEM C-134.25.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Total for Department of Corrections.....			\$47,339,000	\$0 \$6,700,000
	Fund Sources: Bond Proceeds .....	\$47,339,000	\$0 \$6,700,000		
<b>§ 2-33. DEPARTMENT OF EMERGENCY MANAGEMENT (127)</b>					
C-135.	The Department of Emergency Management is hereby granted approval to enter into a new capital lease or renew an existing lease due to expire during the current biennium for their administrative building located in Chesterfield County. Such new lease or renewal may not exceed ten years.				
	Total for Department of Emergency Management.....			\$0	\$0
<b>§ 2-34. DEPARTMENT OF JUVENILE JUSTICE (777)</b>					
C-136.	New Construction: Replace Housing Units at Natural Bridge Juvenile Correctional Center (17598) .....			\$1,691,000	\$0
	Fund Sources: Bond Proceeds .....	\$1,691,000	\$0		
C-137.	New Construction: Replace Classroom Trailers at Beaumont JCC (17255) .....			\$450,000	\$0
	Fund Sources: Bond Proceeds .....	\$450,000	\$0		
	This Item contains supplemental funding for the project to replace classroom trailers at Beaumont Juvenile Correctional Center, originally authorized in 2006 (Chapter 3, 2006 Acts of Assembly). The total cost of the project with the supplement is \$1,150,000.				
C-138.	New Construction: Construct Dry-Storage Warehouse at Culpeper Juvenile Correctional Center (17599) .....			\$880,000	\$0
	Fund Sources: Bond Proceeds .....	\$880,000	\$0		
C-139.	Improvements: Remove Abandoned Underground Fuel Tanks (17600) .....			\$250,000	\$0
	Fund Sources: Bond Proceeds .....	\$250,000	\$0		
C-140.	Improvements: Upgrade Fire Alarm and Protection Systems (17601).....			\$700,000	\$0
	Fund Sources: Bond Proceeds .....	\$700,000	\$0		
C-141.	New Construction: Replace Natural Gas, Water and Sewage Lines (17602) .....			\$2,200,000	\$0
	Fund Sources: Bond Proceeds .....	\$2,200,000	\$0		
C-142.	Improvements: Upgrade Mechanical, Electrical and Plumbing Systems for Reception and Diagnostic Center Cottages (17603).....			\$700,000	\$0
	Fund Sources: Bond Proceeds .....	\$700,000	\$0		
C-143.	Improvements: Provide New DCE School HVAC Plant at Hanover Juvenile Correctional Center (17604) .....			\$500,000	\$0
	Fund Sources: Bond Proceeds .....	\$500,000	\$0		

ITEM C-144.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-144.	Improvements: Convert Facilities to Propane (17605).....			\$525,000	\$0
	Fund Sources: Bond Proceeds .....	\$525,000	\$0		
C-145.	Improvements: Connect Cottages to Emergency Generators (17606).....			\$670,000	\$0
	Fund Sources: Bond Proceeds .....	\$670,000	\$0		
C-145.05.	Improvements: Correct Erosion, Pamunkey (17727) .....			\$0	\$1,704,000
	Fund Sources: Bond Proceeds .....	\$0	\$1,704,000		
	Total for Department of Juvenile Justice.....			<b>\$8,566,000</b>	<b>\$0</b>
					<b>\$1,704,000</b>
	Fund Sources: Bond Proceeds .....	\$8,566,000	\$0		
			\$1,704,000		

### § 2-35. DEPARTMENT OF STATE POLICE (156)

C-146.	New Construction: Construct A Public Safety Driver Training Facility (17541).....			\$21,400,000	\$0
	Fund Sources: Special .....	\$21,400,000	\$0		
C-147.	New Construction: Construct State Police Headquarters Garage (17552).....			\$2,000,000	\$0
	Fund Sources: Special .....	\$2,000,000	\$0		
C-147.10.	New Construction: Target Practice Range (17805).....			\$1,875,000	\$0
	Fund Sources: Special .....	\$400,000	\$0		
	Trust and Agency.....	\$185,000	\$0		
	Federal Trust .....	\$1,290,000	\$0		
	<i>The Department of Corrections shall transfer 18 acres of land located adjacent to the Powhatan Correctional Center to the Department of State Police for construction of this project.</i>				
	Total for Department of State Police.....			<b>\$23,400,000</b>	<b>\$0</b>
				<b>\$25,275,000</b>	
	Fund Sources: Special .....	<del>\$23,400,000</del>	\$0		
		\$23,800,000			
	Trust and Agency.....	\$185,000	\$0		
	Federal Trust .....	\$1,290,000	\$0		

### § 2-36. DEPARTMENT OF VETERANS SERVICES (912)

C-148.	Maintenance Reserve (17073) .....			\$193,000	\$192,000
	Fund Sources: Special .....	\$193,000	\$192,000		
C-149.	New Construction: Construct Southwest Virginia Veterans Cemetery (17241).....			\$11,212,000	\$0
	Fund Sources: Federal Trust.....	\$11,212,000	\$0		

Upon confirmation of eligibility for federal grant funding, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of \$1,000,000 to the Department of Veterans Services for final cemetery design. The loan shall be repaid by the Department of Veterans Services upon receipt of the federal funds. In the event that federal

ITEM C-149.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	funds are not received, the agency shall repay the loan from agency special funds. Upon the availability of federal funds, the Director, Department of Planning and Budget, shall approve a short-term, interest-free loan in the amount of \$10,212,000 to the Department of Veterans Services. The loan shall be repaid by the Department of Veterans Services upon receipt of the federal funds.			
C-150.	New Construction: Sitter & Barfoot Capacity Expansion			
	The Governor is authorized to request federal funds to expand the capacity of the Sitter & Barfoot Veterans Care Center located in Richmond, Virginia, by up to 80 beds. After the United States Department of Veterans Affairs has confirmed that it has officially accepted the application for the additional beds, the State Treasurer shall advance a loan of \$5,194,000 to the Department of Veterans Services for the state share of the additional beds in the form of a short-term treasury loan, with no interest. The purpose of these funds shall be to allow the Department of Veterans Services to apply for federal grant funding in the amount of \$9,646,000.			
C-151.	New Construction: Hampton Roads Veterans Care Center			
	The Governor is authorized to request federal funds to construct a new veterans care center with up to 240 beds located in the Hampton Roads area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of \$28,500,000 to the Department of Veterans Services for the state share of the construction.			
C-152.	New Construction: Northern Virginia Veterans Care Center			
	The Governor is authorized to request federal funds to construct a new veterans care center with up to 240 beds located in the northern area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of \$28,500,000 to the Department of Veterans Services for the state share of the construction.			
C-153.	New Construction: Install Vault Liners at State Veterans Cemeteries			
	The Governor is authorized to request federal funds to purchase and install 2,000 vault liners at the Virginia Veterans Cemetery (Amelia) and 5,000 vault liners at the Albert G. Horton, Jr. Memorial Veterans Cemetery (Suffolk). After notification by the United States Department of Veterans Affairs that the projects are eligible for federal grant funding, the Director, Department of Planning and Budget, shall establish capital projects for the vault purchase and installation and shall approve short-term, interest free treasury loans in the amount of \$1,670,000 (Amelia) and \$4,175,000 (Suffolk) to the Department of Veterans Services. The loans shall be repaid by the Department of Veterans Services upon receipt of the federal funds.			
	Total for Department of Veterans Services .....		\$11,405,000	\$192,000
	Fund Sources: Special.....	\$193,000	\$192,000	
	Federal Trust.....	\$11,212,000	\$0	
	TOTAL FOR OFFICE OF PUBLIC SAFETY .....		\$94,937,000	\$592,000
			\$96,812,000	\$8,996,000
	Fund Sources: Special.....	\$23,593,000	\$192,000	
		\$23,993,000		
	Enterprise .....	\$400,000	\$400,000	
	Trust and Agency.....	\$185,000	\$0	
	Federal Trust.....	\$11,212,000	\$0	
		\$12,502,000		



ITEM C-153.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Bond Proceeds .....	\$59,732,000	\$0 \$8,404,000		
<b>OFFICE OF TRANSPORTATION</b>					
<b>§ 2-37. DEPARTMENT OF MOTOR VEHICLES (154)</b>					
C-154.	Maintenance Reserve (15021) .....			\$450,000	\$450,000
	Fund Sources: Commonwealth Transportation .....	\$450,000	\$450,000		
C-155.	Acquisition: Acquire Waynesboro Customer Service Center (17542) .....			\$0	\$6,000
	Fund Sources: Commonwealth Transportation .....	\$0	\$6,000		
<del>C-156.</del>	<del>New Construction: Construct Commercial Drivers License Testing Facility - Haymarket (17543) .....</del>			<del>\$1,050,000</del>	<del>\$1,050,000</del>
	<del>Fund Sources: Commonwealth Transportation .....</del>	<del>\$1,050,000</del>	<del>\$1,050,000</del>		
C-157.	Improvements: Provide Mainline Weigh-In-Motion Equipment - Sandston Weigh Station (17544) .....			\$653,000	\$653,000
	Fund Sources: Commonwealth Transportation .....	\$653,000	\$653,000		
C-158.	Improvements: Renovate Ramp Pavement - Carson Weigh Station (17545) .....			\$586,000	\$585,000
	Fund Sources: Commonwealth Transportation .....	\$586,000	\$585,000		
C-159.	Improvements: Renovate Ramp Pavement - New Church Weigh Station (17546) .....			\$399,000	\$398,000
	Fund Sources: Commonwealth Transportation .....	\$399,000	\$398,000		
C-160.	Improvements: Renovate/Expand Site Features - Bland Weigh Station (17547) .....			\$963,000	\$963,000
	Fund Sources: Commonwealth Transportation .....	\$963,000	\$963,000		
C-161.	The Department of Motor Vehicles is hereby granted approval to enter into new capital leases for a customer service center in Roanoke and <del>for up to three</del> commercial driver's license testing sites <del>located in the Roanoke, Richmond, and Portsmouth districts.</del> The department may renew or extend existing leases due to expire during the current biennium for existing customer service centers located in Chesterfield, Springfield, Lebanon, Jonesville, Gloucester, Fair Oaks, Suffolk, Bedford, Pulaski, Tazewell, Covington, Smithfield, Vansant, Woodstock, Danville, Lexington, and West Henrico, and for the Richmond Warehouse. Such renewals or extensions may not exceed twenty years, and may provide for the department to take possession of such facilities at the expiration of such leases. The department may relocate a facility if an existing lease is unavailable or impracticable for renewal or extension.				
	Total for Department of Motor Vehicles .....			<del>\$4,101,000</del> \$3,051,000	<del>\$4,105,000</del> \$3,055,000
	Fund Sources: Commonwealth Transportation .....	\$4,101,000 \$3,051,000	\$4,105,000 \$3,055,000		

ITEM C-162.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
§ 2-38. DEPARTMENT OF TRANSPORTATION (501)					
C-162.	Maintenance Reserve (15732) .....			\$5,000,000 \$2,500,000	\$5,000,000 \$2,500,000
	Fund Sources: Commonwealth Transportation .....	\$5,000,000 \$2,500,000	\$5,000,000 \$2,500,000		
C-163.	Acquisition: Acquire Land for Operational Facilities (16127) .....			\$0	\$214,000
	Fund Sources: Commonwealth Transportation .....	\$0	\$214,000		
	This Item contains supplemental funding for the project to acquire land for operational facilities, originally authorized in 1998 (Chapter 1, 1998 Acts of Assembly, Special Session). The total cost of the project with the supplement is \$9,591,000.				
C-164.	Improvement: Upgrade Operational Facilities (16130) .....			\$1,452,000	\$0
	Fund Sources: Commonwealth Transportation .....	\$1,452,000	\$0		
	This Item contains supplemental funding for the project to upgrade operational facilities originally authorized in 1998 (Chapter 1, 1998 Acts of Assembly, Special Session), for additional subprojects. The total cost of all the subprojects with the supplement is \$16,340,035.				
C-165.	New Construction: Upgrade District/Residency Facilities (16140) .....			\$2,213,000	\$2,616,000
	Fund Sources: Commonwealth Transportation .....	\$2,213,000	\$2,616,000		
	This Item contains supplemental funding for the project to upgrade district/residency facilities originally authorized in 1998 (Chapter 1, 1998 Acts of Assembly, Special Session), for additional subprojects. The total cost of all the subprojects with the supplement is \$26,621,000.				
C-166.	New Construction: Chemical Storage Facilities (16369) ..			\$0	\$1,015,000 \$1,349,000
	Fund Sources: Commonwealth Transportation .....	\$0	\$1,015,000 \$1,349,000		
	This Item contains supplemental funding for the project to construct chemical storage facilities originally authorized in 2000 (Chapter 1073, 2000 Acts of Assembly), for additional subprojects. The total cost of all the subprojects with the supplement is \$16,340,035 \$16,674,035.				
C-167.	Improvements: Upgrade Facilities (16672) .....			\$2,000,000	\$250,000
	Fund Sources: Commonwealth Transportation .....	\$2,000,000	\$250,000		
	This Item contains supplemental funding for the project to upgrade facilities, originally authorized in 2002 (Chapter 899, 2002 Acts of Assembly). The total cost of the project with the supplement is \$9,026,000.				
C-168.	New Construction: Construct Combo Buildings (16673) .			\$0	\$4,209,000
	Fund Sources: Commonwealth Transportation .....	\$0	\$4,209,000		
	This Item contains supplemental funding for the umbrella project to construct combo buildings originally authorized in 2002 (Chapter 899, 2002 Acts of Assembly), for additional subprojects. The total cost of all the subprojects with the supplement is \$16,791,000.				

ITEM C-169.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-169.	New Construction: Construct Gate City New Area Headquarters Facilities (16981).....			\$3,013,000	\$0
	Fund Sources: Commonwealth Transportation .....	\$3,013,000	\$0		
	This Item contains supplemental funding for the project to construct the Gate City new area headquarters originally authorized in 2004 (Chapter 4, 2004 Acts of Assembly), for additional subprojects. The total cost of all the subprojects with the supplement is \$7,665,000.				
C-170.	The Commonwealth Transportation Commissioner shall explore the most cost-effective means for addressing office space needs at the Powhite Parkway facility until 2012. The Commissioner shall provide a final recommendation to the Secretary of Transportation and the Secretary of Finance. If the Secretary of Transportation and the Secretary of Finance agree on a recommendation that meets the criteria for a capital project, the Director, Department of Planning and Budget, is authorized to administratively create a capital project, utilizing available nongeneral fund revenues.				
	Total for Department of Transportation.....			<b>\$13,678,000</b> <b>\$11,178,000</b>	<b>\$13,304,000</b> <b>\$11,138,000</b>
	Fund Sources: Commonwealth Transportation .....	\$13,678,000 \$11,178,000	\$13,304,000 \$11,138,000		
<b>§ 2-39. VIRGINIA PORT AUTHORITY (407)</b>					
C-171.	Maintenance Reserve (13804) .....			\$3,000,000	\$3,000,000
	Fund Sources: Commonwealth Transportation .....	\$3,000,000	\$3,000,000		
C-172.	Equipment: Procure Terminal Operating Equipment (16962) .....			\$39,000,000	\$0
	Fund Sources: Special .....	\$39,000,000	\$0		
	This Item contains supplemental funding for the project to purchase straddle carriers originally authorized in 2003 (Chapter 1042, 2003 Acts of Assembly). The total cost of the project with the supplement is \$89,222,511. Debt service for the purchase of terminal operating equipment, through the agency's equipment lease program, is provided in Item 464 B 5.				
C-173.	New Construction: Construct Craney Island Marine Terminal (17513) .....			\$0	<del>\$155,000,000</del> <del>\$161,000,000</del>
	Fund Sources: <i>Commonwealth Transportation</i> .....	\$0	\$6,000,000		
	Bond Proceeds .....	\$0	\$155,000,000		
	<del>Bond debt service is provided in Item 464 A 3. The debt service for this appropriation will be provided in the biennium in which the debt is issued.</del>				
C-174.	New Construction: Cargo Handling Facilities (16048).....			\$20,250,000	\$0
	Fund Sources: Special .....	\$20,250,000	\$0		
	This Item contains supplemental funding for the project to improve cargo handling facilities originally authorized in 1998 (Chapter 1, 1998 Acts of Assembly, Special Session). The total cost of the project with the supplement is \$47,600,000.				
C-175.	New Construction: Expand Empty Yard (16643) .....			\$20,250,000	\$0
	Fund Sources: Special .....	\$20,250,000	\$0		

ITEM C-175.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
This Item contains supplemental funding for the project to expand the empty yard originally authorized in 2002 (Chapter 899, 2002 Acts of Assembly). The total cost of the project with the supplement is \$65,050,000.				
Total for Virginia Port Authority .....			<b>\$82,500,000</b>	<b>\$158,000,000</b> <b>\$164,000,000</b>
Fund Sources: Special.....	\$79,500,000	\$0		
Commonwealth Transportation .....	\$3,000,000	<del>\$3,000,000</del> \$9,000,000		
Bond Proceeds .....	\$0	\$155,000,000		
TOTAL FOR OFFICE OF TRANSPORTATION .....			<b>\$100,279,000</b> <b>\$96,729,000</b>	<b>\$175,409,000</b> <b>\$178,193,000</b>
Fund Sources: Special.....	\$79,500,000	\$0		
Commonwealth Transportation .....	<del>\$20,779,000</del> \$17,229,000	<del>\$20,409,000</del> \$23,193,000		
Bond Proceeds .....	\$0	\$155,000,000		

## CENTRAL APPROPRIATIONS

## § 2-40. CENTRAL CAPITAL OUTLAY (949)

C-176.	Central Maintenance Reserve (15776) .....		\$75,000,000	<del>\$75,000,000</del> \$77,587,000
	Fund Sources: Bond Proceeds .....	\$75,000,000	<del>\$75,000,000</del> \$77,587,000	

A. A total of \$75,000,000 *the first year* and \$77,587,000 *the second year* from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263, Code of Virginia, or the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia, for capital costs of maintenance reserve projects as follows:

Agency Name	Project Code	FY 2009	FY 2010
Department of General Services	14260	2,638,000	<del>2,785,000</del> 5,000,000
Department of Veterans Services	17073	48,000	50,000
Department of Agriculture and Consumer Services	12253	354,000	374,000
Department of Forestry	13986	190,000	200,000
Department of Mines, Minerals and Energy	13096	64,000	67,000
Virginia School for the Deaf and the Blind at Staunton	14082	4,247,000	301,000
Christopher Newport University	12719	575,000	607,000
The College of William and Mary in Virginia	12713	2,366,000	2,498,000
Richard Bland College	12716	76,000	80,000
Virginia Institute of Marine Science	12331	401,000	424,000
George Mason University	12712	3,154,000	3,330,000
James Madison University	12718	2,452,000	2,589,000
Longwood University	12722	1,308,000	1,381,000
Norfolk State University	12724	4,111,000	4,340,000
Old Dominion University	12710	1,811,000	1,912,000
Radford University	12731	933,000	985,000
University of Mary Washington	12723	606,000	640,000
University of Virginia	12704	7,054,000	7,447,000
University of Virginia's College at Wise	12706	373,000	394,000
Virginia Commonwealth University	12708	4,848,000	5,118,000
Virginia Community College System	12611	6,904,000	7,289,000
Virginia Military Institute	12732	1,160,000	1,225,000

ITEM C-176.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
Virginia Polytechnic Institute and State University	12707	8,221,000		8,679,000
Virginia State University	12733	3,489,000		3,684,000
Frontier Culture Museum of Virginia	15045	105,000		111,000
Gunston Hall	12382	76,000		80,000
Jamestown-Yorktown Foundation	13605	514,000		543,000
The Library of Virginia	17423	3,000		<del>3,000</del>
				75,000
The Science Museum of Virginia	13634	763,000		805,000
Virginia Museum of Fine Arts	13633	871,000		919,000
Southwest Virginia Higher Education Center	16499	64,000		67,000
Department of Taxation	15994	336,000		355,000
Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	6,001,000		6,336,000
Woodrow Wilson Rehabilitation Center	10885	1,038,000		1,096,000
Department for the Blind and Vision Impaired	13942	220,000		233,000
Department of Conservation and Recreation	16646	609,000		<del>643,000</del>
				943,000
Marine Resources Commission	16498	61,000		65,000
Virginia Museum of Natural History	14439	67,000		70,000
Department of Corrections	10887	4,326,000		4,567,000
Department of Emergency Management	15989	61,000		65,000
Department of Forensic Science	16320	69,000		73,000
Department of Juvenile Justice	15081	1,758,000		1,857,000
Department of Military Affairs	10893	457,000		483,000
Department of State Police	10886	218,000		230,000
<b>Total</b>		<b>\$75,000,000</b>		<b><del>\$75,000,000</del></b>
				<b>\$77,587,000.</b>

B. Agencies and institutions of higher education may use maintenance reserve funds in the first year to plan subprojects to be funded from allocations in the second year. Any agency or institution of higher education which has not expended or contractually obligated itself in a legally binding manner to expend 85 percent or more of its biennial general fund appropriation for maintenance reserve by June 30, 2010, shall revert to the general fund of the Commonwealth the amount related to the difference between its percentage actually expended or obligated and the 85 percent standard. For good cause the Director, Department of Planning and Budget may grant exceptions to this requirement.

C. Agencies and institutions of higher education may use maintenance reserve funds to finance the following capital costs: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections, including asbestos abatement; to correct deficiencies in fire protection, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget.

D. Agencies may transfer amounts from maintenance reserve funds to the operating budget subject to the provisions of 4-4.01c of this act.

E. The amounts shown in this Item for Norfolk State University and Virginia State University represent the continuation of the maintenance reserve appropriation provided to each university in Items C-87 and C-219 of Chapter 847, 2007 Acts of Assembly.

F. Out the amount allocated for the Virginia School for the Deaf and Blind at Staunton (14082), \$3,965,000 the first year is designated for roof repairs, safety hazard repairs, and lead paint and asbestos abatement.

G.1. Any balances remaining from the maintenance reserve allocation identified in this item for the Virginia Museum of Fine Arts shall not revert to the general fund on June 30, 2008, but shall be brought forward and made available for the purposes of this item in fiscal year 2009.

ITEM C-176.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art works owned by the Museum.

*H. 1. Out of the amount allocated for the Department of General Services (14260), up to \$215,000 the second year is designated to completely secure the DeJarnette Buildings in Staunton, Virginia.*

*2. The Department of General Services is authorized to use these funds from project 14260 in the second year for necessary repairs and improvements in and around Capitol Square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.*

*I. Out of the amount allocated for the Department of Conservation and Recreation (16646), \$300,000 the second year is designated for electrical system and utility line upgrades at Breaks Interstate Park.*

C-177.	Improvements: Supplemental Funding for Previously Authorized Capital Projects (17178).....		\$39,405,000	\$0
	Fund Sources: Bond Proceeds .....	\$39,405,000	\$0	

A. Included in this Item is \$39,405,000 the first year from the bond proceeds of the Virginia College Building Authority to provide funding to address the market escalation of construction costs associated with the following construction projects.

Agency / Institution	Project Code	Project Title
College of William and Mary	16784	Renovate and Expand Small Hall
George Mason University	16832	Construct Academic V
Old Dominion University	16817	Construct Physical Science Building, Phase II
James Madison University	16806	Construct Center for the Arts
University of Virginia - College at Wise	17451	Renovate Science Building
		Renovate Smiddy Hall and Relocate Information
University of Virginia - College at Wise	17362	Technology Building
University of Mary Washington	16803	Renovate Monroe Hall
Old Dominion University	16821	Renovate Hughes Hall
George Mason University	17486	Fairfax Performing Arts Complex
		Renovation of Claude Moore Education Complex
Virginia Community College System,		Culinary Program Space at Roanoke Higher
Virginia Western	17638	Education Center
George Mason University	17365	Construct Academic VI and Research II

B. Funds provided in this Item shall be transferred to previously authorized capital projects to cover increased costs resulting from changes in prices for materials and construction. The Director, Department of General Services, shall ensure that efforts have been made to secure supplemental funding from other sources, and to reduce the total scope and cost of the project to the extent practical while maintaining the programmatic intent of the project. In addition, the Director, Department of General Services, shall not authorize allocations from the funding provided in this Item until all projects listed in this Item have been fully evaluated and amounts recommended for each project. In determining appropriate allocation amounts, the Director, Department of General Services, shall give preference to those capital projects that have not previously received general fund supported supplements.

C. Upon certification by the Director, Department of General Services, that the requirements of paragraph B. have been met, the Director, Department of Planning and Budget, is authorized to transfer amounts from this Item to the projects listed in the preceding paragraph as required to address construction and other related unanticipated cost increases.

D. Projects receiving supplemental funding from this Item must be completed within the revised budget or otherwise reduced in scope. Institutions shall use nongeneral funds to bear any additional cost above the amounts certified by the Department of General Services.

ITEM C-177.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
C-177.10.	Reversion Clearing Account: Restore Capital Project Cash Flows (17641).....			\$0	\$100,000,000
	Fund Sources: General .....	\$0	\$100,000,000		
	The Director, Department of Planning and Budget, shall restore amounts estimated at \$100,000,000 to the following capital projects listed in the table below by agency, fund code, and project code.				
	<b>Agency Code</b>	<b>Project Code</b>	<b>Fund Code</b>		
	204	16784	0100		
	204	17278	0100		
	207	16528	0100		
	208	16758	0100		
	208	17291	0100		
	209	17155	0100		
	211	17304	0100		
	212	17305	0100		
	215	16803	0100		
	215	16594	0100		
	216	16806 / 16807	0100		
	217	16814	0100		
	238	16495	0100		
	242	16828 / 17414	0100		
	247	16607	0100		
	247	16832	0100		
	247	17365	0100		
	247	16745	0100		
	247	17486	0100		
	247	16523	0100		
	260	16611	0100		
	260	16843	0100		
	260	16836	0100		
	260	16851	0100		
	260	16849	0100		
	260	17375	0100		
	260	17380	0100		
	260	17167	0100		
	777	16723	0100		
	799	16991	0100		
	799	17267	0100		
C-177.20.	Preplan Capital Projects (17642).....			\$5,000,000 \$550,000	\$300,000
	Fund Sources: General .....	\$5,000,000 \$550,000	\$300,000		

A.1. Out of this appropriation, \$250,000 the first year from the general fund is designated but not limited to determining the technical and functional requirements and acquisition, provided the appropriation is sufficient for purchase, of a capital project electronic information management solution by the Department of General Services to implement the provisions of HB 5001 and SB 5001 of the 2008 Special Session I of the General Assembly. The Department of General Services shall determine the procurement processes, pursuant to § 2.2-4300 et seq. of the Code of Virginia, that result in the most cost efficient and timely means to satisfy the requirements of this provision and in doing so, may determine that such procurement processes specifically related to information technology goods and services not be subject to § 2.2-2005 et seq. of the Code of Virginia. The Department of General Services shall also have the authority to determine if the software solution is best hosted by the provider or the Virginia Information Technologies Agency. The Director, Department of Planning and Budget, shall transfer this amount to the Department of General Services on July 1, 2008.

ITEM C-177.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
2. Out of this appropriation, \$300,000 the first year from the general fund and \$300,000 the second year from the general fund is designated for hiring the required professional staff within the Department of General Services to implement the provisions of HB 5001 and SB 5001 of the 2008 Special Session I of the General Assembly. The Director, Department of Planning and Budget, shall transfer this amount to the Department of General Services on July 1 of each fiscal year.				
3. The Director, Department of General Services, with the cooperation with the Department of Planning and Budget, shall report by October 1, 2008, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the financial requirements of returning the Statewide Engineering and Architectural Services Program (74107) to a general fund supported activity as opposed to an internal service fund.				
B. The Director, Department of Planning and Budget may transfer the remaining amount of the first year appropriation in this Item to the Treasury Board to pay for the additional debt service costs attributable to capital outlay projects authorized for debt financing in the 2008 Regular Session or in the 2008 Special Session I of the General Assembly.				
C-178. A. The Department of Health is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium for their local offices located in the City of Richmond and the City of Roanoke.				
B. The Department of Rehabilitative Services is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium for their disability determination offices located in the City of Roanoke, the City of Virginia Beach, and Fairfax County.				
C. The Department of Environmental Quality is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium for their regional office located in the City of Roanoke.				
D. The Department of Housing and Community Development is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium for their administrative offices located in the City of Richmond.				
E. The Department of Corrections is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium for their regional office located in the City of Richmond.				
F. The Department of General Services is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium on behalf of the Department of Corrections Probation and Parole Office and Department of Social Services Child Support Enforcement Office located in the City of Manassas.				
G. The Department of General Services is hereby granted approval to enter into a new capital lease or renew an existing capital lease due to expire during the current biennium on behalf of the Department of Social Services, the Department of Medical Assistance Services, and other agencies to be identified in the Roanoke region.				
C-178.05. <i>Reversion Clearing Account: State Agency Capital Account (17776).....</i>			\$0	\$10,000,000
<i>Fund Sources: Bond Proceeds .....</i>	\$0	\$10,000,000		
<i>The appropriation for bond proceeds in this Item is for the second phase of the improvements at the Virginia Commercial Space Flight Authority's Mid-Atlantic Regional Spaceport (MARS) facility at Wallops Island. The proceeds will be used for the development of fueling support equipment, improvements to support buildings and services, and the development of a vehicle integration facility. The Director of the Department of Planning and Budget is authorized to transfer appropriations from this Item to capital project 993-17732 (Improve Wallops Flight Facilities). Notwithstanding any other provision of law, this project shall not be considered a</i>				



ITEM C-178.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*major state project as defined in §10.1-1188, Code of Virginia.*

C-178.10. A.1. Capital projects authorized for detailed planning in § 1 of the third enactment clause of Chapter 1 and Chapter 2 (2008 Special Session I) may proceed from preliminary working drawings to detailed working drawings.

2. Such nongeneral funds as may be required for this purpose are hereby appropriated.

3. Nongeneral funds expended for the purposes of paragraphs A 1 and A 2 of this Item may be reimbursed from such funds as may be appropriated for the construction of the project for which planning is undertaken, upon project completion.

Total for Central Capital Outlay .....			<b>\$119,405,000</b>	<b>\$175,300,000</b>
			<b>\$114,955,000</b>	<b>\$87,887,000</b>

Fund Sources: General .....	\$5,000,000	\$100,300,000		
	\$550,000	\$300,000		
Bond Proceeds .....	\$114,405,000	\$75,000,000		
		\$87,587,000		

#### § 2-41. 9(C) REVENUE BONDS (950)

C-179. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9 (c), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

3. The total amount listed in this Item includes ~~\$350,565,000~~ \$406,390,000 in bond proceeds.

Agency Name/ Project Title	Item #	Project Code	Section 9(c) Bonds
<b>College of William and Mary</b>			
Renovate Campus Center and Trinkle Hall	C-17	17554	\$35,000,000
Renovate Graduate Student Residence Halls	C-18	17555	\$2,500,000
<b>George Mason University</b>			
Construct President's Park Housing, Phase II	C-20	17540	\$15,633,000
Construct Housing VIII	C-27	17570	\$102,460,000
Construct Smithsonian Conservation and Research Center Housing and Dining	C-29	17572	\$17,804,000
<b>Old Dominion University</b>			
Construct Residence Hall, Phase II	C-48	17342	\$34,779,000
<b>Radford University</b>			
Construct new Residence Halls	C-56	17565	\$36,000,000
<b>Virginia Polytechnic Institute and State University</b>			
Renovate Ambler Johnston	C-89	17557	<del>\$55,000,000</del>
			\$65,000,000
Renovate Owens and West End Market Food Courts	C-90	17558	\$5,000,000
Construct New Residence Hall	C-91	16682	\$8,047,000
Construct Parking Facility	C-91.10	17804	\$30,000,000
<b>Virginia State University</b>			
Construct Gateway Residence Hall, Phase II	C-93	17531	\$38,342,000
<b>Department of General Services</b>			

ITEM C-179.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Construct Main Street Centre Employee Parking Deck</i>	<i>C-5.05</i>	<i>17784</i>	<i>\$15,825,000</i>	
<b>Total for Nongeneral Fund Obligation Bonds 9(c)</b>			<b><del>\$350,565,000</del></b>	<b><del>\$406,390,000</del></b>

Total for 9(C) Revenue Bonds.....

\$0

\$0

**§ 2-42. 9(D) REVENUE BONDS (951)**

- C-180. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d), Constitution of Virginia.
2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.
3. The total amount listed in this Item includes ~~\$404,810,000~~ \$536,700,000 in bond proceeds.

Agency Name/ Project Title	Item #	Project Code	Section 9(d) Bonds
<b>Christopher Newport University</b>			
Construct Ratcliffe Hall Addition	C-14	17567	\$8,350,000
Construct New Housing	C-14.10	17632	\$13,500,000
Land Acquisition	C-14.20	17633	<del>\$14,400,000</del>
			<del>\$20,000,000</del>
<i>Alumni House</i>	<i>C-14.40</i>	<i>17800</i>	<i>\$4,000,000</i>
<i>Special Collections Library Environmental Improvements</i>	<i>C-14.50</i>	<i>16774</i>	<i>\$3,035,000</i>
<b>College of William and Mary</b>			
Construct Integrated Science Center	C-15	16296	\$7,100,000
<del>Replace Zable Stadium Systems</del> <i>Improve</i> <i>Intercollegiate Athletic Facilities</i>	C-16	17553	\$2,000,000
<b>George Mason University</b>			
Renovate and Construct Physical Education Building Addition	C-24	17368	\$1,000,000
Construct Hotel Conference Center	C-25	17374	\$10,000,000
Construct Parking Deck IV	C-26	17569	\$27,233,000
Construct Southwest Campus Dining	C-28	17571	\$14,639,000
Construct Smithsonian Conservation and Research Center Housing and Dining	C-29	17572	\$2,338,000
Construct Parking Deck III, Phase II	C-30	17573	\$27,237,000
Construct West Campus Connector and Campus Entrances	C-31	17574	\$13,922,000
Construct East Campus Fields and Courts, Phase I	C-32	17575	\$3,249,000
Construct Track and Field Stadium	C-33	17576	\$8,320,000
Renovate West Fields	C-34	17577	\$3,194,000
Supplement Prince William Performing Arts	C-36.30	16745	<del>\$4,000,000</del>
			<del>\$5,000,000</del>
Construct Swing Space and Data Center	C-36.50	17142	\$6,000,000
Construct Biocontainment Lab	C-36.20	17371	\$5,825,000
<i>Student Union Building II Supplement</i>	<i>C-36.70</i>	<i>16253</i>	<i>\$8,000,000</i>
<b>James Madison University</b>			
Renovate and Expand Athletics and Recreation	C-38	17562	\$50,000,000
Acquire Rockingham Memorial Hall	C-39	17168	\$8,000,000
<i>Acquire Grace Street Property</i>	<i>C-39.10</i>	<i>17793</i>	<i>\$6,000,000</i>
<b>University of Mary Washington</b>			
Construct Convocation Center	C-43	17021	\$2,000,000
<b>Norfolk State University</b>			
<i>Renovate and expand Student Center Building</i>	<i>C-46.05</i>	<i>16873</i>	<i>\$7,500,000</i>

ITEM C-180.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<b>Old Dominion University</b>				
Construct Powhatan Sports Complex	C-47	17483	<del>\$7,207,000</del>	<del>\$11,707,000</del>
<i>Improve Webb University Center</i>	<i>C-50.20</i>	<i>17640</i>		<i>\$3,875,000</i>
<b>Radford University</b>				
Construct Parking Deck	C-51	17532	\$11,698,000	
Construct Student Fitness Center	C-54	17563	\$32,000,000	
Construct Addition to Hurlburt Hall	C-55	17564	\$10,000,000	
<b>University of Virginia</b>				
Construct Information Technology and Communications Data Center	C-61	17578	\$12,900,000	
<b>Virginia Commonwealth University</b>				
Construct Executive Conference Center, Monroe Park Campus Addition	C-65	17536	\$33,957,000	
Construct Belvidere and West Grace Street Parking Deck	C-66	17566	<del>\$14,942,000</del>	<del>\$24,250,000</del>
<i>Construct School of Medicine</i>	<i>C-67.05</i>	<i>17683</i>		<i>\$58,436,000</i>
<i>Renovate Massey Cancer Center Laboratory Support</i>	<i>C-67.10</i>	<i>17685</i>		<i>\$5,013,000</i>
<b>Virginia Community College System</b>				
Student Center, Portsmouth Campus	C-77	17397	\$4,306,000	
Student Center, Chesapeake Campus	C-81.30	17625	\$20,753,000	
Student Center, Virginia Beach Campus	C-81.40	17067	\$2,903,000	
Student Center, Norfolk Campus	C-81.50	17068	\$1,663,000	
<i>Construct Student Recreation Center, Blue Ridge</i>	<i>C-81.56</i>	<i>17785</i>		<i>\$10,698,000</i>
<i>Construct Chesapeake Academic Building Site Infrastructure, Tidewater</i>	<i>C-81.58</i>	<i>17787</i>		<i>\$4,925,000</i>
<b>Virginia Military Institute</b>				
Construct South Hill Parking	C-84	17559	\$2,816,000	
Construct Lackey Parking	C-85	17560	\$1,958,000	
<b>Virginia Polytechnic Institute and State University</b>				
Construct Basketball Practice Facility	C-86	17529	\$9,400,000	
Construct McComas Hall Exterior Wall Structure	C-88	17556	\$6,000,000	
<b>Total for Nongeneral Fund Obligation Bonds 9(d)</b>			<b><del>\$404,810,000</del></b>	<b><del>\$536,700,000</del></b>

C-181. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d) of the Constitution of Virginia.

2. This paragraph shall constitute the authority for the Virginia Public Building Authority to finance the following projects by the issuance of revenue bonds in aggregate principal amounts not to exceed the Section 9(d) Bonds amounts listed, plus amounts to fund related issuance costs, reserve funds, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia

3. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

4. The total amount listed in this paragraph includes ~~\$320,357,000~~ \$347,839,000 in bond proceeds.

Agency Name / Project Title	Item #	Project Code	Section 9(d) Bonds
<b>Department of General Services</b>			
Renovation and Addition to the Virginia State Capitol Building	C-1	16881	\$5,500,000
Construct Educational Wing of Virginia War Memorial	<i>C-5.20</i>	<i>17177</i>	<i>\$6,500,000</i>

ITEM C-181.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	<b>Department of Agriculture and Consumer Services</b>				
	Construct Eastern Shore Marketing and Inspection Office	C-6	17076	\$1,115,000	
	<b>The Science Museum of Virginia</b>				
	Restore the exterior stucco	C-96	17585	\$1,100,000	
	<b>Virginia Museum of Fine Arts</b>				
	Renovate carpenter shop	C-97	17582	\$1,695,000	
	Replace boiler plant	C-98	17583	\$975,000	
	Replace chiller plant	C-99	17584	\$1,080,000	
	<b>Department of Mental Health, Mental Retardation and Substance Abuse Services</b>				
	Address life safety issues at state facilities	C-103	17596	\$24,000,000	
	<b>Woodrow Wilson Rehabilitation Center</b>				
	Renovate Harold E. Watson Kitchen & Dining Hall	C-104	16969	\$7,946,000	
	<b>Department for the Blind and Vision Impaired</b>				
	Renovate administration and activities building	C-106	17593	\$7,214,000	
	<b>Department of Conservation and Recreation</b>				
	Repair various state park and soil and water conservation district and locally owned dams	C-107	17857	\$30,000,000	
	Land acquisition and Civil War battlefield preservation	C-110	17597	\$30,000,000	
	<b>Department of Forensic Science</b>				
	Expand Laboratory Space in Norfolk Forensic Lab Building	C-114	17173	\$3,827,000	
	<b>Department of Corrections</b>				
	Construct new dairy and dairy processing center	C-116	16994	\$7,178,000	
	Construct medium security correctional center, Mount Rogers Planning District	C-117	17491	<del>\$4,000,000</del> <del>\$5,700,000</del>	
	Upgrade Powhatan electrical system	C-118	16105	\$2,000,000	
	Install fire safety systems and exits	C-119	16426	\$890,000	
	Upgrade Powhatan wastewater treatment plant	C-120	17607	\$3,812,000	
	Replace modular units at Marion	C-121	17608	\$4,401,000	
	Replace locking systems and doors	C-122	16113	\$2,500,000	
	Replace prison door control panels	C-123	17609	\$2,500,000	
	Install auger grinders	C-124	16433	\$800,000	
	Construct new kitchen and dining hall at Halifax	C-125	17610	\$4,061,000	
	Replace sally port at Southampton	C-126	17611	\$1,613,000	
	Replace plumbing and heating systems in field units	C-127	17612	\$2,500,000	

ITEM C-181.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Upgrade electrical systems in field units	C-128	15200	\$600,000	
	Install Elevated Water Storage Tank at Greenville	C-129	17613	\$2,771,000	
	Replace windows	C-130	17614	\$2,000,000	
	Renovate bathrooms and provide handicapped access at Chesterfield	C-131	17615	\$500,000	
	Install railings and mesh at Greenville	C-132	17616	\$622,000	
	Expand sally port building at Deerfield	C-133	17617	\$238,000	
	Upgrade St. Brides water treatment plant	C-134	17620	\$3,353,000	
	Craigsville Wastewater Treatment Plant	C-134.20	17637	\$1,000,000	
	Replace Roofs Umbrella Project	C-134.25	16732	\$5,000,000	
<b>Department of Juvenile Justice</b>					
	Replace housing units at Natural Bridge Juvenile Correctional Center	C-136	17598	\$1,691,000	
	Replace classroom trailers at Beaumont	C-137	17255	\$450,000	
	Construct dry-storage warehouse at Culpeper Juvenile Correctional Center	C-138	17599	\$880,000	
	Remove abandoned underground fuel tanks	C-139	17600	\$250,000	
	Upgrade fire alarm and protection systems	C-140	17601	\$700,000	
	Replace natural gas, water and sewage lines	C-141	17602	\$2,200,000	
	Upgrade mechanical, electrical and plumbing systems for Reception and Diagnostic Center cottages	C-142	17603	\$700,000	
	Provide new DCE School HVAC plant at Hanover Juvenile Correctional Center	C-143	17604	\$500,000	
	Convert facilities to propane	C-144	17605	\$525,000	
	Connect cottages to emergency generators	C-145	17606	\$670,000	
	Correct Erosion, Pamunkey	C-145.05	17727	\$1,704,000	
<b>Central Capital Outlay</b>					
	Central Maintenance Reserve	C-176	15776	<del>\$150,000,000</del>	
				\$152,587,000	
	State Agency Capital Account (For Improvement to Wallops Flight Facility, Project 993-17732)	C-178.05	17776	\$10,000,000	
<b>Total VPBA Projects</b>				<del>\$320,357,000</del>	
				\$347,839,000	
C-181.10.	Reversion Clearing Account: Supplant Capital Projects - VPBA (17643).....			\$10,700,000	\$0
					\$7,640,938
	Fund Sources: General.....	(\$55,000,000)	\$0		
	Bond Proceeds.....	\$10,700,000	\$0		
		\$65,700,000	\$7,640,938		

A.1. This Item authorizes capital projects to be financed pursuant to Article X, Section 9(d) of the Constitution of Virginia.

ITEM C-181.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

2. This paragraph shall constitute the authority for the Virginia Public Building Authority to finance capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly as well as the following capital projects listed in this ~~Item~~ paragraph through the issuance of revenue bonds in aggregate principal amounts not to exceed ~~\$125,000,000~~ \$132,065,000, plus amounts to fund related issuance costs, reserve funds, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia Public Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.

3. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency, fund code, and project code:

Agency Code	Project Code	Fund Code
194	17091	0100
194	17490	0100
199	16937	0100
425	17209	0100
702	17231	0100
720	17140	0100
777	17179	0100
799	16110	0100
799	16113	0100

4. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly.

5. The appropriations for the capital projects contained in this Item and in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, are subject to paragraph F. of § 2-0 of this act.

*B.1. In the first year, the Director, Department of Planning and Budget, shall transfer general fund amounts estimated at \$55,000,000 to this Item from the projects listed in this paragraph. The Director, Department of Planning and Budget, may direct the restoration of any portion of the transferred amount if the director shall subsequently verify an unpaid obligation cannot be paid as a result of this transfer.*

*2. The Virginia Public Building Authority is authorized to finance the capital projects listed in this paragraph through the issuance of revenue bonds in the aggregate principal amounts not to exceed \$55,000,000, plus amounts to fund related issuance costs, reserve funds, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia Public Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.*

*3. In the first year, the Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency and project code:*

Agency Code	Project Code
146	16783
194	14008
194	16881

ITEM C-181.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	194	16967		
	194	17091		
	194	17490		
	194	17499		
	199	16937		
	199	17496		
	203	15825		
	203	17229		
	203	17443		
	218	17435		
	238	16495		
	238	17170		
	238	17353		
	263	17230		
	425	17209		
	425	17455		
	702	17231		
	720	16726		
	720	16973		
	720	17140		
	720	17211		
	720	17227		
	720	17228		
	720	17276		
	720	17456		
	799	15200		
	799	15755		
	799	16104		
	799	16110		
	799	16113		
	799	16115		
	799	16424		
	799	16426		
	799	16732		
	799	16990		
	799	16991		
	799	16993		
	799	17139		
	799	17260		
	799	17263		
	799	17264		
	799	17265		
	799	17266		
	948	16864		
	123	17245		
	156	17250		
	156	17504		
	777	15203		
	777	15204		
	777	17254		
	777	17255		
	777	17257		
	778	17173		
	778	17459		
	912	16249		
	942	14439		

4. The appropriations for the capital projects contained in this Item are subject to paragraph F. of § 2-0 of this act.

C.1. The Virginia Public Building Authority is authorized to finance the capital projects listed in this Paragraph through the issuance of revenue bonds in the aggregate principal amounts not to exceed \$7,640,938, plus amounts to fund related issuance costs, reserve funds, and other

ITEM C-181.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010

*financing expenses, in accordance with § 2.2-2263 of the Code of Virginia. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia Public Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.*

*2. In the second year, the Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency and project code:*

<i>Agency Code</i>	<i>Project Code</i>
238	16495
777	16723
799	17267

*3. The appropriations for the capital projects contained in this Item are subject to paragraph F. of § 2-0 of this act.*

*C-181.20. A.1. The Director, Department of Planning and Budget is authorized to transfer up to \$1,500,000 from the following capital projects listed in the table below by agency and project code:*

<i>Agency Code</i>	<i>Project Code</i>
123	10893
123	15742
123	17245
127	15989
146	13634
156	10886
156	17250
156	17504
161	15994
194	14260
194	17177
194	17232
199	16646
199	16893
203	10885
218	14082
218	16454
301	12253
402	16498
409	13096
411	13986
411	16138
411	17092
411	17233
417	12382
417	15407
425	13605
702	13942
720	10880
720	16725
720	16975
720	17457
720	17458



ITEM C-181.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
777		15081		
777		15203		
777		15204		
777		16541		
777		17254		
777		17255		
777		17257		
778		16320		
778		17173		
778		17459		
799		10887		
799		15665		
799		16106		
799		16438		
799		17172		
912		17073		
912		17241		
948		16499		
948		16864		
949		15776		
949		16170		

2. The Director, Department of Planning and Budget, shall restore from proceeds of unused bond authority from Agency Code 778, Project Code 17459 an amount equivalent to the general fund appropriation reverted from the capital projects in paragraph A 1.

B. 1. The Director, Department of Planning and Budget is authorized to transfer up to \$4,000,000 from the following capital projects listed in the table below by agency and project code:

Agency Code	Project Code
123	10893
123	15742
123	17245
127	15989
146	13634
156	10886
156	17250
156	17504
161	15994
194	14260
194	17177
194	17232
199	16646
199	16893
203	10885
218	14082
218	16454
301	12253
402	16498
409	13096
411	13986
411	16138
411	17092
411	17233
417	12382
417	15407
425	13605

ITEM C-181.20.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
702		13942		
720		10880		
720		16725		
720		16975		
720		17457		
720		17458		
777		15081		
777		15203		
777		15204		
777		16541		
777		17254		
777		17255		
777		17257		
778		16320		
778		17173		
778		17459		
799		10887		
799		15665		
799		16106		
799		16438		
799		17172		
912		17073		
912		17241		
948		16499		
948		16864		
949		15776		
949		16170		

2. The Director, Department of Planning and Budget, shall transfer from Item 475.50 B 5 an amount equivalent to the general fund appropriation reverted from the capital projects in paragraph B 1.

C-182. A.1. The following capital projects are hereby authorized and may be supported in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia. Bonds issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue.

2. The total amount listed in this Item is ~~\$117,561,373~~ \$208,408,373 in bond proceeds.

3. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

4. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

Agency Name / Project Title	Item #	Project Code	Section 9(d) Bonds
<b>Christopher Newport University</b>			
Renovate/Expand Gosnold Hall	C-14.30	16828	\$2,345,000
<b>The College of William and Mary in Virginia</b>			
Construct Integrated Science Center	C-15	16296	\$4,725,000
Construct New School of Education	C-19.05	17586	\$2,819,000
Expand Small Hall	C-19.10	16784	\$2,248,000
<b>Richard Bland College</b>			
Construct Science and Technology Center	C-19.20	17687	\$1,000,000
<b>George Mason University</b>			

ITEM C-182.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Construct Academic VI / Research II	C-22	17365	\$5,500,000	
	Construct Academic V	C-23	16832	\$4,500,000	
	Construct Arlington II	C-36.55	16523	\$8,550,000	
	Renovate Thompson, West and Pohick	C-36.60	16607	\$500,000	
	<b>James Madison University</b>				
	Construct Music Recital Hall	C-37	16807	\$676,000	
	Acquire Rockingham Memorial Hall	C-39	17168	\$8,600,000	
	Construct Center for the Arts	C-39.05	16806	\$5,918,000	
	<b>Longwood University</b>				
	Bedford Wygal Connector	C-40.10	16802	\$1,900,000	
	Jarman Hall	C-40.20	16301	\$1,500,000	
	<b>University of Mary Washington</b>				
	Renovate Monroe Hall	C-41	16803	\$1,500,000	
	Renovate Lee Hall	C-42	16594	\$750,000	
	Renovate Four Academic Buildings	C-44	16804	\$1,000,000	
	<b>Old Dominion University</b>				
	Equipment for Hughes Hall	C-50.10	16821	\$1,300,000	
	<b>Radford University</b>				
	Renovate Young Hall	C-57	16814	\$284,000	
	Renovate Davis Hall	C-58	16865	\$149,000	
	Renovate Heth Hall	C-60.05	17334	\$7,076,000	
	<b>University of Virginia</b>				
	Construct Medical Research Building (MR-6)	C-63	16282	\$765,000	
	Construct Arts and Sciences Building	C-63.05	16528	\$716,000	
	Construct Alderman Road Housing, Phase II	C-63.06	17794	\$8,900,000	
	<b>University of Virginia Medical Center</b>				
	Renovate and equip medical center facilities	C-63.07	17795	\$40,000,000	
	<b>University of Virginia's College at Wise</b>				
	Construct Drama Building and Addition	C-63.10	16830	\$735,000	
	<b>Virginia Commonwealth University</b>				
	Construct Medical Sciences Building, Phase II	C-67	16721	\$3,700,000	
	<b>Virginia Community College System</b>				
	Construct Phase III Building, Loudoun Campus, Northern Virginia	C-69	17377	\$8,600,000	
	Construct Phase I Regional Health Professions Center, Virginia Beach	C-70	17378	\$8,200,000	
	Campus, Tidewater Construct Phase II Building, Midlothian	C-71	17386	\$2,800,000	
	Campus, John Tyler Construct Phase VI Building, Annandale	C-72	17387	\$6,100,000	
	Campus, Northern Virginia Renovate Science Building, Annandale				

ITEM C-182.		Item Details(\$)		Appropriations(\$)	
		First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	Campus, Northern Virginia Construct Historic Triangle	C-73	16178	\$700,000	
	Campus, Thomas Nelson Equipment, Booth Center,	C-74	16837	\$5,640,000	
	Southwest Virginia Rockbridge Regional Center,	C-81.20	17636	\$979,373	
	Dabney S. Lancaster Dental Hygiene Facility	C-81.10	17639	\$75,000	
	Equipment Renovate Hobbs (Suffolk)	C-74.10	17635	\$2,400,000	
	Campus, Paul D. Camp Construct Tri-Cities Education	C-75	17388	\$210,000	
	Center Consrtruct Academic Building	C-76	17488	\$900,000	
	Phase III, Manassas Campus, Northern Virginia	C-81.55	17501	\$6,059,000	
	<b>Virginia Military Institute</b> Construct Mallory Hall	C-82	16797	\$760,000	
	Renovate Kilbourne Hall	C-83	17119	\$485,000	
	<b>Virginia Polytechnic Institute and State University</b> Renovate Henderson Hall	C-87	16758	\$3,458,000	
	Construct Institute for Critical Technology and Applied Science, Phase II	C-91.05	17291	\$3,981,000	
	<b>Central Capital Outlay</b> Supplements to Previously Authorized Projects	C-177	17178	\$39,405,000	
	<b>Total VCBA Projects</b>			<b>\$117,561,373</b> <b>\$208,408,373</b>	

C-182.10.	Reversion Clearing Account: Supplant Capital Projects - VCBA (17644) .....			\$44,300,000	\$0 \$92,359,062
Fund Sources: General .....		(\$195,000,000)	\$0		
Bond Proceeds .....		\$44,300,000	\$0		
		\$239,300,000	\$92,359,062		

A.1. This ~~item~~ paragraph shall constitute the authority for the Virginia College Building Authority to finance the capital projects contained in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, as well as the following capital projects listed in this ~~item~~ paragraph through the issuance of bonds pursuant to § 23-30.24 et seq. Code of Virginia in aggregate principal amounts not to exceed ~~\$230,000,000~~ \$222,935,000. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia College Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.

2. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23-30.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency, fund code, and project code:

Agency Code	Project Code	Fund Code
204	17189	0100
208	16713	0100
208	16792	0100
208	16793	0100
208	17424	0100

ITEM C-182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
208	17494	0100		
211	17119	0100		
212	16798	0100		
212	17306	0100		
214	16301	0100		
214	16802	0100		
214	17017	0100		
214	17317	0100		
214	17323	0100		
215	17325	0100		
216	16808	0100		
216	16809	0100		
217	16813	0100		
221	17339	0100		
236	16403	0100		
236	16825	0100		
236	17452	0100		
242	16774	0100		
246	17362	0100		
246	17451	0100		
260	16178	0100		
260	16501	0100		
260	16614	0100		
260	16718	0100		
260	16837	0100		
260	16841	0100		
260	16850	0100		
268	17489	0100		

3. The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23.20.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the capital projects contained in Item C-326.30 of HB 29 as enacted by the 2008 Session of the General Assembly.

4. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

5. The appropriations for the capital projects contained in this Item and in Item C-326.30 of HB 29, as enacted by the 2008 Session of the General Assembly, are subject to paragraph F. of § 2-0 of this act.

*B.1. In the first year, the Director, Department of Planning and Budget, shall transfer general fund amounts estimated at \$195,000,000 to this Item from the projects listed in this paragraph. The Director, Department of Planning and Budget, may direct the restoration of any portion of the transferred amount if the director shall subsequently verify an unpaid obligation cannot be paid as a result of this transfer.*

*2. The Virginia College Building Authority is authorized to finance the capital projects listed in this paragraph through the issuance of bonds pursuant to § 23-30.24 et seq. Code of Virginia in the aggregate principal amounts not to exceed \$195,000,000. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia College Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.*

*3. In the first year, the Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23-30.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency and project code:*

ITEM C-182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
<i>Agency Code</i>				
204		17189		
204		17278		
207		16283		
207		16788		
207		17476		
208		16713		
208		16793		
208		16795		
208		17291		
208		17424		
208		17494		
208		17510		
211		16797		
211		17119		
211		17303		
212		16767		
212		16798		
212		17207		
212		17305		
212		17306		
212		17415		
212		17416		
213		17480		
214		16301		
214		16770		
214		16802		
214		17017		
214		17317		
214		17448		
214		17449		
215		16594		
215		16771		
215		16803		
215		17325		
215		17326		
215		17482		
215		17493		
216		16806		
216		16808		
216		16809		
217		16813		
217		16814		
217		16815		
217		16865		
221		16817		
221		16818		
221		16820		
221		16821		
221		17339		
221		17340		
236		16403		
236		16721		
236		16823		
236		16825		
236		17452		
242		16774		
242		16828		
242		17484		
246		16830		

ITEM C-182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
	247	16523		
	247	17365		
	247	17486		
	247	17487		
	260	16178		
	260	16267		
	260	16273		
	260	16611		
	260	16614		
	260	16614		
	260	16718		
	260	16836		
	260	16837		
	260	16838		
	260	16841		
	260	16843		
	260	16849		
	260	16850		
	260	16851		
	260	16860		
	260	16862		
	260	17116		
	260	17118		
	260	17167		
	260	17375		
	260	17380		
	260	17380		
	260	17383		
	260	17385		
	260	17385		
	260	17386		
	260	17387		
	260	17388		
	260	17488		
	268	16522		
	268	17447		
	268	17489		

4. Debt service on the projects contained in this paragraph shall be provided from appropriations to the Treasury Board.

5. The appropriations for the capital projects contained in this paragraph are subject to paragraph F. of § 2-0 of this act.

C.1. The Virginia College Building Authority is authorized to finance the capital projects listed in this Paragraph through the issuance of bonds pursuant to § 23-30.24 et seq. Code of Virginia in the aggregate principal amounts not to exceed \$92,359,062. The Director, Department of Planning and Budget, shall provide the Chairman of the Virginia College Building Authority with the specific projects as well as the amounts for those projects to be financed within the dollar limit established by this authorization.

2. In the second year, the Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia College Building Authority pursuant to § 23-30.24 et seq. Code of Virginia, an amount equivalent to the general fund appropriation reverted from the following capital projects listed in the table below by agency and project code:

Agency Code	Project Code
204	16784
208	16758

ITEM C-182.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2009	Second Year FY2010	First Year FY2009	Second Year FY2010
208	17291			
209	17155			
215	16803			
216	16806			
216	16807			
242	16828			
247	16523			
247	16607			
247	16745			
247	16832			
247	17365			
260	16836			
260	17167			
3. Debt service on the projects contained in this paragraph shall be provided from appropriations to the Treasury Board.				
4. The appropriations for the capital projects contained in this paragraph are subject to paragraph F. of § 2-0 of this act.				
Total for 9(D) Revenue Bonds.....			\$55,000,000	\$0
				\$100,000,000
Fund Sources: General.....	(\$250,000,000)	\$0		
Bond Proceeds .....	\$55,000,000	\$0		
	\$305,000,000	\$100,000,000		
TOTAL FOR CENTRAL APPROPRIATIONS .....			\$174,405,000	\$175,300,000
			\$169,955,000	\$187,887,000
Fund Sources: General .....	\$5,000,000	\$100,300,000		
	(\$249,450,000)	\$300,000		
Bond Proceeds .....	\$169,405,000	\$75,000,000		
	\$419,405,000	\$187,587,000		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES .....			\$1,453,360,373	\$363,101,000
			\$1,507,414,373	\$703,709,350
Fund Sources: General .....	\$5,000,000	\$100,300,000		
	(\$249,450,000)	\$800,000		
Special.....	\$107,312,000	\$192,000		
	\$127,712,000			
Higher Education Operating.....	\$94,549,000	\$1,800,000		
	\$109,820,000	\$22,608,350		
Commonwealth Transportation .....	\$20,779,000	\$20,409,000		
	\$17,229,000	\$23,193,000		
Enterprise .....	\$400,000	\$400,000		
Trust and Agency .....	\$47,815,000	\$0		
	\$48,000,000	\$25,371,000		
Dedicated Special Revenue .....	\$1,250,000	\$0		
		\$10,000,000		
Federal Trust.....	\$12,962,000	\$0		
	\$14,252,000			
Bond Proceeds .....	\$1,163,293,373	\$240,000,000		
	\$1,438,201,373	\$621,145,000		



## 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.

	FY 2009	FY 2010
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 Mental Health, Mental Retardation and Substance Abuse Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred by the Virginia Wine Board (from Alcoholic Beverage Control gross profits)	\$580,679	\$580,679
c) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Mental Health, Mental Retardation and Substance Abuse Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,886,363	\$9,886,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)		
For collection by Department of Taxation	\$33,878	\$33,878
3. Peanut Fund (§ 3.1-662, Code of Virginia)		
For collection by Department of Taxation	\$969	\$969
4. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
5. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	\$60,000	\$60,000
6. 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
7. Department of Agriculture and Consumer Services (Federal Trust)		
For the Meat and Poultry Program	\$112,000	\$112,000
<b>TOTAL</b>	<b>\$76,335,000</b>	<b>\$76,335,000</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 ~~\$35,200,000~~ \$36,600,000 the first year and ~~\$35,100,000~~ \$37,000,000 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 this subsection § 3-1.01 is subsequently determined to be in violation of any federal statute or regulation, 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 and retention of local mapping services by the Department of Taxation estimated at ~~\$6,479,325~~ \$6,511,594 the first year and ~~\$6,711,796~~ \$6,776,657 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 by the Department of Taxation estimated at ~~\$3,050,540~~ \$3,094,305 the first year and ~~\$3,166,766~~ \$3,226,836 the second year.

F. The State Comptroller shall transfer on or before June 30, 2009, and June 30, 2010 respectively, to the general fund of the state treasury the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Code	Agency Name	Fund Group Fund Detail	FY 2009	FY 2010
111	Supreme Court of Virginia	0900	\$22,946	<del>\$22,946</del> \$169,384
123	Department of Military Affairs	0200	\$2,735	<del>\$2,735</del> \$0
123	Department of Military Affairs	0900	\$7,901	<del>\$7,901</del> \$4,023
140	Department of Criminal Justice Services	0200	\$24,670	<del>\$24,670</del> \$4,500
140	Department of Criminal Justice Services	0900	\$82,736	<del>\$82,736</del> \$74,834
141	Attorney General	0900	\$0	\$5,098
154	Department of Motor Vehicles	0400	\$958,258	\$958,258
165	Department Of Housing And Community Development	0900	\$2,285	<del>\$2,285</del> \$2,582
171	State Corporation Commission	0200	\$0	\$471
171	State Corporation Commission	0900	\$13,027	<del>\$13,027</del> \$12,991
174	Virginia College Savings Plan	0500	\$201,232	<del>\$201,232</del> \$242,131
181	Department of Labor And Industry	0200	\$6,204	<del>\$6,204</del> \$0
199	Department of Conservation and Recreation	0200	\$4,019	<del>\$4,019</del> \$4,777
199	Department of Conservation and Recreation	0900	\$100,000	<del>\$100,000</del> \$293,570
201	Department of Education, Central Office Operations	0400	\$2,331	<del>\$2,331</del> \$0
203	Woodrow Wilson Rehabilitation Center	0200	\$102,816	<del>\$102,816</del> \$31,817
222	Department of Professional and Occupational Regulation	0200	\$1,282	<del>\$1,282</del> \$1,816
226	Board of Accountancy	0900	\$11,556	<del>\$11,556</del> \$25,741
232	Department of Minority Business Enterprise	0400	\$32,923	<del>\$32,923</del>

				\$21,048
233	Board of Bar Examiners	0200	\$5,206	<del>\$5,206</del>
				\$6,287
238	Virginia Museum of Fine Arts	0200	\$3,195	<del>\$3,195</del>
				\$83,943
	Department of Rehabilitative Services	0900	\$18,625	<del>\$18,625</del>
262				\$8,629
	Department of Business Assistance	0200	\$169	<del>\$169</del>
325				\$0
	Department of Business Assistance	0900	\$40,408	<del>\$40,408</del>
325				\$0
402	Marine Resources Commission	0200	\$36,330	<del>\$36,330</del>
				\$22,894
402	Marine Resources Commission	0900	\$4,003	<del>\$4,003</del>
				\$4,238
	Department of Game and Inland Fisheries	0900	\$701,208	<del>\$701,208</del>
403				\$669,081
407	Virginia Port Authority	0200	\$83,423	<del>\$83,423</del>
				\$78,387
407	Virginia Port Authority	0400	\$71,749	<del>\$71,749</del>
411	Department of Forestry	0200	\$36,821	<del>\$36,821</del>
				\$0
411	Department of Forestry	0900	\$760	<del>\$760</del>
				\$967
417	Gunston Hall	0200	\$3,999	<del>\$3,999</del>
				\$1,389
	Department of Historic Resources	0400	\$1,080	<del>\$1,080</del>
423				\$0
	<i>Department of Historic Resources</i>	<i>0900</i>	<i>\$0</i>	<i>\$130</i>
423				
501	Department of Transportation	0400	\$3,460,676	<del>\$3,460,676</del>
				\$2,988,258
	Department of Rail and Public Transportation	0400	\$183,898	<del>\$183,898</del>
505				
506	Motor Vehicle Dealer Board	0200	\$17,375	<del>\$17,375</del>
601	Department of Health	0900	\$144,429	<del>\$144,429</del>
				\$224,367
799	Department of Corrections	0200	\$160,419	<del>\$160,419</del>
	Department for the Deaf and Hard of Hearing	0200	\$1,688	<del>\$1,688</del>
751				\$15,579
790	<i>Grants to Localities</i>	<i>0200</i>	<i>\$0</i>	<i>\$237</i>
841	Department of Aviation	0400	\$96,672	<del>\$96,672</del>
				\$110,848
	Virginia Tobacco Indemnification and Community Revitalization Commission	0900	\$199,062	<del>\$199,062</del>
851				\$139,899
	Virginia Tobacco Settlement Foundation	0900	\$25,559	<del>\$25,559</del>
852				\$24,898
912	Department of Veterans Services	0200	\$72,194	<del>\$72,194</del>
				\$133,227
912	<i>Department of Veterans Services</i>	<i>0900</i>	<i>\$0</i>	<i>\$340</i>
	<i>Southern Virginia Higher Education Center</i>	<i>0200</i>	<i>\$0</i>	<i>\$2,487</i>
937				

960	Department of Fire Programs	0200	\$91,057	<del>\$91,057</del>
				\$90,531
	<b>Total</b>		<b>\$7,036,926</b>	<b>\$7,036,926</b>
				<b>\$6,893,098</b>

G.1. The Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4002.1, Code of Virginia, an amount estimated at ~~\$461,000,000~~\$430,500,000 the first year and ~~\$461,000,000~~\$430,200,000 the second year, from the State Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the Comptroller shall transfer the balance of the State Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis. Prior to June 20 of each year, the State Lottery Director shall estimate the amount of profits in the State Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

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

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate ~~\$4,900,000~~\$4,700,000 the first year and ~~\$4,900,000~~\$4,700,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected *from the public institutions of higher education*, which are estimated to generate ~~\$150,000~~\$250,000 the first year and \$150,000 the second year, shall be paid into the general fund of the state treasury.

*b. The State Comptroller shall transfer to the general fund on June 30, 2010, the amount in excess of \$20,000 in the Virginia College Building Authority Private College Financing Program Fees (Fund 0220) at the Department of the Treasury. This transfer is estimated at \$150,000.*

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

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

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

K.1. Not later than 30 days after the close of each quarter during the biennium, the Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed ~~\$7,100,000~~ \$5,000,000 the first year and ~~\$7,100,000~~ \$5,000,000 the second year.

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

L. The State Comptroller shall transfer prior to January 1, 2009, ~~and January 1, 2010, respectively,~~ to the general fund of the state treasury the following amounts from the agencies and fund sources listed below, for expenses incurred in processing payroll. *After July 1, 2009, the State Comptroller shall charge each of the following agencies for expenses incurred in processing payroll.*

Agency Name	Fund Group	FY2009	FY2010
Department of Minority Business Enterprise	0410	\$695	<del>\$695</del> \$0
Department of Criminal Justice Services	1000	\$24,707	<del>\$24,707</del> \$0
Virginia Information Technologies Agency	0600	\$31,222	<del>\$31,222</del> \$0
Department of Professional and Occupational Regulation	0900	\$11,761	<del>\$11,761</del> \$0
Department for the Aging	1000	\$910	<del>\$910</del> \$0
Department of Health Professions	0900	\$11,930	<del>\$11,930</del> \$0
Department of Medical Assistance Services	1000	\$12,565	<del>\$12,565</del> \$0
Department of Emergency Management	1000	\$5,265	<del>\$5,265</del> \$0
Department of Fire Programs	0218	\$4,400	<del>\$4,400</del> \$0
Department of Rail and Public Transportation	0410	\$2,197	<del>\$2,197</del> \$0
<b>TOTAL</b>		<b>\$105,652</b>	<b><del>\$105,652</del></b> <b>\$0</b>

M.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

N. The Comptroller shall transfer to the general fund on June 30 each year, the amount in excess of \$850,000 in the Regulatory and Consumer Advocacy Revolving Trust Fund of the Office of the Attorney General (Fund 0239) in accordance with Item 51 of this act.

O. Not later than thirty days after the close of each quarter during the biennium, the Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed \$9,608,734 the first year and \$9,608,734 the second year.

P.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at \$238,874 the first year and \$238,874 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.1-336.2, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an amount estimated at \$46,970 the first year and \$46,970 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.1-336.2, Code of Virginia.

Q. On or before June 30, 2009, the State Comptroller shall transfer to the general fund ~~\$3,611,720~~\$4,811,720 from the Court Debt Collection Program Fund at the Department of Taxation. On or before June 30, 2010, the State Comptroller shall transfer to the general fund ~~\$3,611,720~~\$4,111,720 from the Court Debt Collection Program Fund at the Department of Taxation.

R. 1. The Department of Motor Vehicles shall retain ~~\$6,400,000~~\$1,400,000 in the first year and ~~\$6,400,000~~\$3,200,000 in the second year from the Department of Motor Vehicles' Uninsured Motorists Fund to effect its information technology initiatives and implementation of the federal Real ID Act. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission pursuant to § 46.2-710, Code of Virginia.

2. *The State Comptroller shall transfer to the general fund \$5,000,000 in the first year on or before June 30, 2009, and \$3,200,000 in the second year on or before June 30, 2010, from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.*

S.1. The State Comptroller shall transfer on or before June 30, 2009, an amount estimated at \$5,500,000 and on or before June 30, 2010, an amount estimated at ~~\$5,500,000~~\$3,500,000 to the ~~general fund~~ *Special Damages Fund in the Department of the Treasury* from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

2. *On or before June 30, 2010, the State Comptroller shall transfer an amount estimated at \$2,000,000 to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.*

T. The State Comptroller shall transfer from agency and institution nongeneral fund accounts to the general fund an amount estimated at \$861,440 on or before June 30, 2009, and \$861,440 on or before June 30, 2010, resulting from savings pursuant to a Virginia Information Technologies Agency rate decrease for telecommunications services effective November, 2003. The Director, Department of Planning and Budget, shall provide the Comptroller with the amount to be transferred from each agency and institution of higher education.

U. The State Comptroller shall transfer from agency nongeneral fund accounts to the general fund an amount estimated at \$18,000 on or before June 30, 2009, and \$18,000 on or before June 30, 2010, resulting from savings pursuant to a contract negotiated by the Virginia Information Technologies Agency for data-telecommunication lines effective July, 2003. The Director of the Department of Planning and Budget shall provide the Comptroller with the amount to be transferred from each agency.

V. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional office is currently located. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be \$12,000,000, shall be deposited into the general fund no later than June 30, ~~2009~~2010. In addition, on or before June 30, 2009, and June 30, 2010, the State Comptroller shall transfer to the general fund \$1,420,385 the first year and \$1,550,385 the second year from operating efficiencies to be implemented by the department.

W. On or before June 30, 2009 and June 30, 2010, the State Comptroller shall transfer \$400,000 from the general fund to the Transportation Trust Fund to reflect sales tax revenues not collected as a result of the provisions of Chapter 503, Acts of Assembly of 2006.

X. The State Comptroller shall transfer on or before June 30, 2009, \$890,000 and on or before June 30, 2010, \$890,000 to the general fund from the \$2.00 increase in the vital records fee contained in the Department of Health's Vital Records and Health Statistics Program (40400).

Y. The State Comptroller shall transfer on or before June 30, 2009, \$1,000,000, and on or before June 30, 2010, \$1,000,000, to the general fund from the Trauma Center Fund contained in the Department of Health's Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities Program (40203).

Z. The State Comptroller shall transfer an amount estimated at ~~\$1,250,000~~\$2,368,384 on or before June 30, 2009, and an amount estimated at \$1,750,000 on or before June 30, 2010, from unobligated nongeneral fund balances at the State Corporation Commission to the general fund.

AA. Any city or county electing to reimburse the Commonwealth for all or a portion of the savings apportioned to it pursuant to Item 475.1 of this act shall make its payment to the state treasury by the second Friday in January of each fiscal year. Such payments shall be deposited to a suspense account which will constitute a special fund on the books of the State Comptroller. On or before June 25th of each fiscal year, the State Comptroller shall transfer any amounts held in the suspense account to the general fund of the State Treasury and he shall notify the Director, Department of Planning and Budget, of the amount of this transfer. There is hereby appropriated from the general fund of the state treasury to Item 475.1 of this act an amount equivalent to the transfer to the general fund from the suspense account to offset the reversion contained in Item 475.1. The Director of the Department of Planning and Budget shall implement this appropriation prior to June 30 of each fiscal year. In the event that a locality electing to pay all or a portion of its share of the savings required by Item 475.1 of this act does not make such payment on or before the second Friday in January of each fiscal year, the Director, Department of Planning and Budget, is authorized to withhold an equivalent amount of savings from the affected state aid to local government programs in the manner as specified in paragraph C of Item 475.1 of this act.

*BB. There is hereby acknowledged, that the following authorized deficit in the Department of Veterans Services of \$1,412,900 was transferred from the balance of the general fund per §4-3.01c. of this act during fiscal year 2008.*

*CC. The following properties operated by the Department of Corrections shall be sold and the proceeds of such sales deposited into the general fund, notwithstanding the provisions of §2.2-1156, Code of Virginia: the property at 7 N. 2nd Street in Richmond, used to house the Richmond Women's Detention Center, and approximately 46.1 acres near Haymarket, formerly used for the Haymarket Correctional Unit. The estimated amount of the payments to be received is \$1,500,000 the second year.*

*DD. The Department of Forestry shall sell the property at 728 Richmond Road in Staunton. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be \$250,000, shall be deposited into the general fund no later than June 30, 2010.*

*EE. The State Comptroller shall transfer on or before June 30, 2009, \$500,000, and on or before June 30, 2010, \$500,000, to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.*

FF.1. The State Comptroller shall transfer amounts estimated at \$57,193,252 the first year and \$63,585,964 the second year on or before June 30, 2009 and June 30, 2010 from the agencies and fund sources listed below.

<i>Agency / Purpose</i>	<i>Fund</i>	<i>FY 2009</i>	<i>FY 2010</i>
<b>Department of General Services (194)</b>			
Transfer nongeneral fund cash balances	0286	\$29,480	\$0
Transfer nongeneral fund cash balances	0287	\$4,418	\$0
Transfer nongeneral fund cash balances	0297	\$19,194	\$0
Transfer nongeneral fund cash balances	0501	\$1,000,000	\$0
Transfer nongeneral fund cash balances	0603	\$250,000	\$0
Capture Office of Fleet Management savings	0610	\$1,700,000	\$149,051
Transfer nongeneral fund cash balances	0688	\$1,332	\$0
Transfer nongeneral fund cash balances	0922	\$702,559	\$0
<b>Department of Minority Business Enterprise (232)</b>			
Transfer nongeneral fund cash balances	0200	\$350,634	\$0
<b>Department of Agriculture and Consumer Services (301)</b>			
Transfer cash balance generated through the regulation of prepaid legal services plans	0200	\$500,000	\$0
Transfer cash balance from charitable solicitors registration	0200	\$350,000	\$0
Transfer cash balance from regulation of pesticide applicators	0901	\$800,000	\$0
Transfer cash balance from fertilizer, feed, lime, and seed inspection fees	0940	\$167,811	\$0
<b>Department of Forestry (411)</b>			
Capture nongeneral fund balances	0200	\$70,049	\$0
Capture nongeneral fund balances	0212	\$25,000	\$0
Capture nongeneral fund balances	0251	\$50,000	\$0
Capture nongeneral fund balances	0264	\$50,000	\$0
Capture nongeneral fund balances	0265	\$425	\$0
Capture nongeneral fund balances	0286	\$352	\$0
Capture nongeneral fund balances	0287	\$15,287	\$0
<b>Department of Housing and Community Development (165)</b>			
Capture nongeneral fund cash balances	0200	\$150,000	\$0
Capture nongeneral fund cash balances	0925	\$150,000	\$0
<b>Department of Mines, Minerals and Energy (409)</b>			
Revert sales office funds	0200	\$20,400	\$0
Revert energy revolving loan funds	0200	\$128,853	\$0
Revert sub metering special funds	0200	\$56,920	\$0
<b>Radford University (217)</b>			
Revert nongeneral fund amounts	0306	\$0	\$7,076,000
<b>University of Virginia (207)</b>			
Revert nongeneral fund amounts	0306	\$0	\$8,900,000
<b>University of Virginia Medical Center (209)</b>			
Revert nongeneral fund amounts	0309	\$0	\$40,000,000
<b>The Library of Virginia (202)</b>			
Transfer circuit court record funding to general fund.	0200	\$1,250,000	\$0

**Department of Accounts (151)**

Transfer nongeneral funds from the Virginia Education Loan Authority reserve funds	0708	\$550,000	\$300,000
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**Mental Retardation Training Centers (793)**

Capture surplus nongeneral fund revenue	0200	\$15,067,179	\$0
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**Woodrow Wilson Rehabilitation Center (203)**

Revert special fund balance	0200	\$1,500,000	\$0
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**Department of Rehabilitative Services (262)**

Revert special fund balance	0200	\$584,869	\$0
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**Department of Health (601)**

Reduce Managed Care Health Insurance Program balances	0200	\$845,616	\$0
Revert excess bedding fees from the Office of Environmental Health Services	0203	\$683,000	\$60,000
Capture nongeneral fund cash balances	0211	\$243,387	\$0
Divert a portion of the Virginia Vital Statistics Automation Fund balance to the general fund	0215	\$2,000,000	\$0
Capture nongeneral fund cash balances	0901	\$421,600	\$0
Divert interest earnings from local health departments fund	0901	\$75,000	\$75,000
Remove unobligated grant funds from the Office of Emergency Management Services	0910	\$503,757	\$0
Reduce balances for water improvement construction funding from the Office of Drinking Water	0922	\$3,084,000	\$0
Capture Nursing Scholarship and Loan Repayment Fund balances	0932	\$23,732	\$0
Capture Physician Scholarship and Loan Repayment Fund balances	0934	\$130,679	\$0
Capture Nurse Practitioner Scholarship and Loan Repayment Fund balances	0936	\$911	\$0
Capture Dental Scholarship and Loan Repayment Fund balances	0938	\$187,682	\$0
Capture excess nongeneral fund balances	0200	\$1,616,000	\$0
Capture excess nongeneral fund balances	0205	\$2,000,000	\$0
Capture excess nongeneral fund balances	0280	\$500,000	\$0
Revert nongeneral fund amounts	0280	\$0	\$1,000,000

**Department of Social Services (765)**

Revert child protective service registry special funds	0202	\$500,000	\$200,000
Revert nongeneral fund revenue associated with child support operational balances	0235	\$15,170,000	\$4,380,000

**Department of Environmental Quality (440)**

Transfer waste tire fund cash balance	0906	\$500,000	\$500,000
Reduce cash in Virginia Environmental Emergency Response Fund	0907	\$300,000	\$300,000
Eliminate litter competitive grants	0925	\$100,000	\$100,000

**Department of Corrections (799)**

Use prison enterprise revenues to reimburse general fund for capital expenses	0200	\$1,000,000	\$0
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**Department of Military Affairs (123)**



Transfer cash balance to general fund	0901	\$500,000	\$0
<b>Department of Emergency Management (127)</b>			
Transfer Katrina Emergency Management Assistance Compact reimbursement to the general fund	0247	\$75,000	\$0
<b>Department of Criminal Justice Services (140)</b>			
Reduce discretionary spending in private security regulations	0200	\$50,000	\$50,000
Transfer nongeneral fund cash to the general fund	0221	\$600,000	\$75,000
Revert nongeneral fund balances	0912	\$99,208	\$0
Reduce regional special fund academy awards	0940	\$0	\$125,685
<b>Department of State Police (156)</b>			
Transfer Katrina Emergency Management Assistance Compact reimbursement to the general fund	0247	\$1,800,000	\$0
Revert Insurance Fraud Program cash	0250	\$302,330	\$0
Revert Safety Inspection Program cash	0261	\$302,062	\$0
<b>Department of Juvenile Justice (777)</b>			
Transfer balance of proceeds from land sale	0200	\$5,063	\$0

**I VETO THIS ITEM. /s/ Timothy M. Kaine (3/30/09)** (Vetoed item is enclosed in brackets.)

<b>Department of Fire Programs (960)</b>			
Transfer Fire Programs Fund revenues to the general fund	0218	\$0	\$1,097,500
<b>Virginia Information Technologies Agency (136)</b>			
Transfer nongeneral fund cash balances	0931	\$342,626	\$0
<b>Innovative Technology Authority (934)</b>			
Revert interest for managed fund to the general fund	0265	\$2,837	\$0
<b>Department of Motor Vehicles Transfer Payments (530)</b>			
Recover administrative cost of rental vehicle tax collections	0745	\$0	\$159,287
Recover administrative cost of mobile home tax collections	0746	\$0	\$38,441
<b>TOTAL</b>		<b>\$57,193,252</b>	<b>\$63,525,964</b>

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

GG. On or before June 30, 2010, the State Comptroller shall transfer to the general fund an amount equal to \$5,200,000 from the Water Quality Improvement Fund Reserve Fund established pursuant to Item 360 of this act and held by the Department of Conservation and Recreation.

HH. The State Comptroller shall transfer \$500,000 to the general fund on or before June 30, 2009, from balances of the Virginia Alcohol Safety Action Program.

II. The State Comptroller shall transfer on or before June 30, 2010, \$7,309,000 from the Tobacco Settlement Fund to the general fund.

The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$329,868 the first year and \$329,868 the second year to the Department of General Services for motor fuels testing.

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

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

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

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

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

§ 3-1.04 Reversion of IDA Funding

*In accordance with the provisions of Item 119, paragraph O., Chapter 847, 2007 Acts of Assembly, and as reflected in the agreement between the Virginia Economic Development Partnership and the Industrial Development Authority (IDA) of Pulaski County dated February 25, 2008, the Pulaski IDA is hereby instructed to return to the Virginia Economic Development Partnership the \$1,000,000 provided to support the Volvo Center for Excellence. These funds shall revert to the general fund no later than June 30, 2009.*

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

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

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

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand 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	\$50,000,000
<i>Department of Accounts, for the Payroll Service Bureau</i>	<i>\$400,000</i>
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 General Services, for the Real Estate Internal Service Fund	\$2,100,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	\$10,000,000
Department of Mental Health, Mental Retardation and Substance Abuse Services	\$20,000,000
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
Department of the Treasury, for the Teacher Liability Insurance Program	\$1,000,000
State Lottery Department	\$40,000,000
Virginia Information Technologies Agency	\$30,000,000
Virginia Tobacco Settlement Foundation	\$3,000,000
Department of Historic Resources	\$600,000
<i>Department of Correctional Education</i>	<i>\$300,000</i>

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 State Lottery Department 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 State 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 State Lottery Department 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 State Lottery Department if necessary to meet operating needs.

### § 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, 2009 and an amount estimated at \$201,000 on or before June 30, 2010, to reimburse the Commonwealth for staff and other administrative services provided to the Authority by the Department of the Treasury. *The Virginia Public School Authority shall also transfer to the Literary Fund an amount estimated at \$9,531,945 on or before June 30, 2009 representing additional funds from the release of the Virginia Public School Authority's 1991 Resolution Debt Service Reserve Income Account and from available revenues accumulated from surcharges on local school bonds to recover the Authority's costs of issuance.*

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

The State Treasurer shall transfer an amount estimated at ~~\$200,000~~ \$150,000 on or before June 30, 2009 and an amount estimated at ~~\$200,000~~ \$150,000 before June 30, 2010, to the general fund from excess 9(c) sinking fund balances.

#### § 3-3.03 PAYMENT FROM DEPARTMENT OF JUSTICE

All payments received by the Department of Corrections from the United States Department of Justice pursuant to the State Criminal Alien Assistance Program for housing illegal aliens and other prisoners shall be deposited directly into the general fund consistent with § 4-2.02 a 1 e) of this act. The estimated amount of the payment to be received is \$1,000,000 the first year and \$1,000,000 the second year.

#### § 3-3.04 Interest Earnings

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 ~~\$12,000,000~~ \$6,600,000 the first year and \$12,000,000 the second year of the biennium.

Agency	Agency Code	Fund Name	Fund/Final Detail
Department of Military Affairs	123	Armory Control Board Fund	0901
Virginia Information Technologies Agency	136	GIS Fund	0905
Virginia Information Technologies Agency	136	Wireless E-911 Fund	0928
		Virginia Technology Infrastructure Fund	0931
Virginia Information Technologies Agency	136		0931
Department of Accounts	151	Commonwealth Health Research Fund	0936
Department of Motor Vehicles	154	State Asset Forfeiture Fund	0430
Department of State Police	156	State Asset Forfeiture Fund	0233
		Drug Investigation Trust	
Department of State Police	156	Account-State	0253
Department of Accounts Transfer Payments	162	Edvantage Reserve Fund	0708
Department of Housing and Community Development	165	Derelict Structure Fund	0916
		Underground Utility Damage prevention Fund	0902
State Corporation Commission	171	Governor's Motion Picture Opportunity Fund	0902
Secretary of Commerce and Trade	192	Main Street Station Property	0922
Department of General services	194	Soil/Water Conservation District Dam Maintenance Fund	0925
Department of Conservation and Recreation	199	Virginia Small Business Growth Fund	0957
Department of Business Assistance	325	Forfeited Asset Sharing Program Fund	0265
Marine Resources Commission	402	Forfeited Asset Sharing Program Fund	0265
Department of Forestry	411	Drug Offender Access Fund	0953
Department of Corrections	767	Drug Offender Access Fund	0953
Department of Corrections	799	Drug Offender Access Fund	0953
Department of Accounts-Statewide Activity	997	Drug Offender Access Fund	0953
Department of Corrections	795	Corrections Special Reserve Fund	0230
Department of Corrections	799	DED Impact Funds	0230
		Advanced Communications Assistance Fund	0265
Innovative Technology Authority	934	Commonwealth Technology Research Fund	0951
Central Appropriations	995	State Asset Forfeiture Fund	0533
Department of Alcoholic Beverage Control	999	Court Technology Fund	0905
Supreme Court	111	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 Treasury	152	Workforce Training Access Fund	0901
Department of Housing and Community Development	165	Virginia Manufactured Housing Transaction Recovery Fund	0925

Department of Housing and Community Development	165	Virginia Water Quality Improvement Fund	0934
Charitable Gaming Commission	173	State Asset Forfeiture Fund	0233
Department of Conservation and Recreation	199	Natural Area Preservation Fund	0215
Department of Conservation and Recreation	199	Chesapeake Bay Restoration Fund	0252
		Virginia Stormwater Management Fund	0902
Department of Conservation and Recreation	199	Flood Prevention and Protection Assistance Fund	0910
Department of Conservation and Recreation	199	Virginia Land Conservation Fund - Unrestricted	0918
Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund	0934
Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund Reserve	0935
Department of Professional and Occupational Regulation	222	Common Interest Community Management Information Fund	0259
Department of Agriculture and Consumer Services	301	Contested Pesticide Penalties	0708
Department of Agriculture and Consumer Services	301	Tobacco Loss Assistance Program Fund	0710
Department of Agriculture and Consumer Services	301	Virginia Farm Loan Revolving Account	0716
Department of Agriculture and Consumer Services	301	Certification of Agricultural Products Trust Fund	0729
Virginia Agricultural Council	307	Dedicated Special Revenue	0900
Chippokes Plantation Farm Foundation	319	Dedicated Special Revenue	0900
Department of Business Assistance	325	Workforce Retraining Fund	0909
		Small Business Environmental Compliance Assistance Fund	0930
Department of Business Assistance	325	Marine Habitat and Waterways Improvement Fund	0916
Marine Resources Commission	402	Virginia Fish Passage Grant and Revolving Loan Fund	0922
Department of Game and Inland Fisheries	403	Exxon Oil Overcharge Fund	0738
Department of Mines, Minerals and Energy	409	Coal Surface Mining Reclamation Fund	0753
Department of Mines, Minerals and Energy	409	Gas and Oil Plugging and Restoration Fund	0755
Department of Mines, Minerals and Energy	409	Orphaned Well Fund	0952
Department of Forestry	411	State Forests System Fund	0901
		Virginia's Natural Resources Trust Fund	0909
Department of Forestry	411	Virginia Forest Water Quality Fund	0926
Department of Forestry	411	Historic Resources Fund	0910
Department of Historic Resources	423	Preservation Easement Fund	0927
Department of Historic Resources	423	Operating Permits Program	0510
Department of Environmental Quality	440	Underground Petroleum Storage Tank Fund	0748
Department of Environmental Quality	440	Dupont Shenandoah River Mercury Monitoring	0755
Department of Environmental Quality	440	Waste Tire Trust Fund	0906
		Virginia Environmental Emergency Response Fund	0907
Department of Environmental Quality	440	Air Pollution Permit Program	0909
Department of Environmental Quality	440	Virginia Waste Management Board Permit Program Fund	0911
Department of Environmental Quality	440	State Water Control Board Permit Program Fund	0914
Department of Environmental Quality	440	Marine Habitat and Waterways Improvement Fund	0916

Department of Environmental Quality	440	Vehicle Emissions Inspection Program Fund	0919
Department of Environmental Quality	440	Litter Control and Recycling Fund	0925
Department of Environmental Quality	440	Small Business Environmental Compliance Assistance Fund	0930
Department of Environmental Quality	440	Virginia Water Quality Improvement Fund Reserve	0935
Department of Environmental Quality	440	State Revolving Loan Fund	0964
Motor Vehicle Dealer Board	506	Motor Vehicle Dealer Board Fund	0212
Department of Health	601	Waterworks Technical Assistance Fund	0248
Department of Health	601	Virginia Rescue Squads Assistance Fund	0910
Department of Health	601	Water Supply Assistance Grant Fund	0922
Department of Health	601	Nursing Scholarship and Loan Repayment Fund	0934
Department of Health	601	Medical and Physicans Assistant Scholarship and Loan Repayment Fund	0932
Department of Health	601	Nurse Practitioner Scholarship and Loan Repayment Fund	0936
Department of Health	601	Safe Drinking Water State Revolving Fund	0945
Department of Fire Programs	960	Fire Programs Fund	0218

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

##### **§ 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 determined by the State Council of Higher Education. 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 QUALIFIED EQUITY AND SUBORDINATED DEBT INVESTMENT TAX CREDIT**

Notwithstanding any other provision of law, for taxable years beginning on and 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.

##### **§ 3-5.02 RETALIATORY COSTS TO OTHER STATES TAX CREDIT**

Notwithstanding any other provision of law, for license years beginning on and after July 1, 2006 and taxable years ending on and after December 31, 2006, the amount of the Tax Credit for Retaliatory Costs to Other States available under § 58.1-2510, Code of Virginia for those companies not receiving a credit for the taxable year 2000, shall be limited to 60 percent of the retaliatory costs paid to other states for those companies or groups having more than 100 qualified full-time employees in this Commonwealth during the entire license year and who met the definition of "qualified investment" on or after January 1, 2001.

##### **§ 3-5.03 PAYMENT OF AUTO RENTAL TAX TO THE RAIL ENHANCEMENT FUND AND THE GENERAL FUND**

A. Notwithstanding the provisions of § 58.1-2425, Code of Virginia, or any other provision of law, the tax on the gross proceeds from the rental in Virginia of any motor vehicle pursuant to subdivision A3 of § 58.1-2402, Code of Virginia, at the tax rate in effect on December 31, 1986, shall be paid by the Commissioner of the Department of Motor Vehicles into the Rail Enhancement Fund.

B. Notwithstanding the provisions of the amendment to § 58.1-2425, Code of Virginia, enacted by Chapter 522 of the 2004 Acts of Assembly, all additional revenues resulting from the fee imposed under subdivision A 5 of § 58.1-2402, Code of Virginia, as enacted by Chapter 522 of the 2004 Acts of Assembly, shall be deposited into the general fund.

##### **§ 3-5.04 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 ~~\$243,787,500~~\$218,400,000 the first year and ~~\$257,632,500~~\$224,800,000 the second year.

#### § 3-5.05 NEIGHBORHOOD ASSISTANCE PROGRAM AND SCHOOLS FOR CHILDREN WITH DISABILITIES FUND ACT TAX CREDIT

A. Notwithstanding any other provisions of law and effective July 1, 2007, (1) the annual fiscal year cap for tax credits allowed under the Neighborhood Assistance Act shall be increased from \$8 million to \$12 million; (2) \$1 million of the increase shall be allocated for education programs and \$3 million for providing grants to private schools for students with disabilities; (3) the tax credit percentage for donations made by corporations and individuals is reduced from 45 percent to 40 percent; and (4) the restriction placed upon individuals from claiming a tax credit for the donation if a charitable contribution deduction credit is also taken is removed.

The Department of Education shall administer the Schools for Students with Disabilities Fund from which grants will be made to private schools for students with disabilities for the purpose of reducing the tuition costs to attend such Schools. The Fund would be funded from monetary donations for which the Department would allocate the annual \$3 million in tax credits. The Board of Education shall establish guidelines for the grants program, including guidelines for procedures to allocate the \$3 million in tax credits in fiscal years in which more than \$3 million in monetary donations were made to the Fund.

In addition, the ~~The~~ \$50,000 taxable year limitation on individual tax credits under the Neighborhood Assistance Act pursuant to § ~~63.2-2006~~ 58.1-439.24 of the Code of Virginia shall not apply in any taxable year beginning in the relevant fiscal year of the Commonwealth if, after an equitable allocation of tax credits under the Act of such relevant fiscal year, the total amount of tax credits granted for all programs approved under the Act (including tax credits for monetary donations to the Schools for Students with Disabilities fund ) for such fiscal year was less than \$12 ~~11.9~~ million.

B. Notwithstanding the provisions of paragraph A any other provision of law, any business firm that has pledged in writing on or before January 1, 2006, to a neighborhood organization to make a donation to such organization shall be eligible to receive a tax credit equal to 45% of the value of any qualifying donation that is covered under such writing, provided that the donation is made on or before January 1, 2013 and does not exceed the annual caps established in paragraph A. Nothing in this paragraph shall be interpreted or construed as affecting any other provision of the Neighborhood Assistance Act (§ ~~63.2-2000~~ 58.1-439.18 et seq. of the Code of Virginia). For purposes of this paragraph, the terms "business firm" and "neighborhood organization" shall mean the same as those terms are defined in § ~~63.2-2000~~ 58.1-439.18 of the Code of Virginia.

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 § ~~63.2-2000~~ 58.1-439.18.

#### § 3-5.06 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.

#### § 3-5.13 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 courts in the thirty-first judicial circuit, but pay them in accordance with § 17.1-285.*

### § 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

#### § 3-6.01 RECORDATION TAX FEE

There is hereby assessed a ten 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 such fee shall be deposited to the general fund.

**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



mentally retarded payable from the Mental Health and Mental Retardation 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 forwarded 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 report 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 Mental Health, Mental Retardation and Substance Abuse 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 Mental Health, Mental Retardation and Substance Abuse 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.) 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, 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, 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.

5. Reporting:

The Director, Department of Planning and Budget, shall 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, ending on June 30, 2008, and (ii) the last day of the first year of the current biennium, ending on June 30, 2009, shall be reappropriated and allotted for expenditure in the respective succeeding year for the following agencies and programs, provided however, that the reappropriations shall not be used to create ongoing obligations or expand or create new programs, but shall be applied to nonrecurring costs:

1) Agencies in the Legislative Department, the Judicial Department, and the Independent Agencies, except as may be specifically provided otherwise by the General Assembly;

2) Agencies in the Executive Department, subject to the prior written approval of the Governor, except as may be specifically provided otherwise by the General Assembly;

3) Specific program balances in Executive Department agencies identified by the General Assembly through language in this act; and

4) 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 ~~for the first year of the biennium~~ include the ~~planned~~ reversion of certain unexpended balances in operating appropriations as of June 30 ~~of the prior fiscal year, 2005, which were otherwise required to be reappropriated for the second year of the biennium by language in Chapter 951, 2005 Acts of Assembly, or prior the Appropriation Acts.~~

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.

§ 4-1.08 APPROPRIATION REDUCTIONS TO ADDRESS REVENUE SHORTFALL

*A. State agencies and institutions with appropriation reductions contained in Part I of this act within the item "Executive Management, Savings from Management Actions" are to be guided by the reductions strategies outlined in this section. If modifications to the reductions outlined in this section are necessary, such modifications shall be reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee pursuant to § 4-1.02.d.5.a) of this act.*

*B. Specified reductions:*

	<b>FY 2009</b>	<b>FY 2010</b>
<b>Office of the Governor and Cabinet Combined</b>		
Reduce cell phone expenses	-\$25,000	-\$25,000
Reduce general fund expenses for nonpersonal services	-\$134,000	-\$134,000
Reduce personal service costs	-\$502,462	-\$903,676
Remove additional funding for pay practices	\$0	-\$15,077
Replace Commonwealth Preparedness general fund dollars with federal funds	-\$260,964	-\$368,418
Revert general fund balances from prior year	-\$39,859	\$0
<b>Office of the Governor and Cabinet Combined Total</b>	<b>-\$962,285</b>	<b>-\$1,446,171</b>
<b>Lieutenant Governor</b>		
Revert general fund balances from prior year	-\$16,937	\$0
Reduce operating expenses	-\$11,000	-\$11,000
<b>Lieutenant Governor Total</b>	<b>-\$27,937</b>	<b>-\$11,000</b>
<b>Attorney General and Department of Law</b>		
Eliminate contracted temporary personnel services	-\$29,120	\$0
Reduce discretionary nonpersonal services spending	-\$15,000	-\$15,000
Sunset expiring grants	-\$55,000	-\$150,000
Return motor pool vehicle assigned to the Attorney General	-\$3,217	-\$2,205
Restructure photocopier leases	-\$20,000	-\$30,000
Remove additional funding for pay practices	\$0	-\$69,903
Utilize asset forfeiture balances	-\$100,000	-\$50,000
Reduce telecommunication expenses	-\$13,062	-\$15,264
Reduce discretionary travel	-\$12,000	-\$15,000
Revert general fund balances from prior year	-\$227,803	\$0
Recover additional indirect cost charges from grants	-\$125,000	-\$100,000
Improve mailing services	-\$2,000	-\$5,000
Improve fleet usage	-\$15,000	-\$15,000
Eliminate funding for continuing legal education classes	-\$35,000	-\$40,000
Eliminate administrative position	-\$7,280	-\$14,560
Implement hiring freeze	-\$1,360,000	-\$1,803,815
<b>Attorney General and Department of Law Total</b>	<b>-\$2,019,482</b>	<b>-\$2,325,747</b>
<b>Secretary of the Commonwealth</b>		
Remove additional funding for pay practices	\$0	-\$5,241
<b>Secretary of the Commonwealth Total</b>	<b>\$0</b>	<b>-\$5,241</b>
<b>Virginia Enterprise Applications Program Office (VEAP)</b>		
Realign the scope of the change management role	-\$37,067	\$0
Eliminate contract position	-\$15,988	\$0
Eliminate wage position	-\$20,090	\$0
Eliminate wage position	-\$90,000	\$0
<b>Virginia Enterprise Applications Program Office (VEAP) Total</b>	<b>-\$163,145</b>	<b>\$0</b>
<b>Interstate Organization Contributions</b>		
Eliminate organization membership	\$0	-\$11,500
Eliminate Southern Growth Policies Board membership	\$0	-\$51,384
<b>Interstate Organization Contributions Total</b>	<b>\$0</b>	<b>-\$62,884</b>
<b>Secretary of Administration</b>		
Remove additional funding for pay practices	\$0	-\$4,580
Reduce Virginia Public Broadcasting Board grants	\$0	-\$636,139
Reduce Virginia Public Broadcasting Board grants	-\$318,070	\$0
<b>Secretary of Administration Total</b>	<b>-\$318,070</b>	<b>-\$640,719</b>
<b>Compensation Board</b>		
Remove additional funding for pay practices	\$0	-\$8,053
Restructure information technology equipment usage policies	-\$9,000	-\$18,000
Revert general fund balances	-\$55,020	\$0
Improve internal systems efficiencies to achieve VITA savings	-\$100,000	-\$190,542
Increase agency efficiencies	-\$389,008	-\$220,469
<b>Compensation Board Total</b>	<b>-\$553,028</b>	<b>-\$437,064</b>
<b>Department of Employment Dispute Resolution</b>		
Use nongeneral fund dollars for hearing program	-\$64,105	-\$64,105
Reduce parking costs	-\$2,500	-\$2,500

<i>Reduce personnel costs</i>	-\$61,699	-\$61,699
<i>Reduce printing costs</i>	-\$2,500	-\$2,500
<i>Reduce reference costs</i>	-\$1,000	-\$1,000
<i>Reduce computer operations costs</i>	-\$11,100	-\$11,100
<i>Reduce use of temporary labor</i>	-\$5,195	-\$5,195
<i>Reduce travel and training</i>	-\$4,200	-\$4,200
<i>Reduce rent costs</i>	-\$11,207	-\$11,207
<b>Department of Employment Dispute Resolution Total</b>	<b>-\$163,506</b>	<b>-\$163,506</b>
<b>Department of General Services</b>		
<i>Eliminate equipment replacement</i>	\$0	-\$595,607
<i>Fund Virginia Partners in Procurement Program with nongeneral fund</i>	-\$582,572	-\$582,572
<i>Improve efficiencies in director's office</i>	-\$60,000	-\$586,450
<i>Improve efficiencies in Information Systems Services business unit</i>	-\$83,000	-\$83,000
<i>Reduce staff in director's office</i>	-\$19,000	-\$29,000
<i>Remove additional funding for pay practices</i>	\$0	-\$69,851
<i>Charge fee for tuberculosis testing</i>	-\$22,500	-\$90,000
<b>Department of General Services Total</b>	<b>-\$767,072</b>	<b>-\$2,036,480</b>
<b>Department of Human Resource Management</b>		
<i>Recognize Virginia Enterprise Application Project Office special fund reimbursement</i>	-\$10,644	\$0
<i>Allocate administrative expenses to programs</i>	-\$514,906	-\$514,906
<i>Capture turnover and vacancy savings</i>	-\$58,655	-\$117,310
<i>Consolidate the Employee Suggestion Program (ESP) with the Governor's Idea Program</i>	-\$7,800	-\$10,683
<i>Eliminate agency reward and recognition bonuses</i>	-\$35,495	\$0
<i>Eliminate computer training room</i>	-\$20,682	-\$27,576
<i>Eliminate wage employee in Personnel Development Services</i>	-\$26,960	-\$37,326
<i>Reduce number of agency laptop computers</i>	-\$16,199	-\$21,599
<i>Utilize nongeneral fund resources for special training</i>	-\$50,000	-\$15,000
<i>Reduce wage hours in Equal Employment Opportunity Services</i>	-\$14,635	\$0
<i>Remove additional funding for pay practices</i>	\$0	-\$20,369
<b>Department of Human Resource Management Total</b>	<b>-\$755,976</b>	<b>-\$764,769</b>
<b>Human Rights Council</b>		
<i>Reduce meeting refreshments</i>	-\$1,000	-\$1,000
<i>Eliminate telecommute computers</i>	-\$2,000	-\$2,000
<i>Eliminate purchase of new office furniture</i>	-\$1,000	-\$1,000
<i>Eliminate position</i>	-\$40,998	-\$40,998
<i>Eliminate a wage position</i>	-\$6,639	-\$6,639
<b>Human Rights Council Total</b>	<b>-\$51,637</b>	<b>-\$51,637</b>
<b>Department of Minority Business Enterprise</b>		
<i>Eliminate a position</i>	-\$57,055	-\$57,055
<i>Eliminate contractor costs</i>	-\$5,162	-\$5,162
<i>Reduce contractor expenses</i>	-\$14,838	-\$14,838
<i>Reduce office supplies and promotional items</i>	-\$16,270	-\$16,270
<i>Delay hiring a Director of Operations</i>	-\$31,108	\$0
<b>Department of Minority Business Enterprise Total</b>	<b>-\$124,433</b>	<b>-\$93,325</b>
<b>State Board of Elections</b>		
<i>Allow absentee voting for any reason</i>	\$0	-\$18,000
<i>Require municipalities to pay for the cost of May elections</i>	\$0	-\$80,000
<i>Remove additional funding for pay practices</i>	\$0	-\$6,138
<i>Reduce scope of contract with Virginia Enterprise Application</i>		
<i>Project program office to establish voter system</i>	-\$113,679	\$0
<i>Reduce scope of contract with Virginia Enterprise Application</i>		
<i>Program office</i>	\$0	-\$113,769
<i>Recover indirect costs from Help America Vote Act activities</i>	-\$111,839	\$0
<i>Recover indirect costs from Help America Vote Act activities</i>	\$0	-\$75,000
<i>Implement campaign finance filing fees</i>	\$0	-\$100,772
<i>Eliminate obsolete servers</i>	-\$111,840	\$0
<b>State Board of Elections Total</b>	<b>-\$337,358</b>	<b>-\$393,679</b>



**Secretary of Agriculture and Forestry**

Remove additional funding for pay practices	\$0	-\$1,835
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**Secretary of Agriculture and Forestry Total**

<b>\$0</b>	<b>-\$1,835</b>
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**Department of Agriculture and Consumer Services**

Reduce travel expenses and agricultural promotion activities in the marketing office	-\$60,556	-\$31,163
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Reduce matching grants for the farmland preservation purchase of development rights program	\$0	-\$500,000
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Reduce special projects in the marketing office	-\$40,177	\$0
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Transfer products and industry standards position to nongeneral funds	-\$22,275	-\$22,275
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Reduce telecommunications costs in the commissioner's office	-\$19,000	-\$19,000
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Increase laboratory fees for services performed in the five animal diagnostic labs	-\$185,906	-\$200,138
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Reduce the appropriation for the Virginia wine distribution corporation	-\$100,000	-\$100,000
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Reduce training costs	-\$40,000	-\$40,000
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Reduce travel and other costs in the office of veterinarian services	-\$22,437	-\$30,663
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Reduce travel and restructure workdays in the office of product and industry standards	-\$39,874	-\$39,874
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Reduce travel expenses and capture turnover and vacancy savings in the office of dairy and food services	-\$80,000	\$0
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Remove additional funding for pay practices	\$0	-\$85,750
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Supplant general fund support for nonpersonal services expenses	-\$84,907	-\$80,407
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Transfer grain marketing position to nongeneral fund support	-\$82,730	-\$82,730
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Transfer livestock marketing position to nongeneral fund	\$0	-\$64,480
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Transfer position to nongeneral funds in the office of product and industry standards	\$0	-\$45,047
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Transfer three positions in consumer services to nongeneral fund support	\$0	-\$140,023
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Eliminate position in animal and food industry services	\$0	-\$53,275
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Eliminate wage position in marketing	-\$1,578	-\$3,156
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Transfer position to commodity services	-\$73,647	-\$73,647
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Eliminate grants for specialty crop research	-\$100,000	-\$100,000
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Eliminate position in animal and food industry services	-\$53,226	-\$62,746
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Capture savings from prepayment of insurance	-\$15,384	\$0
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Capture turnover and vacancy savings	-\$50,000	\$0
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Close the Warrenton Office	\$0	-\$37,000
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Delay filling a vacant position in consumer protection	-\$10,208	\$0
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Eliminate funding for hydrilla control	\$0	-\$150,000
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Eliminate supervisor position in dairy services	-\$42,868	-\$42,868
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Eliminate position in animal and food industry services	\$0	-\$87,873
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Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$20,209	\$0
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Eliminate position in the product and industry standards	-\$214	-\$54,329
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Eliminate positions in charitable gaming	-\$390,000	-\$500,000
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Eliminate a wage employee in consumer protection	\$0	-\$21,840
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Eliminate position in veterinarian services	\$0	-\$66,030
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Eliminate position in dairy services	-\$83,417	-\$83,417
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Eliminate position in the division of marketing	-\$54,454	-\$108,908
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Eliminate position in the division of marketing	-\$20,209	-\$50,380
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Eliminate position in the commissioner's office	-\$64,000	-\$64,000
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Eliminate position in plant and pest services	\$0	-\$51,018
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Eliminate position in market news	\$0	-\$87,615
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**Department of Agriculture and Consumer Services Total**

<b>-\$1,757,276</b>	<b>-\$3,179,652</b>
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**Department of Forestry**

Increase fee to recover cost of administering the Reforestation of Timberlands Program	-\$120,000	-\$120,000
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Eliminate vacant general fund positions	\$0	-\$996,719
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Supplant general fund dollars with nongeneral funds	-\$60,000	\$0
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<i>Remove additional funding for pay practices</i>	\$0	-\$47,514
<i>Reduce information technology costs</i>	\$0	-\$30,000
<i>Reallocate funding for general fund positions</i>	-\$526,498	-\$530,611
<i>Eliminate commute for fire fighters</i>	-\$60,000	-\$120,000
<i>Capture capital outlay balances</i>	-\$223,020	\$0
<i>Defer purchase of heavy equipment</i>	-\$140,769	\$0
<i>Consolidate regional offices</i>	-\$232,404	-\$357,896
<i>Combine administrative support position</i>	-\$39,647	-\$39,952
<i>Capture turnover and vacancy savings</i>	-\$447,495	\$0
<i>Partner with Virginia Tech for a hydrologist position</i>	-\$50,000	-\$50,000
<b>Department of Forestry Total</b>	<b>-\$1,899,833</b>	<b>-\$2,292,692</b>
<b>Secretary of Commerce and Trade</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$3,314
<b>Secretary of Commerce and Trade Total</b>	<b>\$0</b>	<b>-\$3,314</b>
<b>Department of Business Assistance</b>		
<i>Reduce wage payroll costs</i>	-\$58,777	-\$58,777
<i>Capture rent savings</i>	\$0	-\$29,742
<i>Defer moving costs</i>	-\$20,000	\$0
<i>Eliminate one filled position</i>	-\$26,060	-\$45,876
<i>Eliminate vacant positions</i>	-\$214,762	-\$255,617
<i>Reduce economic development incentives to new and expanding businesses under the Virginia Jobs Investment Program</i>	-\$313,805	-\$313,805
<i>Remove additional funding for pay practices</i>	\$0	-\$13,017
<i>Supplant general fund expenses in the Virginia Small Business Financing Authority with nongeneral fund resources</i>	-\$28,395	-\$28,395
<i>Reduce appropriation for the Virginia Israel Advisory Board</i>	\$0	-\$7,062
<b>Department of Business Assistance Total</b>	<b>-\$661,799</b>	<b>-\$752,291</b>
<b>Department of Housing and Community Development</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$24,823
<i>Supplant general fund expenses of the Fort Monroe Federal Area Development Authority with nongeneral funds</i>	-\$16,400	\$0
<i>Supplant general fund dollars within the Division of Community Development with nongeneral funds</i>	-\$42,345	\$0
<i>Reduce operating expenses of the Fort Monroe Federal Area Development Authority</i>	-\$76,565	\$0
<i>Supplant general fund dollars in the Division of Housing with nongeneral funds</i>	-\$40,555	-\$40,555
<i>Reduce the number of wage employees</i>	-\$48,000	-\$48,000
<i>Reduce pass-through funding for Planning District Commissions (PDC's)</i>	\$0	-\$202,558
<i>Reduce costs for postage services</i>	-\$5,000	-\$5,000
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$94,085	\$0
<i>Delay filling vacant building code position</i>	-\$41,000	-\$41,000
<i>Eliminate positions</i>	-\$142,488	-\$405,515
<i>Eliminate the balance of funding for the community development bank</i>	-\$150,000	\$0
<i>Supplant general fund dollars within the Division of Administration with nongeneral funds</i>	-\$169,030	-\$79,554
<i>Reduce administrative costs for the Livable Home Tax Credit</i>	-\$7,000	-\$8,000
<i>Reduce funding for the Virginia Main Street program</i>	-\$25,000	-\$14,990
<i>Reduce discretionary expenses in the Division of Building &amp; Fire Programs</i>	-\$5,500	-\$5,500
<i>Reduce funding for Shelter Improvement Grants</i>	\$0	-\$100,000
<i>Reduce funding for single resident housing</i>	-\$150,000	-\$150,000
<i>Reduce funding for the Virginia Enterprise Initiative grant program</i>	-\$50,000	-\$50,000
<i>Pay International Code Council dues with nongeneral funds</i>	-\$18,000	-\$18,000
<i>Reduce funding for the Virginia Enterprise Zone Program</i>	-\$1,106,100	-\$2,250,000
<i>Reduce funding for the Southwest Virginia Water Planning Grants</i>	\$0	-\$56,250

Reduce funding for the Southwest Virginia Water Construction Grants	\$0	-\$225,000
Reduce funding for the Southeast Rural Community Assistance Project (SERCAP)	\$0	-\$200,469
Reduce funding for the Seed Program	-\$30,000	-\$200,000
Reduce funding for the research and development centers	\$0	-\$75,000
Reduce funding for the Indoor Plumbing Rehabilitation Grant Program	-\$1,600,000	-\$1,600,000
<b>Department of Housing and Community Development Total</b>	<b>-\$3,817,068</b>	<b>-\$5,800,214</b>
<b>Department of Labor and Industry</b>		
Remove additional funding for pay practices	\$0	-\$17,238
Defer recruitment of Labor Law positions	-\$100,000	\$0
Defer recruitment of one boiler and pressure vessel inspector	-\$79,000	\$0
Continue temporary work assignment	-\$31,000	\$0
Defer spending safety and health officer discretionary supplement	-\$255,000	\$0
<b>Department of Labor and Industry Total</b>	<b>-\$465,000</b>	<b>-\$17,238</b>
<b>Department of Mines, Minerals and Energy</b>		
Consolidate field offices	-\$20,000	-\$40,000
Eliminate three positions in the Division of Geology and Mineral Resources	-\$103,192	-\$206,383
Eliminate a vacant stores and warehouse specialist position	-\$17,466	-\$34,931
Increase pool bond administration fees	-\$41,700	-\$41,700
Pay annual membership dues with nongeneral funds	-\$6,100	\$0
Pay operating costs with nongeneral funds	\$0	-\$38,698
Reassign a mineral resources scientist II position	-\$39,603	-\$79,206
Reassign four positions to a federal grant	-\$156,781	-\$313,562
Remove additional funding for pay practices	\$0	-\$36,175
Utilize federal funds for general fund costs	-\$104,320	\$0
Eliminate six positions in the Division of Geology and Mineral Resources	-\$10,820	-\$287,470
Defer filling a vacant energy management training coordinator position	-\$54,882	\$0
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$208,225	\$0
Delay filling vacant energy management specialist/program manager position	-\$46,027	\$0
<b>Department of Mines, Minerals and Energy Total</b>	<b>-\$809,116</b>	<b>-\$1,078,125</b>
<b>Virginia Economic Development Partnership</b>		
Remove additional funding for pay practices	\$0	-\$43,553
Implement strategies to capture efficiencies	-\$1,000,000	-\$1,000,000
<b>Virginia Economic Development Partnership Total</b>	<b>-\$1,000,000</b>	<b>-\$1,043,553</b>
<b>Virginia Tourism Authority</b>		
Remove additional funding for pay practices	\$0	-\$18,209
Implement strategies to capture efficiencies	-\$800,000	-\$800,000
<b>Virginia Tourism Authority Total</b>	<b>-\$800,000</b>	<b>-\$818,209</b>
<b>Secretary of Education</b>		
Remove additional funding for pay practices	\$0	-\$2,865
<b>Secretary of Education Total</b>	<b>\$0</b>	<b>-\$2,865</b>
<b>Department of Education, Central Office Operations</b>		
Remove additional funding for pay practices	\$0	-\$58,098
Reduce funding for wage positions	-\$400,000	-\$400,000
Use nongeneral funds to support administrative funding for the Virginia Teacher Corps program	-\$50,033	-\$50,033
Use nongeneral funds for the Educational Information Management System (EIMS)	-\$295,488	-\$200,000
Use nongeneral funds for Schools for Students with Disabilities Fund positions	-\$143,236	-\$143,236
Use nongeneral funds for Partnership for Achieving Successful Schools (PASS) school improvement	-\$182,892	-\$101,395
Transfer general fund positions to nongeneral funds	-\$400,000	-\$400,000

<i>Reduce funding for VITA comprehensive services bill</i>	-\$25,000	-\$50,000
<i>Use nongeneral funds for academic reviews</i>	-\$308,333	-\$200,000
<i>Eliminate funding for the Civics Education Commission</i>	-\$81,000	-\$81,000
<i>Eliminate vacant positions</i>	-\$1,200,000	-\$1,200,000
<i>Layoff classified employees</i>	-\$417,083	-\$935,000
<i>Reduce funding for Partnership for Achieving Successful Schools (PASS) Business Partnership</i>	-\$65,000	-\$65,000
<i>Reduce funding for FY 2009 VITA comprehensive services bill</i>	-\$497,273	\$0
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$145,235	\$0
<i>Reduce administrative funding for instructional programs</i>	-\$63,388	-\$63,388
<b>Department of Education, Central Office Operations Total</b>	<b>-\$4,273,961</b>	<b>-\$3,947,150</b>
<b>Virginia School for the Deaf and the Blind At Staunton</b>		
<i>Fund two support staff positions with nongeneral fund</i>	\$0	-\$125,916
<i>Remove additional funding for pay practices</i>	\$0	-\$22,767
<i>Reduce utility and staff travel costs</i>	\$0	-\$62,116
<i>Reduce personnel costs</i>	\$0	-\$40,000
<i>Increase Medicaid reimbursements</i>	\$0	-\$50,000
<i>Freeze enrollment at current level</i>	\$0	-\$15,746
<i>Consolidate bus route</i>	\$0	-\$54,770
<i>Close superintendent's residence</i>	\$0	-\$25,000
<i>Close dormitory</i>	\$0	-\$50,000
<i>Reduce personal service costs</i>	\$0	-\$310,426
<b>Virginia School for the Deaf and the Blind At Staunton Total</b>	<b>\$0</b>	<b>-\$756,741</b>
<b>State Council of Higher Education for Virginia</b>		
<i>Replace general fund expenditures with nongeneral fund sources</i>	-\$400,699	\$0
<i>Remove additional funding for pay practices</i>	\$0	-\$12,366
<i>Reduce nonpersonal services</i>	-\$31,016	-\$36,492
<i>Reduce general fund supported positions</i>	\$0	-\$325,000
<i>Revert unexpended student financial aid funding</i>	-\$1,339,740	\$0
<b>State Council of Higher Education for Virginia Total</b>	<b>-\$1,771,455</b>	<b>-\$373,858</b>
<b>Christopher Newport University</b>		
<i>Implement higher education savings strategies</i>	-\$1,430,977	-\$4,292,932
<i>Remove additional funding for pay practices</i>	\$0	-\$39,676
<b>Christopher Newport University Total</b>	<b>-\$1,430,977</b>	<b>-\$4,332,608</b>
<b>The College of William and Mary In Virginia</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$52,791
<i>Implement higher education savings strategies</i>	-\$3,426,462	-\$7,342,419
<b>The College of William and Mary In Virginia Total</b>	<b>-\$3,426,462</b>	<b>-\$7,395,210</b>
<b>Richard Bland College</b>		
<i>Implement higher education savings strategies</i>	-\$295,397	-\$590,794
<i>Remove additional funding for pay practices</i>	\$0	-\$6,212
<b>Richard Bland College Total</b>	<b>-\$295,397</b>	<b>-\$597,006</b>
<b>Virginia Institute of Marine Science</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$57,833
<i>Implement higher education savings strategies</i>	-\$1,477,885	-\$2,242,975
<b>Virginia Institute of Marine Science Total</b>	<b>-\$1,477,885</b>	<b>-\$2,300,808</b>
<b>George Mason University</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$170,201
<i>Implement higher education savings strategies</i>	-\$9,799,203	-\$20,998,292
<b>George Mason University Total</b>	<b>-\$9,799,203</b>	<b>-\$21,168,493</b>
<b>James Madison University</b>		
<i>Implement higher education savings strategies</i>	-\$5,447,520	-\$11,673,257
<i>Remove additional funding for pay practices</i>	\$0	-\$104,575
<b>James Madison University Total</b>	<b>-\$5,447,520</b>	<b>-\$11,777,832</b>
<b>Longwood University</b>		
<i>Implement higher education savings strategies</i>	-\$1,356,876	-\$4,070,629
<i>Remove additional funding for pay practices</i>	\$0	-\$33,596
<b>Longwood University Total</b>	<b>-\$1,356,876</b>	<b>-\$4,104,225</b>
<b>Norfolk State University</b>		

Implement higher education savings strategies	-\$2,044,145	-\$6,132,434
Remove additional funding for pay practices	\$0	-\$54,458
<b>Norfolk State University Total</b>	<b>-\$2,044,145</b>	<b>-\$6,186,892</b>
<b>Old Dominion University</b>		
Implement higher education savings strategies	-\$5,645,898	-\$16,487,695
Remove additional funding for pay practices	\$0	-\$102,116
<b>Old Dominion University Total</b>	<b>-\$5,645,898</b>	<b>-\$16,589,811</b>
<b>Radford University</b>		
Implement higher education savings strategies	-\$2,496,321	-\$7,488,962
Remove additional funding for pay practices	\$0	-\$59,793
<b>Radford University Total</b>	<b>-\$2,496,321</b>	<b>-\$7,548,755</b>
<b>University of Mary Washington</b>		
Remove additional funding for pay practices	\$0	-\$25,222
Implement higher education savings strategies	-\$1,656,014	-\$3,548,600
<b>University of Mary Washington Total</b>	<b>-\$1,656,014</b>	<b>-\$3,573,822</b>
<b>University of Virginia</b>		
Remove additional funding for pay practices	\$0	-\$325,763
Implement higher education savings strategies	-\$10,619,554	-\$22,756,186
<b>University of Virginia Total</b>	<b>-\$10,619,554</b>	<b>-\$23,081,949</b>
<b>University of Virginia's College at Wise</b>		
Implement higher education savings strategies	-\$754,459	-\$2,263,377
Remove additional funding for pay practices	\$0	-\$14,033
<b>University of Virginia's College at Wise Total</b>	<b>-\$754,459</b>	<b>-\$2,277,410</b>
<b>Virginia Commonwealth University</b>		
Remove additional funding for pay practices	\$0	-\$281,463
Implement higher education savings strategies	-\$10,136,449	-\$30,100,797
<b>Virginia Commonwealth University Total</b>	<b>-\$10,136,449</b>	<b>-\$30,382,260</b>
<b>Virginia Community College System</b>		
Implement higher education savings strategies	-\$19,874,910	-\$39,745,194
Remove additional funding for pay practices	\$0	-\$420,607
<b>Virginia Community College System Total</b>	<b>-\$19,874,910</b>	<b>-\$40,165,801</b>
<b>Virginia Military Institute</b>		
Remove additional funding for pay practices	\$0	-\$13,180
Implement higher education savings strategies	-\$982,653	-\$2,105,684
<b>Virginia Military Institute Total</b>	<b>-\$982,653</b>	<b>-\$2,118,864</b>
<b>Virginia Polytechnic Institute and State University</b>		
Remove additional funding for pay practices	\$0	-\$285,633
Implement higher education savings strategies	-\$8,888,823	-\$26,666,470
<b>Virginia Polytechnic Institute and State University Total</b>	<b>-\$8,888,823</b>	<b>-\$26,952,103</b>
<b>VPI Cooperative Extension and Agricultural Experiment Station</b>		
Remove additional funding for pay practices	\$0	-\$74,478
Implement higher education savings strategies	-\$2,307,994	-\$2,307,994
<b>VPI Cooperative Extension and Agricultural Experiment Station Total</b>	<b>-\$2,307,994</b>	<b>-\$2,382,472</b>
<b>Virginia State University</b>		
Remove additional funding for pay practices	\$0	-\$26,919
Implement higher education savings strategies	-\$1,261,557	-\$3,784,670
<b>Virginia State University Total</b>	<b>-\$1,261,557</b>	<b>-\$3,811,589</b>
<b>VSU Cooperative Extension and Agricultural Research Services</b>		
Remove additional funding for pay practices	\$0	-\$6,585
Implement higher education savings strategies	-\$26,542	-\$26,542
<b>VSU Cooperative Extension and Agricultural Research Services Total</b>	<b>-\$26,542</b>	<b>-\$33,127</b>
<b>Frontier Culture Museum of Virginia</b>		
Reduce education interpretation personnel	-\$75,470	-\$100,608
Remove additional funding for pay practices	\$0	-\$4,453
Supplant education and interpretation services and staff with nongeneral funds	-\$196,281	-\$171,218
<b>Frontier Culture Museum of Virginia Total</b>	<b>-\$271,751</b>	<b>-\$276,279</b>
<b>Gunston Hall</b>		

Obtain private funding to continue classified salary	\$0	-\$35,518
Obtain private funding for the purchase of supplies	\$0	-\$10,000
Obtain private funding for the historic animal program	\$0	-\$3,000
Obtain private funding for rental equipment	\$0	-\$5,020
Obtain private funding for housekeeping services	\$0	-\$31,000
Obtain private funding for contractual services	\$0	-\$2,300
Increase admission fees	\$0	-\$10,000
Delay maintenance projects	-\$96,838	\$0
<b>Gunston Hall Total</b>	<b>-\$96,838</b>	<b>-\$96,838</b>
<b>Jamestown-Yorktown Foundation</b>		
Reduce museum interpretive programming	-\$27,555	-\$27,555
Invest in conservation initiatives	\$2,635	-\$24,030
Defer facility maintenance and upgrades	-\$93,600	-\$86,600
Curtail recruitment and retention support	-\$42,889	-\$45,500
Curtail professional development and training	-\$59,084	-\$52,971
Curtail marketing and development activities	-\$28,270	-\$28,270
Curtail curatorial and exhibit activities	-\$57,893	-\$139,950
Limit Outreach Education	-\$201,134	-\$121,844
Reduce computer technology and communications support	-\$50,550	-\$54,050
Reduce general administrative support	-\$19,626	-\$32,210
Reduce museum administrative support	-\$26,674	-\$35,429
Limit on-site education	-\$47,899	-\$50,888
Remove additional funding for pay practices	\$0	-\$22,643
Support operations with nongeneral fund revenues	-\$604,169	-\$545,787
Reduce governance and compliance support	-\$62,319	-\$73,943
<b>Jamestown-Yorktown Foundation Total</b>	<b>-\$1,319,027</b>	<b>-\$1,341,670</b>
<b>The Library of Virginia</b>		
Remove additional funding for pay practices	\$0	-\$34,134
Reduce discretionary spending	-\$600,000	-\$900,000
<b>The Library of Virginia Total</b>	<b>-\$600,000</b>	<b>-\$934,134</b>
<b>The Science Museum of Virginia</b>		
Delay filling procurement position	-\$50,000	\$0
Delay filling vacant Human Resource Manager position	-\$36,460	\$0
Reduce museum workforce	-\$179,060	-\$176,850
Reduce operational days open to public	-\$100,000	-\$100,000
Remove additional funding for pay practices	\$0	-\$7,852
<b>The Science Museum of Virginia Total</b>	<b>-\$365,520</b>	<b>-\$284,702</b>
<b>Virginia Commission for the Arts</b>		
Remove additional funding for pay practices	\$0	-\$1,314
Reduce funding for technical assistance grants	-\$10,000	-\$25,000
Eliminate financial assistance for the touring performing artists program	-\$20,000	\$0
Eliminate funding for workshops for arts organizations	-\$12,000	\$0
Reduce funding for general operating support grants	\$0	-\$731,725
Reduce funding for project grants	\$0	-\$75,000
Reduce funding for the performing arts 2010-2011 tour directory	\$0	-\$50,000
Reduce grant awards payments	-\$604,302	\$0
Reduce grant funding through attrition	-\$60,000	\$0
Reduce funding for programs to Virginia arts organizations	-\$114,423	\$0
Reduce funding for the "Writers in Virginia" grant program	-\$3,000	-\$2,000
Eliminate administrative costs of Heritage Awards	-\$5,000	\$0
Reduce technology enhancement grant funds	-\$10,000	-\$25,000
Eliminate "Teacher Incentive" grants	-\$90,000	-\$20,000
<b>Virginia Commission for the Arts Total</b>	<b>-\$928,725</b>	<b>-\$930,039</b>
<b>Virginia Museum of Fine Arts</b>		
Reduce non-staff costs	-\$392,043	-\$421,265
Defer discretionary expenses	-\$207,803	-\$47,025
Manage personal services costs	-\$372,438	-\$440,765
Remove additional funding for pay practices	\$0	-\$22,122
Utilize nongeneral fund resources	-\$566,716	-\$638,645

Eliminate one-time costs	\$0	-\$66,300
<b>Virginia Museum of Fine Arts Total</b>	<b>-\$1,539,000</b>	<b>-\$1,636,122</b>
<b>Eastern Virginia Medical School</b>		
Administer efficiencies in the Family Medicine Program	-\$44,715	-\$44,715
Realize efficiencies in the Area Health Education Center	-\$13,110	-\$13,110
Realize efficiencies in undergraduate medical education	-\$357,800	-\$357,800
Supplant modeling and simulation funding	-\$84,375	-\$84,375
<b>Eastern Virginia Medical School Total</b>	<b>-\$500,000</b>	<b>-\$500,000</b>
<b>New College Institute</b>		
Reduce funding for operational expenses	-\$100,000	-\$100,000
Reduce expenditures for printing and promotion	-\$11,000	-\$11,000
<b>New College Institute Total</b>	<b>-\$111,000</b>	<b>-\$111,000</b>
<b>Institute for Advanced Learning and Research</b>		
Eliminate support for special projects and grant development position	-\$60,750	-\$60,750
Eliminate support for general manager, program and client services position	-\$57,845	-\$57,845
Eliminate support planning and academic program development position	-\$146,975	-\$146,975
Eliminate support for technology position	-\$62,573	-\$62,513
Eliminate support for senior associate position	-\$72,225	-\$72,225
Eliminate support for second event planner and marketing position	-\$6,020	-\$38,582
Eliminate support for manger of community engagement wage position	-\$64,892	-\$64,892
Eliminate support for human resources wage position	-\$16,480	-\$16,480
Eliminate support for event planner and marketing position	-\$7,395	-\$7,395
Eliminate support for community engagement position	-\$13,210	-\$13,210
Eliminate support for institutional advancement position	-\$115,193	-\$115,193
<b>Institute for Advanced Learning and Research Total</b>	<b>-\$623,558</b>	<b>-\$656,060</b>
<b>Roanoke Higher Education Authority</b>		
Defer spending on new and replacement furniture and equipment items	-\$12,000	-\$12,000
Defer software and computer hardware purchases	-\$5,000	-\$5,000
Defer maintenance and repairs of buildings and grounds	-\$14,939	-\$14,939
Eliminate funding for the economic impact study	-\$5,000	-\$5,000
Reduce spending on office supplies and postage	-\$1,500	-\$1,500
Reduce funding for wage and salary expenses	-\$17,000	-\$17,000
Reduce funding for the contingency reserve budget	-\$21,700	-\$21,700
Reduce funding for employee travel, training and the employee recognition program	-\$11,200	-\$11,200
Reduce funding audit and legal expenses	-\$6,000	-\$6,000
Reduce funding for the career center	-\$14,500	-\$14,500
Reduce funding for employee tuition reimbursement	-\$6,000	-\$6,000
Reduce funding for information technology expenses	-\$2,100	-\$2,100
Reduce funding for marketing, advertising and outreach expenses	-\$5,900	-\$5,900
Reduce funding for meeting related expenses	-\$9,000	-\$9,000
<b>Roanoke Higher Education Authority Total</b>	<b>-\$131,839</b>	<b>-\$131,839</b>
<b>Southern Virginia Higher Education Center</b>		
Reduce costs associated with the search for a new executive director	-\$20,000	\$0
Defer purchase of the mobile computer laboratory	\$0	-\$25,000
Support the Literacy Program using nongeneral fund sources	-\$8,000	-\$8,000
Remove additional funding for pay practices	\$0	-\$1,542
Reduce travel budget	-\$10,000	-\$10,000
Reduce support for office supplies and postage	-\$7,000	-\$10,000
Reduce support for an executive administrative assistant	-\$13,000	-\$13,000
Reduce advertising budget	-\$18,000	-\$18,000
Eliminate the unfilled program coordinator position	-\$52,890	-\$52,890
Eliminate the unfilled marketing/public relations position	-\$43,276	-\$50,776

<i>Eliminate part-time CREED program coordinator position</i>	<i>-\$12,000</i>	<i>-\$16,000</i>
<i>Eliminate contracted lawn care service</i>	<i>-\$5,000</i>	<i>-\$6,500</i>
<i>Eliminate management consulting services</i>	<i>-\$5,000</i>	<i>-\$5,000</i>
<b><i>Southern Virginia Higher Education Center Total</i></b>	<b><i>-\$194,166</i></b>	<b><i>-\$216,708</i></b>
<b><i>Southwest Virginia Higher Education Center</i></b>		
<i>Eliminate overtime</i>	<i>-\$12,000</i>	<i>-\$12,000</i>
<i>Market the Center more cost effectively</i>	<i>-\$25,000</i>	<i>-\$25,000</i>
<i>Reduce expenditures for office and instructional supplies and equipment.</i>	<i>-\$10,000</i>	<i>-\$10,000</i>
<i>Reduce the amount of funds for travel and professional development.</i>	<i>-\$8,265</i>	<i>-\$8,265</i>
<i>Remove additional funding for pay practices</i>	<i>\$0</i>	<i>-\$3,414</i>
<i>Adjust positions</i>	<i>-\$69,984</i>	<i>-\$69,984</i>
<i>Delay hiring Research and Development Director</i>	<i>-\$57,220</i>	<i>\$0</i>
<i>Reduce Program Development Incentive Funds</i>	<i>-\$33,030</i>	<i>-\$90,250</i>
<b><i>Southwest Virginia Higher Education Center Total</i></b>	<b><i>-\$215,499</i></b>	<b><i>-\$218,913</i></b>
<b><i>Jefferson Science Associates, LLC</i></b>		
<i>Reduce research and development initiatives</i>	<i>-\$75,156</i>	<i>-\$75,156</i>
<i>Reduce Free Electron Laser (FEL) operations</i>	<i>-\$150,313</i>	<i>-\$150,313</i>
<b><i>Jefferson Science Associates, LLC Total</i></b>	<b><i>-\$225,469</i></b>	<b><i>-\$225,469</i></b>
<b><i>Secretary of Finance</i></b>		
<i>Remove additional funding for pay practices</i>	<i>\$0</i>	<i>-\$2,620</i>
<b><i>Secretary of Finance Total</i></b>	<b><i>\$0</i></b>	<b><i>-\$2,620</i></b>
<b><i>Department of Accounts</i></b>		
<i>Remove additional funding for pay practices</i>	<i>\$0</i>	<i>-\$29,721</i>
<i>Charge localities small purchase charge card participation fee</i>	<i>\$0</i>	<i>-\$15,000</i>
<i>Charge cost for administration of line of duty program</i>	<i>-\$100,000</i>	<i>-\$250,000</i>
<i>Adjust fee structure for the fiscal service bureau</i>	<i>\$0</i>	<i>-\$28,496</i>
<b><i>Department of Accounts Total</i></b>	<b><i>-\$100,000</i></b>	<b><i>-\$323,217</i></b>
<b><i>Department of Accounts Transfer Payments</i></b>		
<i>Change line of duty funding</i>	<i>-\$2,944,516</i>	<i>-\$2,590,145</i>
<b><i>Department of Accounts Transfer Payments Total</i></b>	<b><i>-\$2,944,516</i></b>	<b><i>-\$2,590,145</i></b>
<b><i>Department of Planning and Budget</i></b>		
<i>Surplus inactive computer equipment</i>	<i>-\$26,478</i>	<i>-\$35,304</i>
<i>Remove additional funding for pay practices</i>	<i>\$0</i>	<i>-\$22,025</i>
<i>Manage turnover and vacancy</i>	<i>-\$168,774</i>	<i>-\$160,938</i>
<i>Reduce funding for school efficiency review studies</i>	<i>-\$726,553</i>	<i>-\$736,507</i>
<i>Reduce funding to the Council on Virginia's Future</i>	<i>-\$76,000</i>	<i>-\$76,000</i>
<b><i>Department of Planning and Budget Total</i></b>	<b><i>-\$997,805</i></b>	<b><i>-\$1,030,774</i></b>
<b><i>Department of Taxation</i></b>		
<i>Recover costs of administering the Communication Sales and Use Tax and Railroad and Pipeline programs</i>	<i>-\$115,855</i>	<i>-\$115,855</i>
<i>Delay processing paper returns</i>	<i>-\$75,752</i>	<i>-\$151,504</i>
<i>Implement enhanced compliance initiative</i>	<i>\$1,220,569</i>	<i>\$4,590,769</i>
<i>Reduce agency training</i>	<i>-\$306,783</i>	<i>-\$306,783</i>
<i>Reduce building security</i>	<i>-\$138,496</i>	<i>-\$138,496</i>
<i>Reduce discretionary nonpersonal services costs</i>	<i>-\$282,684</i>	<i>-\$324,860</i>
<i>Reduce information technology costs</i>	<i>-\$1,716,000</i>	<i>-\$1,766,000</i>
<i>Reduce wage payroll</i>	<i>-\$280,281</i>	<i>-\$321,275</i>
<i>Reduce work hours and capture vacancy savings</i>	<i>-\$120,712</i>	<i>-\$20,712</i>
<i>Remove additional funding for pay practices</i>	<i>\$0</i>	<i>-\$221,987</i>
<i>Eliminate positions throughout the agency</i>	<i>-\$44,255</i>	<i>-\$212,685</i>
<b><i>Department of Taxation Total</i></b>	<b><i>-\$1,860,249</i></b>	<b><i>\$1,010,612</i></b>
<b><i>Department of the Treasury</i></b>		
<i>Eliminate information systems hardware not being used</i>	<i>-\$36,000</i>	<i>-\$48,000</i>
<i>Capture savings due to lower maintenance costs</i>	<i>-\$30,000</i>	<i>-\$30,000</i>
<i>Reallocate cost of positions to nongeneral fund sources</i>	<i>-\$310,734</i>	<i>-\$351,343</i>
<i>Recover cost of accounting services</i>	<i>-\$25,000</i>	<i>-\$25,000</i>
<i>Reduce banking services fees</i>	<i>-\$57,000</i>	<i>-\$57,000</i>
<i>Reduce check processing staff</i>	<i>\$0</i>	<i>-\$32,700</i>



Reduce purchase of check stock	-\$118,957	-\$73,616
Reduce purchase of earnings notices paper stock	-\$50,000	-\$75,000
Remove additional funding for pay practices	\$0	-\$11,958
Eliminate vacant positions	-\$269,513	-\$228,936
<b>Department of the Treasury Total</b>	<b>-\$897,204</b>	<b>-\$933,553</b>
<b>Secretary of Health and Human Resources</b>		
Remove additional funding for pay practices	\$0	-\$3,072
<b>Secretary of Health and Human Resources Total</b>	<b>\$0</b>	<b>-\$3,072</b>
<b>Comprehensive Services for At-Risk Youth and Families</b>		
Recover excess funding for parental agreements	-\$5,000,000	-\$5,000,000
Reduce number of out of state residential placements	-\$700,000	-\$1,300,000
Eliminate infrastructure grants	-\$500,000	-\$500,000
<b>Comprehensive Services for At-Risk Youth and Families Total</b>	<b>-\$6,200,000</b>	<b>-\$6,800,000</b>
<b>Department for the Aging</b>		
Reduce pass-through funding to Bay Aging for Adult Day Break Services program	-\$29,779	-\$37,213
Align pass-through funding for the Pharmacy Connect program	-\$76,856	-\$76,856
Decrease funding for the Virginia Respite Care Grant program	\$0	-\$109,328
Decrease pass-through funding for the Norfolk Senior Center	-\$12,731	-\$12,731
Reduce discretionary funding for administration and support	-\$32,466	-\$17,381
Reduce pass-through funding for Bedford Ride	-\$7,837	\$0
Reduce pass-through funding for the Aging Together Partnership	-\$15,000	-\$15,000
Reduce pass-through funding for the Oxbow Center	-\$14,061	-\$14,061
Reduce pass-through funding to Bay Aging for unmet needs	-\$18,961	-\$18,961
Reduce pass-through funding to Mountain Empire Older Citizens Inc. Companion Care program	-\$7,942	-\$7,942
Reduce pass-through grant for Mountain Empire Older Citizens and Junction Center	-\$2,206	-\$2,206
Remove additional funding for pay practices	\$0	-\$2,455
Decrease pass-through funding for Jewish Family Service of Tidewater	-\$9,729	-\$9,729
Reduce pass-through funding for the Korean Intergenerational and Multi-Purpose Senior Center	-\$9,501	-\$9,501
Eliminate the administrative funding for Virginia Respite Care Grant program	\$0	-\$15,085
<b>Department for the Aging Total</b>	<b>-\$237,069</b>	<b>-\$348,449</b>
<b>Department for the Deaf and Hard-of-Hearing</b>		
Remove additional funding for pay practices	\$0	-\$2,701
<b>Department for the Deaf and Hard-of-Hearing Total</b>	<b>\$0</b>	<b>-\$2,701</b>
<b>Department of Health</b>		
Layoff the secretary position in Accomack's Office of Environmental Health Services	\$0	-\$29,664
Eliminate vacant procurement position in the Office of Environmental Health Services	-\$28,294	-\$43,400
Eliminate vacant secretary position in the Internal Audit's Office	-\$33,463	-\$16,731
Execute additional administrative reductions in the Office of Epidemiology	-\$168,445	-\$168,445
Freeze funding for the Physician Financial Incentives Program	-\$780,964	-\$830,964
Layoff district epidemiologist	\$0	-\$75,000
Layoff Information Technology (IT) Audit Manager position in Internal Audit	\$0	-\$67,436
Layoff position in the Office of Emergency Medical Services	\$0	-\$95,000
Reduce Comprehensive Sickle Cell Services in the Office of Family Health Services	-\$100,000	-\$100,000
Layoff position in the Office of Environmental Health Services	\$0	-\$86,558
Eliminate vacant position in the Office of Purchasing and General Services	-\$43,542	-\$43,542
Reallocate expenses to appropriate nongeneral fund resources in the Office of Drinking Water	-\$35,000	-\$223,796
Redirect equipment rental charge and management services in the Office of Epidemiology	-\$6,000	-\$6,000

<i>Redirect excess bedding fee revenues in the Office of Environmental Health Services</i>	\$0	-\$60,000
<i>Reduce administrative expenses in the Office of Family Health</i>	\$0	-\$66,971
<i>Reduce administrative support and eliminate two vacant positions from the Office of Emergency Management Services</i>	\$0	-\$306,139
<i>Layoff position in the Office of Environmental Health Services</i>	\$0	-\$78,858
<i>Eliminate Dental Scholarship and Dentist Loan Repayment Program</i>	-\$325,000	-\$325,000
<i>Consolidate two Child Development Clinics</i>	\$0	-\$222,466
<i>Defer training, travel, educational supplies, equipment replacement, and other discretionary expenditures</i>	-\$189,860	-\$174,409
<i>Delay hiring for hearing and legal services officer position in the Office of Environmental Health Services</i>	-\$58,894	\$0
<i>Delay hiring for the architect/engineer manager position in the Office of Environmental Health Services</i>	-\$45,285	\$0
<i>Delay hiring for the environmental health specialist position in the Office of Environmental Health Services</i>	-\$45,645	\$0
<i>Eliminate vacant positions across all local health districts</i>	-\$417,692	-\$708,216
<i>Eliminate contract position in the Office of Information Management</i>	-\$38,038	-\$138,311
<i>Eliminate vacant position in the Office of Purchasing and General Services</i>	-\$53,026	-\$53,026
<i>Eliminate four vacant positions in the Office of Human Resources</i>	-\$90,000	-\$181,272
<i>Eliminate funding for the rabies awareness campaign in the Office of Epidemiology</i>	-\$5,540	-\$5,540
<i>Eliminate funding for vacant and filled wage positions</i>	-\$1,669,136	-\$1,969,193
<i>Eliminate monkey tuberculosis (TB) testing in the Office of Epidemiology</i>	-\$4,500	-\$4,500
<i>Eliminate program support position in the Office of Epidemiology</i>	\$0	-\$21,155
<i>Eliminate the Radon Program in the Office of Epidemiology</i>	\$0	-\$46,667
<i>Reduce funding to the Virginia Transplant Council</i>	-\$7,500	-\$50,000
<i>Eliminate administrative staff development program and other services in the Office of Human Resources</i>	-\$59,212	-\$59,212
<i>Reduce funding to Alexandria Neighborhood Health Services, Inc.</i>	-\$4,542	-\$9,084
<i>Reduce nonpersonal services operating expenses, outsource x-ray service, and reduce district management costs</i>	-\$539,275	-\$657,289
<i>Reduce general fund support for nonpersonal service expenses in the Office of Drinking Water</i>	-\$20,275	-\$20,275
<i>Reduce contractual expenses in the Office of Family Health Services</i>	\$0	-\$140,000
<i>Reduce funding for community-based sickle cell grants</i>	-\$5,000	-\$10,000
<i>Reduce funding for phenylketonuria (PKU) treatment in the Office of Family Health Services</i>	-\$20,000	\$0
<i>Reduce funding for the pilot projects in Northern Neck and Emporia</i>	-\$22,500	-\$86,250
<i>Reduce allocation to two locally administered health departments</i>	-\$360,000	-\$1,000,000
<i>Reduce funding to AIDS Resource and consultation centers</i>	-\$28,738	-\$28,738
<i>Reduce Virginia Tech soils scientist contract by one contractor in the Office of Environmental Health Services</i>	-\$60,539	-\$90,808
<i>Reduce funding to Bedford Hospice House, Inc.</i>	-\$10,000	-\$10,000
<i>Reduce funding to St. Mary's Health Wagon</i>	-\$4,750	-\$4,750
<i>Reduce funding to the Arthur Ashe Health Center</i>	-\$10,000	-\$20,000
<i>Reduce funding to the Chesapeake Adult General Medical Clinic</i>	-\$5,000	-\$5,000
<i>Reduce funding to the Fan Free Clinic</i>	-\$5,000	-\$5,000
<i>Reduce funding to the Jeanie Schmidt Free Clinic</i>	-\$2,500	-\$5,000
<i>Reduce funding to the Louisa County Resource Council</i>	-\$1,500	-\$1,500
<i>Reduce funding relative to increased environmental fee revenues in the local health districts</i>	-\$568,727	-\$119,732
<i>Require the Virginia Retirement System to absorb Workforce Transition Act retirement costs</i>	-\$80,216	\$0
<i>Reduce funding to the Southwest Virginia Graduate Medical Education Consortium</i>	-\$14,056	-\$28,112

Reduce funding to Virginia Health Information	-\$43,644	\$0
Turnover and vacancy savings in the Office of Drinking Water	-\$77,289	\$0
Transfer support of positions to nongeneral fund resources in the Roanoke Health District	-\$54,192	-\$54,192
Reduce funding to the Patient Advocate Foundation	-\$25,000	-\$25,000
Supplant general fund support within the department with a portion of the Virginia Vital Statistics Automation Fund	\$0	-\$518,421
Supplant general fund support for the Heart Disease and Stroke Prevention Grant	-\$150,000	-\$150,000
Reduce operating expenses in the Office of Environmental Health Services	-\$10,000	-\$20,000
Revert eVA fee rebate	-\$37,000	\$0
Eliminate one position in the Office of Family Health Services	\$0	-\$29,722
Require all department employees to participate in direct deposit and opt-out receiving earnings notices	-\$5,000	-\$10,000
Replace general fund support for the Managed Care Health Insurance Plans (MCHIP) Program with nongeneral funds	-\$170,000	-\$170,000
Replace general fund support for administrative operating expenses with nongeneral funds in central office administration	\$0	-\$600,000
Remove additional funding for pay practices	\$0	-\$350,996
Reduce Women, Infants, and Children (WIC) Farmer's Market funding in the Office of Family Health Services	-\$257,156	-\$278,373
Change position funding in the Office of Epidemiology	-\$20,366	-\$20,366
Reduce funding to the Old Towne Medical Center	-\$2,500	-\$2,500
Revert fleet management savings	-\$126,739	-\$126,739
Cancel research grant with Virginia Tech within the Office of Environmental Health Services	-\$45,000	\$0
Allow qualifying individuals to receive contraceptive services from public and private providers	\$0	-\$100,000
Accelerate the X-ray registration and inspection program's dependence on special funds in the Office of Epidemiology	-\$135,708	-\$135,708
Abolish three wage investigator positions in the Office of Human Resources	-\$51,434	-\$51,434
Capture funding for electronic health records pilot project	-\$95,000	-\$95,000
Eliminate the Better Beginnings Program funding in the Office of Family Health Services	-\$131,776	-\$131,776
<b>Department of Health Total</b>	<b>-\$7,405,458</b>	<b>-\$11,369,236</b>
<b>Department of Mental Health, Mental Retardation and Substance Abuse Services</b>		
Reduce central office staffing levels	-\$1,749,746	-\$2,489,553
Reduce computer equipment	-\$19,039	-\$19,039
Reduce facility reimbursement for special hospitalization	-\$132,000	-\$132,000
Reduce jail diversion expansion services	-\$330,000	-\$330,000
Reduce number of copiers	-\$10,296	-\$20,592
Reduce appropriation for prepaid items	-\$1,500,000	\$0
Reduce travel expenses	-\$13,494	\$0
Remove additional funding for pay practices	\$0	-\$82,290
Reduce staff training contract with University of Virginia	-\$31,200	-\$46,800
Maintain vacant positions	-\$872,059	-\$967,366
Eliminate wage positions	\$0	-\$330,000
Use funds collected for background screenings	-\$147,600	-\$100,000
Eliminate use of University Data Analysis Center	-\$6,000	\$0
Eliminate use of medical and psychiatric contract inspectors	-\$3,000	\$0
Eliminate use of contract professional inspectors	-\$23,000	\$0
Eliminate SharePoint service	\$0	-\$4,100
Eliminate funding for new scholarships in child psychology	-\$80,000	-\$333,197
Eliminate funding for manpower contract	-\$17,500	-\$17,500
Eliminate cultural competency conference	\$0	-\$75,000
Eliminate use of wage employees for data entry	-\$1,000	\$0
Eliminate use of contract consumer inspectors	-\$3,500	\$0

<b>Department of Mental Health, Mental Retardation and Substance Abuse Services Total</b>	<b>-\$4,939,434</b>	<b>-\$4,947,437</b>
<b>Grants To Localities</b>		
Reduce funding for administrative costs	-\$12,400,000	-\$12,400,000
<b>Grants To Localities Total</b>	<b>-\$12,400,000</b>	<b>-\$12,400,000</b>
<b>Mental Health Treatment Centers</b>		
Consolidate support services at state facilities	-\$2,001,056	-\$2,001,056
Remove additional funding for pay practices	\$0	-\$790,916
Use nongeneral fund balances to replace general fund	-\$5,000,000	\$0
<b>Mental Health Treatment Centers Total</b>	<b>-\$7,001,056</b>	<b>-\$2,791,972</b>
<b>Mental Retardation Training Centers</b>		
Remove additional funding for pay practices	\$0	-\$410,010
<b>Mental Retardation Training Centers Total</b>	<b>\$0</b>	<b>-\$410,010</b>
<b>Virginia Center for Behavioral Rehabilitation</b>		
Remove additional funding for pay practices	\$0	-\$16,488
<b>Virginia Center for Behavioral Rehabilitation Total</b>	<b>\$0</b>	<b>-\$16,488</b>
<b>Department of Rehabilitative Services</b>		
Reduce general funds that support Vocational Rehabilitation program	-\$422,760	-\$500,000
Eliminate one administrative position assigned to the Program Policy and Planning Division	-\$93,346	-\$93,346
Reduce discretionary expenditures in the central office administration	-\$230,000	-\$230,000
Supplants general fund appropriation in Virginia Assistive Technology System (VATS) program with nongeneral fund	-\$42,235	-\$42,235
Supplant general fund support for the Vocational Rehabilitation program with nongeneral fund	-\$119,401	-\$147,237
Supplant general fund support for field counselors with the Supported Employment Services program with nongeneral fund	-\$287,167	-\$287,167
Remove additional funding for pay practices	\$0	-\$33,504
Reduce staff computers by 50	-\$60,000	-\$60,000
Eliminate one administrative position assigned to the Centers for Independent Living (CIL)	-\$68,141	-\$68,141
Reduce general fund to the Long Term Employment Support Services (LTESS) program	-\$753,446	-\$753,446
Reduce general fund support in the Extended Employment Services (EES) program	-\$504,292	-\$504,292
Reduces general fund support for In-service Training Grant	-\$10,000	-\$10,000
Reduce administration salary costs in the Extended Employment Services (EES) program	-\$30,565	-\$30,565
<b>Department of Rehabilitative Services Total</b>	<b>-\$2,621,353</b>	<b>-\$2,759,933</b>
<b>Woodrow Wilson Rehabilitation Center</b>		
Reduce annual cost for natural gas	-\$40,000	\$0
Renegotiate food services contract	-\$52,000	-\$52,000
Remove additional funding for pay practices	\$0	-\$31,117
Reduce wage and contract staff hours	-\$275,000	-\$275,000
Reduce contracts for professional and consulting services	-\$100,000	-\$100,000
Increase Postsecondary Education Rehabilitation Transition (PERT) clients	-\$275,000	-\$275,000
Eliminate two night counselor positions	-\$87,000	-\$87,000
Eliminate staff positions in medical services program	-\$100,000	-\$100,000
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$12,745	\$0
Supplant general fund support of staff with nongeneral fund	-\$105,000	-\$105,000
Reduce expenditures for marketing supplies and administrative supplies and materials	-\$27,540	-\$27,540
<b>Woodrow Wilson Rehabilitation Center Total</b>	<b>-\$1,074,285</b>	<b>-\$1,052,657</b>
<b>Department of Social Services</b>		
Eliminate funding for United Community Ministries	\$0	-\$38,500
Supplant general fund support for Healthy Families of Virginia with Temporary Assistance for Needy Families (TANF)	\$0	-\$3,472,779

<i>Eliminate funding for the Tri-County Community Action Partnership</i>	\$0	-\$100,000
<i>Reduce child care information systems initiative</i>	-\$750,000	-\$750,000
<i>Eliminate over 80 positions in the Department of Social Services' central operations</i>	-\$1,000,000	-\$2,000,000
<i>Re-direct Americorp grant funds to community non-profit organizations</i>	\$0	-\$125,000
<i>Eliminate funding for People Inc.</i>	\$0	-\$42,500
<i>Reduce administrative costs for the social worker educational incentive program</i>	\$0	-\$200,000
<i>Reduce foster care rate increase to six percent in FY 2010</i>	\$0	-\$1,200,000
<i>Remove additional funding for pay practices</i>	\$0	-\$73,122
<i>Require the Virginia Retirement System to absorb Workforce Transition Act retirement costs</i>	-\$38,583	\$0
<i>Substitute one-time food stamp bonus award for general fund</i>	-\$1,400,000	\$0
<i>Supplant general fund support for Centers for Employment and Training with Temporary Assistance to Needy Families (TANF)</i>	\$0	-\$323,202
<i>Supplant general fund support for domestic violence programs with Temporary Assistance for Needy Families (TANF)</i>	\$0	-\$1,515,000
<i>Supplant general fund support of at-risk child care and adoption services with Temporary Assistance for Needy Families (TANF)</i>	-\$18,700,000	-\$8,200,000
<i>Supplant general fund support of child care activities with Temporary Assistance for Needy Families (TANF)</i>	-\$964,878	\$0
<i>Eliminate funding for Northern Virginia Family Services</i>	\$0	-\$100,000
<i>Supplant general fund support for Community Action Agencies with Temporary Assistance for Needy Families (TANF)</i>	\$0	-\$4,640,805
<i>Eliminate earmarked funding for Lenowisco Child Advocacy Center</i>	\$0	-\$50,000
<i>Eliminate earmarked funding for Bristol/Washington Child Advocacy Center</i>	\$0	-\$50,000
<i>Capture savings associated with the latest projections of auxiliary grant program expenditures</i>	-\$700,000	-\$700,000
<i>Capture one-time vacancy savings</i>	-\$12,973	\$0
<i>Capture one-time savings associated with freeze on travel</i>	-\$38,919	\$0
<i>Capture excess postage associated with benefit programs</i>	-\$93,330	-\$93,330
<i>Capture cost allocation savings</i>	-\$250,000	-\$250,000
<i>Eliminate funding for child care resource and referrals</i>	\$0	-\$350,000
<b>Department of Social Services Total</b>	<b>-\$23,948,683</b>	<b>-\$24,274,238</b>
<b>Department for the Blind and Vision Impaired</b>		
<i>Supplant general fund support of personnel costs with nongeneral funds</i>	-\$117,000	-\$117,000
<i>Delay filling vacant position</i>	-\$55,151	\$0
<i>Leave chief deputy director position vacant</i>	-\$40,000	-\$96,000
<i>Remove additional funding for pay practices</i>	\$0	-\$15,644
<i>Reduce purchase of supplies and materials</i>	-\$25,025	-\$25,025
<b>Department for the Blind and Vision Impaired Total</b>	<b>-\$237,176</b>	<b>-\$253,669</b>
<b>Virginia Rehabilitation Center for the Blind and Vision Impaired</b>		
<i>Reduce hours of wage employee</i>	-\$9,477	-\$9,477
<i>Eliminate wage administrative assistant position</i>	-\$18,953	-\$18,953
<b>Virginia Rehabilitation Center for the Blind and Vision Impaired Total</b>	<b>-\$28,430</b>	<b>-\$28,430</b>
<b>Secretary of Natural Resources</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$2,618
<b>Secretary of Natural Resources Total</b>	<b>\$0</b>	<b>-\$2,618</b>
<b>Chippokes Plantation Farm Foundation</b>		
<i>Eliminate professional marketing and fundraising strategy</i>	-\$24,000	\$0
<i>Delay maintenance and equipment purchases</i>	-\$325	-\$24,325
<b>Chippokes Plantation Farm Foundation Total</b>	<b>-\$24,325</b>	<b>-\$24,325</b>
<b>Department of Conservation and Recreation</b>		
<i>Reduce wage positions in state parks visitor desk and contact stations</i>	-\$39,175	-\$39,175

<i>Reduce inventory of computer equipment</i>	-\$58,192	-\$58,192
<i>Reduce operating support to Virginia Outdoors Foundation</i>	\$0	-\$102,500
<i>Reduce procurement wage support</i>	-\$30,000	-\$30,000
<i>Reduce state park advertising costs</i>	-\$50,000	-\$50,000
<i>Reduce state park education programs</i>	-\$150,000	-\$150,000
<i>Reduce state park staff training</i>	-\$63,000	-\$63,000
<i>Reduce state park volunteer program support</i>	-\$38,153	-\$50,000
<i>Reduce support to Chippokes Plantation Farm Foundation</i>	-\$10,681	-\$10,681
<i>Reduce various administrative expenses</i>	-\$64,700	-\$74,933
<i>Reduce wage expense in planning and recreation resources</i>	-\$11,400	-\$11,400
<i>Reduce water quality implementation support</i>	-\$200,000	-\$200,000
<i>Remove additional funding for pay practices</i>	\$0	-\$93,033
<i>Restructure positions</i>	\$0	-\$21,425
<i>Restructure nutrient management program central office responsibilities</i>	\$0	-\$60,000
<i>Supplant personal service costs</i>	-\$50,000	-\$50,000
<i>Transfer funding for grant manager position</i>	\$0	-\$70,000
<i>Transfer one position to nongeneral funds</i>	-\$68,386	-\$68,386
<i>Transfer oversight of state higher education construction projects</i>	\$0	-\$20,000
<i>Reduce funding for the Conservation Reserve Enhancement Program</i>	-\$685,473	-\$435,473
<i>Reduce wage costs in the state park reservation center</i>	-\$49,861	-\$49,861
<i>Defer state park maintenance and preventive maintenance projects</i>	-\$378,553	-\$378,553
<i>Supplant accounting wage costs</i>	-\$48,842	-\$48,842
<i>Reduce equipment purchases in state parks</i>	-\$850,000	-\$850,000
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$36,325	\$0
<i>Capture turnover and vacancy savings</i>	-\$115,308	-\$115,308
<i>Combine functions within public communications office</i>	-\$43,400	-\$43,400
<i>Decrease frequency of parks visitor statistical survey</i>	-\$15,000	-\$15,000
<i>Delay opening of new state park facilities and close group campground in disrepair</i>	-\$36,602	-\$36,602
<i>Eliminate administration wage positions</i>	-\$34,370	-\$39,516
<i>Eliminate general fund support for repairs to the Soil and Water Conservation Districts owned dams</i>	-\$866,000	-\$866,000
<i>Eliminate Natural Heritage specialist position</i>	-\$36,208	-\$47,401
<i>Eliminate natural heritage stewardship position</i>	-\$53,699	-\$69,338
<i>Eliminate natural heritage wage position</i>	-\$21,879	-\$21,879
<i>Reduce annual operating support to the soil and water conservation districts</i>	-\$203,697	\$0
<i>Consolidate administrative staff</i>	\$12,325	-\$24,000
<i>Reduce current telephone system expenses</i>	-\$57,500	-\$115,000
<i>Eliminate position in design and construction</i>	-\$81,000	-\$81,000
<i>Reduce annual operating support to the 47 local Soil and Water Conservation Districts</i>	\$0	-\$407,394
<i>Provide training with nongeneral fund position</i>	\$0	-\$92,790
<i>Postpone various natural resource management activities in state parks</i>	-\$133,983	-\$100,000
<i>Fund legal services expenses with nongeneral fund resources</i>	-\$75,000	-\$75,000
<i>Eliminate vacant position in the Chesapeake Bay local assistance division</i>	-\$47,000	-\$47,000
<i>Eliminate vacant position in finance office</i>	-\$53,354	-\$53,354
<i>Eliminate state parks vacant positions</i>	-\$200,690	-\$200,690
<i>Eliminate state parks central office wage positions</i>	-\$50,000	-\$90,972
<i>Increase responsible land disturber fees</i>	-\$60,000	-\$125,000
<b>Department of Conservation and Recreation Total</b>	<b>-\$5,055,106</b>	<b>-\$5,652,098</b>
<b>Department of Environmental Quality</b>		
<i>Reduce water permitting staff</i>	-\$67,592	-\$560,402
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$986,000	\$0
<i>Eliminate competitive water supply planning grants</i>	\$0	-\$100,000

Reduce air inspection program	-\$342,774	-\$1,000,000
Reduce contracts for water quality monitoring standards attainment	-\$200,000	-\$200,000
Reduce environmental education staffing	-\$44,020	-\$88,040
Reduce management staff and administrative staff	-\$185,855	-\$1,287,478
Reduce match for Virginia revolving loan fund program	-\$2,983,500	\$0
Reduce pollution prevention staff	-\$25,000	-\$50,000
Remove additional funding for pay practices	\$0	-\$114,443
Reduce wastewater engineering staff	-\$84,597	-\$736,377
Reduce travel, training and supplies	-\$134,870	-\$127,888
Reduce staffing levels in the hazardous waste program	-\$92,096	-\$416,503
Reduce wastewater treatment construction assistance staff	\$33,496	-\$255,355
<b>Department of Environmental Quality Total</b>	<b>-\$5,112,808</b>	<b>-\$4,936,486</b>
<b>Department of Historic Resources</b>		
Eliminate administrative position	\$2,636	-\$53,000
Reduce grant payments to Montpelier	-\$94,729	-\$94,729
Eliminate accounts payable position	-\$47,000	-\$47,000
Eliminate procurement officer position	-\$59,000	-\$59,000
Eliminate project reviewer position	-\$69,000	-\$69,000
Eliminate wage position in regional office	-\$12,286	-\$12,286
Reduce funding to cost share program	-\$120,000	-\$120,000
Remove additional funding for pay practices	\$0	-\$5,321
Defer equipment upgrades	-\$40,000	\$0
<b>Department of Historic Resources Total</b>	<b>-\$439,379</b>	<b>-\$460,336</b>
<b>Marine Resources Commission</b>		
Reduce general fund support for oyster replenishment	-\$386,833	-\$481,933
Remove additional funding for pay practices	\$0	-\$30,292
Supplant general fund support with recreational fishing license revenue to support marine police	-\$243,416	-\$255,966
Use balance of maintenance reserve funding from the agency operations station project	-\$70,000	\$0
<b>Marine Resources Commission Total</b>	<b>-\$700,249</b>	<b>-\$768,191</b>
<b>Virginia Museum of Natural History</b>		
Eliminate supervisor position	\$6,431	-\$55,013
Eliminate research area	\$28,805	-\$114,937
Remove additional funding for pay practices	\$0	-\$8,400
Improve the efficiency of agency support services	-\$139,956	-\$118,576
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$70,421	\$0
Eliminate vacant collections manager position	-\$39,915	-\$54,817
Eliminate administrative position	\$19,757	-\$43,365
Eliminate publications position	-\$213	-\$48,389
Cut custodial services by 60 percent	-\$36,062	-\$36,062
Close on certain days	-\$152,953	\$0
<b>Virginia Museum of Natural History Total</b>	<b>-\$384,527</b>	<b>-\$479,559</b>
<b>Secretary of Public Safety</b>		
Remove additional funding for pay practices	\$0	-\$2,790
<b>Secretary of Public Safety Total</b>	<b>\$0</b>	<b>-\$2,790</b>
<b>Commonwealth's Attorneys' Services Council</b>		
Reduce office supply costs	-\$1,000	-\$1,000
Eliminate wage positions for research assistants	-\$12,379	-\$12,379
Eliminate program costs	-\$1,221	-\$1,221
Forgo non-VITA system upgrades	-\$2,400	-\$2,400
Eliminate executive training program	-\$8,000	-\$8,000
Eliminate discretionary program costs	-\$2,000	-\$2,000
Eliminate agency letterhead	-\$600	-\$600
Eliminate website upgrade	-\$4,000	-\$4,000
Improve efficiency of agency support services	-\$12,500	-\$12,500
Reduce cost of legislative research	-\$400	-\$400
Reduce curriculum committee meeting	-\$1,000	-\$1,000

<i>Remove additional funding for pay practices</i>	\$0	-\$1,942
<i>Reduce professional membership affiliations</i>	-\$2,000	-\$2,000
<i>Reduce use of printed materials</i>	-\$1,250	-\$1,250
<i>Reduce professional resource materials</i>	-\$561	-\$561
<i>Implement service reductions</i>	-\$20,000	-\$20,000
<i>Reduce information technology administrative costs</i>	-\$3,000	-\$3,000
<b><i>Commonwealth's Attorneys' Services Council Total</i></b>	<b>-\$72,311</b>	<b>-\$74,253</b>
<b><i>Department of Correctional Education</i></b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$194,151
<i>Reduce operating funds</i>	-\$1,086,315	-\$1,077,051
<i>Eliminate vacant positions</i>	-\$969,612	-\$969,612
<i>Eliminate positions due to staff relocation</i>	-\$975,000	-\$1,500,000
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$230,039	\$0
<b><i>Department of Correctional Education Total</i></b>	<b>-\$3,260,966</b>	<b>-\$3,740,814</b>
<b><i>Department of Corrections</i></b>		
<i>Reduce funding available for substance abuse treatment of offenders</i>	-\$200,000	-\$400,000
<i>Reduce sanitarian positions</i>	-\$72,570	-\$72,570
<i>Reduce treatment staff at Indian Creek Correctional Center</i>	-\$68,587	-\$366,726
<i>Reduce warehouse staff</i>	-\$186,678	-\$985,499
<i>Remove additional funding for pay practices</i>	\$0	-\$2,350,248
<i>Streamline procurement</i>	-\$104,354	-\$581,222
<i>Cease operation of therapeutic transitional community program</i>	-\$972,000	-\$3,125,700
<i>Use funds for drug testing more efficiently</i>	-\$100,000	-\$100,000
<i>Close Tazewell Field Unit</i>	-\$532,208	-\$2,506,695
<i>Eliminate drug court positions</i>	-\$100,659	-\$301,978
<i>Eliminate day reporting program and increase electronic surveillance</i>	-\$495,379	-\$1,145,686
<i>Eliminate Controller's office</i>	-\$8,336	-\$194,732
<i>Eliminate contracts for food service</i>	-\$46,763	-\$851,551
<i>Reduce fiscal technician positions in central office</i>	-\$91,276	-\$91,276
<i>Defer institutional equipment purchases</i>	-\$3,630,971	\$0
<i>Eliminate headquarters buyer</i>	-\$56,726	-\$56,726
<i>Close White Post Detention Center</i>	-\$744,620	-\$2,633,648
<i>Eliminate accountant position in central office</i>	-\$59,190	-\$59,190
<i>Close Southampton Correctional Center</i>	-\$2,123,565	-\$13,965,507
<i>Close Pulaski Correctional Center</i>	-\$1,651,142	-\$7,278,549
<i>Close Chatham Diversion Center</i>	\$0	-\$749,009
<i>Capture contractual savings</i>	\$0	-\$203,468
<i>Adjust funding for supervision of sexually violent predators</i>	-\$500,000	-\$500,000
<i>Absorb Workforce Transition Act retirement costs in the Virginia Retirement System</i>	-\$240,820	\$0
<i>Close Dinwiddie Field Unit</i>	-\$578,062	-\$2,708,635
<i>Increase overall agency turnover and vacancy rate</i>	-\$2,191,867	\$0
<i>Reduce counselors throughout system</i>	-\$263,751	-\$1,400,804
<i>Consolidate medical services analysis function</i>	-\$31,660	-\$94,980
<i>Realign headquarters financial reporting functions</i>	-\$13,569	-\$321,749
<i>Eliminate headquarters finance and real estate coordinator</i>	-\$31,708	-\$31,708
<i>Eliminate vacant clerical positions</i>	-\$416,929	-\$416,929
<i>Eliminate unfilled probation and parole positions</i>	\$0	-\$300,000
<i>Eliminate regional human capital positions</i>	-\$32,743	-\$174,729
<i>Eliminate regional environmental staff</i>	-\$30,067	-\$160,504
<i>Eliminate one internal auditor position</i>	-\$8,181	-\$53,274
<i>Eliminate psychologist positions</i>	-\$30,406	-\$162,088
<i>Eliminate headquarters office services specialist</i>	-\$35,691	-\$35,691
<i>Eliminate one Community Corrections management level position and support staff</i>	-\$4,099	-\$113,321
<i>Eliminate parole examiner position</i>	-\$24,986	-\$74,957
<i>Eliminate position of chief of Architect and Engineering Section</i>	-\$123,048	-\$123,048



Eliminate program assessment specialist position	-\$80,249	-\$83,738
Eliminate headquarters stockroom supervisor	-\$57,489	-\$57,489
Additional budget reductions	\$0	-\$1,500,000
<b>Department of Corrections Total</b>	<b>-\$15,940,349</b>	<b>-\$46,333,624</b>
<b>Department of Criminal Justice Services</b>		
Reduce hours for wage employees	-\$89,870	-\$143,790
Reduce funding for school resource officers	\$0	-\$146,169
Revert general fund balances	-\$431,559	\$0
Reduce funding for public inebriate centers	-\$68,701	-\$137,402
Reduce court appointed special advocate awards	\$0	-\$158,432
Reduce classified staff	\$0	-\$494,894
Eliminate funding for Fairfax Partnership on Youth	\$0	-\$75,000
Eliminate funding for Chesterfield Day Reporting	-\$100,000	-\$100,000
Reduce regional training academy awards	\$0	-\$108,018
Reduce the quantity of training offerings	-\$108,000	\$0
Remove additional funding for pay practices	\$0	-\$32,585
Reduce juvenile accountability block grant awards	\$0	-\$40,865
<b>Department of Criminal Justice Services Total</b>	<b>-\$798,130</b>	<b>-\$1,437,155</b>
<b>Department of Emergency Management</b>		
Reduce clothing purchases	-\$20,650	-\$20,650
Eliminate software training	-\$4,300	\$0
Eliminate information technology position	\$0	-\$65,000
Elimination of contracted services	-\$11,000	-\$11,000
Reduce conference expenses	-\$30,945	-\$30,945
Reduce equipment and furniture purchases	-\$134,275	-\$134,275
Reduce office supply purchases	-\$38,229	-\$38,229
Reduce printing services	-\$8,150	-\$15,350
Reduce employee and reservist training	-\$180,315	-\$180,315
Eliminate heater meals	-\$4,000	-\$4,000
Delay Global Positioning System (GPS) unit upgrades	-\$4,000	-\$4,077
Eliminate employee tuition reimbursements	\$0	-\$5,000
Continue holding positions vacant	-\$186,249	-\$172,145
Capture capital outlay balance	-\$26,263	\$0
Reduce regional training and workshop travel costs	-\$30,591	-\$30,923
Reduce regional training and workshops	-\$44,788	-\$44,788
Reduce student mileage reimbursement	-\$18,450	-\$25,600
Reduce travel expenses	-\$52,930	-\$58,000
<b>Department of Emergency Management Total</b>	<b>-\$795,135</b>	<b>-\$840,297</b>
<b>Department of Fire Programs</b>		
Eliminate position	\$0	-\$72,800
Eliminate conferences	-\$25,000	-\$25,000
Eliminate wage position	-\$30,100	-\$30,100
Reduce wage hours	-\$55,842	-\$55,842
Consolidate regional office space	\$0	-\$19,000
<b>Department of Fire Programs Total</b>	<b>-\$110,942</b>	<b>-\$202,742</b>
<b>Department of Forensic Science</b>		
Reduce the number of wage employees	-\$105,209	-\$300,216
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	\$0	-\$181,176
Delay payment on maintenance contracts for scientific equipment	-\$200,000	\$0
Eliminate lodging and per diem reimbursement for training and certification classes	-\$60,191	-\$103,186
Eliminate lodging expenses for the training academy	-\$55,221	-\$110,443
Freeze recruitment of classified positions	-\$367,155	-\$405,941
Reduce director's office staff	-\$69,265	-\$69,739
Reduce the number of training academy sessions	-\$19,801	-\$71,884
Remove additional funding for pay practices	\$0	-\$86,308
Reorganize the Division of Technical Services	\$31,636	-\$394,298
Revert surplus property recoveries	-\$3,934	\$0
Freeze recruitment of positions	-\$28,307	-\$203,470

<b>Department of Forensic Science Total</b>	<b>-\$877,447</b>	<b>-\$1,926,661</b>
<b>Department of Juvenile Justice</b>		
Reduce support costs for various administrative units	-\$167,800	-\$364,960
Reduce court service unit support costs	-\$20,000	-\$20,000
Remove additional funding for pay practices	\$0	-\$485,511
Adjust regional staffing	-\$140,000	-\$470,000
Reduce pass-through funding for court service units	\$0	-\$366,910
Reduce positions in various administrative units	-\$468,000	-\$859,012
Adjust regional office leased space	\$0	-\$101,480
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$146,717	\$0
Cancel Beaumont Transitional Cottage Program	-\$834,000	-\$834,000
Capture capital outlay balance	-\$3,200,000	\$0
Close Camp New Hope	-\$202,000	-\$248,000
Close Chesapeake Community Placement Program	-\$311,500	-\$623,000
Reduce funding to purchase services for juveniles on probation and parole in their communities	-\$1,317,380	-\$1,317,380
Compress populations within each of three institutions	-\$184,100	-\$670,740
Reduce behavioral services positions	-\$923,000	-\$923,000
Reduce court service unit staffing	-\$1,733,000	-\$2,268,000
Close Virginia Wilderness Institute	-\$765,100	-\$1,530,188
<b>Department of Juvenile Justice Total</b>	<b>-\$10,412,597</b>	<b>-\$11,082,181</b>
<b>Department of Military Affairs</b>		
Eliminate the police department at the Maneuver Training Center at Fort Pickett	-\$192,450	-\$400,034
Eliminate director of joint staff position	-\$125,000	-\$150,000
Delay maintenance and repair projects at armories statewide	-\$218,443	\$0
Defer training and supply purchases	-\$34,765	-\$34,765
Defer purchase of equipment	\$0	-\$20,000
Absorb Workforce Transition Act retirement costs in the Virginia Retirement System	-\$22,300	\$0
Relocate air guard operations	\$0	-\$155,000
Reduce recruitment incentives	\$0	-\$265,420
Remove additional funding for pay practices	\$0	-\$7,128
Reduce the class size of the Youth Challenge Program in Virginia Beach	-\$100,725	-\$100,725
Forego hiring of wage staff	\$0	-\$15,000
<b>Department of Military Affairs Total</b>	<b>-\$693,683</b>	<b>-\$1,148,072</b>
<b>Department of State Police</b>		
Postpone 115th Basic Trooper School	-\$2,059,440	\$0
Eliminate cash payment for first three hours worked over 40	-\$1,300,000	-\$843,360
Supplant general fund support for the state police's med-flight missions	\$0	-\$1,600,000
Hold civilian vacancies	-\$1,642,716	-\$1,669,032
Postpone 116th Basic Trooper School	\$0	-\$910,902
Remove additional funding for pay practices	\$0	-\$633,864
Suspend monthly car washes	-\$100,000	-\$100,000
Reduce wage expenses by approximately one-third	-\$150,000	-\$300,000
<b>Department of State Police Total</b>	<b>-\$5,252,156</b>	<b>-\$6,057,158</b>
<b>Department of Veterans Services</b>		
Reduce cost for supplies and equipment	\$0	-\$10,000
Eliminate wage position	-\$47,837	-\$63,783
Leave positions vacant	-\$194,414	-\$194,414
Reduce capital project support cost	-\$19,276	-\$21,967
Reduce discretionary cost	-\$24,595	-\$24,595
Reduce grants to communities	-\$27,922	-\$27,922
Reduce part-time positions	-\$21,584	\$0
Reduce part-time wages	-\$43,078	-\$43,078
Reduce wage positions	-\$23,624	-\$47,248
Remove additional funding for pay practices	\$0	-\$10,122

<i>Transfer position</i>	-\$56,678	-\$75,570
<i>Realign administrative offices</i>	-\$77,681	-\$77,681
<b>Department of Veterans Services Total</b>	<b>-\$536,689</b>	<b>-\$596,380</b>
<b>Virginia Parole Board</b>		
<i>Revert part of year-end balance</i>	-\$28,757	\$0
<i>Remove additional funding for pay practices</i>	\$0	-\$2,647
<i>Reduce travel and defer equipment purchases</i>	-\$20,765	\$0
<b>Virginia Parole Board Total</b>	<b>-\$49,522</b>	<b>-\$2,647</b>
<b>Secretary of Technology</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$2,182
<b>Secretary of Technology Total</b>	<b>\$0</b>	<b>-\$2,182</b>
<b>Innovative Technology Authority</b>		
<i>Revitalize the Innovative Technology Authority</i>	\$0	-\$458,003
<i>Reduce services and investment pool to the technology growth acceleration program</i>	-\$288,200	-\$290,000
<i>Reduce funding to the Virginia Electronic Commerce Technology Center</i>	-\$125,000	-\$125,000
<i>Eliminate support services for technology research funds</i>	-\$138,259	-\$86,624
<b>Innovative Technology Authority Total</b>	<b>-\$551,459</b>	<b>-\$959,627</b>
<b>Virginia Information Technologies Agency</b>		
<i>Remove additional funding for pay practices</i>	\$0	-\$10,167
<i>Restructure business development responsibilities</i>	-\$109,112	-\$145,482
<i>Reduce discretionary spending for information technology governance</i>	-\$83,000	-\$83,000
<i>Reduce consulting support for the Investment Board</i>	-\$145,307	-\$108,937
<i>Realign the scope of the change management role (Virginia Enterprise Applications Program Office)</i>	\$0	-\$37,067
<i>Eliminate wage position (Virginia Enterprise Applications Program Office)</i>	\$0	-\$90,000
<i>Eliminate wage position (Virginia Enterprise Applications Program Office)</i>	\$0	-\$20,090
<i>Eliminate contract position (Virginia Enterprise Applications Program Office)</i>	\$0	-\$15,988
<b>Virginia Information Technologies Agency Total</b>	<b>-\$337,419</b>	<b>-\$510,731</b>
<b>Department of Aviation</b>		
<i>Reduce state aircraft operations and maintenance funds</i>	-\$6,280	-\$6,280
<b>Department of Aviation Total</b>	<b>-\$6,280</b>	<b>-\$6,280</b>

#### § 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.
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, 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, 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. a) 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.

b) In coordination with the institutions, the State Council of Higher Education for Virginia shall report no later than August 1 of each year on the estimated amount of revenue each institution expects to collect from tuition and mandatory educational and general fees during the fiscal year.

c) This report shall serve as the foundation for any administrative increase in nongeneral fund appropriations within the institutions' educational and general programs that is approved by the Director, Department of Planning and Budget, pursuant to the authority provided in § 4-1.04 of this act.

d) Each institution must notify the Director, State Council of Higher Education for Virginia, prior to requesting an administrative increase to the nongeneral fund appropriation for tuition and fee revenue within its educational and general program. Within 30 days of receiving such notification, the Director of the State Council of Higher Education for Virginia shall review and provide comment, as necessary, to the Director, Department of Planning and Budget. The Director, Department of Planning and Budget, shall evaluate the institution's request along with any comments received from the Director, State Council of Higher Education for Virginia, prior to taking action on the requested administrative increase.

e) In consultation with the Director, Department of Planning and Budget, the Director, State Council of Higher Education for Virginia, shall include a summary of all requested and approved administrative increases to nongeneral fund appropriations for tuition and fee revenue within the educational and general programs of the institutions of higher education as part of the annual nongeneral fund revenue report.

f) In consultation with the Department of Planning and Budget and the State Council of Higher Education for Virginia, the Governor shall reconcile actual nongeneral fund expenditures with nongeneral fund appropriations included in the act and recommend technical adjustments, as he deems appropriate, in submitting his budget amendments prior to the next General Assembly session.

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, 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, 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 § 3.1-684.63, 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 mentally retarded, 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; ~~and payments from the U.S. Department of Justice for the housing of illegal aliens and other inmates.~~
- 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.
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.
- M. 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.
- n.1. Unless otherwise specifically required to ensure compliance with federal or state law, regulation, court order, or court rule, and only to the extent thereof, each settlement under subsection A. of § 2.2-514, Code of Virginia, that provides for the payment, conveyance, grant, forfeiture, assignment, or other distribution of moneys or of any real, tangible, or intangible property to settle the Commonwealth's interest shall provide that such moneys or property be deposited or assigned for deposit

into the general fund of the state treasury to be appropriated as determined by the General Assembly. The provisions of this paragraph shall only apply to such settlements in favor of the Commonwealth and shall apply to both civil and criminal matters.

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

#### 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 use of money and property required and/or authorized to be paid into the general fund of the state treasury, and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02a.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 § 58.1-353, 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.

### § 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 report to the Chairmen of the Senate Finance and House Appropriations Committees 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. The State Treasurer shall charge current market interest rates on anticipation loans made for 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 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 ~~proposed~~ *authorized* capital lease agreements in the annual Debt Capacity Advisory Committee reports.

~~3. Not later than October 1, 2008, the Secretary of Administration and the Secretary of Finance shall develop procedures that guide state agencies in the development of lease agreements for space owned by local governments or political subdivisions such that the lease agreements do not impact the state's debt capacity. To the extent such guidelines have been developed by the Secretary of Administration and the Secretary of Finance, the guidelines shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees.~~

##### 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.

#### § 4-4.00 CAPITAL PROJECTS

##### § 4-4.01 GENERAL

###### a. Definition:

1. 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.

5. Any lease of real property that qualifies as a capital project but does not meet the definition of a capital lease as set forth in § 4-3.03 of this act shall be exempt from the capital outlay and approval process, provided that the proposed lease is being undertaken to replace or consolidate leases for an individual agency or in the case of an action to co-locate more than one agency, and such proposed lease is demonstrated to produce cost savings or cost avoidances or to promote more efficient and effective service delivery to citizens of the Commonwealth as approved by the Director, Department of Planning and Budget.

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. The first priority of any agency or institution in requesting capital outlay appropriations shall be maintenance reserve funds.

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

4. 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.1. Each agency head shall provide to the Director, Department of Planning and Budget, a plan for the use of the maintenance reserve appropriation of the agency in Part 2 of this act prior to the allotment of funds. The plan shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual update to its maintenance reserve plan that to the best of his or her knowledge, all necessary roof repairs have been accomplished, are in the process of being accomplished, or the necessary funds for accomplishing the work have been requested before the agency requests funds for other improvements or new construction projects. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual for Agencies.

2. The second priority for the agency's use of the maintenance reserve funds shall be for deferred maintenance projects that have been identified in the Facility Inventory Condition and Assessment system as currently or potentially critical because they must be addressed within the next twelve months.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and report any proposed change to the Chairmen of the House Appropriations and Senate Finance Committees 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 at its regular sessions in even-numbered years. The consideration of capital projects in odd-numbered years 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.

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.
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 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, 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. Requests for inclusions 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 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, t*The scope of any capital project may not be 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, or minor increases in square footage determined by the Director, Department of General Services, to be reasonable based on a written justification submitted by the agency stating the necessity for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; or decreases in scope 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 scope 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 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:

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 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 is 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. 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, any repair, renovation, or new construction project costing up to \$1,000,000 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 \$1,000,000 maximum.

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.

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.

u. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be considered an operating expense, provided that:

1. 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) and the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services.

2. 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 Division of Purchases and Supply of the Department of General Services.

3. The scope of work has been reviewed by the Department of Mines, Minerals and Energy.

4. However, if the project scope entails: (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, the project shall be subject to the state capital outlay process.

5. The total project cost does not exceed \$3,000,000. If the total project cost exceeds \$3,000,000, the project shall be subject to the capital budgeting process. However, energy performance projects underway before July 1, 2005, shall continue to be treated as operating expenses.

6. 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 above conditions. The director shall notify, in turn, the Chairmen of the House Appropriations and Senate Finance Committees that such projects have been initiated.

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, 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 except for those projects with both an estimated cost of less than \$500,000 and 100 percent federal reimbursement.

#### § 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 or diploma program; grants to full-time graduate students; grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program; institutional contributions 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 ~~approve~~ review each institution's ~~proposed~~ plan for the expenditures of its appropriation for undergraduate student financial assistance *prior to the start of the fall term to determine program compliance.* The ~~proposed~~ institution's plan shall include the institution's assumptions and calculations for determining the cost of ~~education attendance, and 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.

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 ~~financial need~~ *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 other than as specified in Item 208 (L) of this act. 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 ~~that recognizes that federal grants provide a much higher portion of cost than at other institutions 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 ~~unused unearned~~ portion. ~~The tuition refund policy in effect at the particular institution will determine the amount of the unused portion of the award and thereby the amount of the award that must be reclaimed by the institution.~~ *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 the soil scientist scholarships authorized under § 23-38.3, Code of Virginia.

g) Unless noted elsewhere in this act, 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 ~~financial 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 ~~financial 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) The institution is required to transfer to educational and general appropriations all funds used to pay graduate assistantships or for duties which require work.

c) 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.

d) 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.

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.

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

##### 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 submit in writing to the Chairmen of the House Appropriations and Senate Finance Committees 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 prepare 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. 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. 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, 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 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 NetworkVirginia 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~~ *decentralized* 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 Chapters 933 and 943 of the 2006 Acts of Assembly.

c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles (including station wagons) 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. DRUG PURCHASES: No state agency shall dispense drugs purchased from appropriations in this act for Title XIX, Social Security Act. This provision shall not apply to drugs dispensed to patients of institutions operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services, and the hospital at the University of Virginia and to patients of local health departments.

e. 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 State 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 State 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.

f. 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 agencies shall identify all employees likely to travel on official business of state government more than twice per year and shall reimburse such employees for their travel costs using electronic data interchange. Any exceptions to this requirement must be approved by the affected cabinet secretary; and

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

g. **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.

h. **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.

i. *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.*

#### § 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.

#### § 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 PAYMENTS

a. Agencies shall not acquire real property by lease 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 and (ii) the volume of leased space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. This provision shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23-38.88, Code of Virginia. The Department of General Services shall report to the Chairmen of the Senate Finance Committee and House Appropriations Committee by September 1 of each year on real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, and the cost of the annual lease.

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.

#### § 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 Governor'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. No person subject to confirmation by the General Assembly pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, whose confirmation was subject to consideration by the General Assembly during its regular Session and was subsequently withdrawn, shall receive any compensation for his service if reappointed after the conclusion of the General Assembly's regular Session.

	<b>July 1, 2008</b> <b>to</b> <b>November 24, 2008</b> <i>June 30, 2009</i>	<b>November 25, 2008</b> <i>July 1, 2009</i> <b>to</b> <b>November 24, 2009</b>	<b>November 25, 2009</b> <b>to</b> <b>June 30, 2010</b>
Chief of Staff	\$152,818	\$155,874 <i>\$152,818</i>	\$158,991 <i>\$152,818</i>
Secretary of Administration	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Agriculture and Forestry	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Commerce and Trade	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of the Commonwealth	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Education	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Finance	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Health and Human Resources	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Natural Resources	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Public Safety	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Technology	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>
Secretary of Transportation	\$152,818 <i>\$152,793</i>	\$155,874 <i>\$152,793</i>	\$158,991 <i>\$152,793</i>

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

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

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

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

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

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions 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 respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are 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 with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

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

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

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

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

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

b) Existing salary contracts between the Chief Information Officer and the Information Technology Investment Board in effect before the enactment of this act shall remain in effect as originally written until the termination of said contracts. Salary contracts entered into after enactment of this act shall adhere to the conditions specified in § 4-6.01.

	<b>July 1, 2008</b>	<b><del>November 25, 2008</del> July 1, 2009</b>	<b>November 25, 2009</b>
	<b>to November 24, 2008 June 30, 2009</b>	<b>to November 24, 2009</b>	<b>to June 30, 2010</b>
<b>Level I Range</b>	<b><del>\$123,125 - \$211,097</del> \$136,806 - \$191,906</b>	<b><del>\$125,588 - \$215,319</del> \$136,806 - \$191,906</b>	<b>\$128,100 - \$219,625 \$136,806 - \$191,906</b>
<b>Midpoint</b>	<b><del>\$167,111</del> \$164,356</b>	<b><del>\$170,453</del> \$164,356</b>	<b>\$173,862 \$164,356</b>
Chief Information Officer, Virginia Information Technologies Agency	\$189,280	<del>\$193,066</del> \$189,280	<del>\$196,927</del> \$189,280
Commissioner, Department of Motor Vehicles	\$143,449	<del>\$146,318</del> \$143,449	<del>\$149,244</del> \$143,449
Commissioner, Department of Social Services	\$143,450	<del>\$146,319</del> \$143,450	<del>\$149,245</del> \$143,450
Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$189,280	<del>\$193,066</del> \$189,280	<del>\$196,927</del> \$189,280
Commonwealth Transportation Commissioner	\$189,280	<del>\$193,066</del> \$189,280	<del>\$196,927</del> \$189,280
Director, Department of Corrections	\$147,321	<del>\$150,267</del> \$147,321	<del>\$153,272</del> \$147,321
Director, Department of Environmental Quality	\$150,218	<del>\$153,222</del> \$150,218	<del>\$156,286</del> \$150,218
Director, Department of Medical Assistance Services	\$148,249	<del>\$151,214</del>	<del>\$154,238</del>

		\$148,249	\$148,249
Director, Department of Planning and Budget	\$151,628 \$150,000	\$154,661 \$150,000	\$157,754 \$150,000
State Health Commissioner	\$175,742 \$191,906	\$179,257 \$191,906	\$182,842 \$191,906
State Tax Commissioner	\$136,806	\$139,542 \$136,806	\$142,333 \$136,806
Superintendent of Public Instruction	\$191,906 \$167,111	\$195,744 \$167,111	\$199,659 \$167,111
Superintendent of State Police	\$145,787	\$148,703 \$145,787	\$151,677 \$145,787
	<b>July 1, 2008</b>	<b>November 25, 2008</b>	<b>November 25, 2009</b>
	<b>to</b>	<b>to</b>	<b>to</b>
	<b>November 24, 2008</b>	<b>November 24, 2009</b>	<b>June 30, 2010</b>
	<b>June 30, 2009</b>		
<b>Level II Range</b>	<b>\$96,679 - \$168,103</b> <b>\$96,659 - \$152,821</b>	<b>\$98,613 - \$171,465</b> <b>\$96,659 - \$152,821</b>	<b>\$100,585 - \$174,894</b> <b>\$96,659 - \$152,821</b>
<b>Midpoint</b>	<b>\$132,391</b> <b>\$124,740</b>	<b>\$135,039</b> <b>\$124,740</b>	<b>\$137,740</b> <b>\$124,740</b>
Alcoholic Beverage Control Commissioners (two)	\$124,741	\$127,236 \$124,741	\$129,781 \$124,741
Chairman, Alcoholic Beverage Control Board	\$124,741	\$127,236 \$124,741	\$129,781 \$124,741
Commissioner, Department of Agriculture and Consumer Services	\$137,280	\$140,026 \$137,280	\$142,827 \$137,280
Commissioner, Department of Veterans Services	\$125,336	\$127,843 \$125,336	\$130,400 \$125,336
Commissioner, Virginia Employment Commission	\$124,741	\$127,236 \$124,741	\$129,781 \$124,741
Executive Director, Department of Game and Inland Fisheries	\$107,421 \$124,740	\$109,569 \$124,740	\$111,760 \$124,740
Commissioner, Marines Resources Commission	\$109,900	\$112,098 \$109,900	\$114,340 \$109,900
Director, Department of Business Assistance	\$149,261 \$96,659	\$152,246 \$96,659	\$155,291 \$96,659
Director, Department of Forensic Science	\$146,640	\$149,573 \$146,640	\$152,564 \$146,640
Director, Department of General Services	\$141,231	\$144,056 \$141,231	\$146,937 \$141,231
Director, Department of Mines, Minerals and Energy	\$124,740	\$127,235 \$124,740	\$129,780 \$124,740
Director, Department of Human Resource Management	\$137,955	\$140,714 \$137,955	\$143,528 \$137,955
Director, Department of Juvenile Justice	\$137,357	\$140,104	\$142,906

		<del>\$137,357</del>	<del>\$137,357</del>
Director, Department of Rail and Public Transportation	\$152,821	<del>\$155,877</del>	<del>\$158,995</del>
		<del>\$152,821</del>	<del>\$152,821</del>
Executive Director, DMV Dealer Board	\$109,948	<del>\$112,147</del>	<del>\$114,390</del>
		<del>\$109,948</del>	<del>\$109,948</del>
Executive Director, Virginia Port Authority	\$137,186	<del>\$139,930</del>	<del>\$142,729</del>
		<del>\$137,186</del>	<del>\$137,186</del>
State Comptroller	\$133,972	<del>\$136,651</del>	<del>\$139,384</del>
		<del>\$133,972</del>	<del>\$133,972</del>
State Treasurer	\$133,506	<del>\$136,176</del>	<del>\$138,900</del>
		<del>\$133,506</del>	<del>\$133,506</del>

	<b>July 1, 2008</b>	<b>November 25, 2008</b>	<b>November 25, 2009</b>
	<b>to</b>	<b>to</b>	<b>to</b>
	<b>November 24, 2008</b>	<b>November 24, 2009</b>	<b>June 30, 2010</b>
	<b>June 30, 2009</b>		
<b>Level III Range</b>	<b><del>\$86,994 - \$146,179</del></b>	<b><del>\$88,734 - \$149,103</del></b>	<b><del>\$90,509 - \$152,085</del></b>
	<b><del>\$96,660 - \$132,890</del></b>	<b><del>\$84,150 - \$132,890</del></b>	<b><del>\$84,150 - \$132,890</del></b>
<b>Midpoint</b>	<b><del>\$116,587</del></b>	<b><del>\$118,919</del></b>	<b><del>\$121,297</del></b>
	<b><del>\$114,775</del></b>	<b><del>\$108,520</del></b>	<b><del>\$108,520</del></b>
Adjutant General	\$131,903	<del>\$134,541</del>	<del>\$137,232</del>
		<del>\$131,903</del>	<del>\$131,903</del>
Chairman, Virginia Parole Board	\$125,107	<del>\$127,609</del>	<del>\$130,161</del>
		<del>\$125,107</del>	<del>\$125,107</del>
Member, Virginia Parole Board	\$105,188	<del>\$107,292</del>	<del>\$109,438</del>
		<del>\$105,188</del>	<del>\$105,188</del>
Member, Virginia Parole Board	\$108,470	<del>\$110,639</del>	<del>\$112,852</del>
		<del>\$108,470</del>	<del>\$108,470</del>
Commissioner, Department of Labor and Industry	\$125,759	<del>\$128,274</del>	<del>\$130,839</del>
		<del>\$125,759</del>	<del>\$125,759</del>
Commissioner, Department of Rehabilitative Services	\$130,815	<del>\$133,431</del>	<del>\$136,100</del>
		<del>\$130,815</del>	<del>\$130,815</del>
Coordinator, Department of Emergency Management	\$114,650	<del>\$116,943</del>	<del>\$119,282</del>
		<del>\$114,650</del>	<del>\$114,650</del>
Director, Department of Aviation	\$127,937	<del>\$130,496</del>	<del>\$133,106</del>
		<del>\$127,937</del>	<del>\$127,937</del>
Director, Department of Conservation and Recreation	\$128,004	<del>\$130,564</del>	<del>\$133,175</del>
		<del>\$128,004</del>	<del>\$128,004</del>
Director, Department of Criminal Justice Services	\$124,276	<del>\$126,762</del>	<del>\$129,297</del>
		<del>\$124,276</del>	<del>\$124,276</del>
Director, Department of Employment Dispute Resolution	\$106,436	<del>\$108,565</del>	<del>\$110,736</del>
		<del>\$106,436</del>	<del>\$106,436</del>
Director, Department of Health Professions	\$120,121	<del>\$122,523</del>	<del>\$124,973</del>
		<del>\$120,121</del>	<del>\$120,121</del>
Director, Department of Historic Resources	\$105,189	<del>\$107,293</del>	<del>\$109,439</del>
		<del>\$105,189</del>	<del>\$105,189</del>

Director, Department of Housing and Community Development	\$118,414	<del>\$120,782</del> <i>\$118,414</i>	<del>\$123,198</del> <i>\$118,414</i>
Director, Department of Professional and Occupational Regulation	\$127,124	<del>\$129,666</del> <i>\$127,124</i>	<del>\$132,259</del> <i>\$127,124</i>
Director, The Science Museum of Virginia	\$122,635	<del>\$125,088</del> <i>\$122,635</i>	<del>\$127,590</del> <i>\$122,635</i>
Director, Virginia Museum of Fine Arts	\$127,358	<del>\$129,905</del> <i>\$127,358</i>	<del>\$132,503</del> <i>\$127,358</i>
Director, Virginia Museum of Natural History	\$105,189	<del>\$107,293</del> <i>\$105,189</i>	<del>\$109,439</del> <i>\$105,189</i>
Executive Director, Jamestown-Yorktown Foundation	\$121,848	<del>\$124,285</del> <i>\$121,848</i>	<del>\$126,771</del> <i>\$121,848</i>
Executive Secretary, Virginia Racing Commission	\$102,503	<del>\$104,553</del> <i>\$102,503</i>	<del>\$106,644</del> <i>\$102,503</i>
Librarian of Virginia	\$132,890	<del>\$135,548</del> <i>\$132,890</i>	<del>\$138,259</del> <i>\$132,890</i>
State Forester, Department of Forestry	\$96,660	<del>\$98,593</del> <i>\$96,660</i>	<del>\$100,565</del> <i>\$96,660</i>
Superintendent, Department of Correctional Education	\$128,873	<del>\$131,450</del> <i>\$128,873</i>	<del>\$134,079</del> <i>\$128,873</i>

	<b>July 1, 2008</b>  <b>to</b> <b>November 24, 2008</b> <i>June 30, 2009</i>	<b>November 25, 2008</b> <i>July 1, 2009</i>  <b>to</b> <b>November 24, 2009</b>	<b>November 25, 2009</b>  <b>to</b> <b>June 30, 2010</b>
<b>Level IV Range</b>	<del>\$65,781 - \$120,240</del> <i>\$73,090 - \$109,309</i>	<del>\$67,097 - \$122,645</del> <i>\$73,090 - \$109,309</i>	<del>\$68,439 - \$125,098</del> <i>\$73,090 - \$109,309</i>
<b>Midpoint</b>	<del>\$93,011</del> <i>\$91,200</i>	<del>\$94,871</del> <i>\$91,200</i>	<del>\$96,768</del> <i>\$91,200</i>
Administrator, Commonwealth's Attorneys' Services Council	\$93,537	<del>\$95,408</del> <i>\$93,537</i>	<del>\$97,316</del> <i>\$93,537</i>
Commissioner, Department for the Aging	\$109,309	<del>\$111,495</del> <i>\$109,309</i>	<del>\$113,725</del> <i>\$109,309</i>
Commissioner, Virginia Department for the Blind and Vision Impaired	<del>\$89,086</del> <i>\$104,500</i>	<del>\$90,868</del> <i>\$104,500</i>	<del>\$92,685</del> <i>\$104,500</i>
Director, Department of Minority Business Enterprise	<del>\$102,752</del> <i>\$101,130</i>	<del>\$104,807</del> <i>\$101,130</i>	<del>\$106,903</del> <i>\$101,130</i>
Executive Director, Board of Accountancy	\$98,114	<del>\$100,076</del> <i>\$98,114</i>	<del>\$102,078</del> <i>\$98,114</i>
Executive Director, Frontier Culture Museum of Virginia	\$101,085	<del>\$103,107</del> <i>\$101,085</i>	<del>\$105,169</del> <i>\$101,085</i>
Human Rights Director, Human Rights Council	\$73,090	<del>\$74,552</del> <i>\$73,090</i>	<del>\$76,043</del> <i>\$73,090</i>
Secretary, State Board of Elections	\$104,000	<del>\$106,080</del>	<del>\$108,202</del>

		\$104,000	\$104,000
	<b>July 1, 2008</b>	<b>November 25, 2008</b>	<b>November 25, 2009</b>
	<b>to</b>	<b>to</b>	<b>to</b>
	<b>November 24, 2008</b>	<b>November 24, 2009</b>	<b>June 30, 2010</b>
	<b>June 30, 2009</b>		
<b>Level V Range</b>	<b>\$18,259 - \$91,520</b>	<b>\$18,624 - \$93,350</b>	<b>\$18,996 - \$95,217</b>
	<b>\$20,288 - \$84,365</b>	<b>\$20,288 - \$84,365</b>	<b>\$20,288 - \$84,365</b>
<b>Midpoint</b>	<b>\$54,890</b>	<b>\$55,988</b>	<b>\$57,108</b>
	<b>\$52,326</b>	<b>\$52,326</b>	<b>\$52,326</b>
Director, Gunston Hall	\$82,072	\$83,713	\$85,387
		\$82,072	\$82,072
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$79,589	\$81,181	\$82,805
	\$84,365	\$84,365	\$84,365
Executive Director, Department of Fire Programs	\$83,200	\$84,864	\$86,561
		\$83,200	\$83,200
Executive Director, Towing and Recovery Operators	\$75,712	\$77,226	\$78,771
		\$75,712	\$75,712
Executive Director, Virginia Commission for the Arts	\$82,174	\$83,817	\$85,493
		\$82,174	\$82,174
Chairman of Board Chairman, Compensation Board	\$20,288	\$20,694	\$21,108
		\$20,288	\$20,288

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.

	<b>July 1, 2008</b>	<b>November 25, 2008</b>	<b>November 25, 2009</b>
	<b>to</b>	<b>to</b>	<b>to</b>
	<b>November 24, 2008</b>	<b>November 24, 2009</b>	<b>June 30, 2010</b>
	<b>June 30, 2009</b>		
<b>Independent Range</b>	<b>\$113,965 - \$178,464</b>	<b>\$116,244 - \$182,033</b>	<b>\$118,569 - \$185,674 -</b>
	<b>\$121,758 - \$162,240</b>	<b>\$121,758 - \$162,240</b>	<b>\$121,758 - \$162,240</b>
<b>Midpoint</b>	<b>\$146,215</b>	<b>\$149,139</b>	<b>\$152,122</b>
	<b>\$141,999</b>	<b>\$141,999</b>	<b>\$141,999</b>
Director, State Lottery Department	\$152,821	\$155,877	\$158,995
	\$135,923	\$135,923	\$135,923
Executive Director, Virginia Office for Protection and Advocacy	\$126,628	\$129,161	\$131,744
	\$121,758	\$121,758	\$121,758
Director, Virginia Retirement System	\$162,240	\$165,485	\$168,795
		\$162,240	\$162,240
Executive Director, Virginia College Savings Plan	\$162,240	\$165,485	\$168,795
		\$162,240	\$162,240

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

2.a) The board of visitors of each institution of higher education may annually supplement the salary of its president from private gifts, endowment funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors should be guided by criteria

which provide a reasonable limit on the total additional income of a president. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors shall report approved supplements to the Department of Human Resource Management for retention in its records.

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

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

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 salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

	<b>July 1, 2008</b> <b>to</b> <b>November 24, 2008</b> <i>June 30, 2009</i>	<b>November 25, 2008</b> <i>July 1, 2009</i> <b>to</b> <b>November 24, 2009</b>	<b>November 25, 2009</b> <b>to</b> <b>June 30, 2010</b>
<b>NEW COLLEGE INSTITUTE</b>			
Executive Director, New College Institute	\$162,240	<del>\$165,485</del> <i>\$162,240</i>	<del>\$168,795</del> <i>\$162,240</i>
<b>STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA</b>			
Director, State Council of Higher Education for Virginia	\$234,000	<del>\$238,680</del> <i>\$234,000</i>	<del>\$243,454</del> <i>\$234,000</i>
<b>SOUTHERN VIRGINIA HIGHER EDUCATION CENTER</b>			
Director, Southern Virginia Higher Education Center	\$118,976	<del>\$121,356</del> <i>\$118,976</i>	<del>\$123,783</del> <i>\$118,976</i>
<b>SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER</b>			
Director, Southwest Virginia Higher Education Center	\$122,122	<del>\$124,564</del> <i>\$122,122</i>	<del>\$127,055</del> <i>\$122,122</i>
<b>VIRGINIA COMMUNITY COLLEGE SYSTEM</b>			
Chancellor of Community Colleges	\$167,243	<del>\$170,588</del> <i>\$167,243</i>	<del>\$174,000</del> <i>\$167,243</i>
<b>SENIOR COLLEGE PRESIDENTS' SALARIES</b>			
Chancellor, University of Virginia's College at Wise	<del>\$127,218</del> <i>\$127,221</i>	<del>\$129,762</del> <i>\$127,221</i>	<del>\$132,357</del> <i>\$127,221</i>
President, Christopher Newport University	\$130,805	<del>\$133,421</del> <i>\$130,805</i>	<del>\$136,089</del> <i>\$130,805</i>
President, The College of William and Mary in Virginia	\$157,249	<del>\$160,394</del> <i>\$157,249</i>	<del>\$163,602</del> <i>\$157,249</i>
President, George Mason University	\$148,307	<del>\$151,273</del> <i>\$148,307</i>	<del>\$154,298</del> <i>\$148,307</i>

President, James Madison University	\$145,889	<del>\$148,807</del> <i>\$145,889</i>	<del>\$151,783</del> <i>\$145,889</i>
President, Longwood University	\$140,121	<del>\$142,923</del> <i>\$140,121</i>	<del>\$145,781</del> <i>\$140,121</i>
President, Norfolk State University	\$143,627	<del>\$146,500</del> <i>\$143,627</i>	<del>\$149,430</del> <i>\$143,627</i>
President, Old Dominion University	\$157,883	<del>\$161,041</del> <i>\$157,883</i>	<del>\$164,262</del> <i>\$157,883</i>
President, Radford University	\$143,624	<del>\$146,496</del> <i>\$143,624</i>	<del>\$149,426</del> <i>\$143,624</i>
President, Richard Bland College	\$123,048	<del>\$125,509</del> <i>\$123,048</i>	<del>\$128,019</del> <i>\$123,048</i>
President, University of Mary Washington	<del>\$138,942</del> <i>\$140,447</i>	<del>\$141,721</del> <i>\$140,447</i>	<del>\$144,555</del> <i>\$140,447</i>
President, University of Virginia	<del>\$176,095</del> <i>\$176,099</i>	<del>\$179,617</del> <i>\$176,099</i>	<del>\$183,209</del> <i>\$176,099</i>
President, Virginia Commonwealth University	\$176,113	<del>\$179,635</del> <i>\$176,113</i>	<del>\$183,228</del> <i>\$176,113</i>
President, Virginia Polytechnic Institute and State University	\$176,113	<del>\$179,635</del> <i>\$176,113</i>	<del>\$183,228</del> <i>\$176,113</i>
President, Virginia State University	\$143,624	<del>\$146,496</del> <i>\$143,624</i>	<del>\$149,426</del> <i>\$143,624</i>
Superintendent, Virginia Military Institute	\$142,297	<del>\$145,143</del> <i>\$142,297</i>	<del>\$148,046</del> <i>\$142,297</i>

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 § 2.2-1201.12, 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.

#### § 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.

#### § 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, Juvenile Justice, and Correctional Education.

## 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. ~~VEHICLE~~ PARKING SERVICES SPACES: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*

~~In the case of any a Agency with central administrative offices~~ Agencies occupying *private sector* leased or rental space in the metropolitan Richmond area, not including institutions of higher education, ~~the director shall be required that a fee be to charged a fee to~~ employees for vehicle parking spaces ~~which that~~ are assigned to them or ~~which~~ 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 scale~~ shall not be less than that ~~paid by~~ *provided for* employees *parking in Department of General Services parking facilities* at the Seat of Government.; ~~provided that if, in the opinion of the Director, Department of General Services good cause is shown, this portion of the requirement may be amended or waived 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.

## § 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 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 Mental Health, Mental Retardation and Substance Abuse Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 46102, Social Security Disability Determination, at the Department of Rehabilitative Services are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

e. The following positions shall be exempt from any administratively imposed hiring freeze:

1. Positions assigned to agencies and institutions that provide services pertaining to public safety, public health, and public higher education. Such positions shall include, but are not limited to, law-enforcement officers, employees that provide direct services or patient care in the local Health Departments and the facilities of the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Rehabilitative Services, licensing positions within the Department of Social Services, employees providing services to students at institutions of higher education, and employees involved in the coordination of higher education.

2. Positions in the Department of Health that are involved in direct patient care, customer service, or support services at the local level (including physicians, nurses and nursing supervisors, and environmental health specialists).

3. Positions that provide support services which are essential to the safe and efficient operation of state facilities.

4. Positions in the Natural Resources and Public Safety Secretariats.

5. Any position that is funded one hundred percent from federal funds, grant funds, contracts, enterprises, or auxiliary enterprises.

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.

## § 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, Secretary of Finance, and the Director, Department of Planning and Budget, shall identify a list of reporting requirements that the Governor may consider suspending.*

b) *An effort should be made to limit reporting 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. The findings from this review shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.*

c) *The Governor is authorized to suspend reporting requirements which in his judgment do not meet these criteria, provided however that prior to July 15, 2009, he reports to the Speaker of the House of Delegates, and the Chairman of the House Appropriations Committee, and the Chairmen of the Senate Committees on Finance and Rules those reporting requirements he intends to suspend.*

d) *Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended:*

<i>Agency</i>	<i>Report Title of Descriptor</i>	<i>Source</i>
<i>Department of Accounts</i>	<i>Intercollegiate Athletics Receipts &amp; Disbursements</i>	<i>Code of Virginia § 23-1.1.</i>
<i>Department of General Services</i>	<i>Usage of State-Assigned and State-Owned Vehicles Report</i>	<i>Agency Directive — Executive Order 89 (2005)</i>
<i>State Employee Worker's Compensation Program</i>	<i>Work-related injuries and illnesses report — goals, strategies, and results</i>	<i>Agency Directive — Executive Order 94 (2005)</i>
<i>Department of Planning and Budget</i>	<i>Organizational Memberships over \$5,000</i>	<i>Appropriations Act</i>
<i>Secretary of Commerce and Trade</i>	<i>Recruitment of National and Regional Conferences Report</i>	<i>Agency Directive — Executive Order 14 (2006)</i>
<i>State Council of Higher Education for Virginia</i>	<i>Generalist Initiative</i>	<i>Item 145 F1. UVA, VCU and EVMS only. Specific performance measures deleted in 2006-08 Appropriations Act. Biennial reporting still required.</i>

## b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made to the Chairmen of the House Appropriations and Senate Finance Committees by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.
4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.
5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.
6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.
2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 1 of Title 33.1, Code of Virginia, on behalf of the Commonwealth Transportation Commissioner, as authorized by § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).
3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

d. Capital Appropriations Reports:

1. Status of progress of capital projects (see § 4-4.01 o).
2. Status of all capital projects authorized under § 4-4.01 m.

e. 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).

f. 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 submit 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, on or before June 1 annually, a report on such standard abbreviations and any changes thereto.

## § 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.
- 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.
- 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 APPROVAL OF MANAGEMENT AGREEMENT FOR VIRGINIA COMMONWEALTH UNIVERSITY

The exceptions and authority granted in this act pursuant to Chapters 933 and 943 of the 2006 Acts of Assembly shall also be granted pursuant to *Chapters 594 and 616 of the 2008 Acts of Assembly*. ~~House Bill 1124 and Senate Bill 358, as enacted by the 2008 Session of the General Assembly.~~ It is the intent of the General Assembly that this act be enrolled to include references to *Chapters 594 and 616 of the 2008 Acts of Assembly*, ~~House Bill 1124 and Senate Bill 358~~ in sections where Chapters 933 and 943, Acts of Assembly of 2006 are referenced.

### § 4-9.02 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 June 1 of each year. Institutional performance on measures set forth in paragraph ~~K 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 June 1 of each 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 their agreed upon targets and standards on all performance measures in order to be certified by SCHEV. However, the State Council, in working with each institution, shall establish a ~~prescribed range~~ *threshold* of permitted variance from ~~annual~~ targets for each education-related measure, as appropriate. *The Council shall review and, if in agreement, approve institutional targets and thresholds.*

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. ~~where they have already achieved high levels of performance in order that they may focus its resources toward achieving similar high levels of performance on other 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 overall* performance.

The State Council ~~shall~~ *may* develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

#### A. Annual Assessments

##### A1. Access

~~1a.~~ Institution meets 95 percent of its State Council-approved biennial projection of total in-state student enrollment within the prescribed range of permitted variance.

~~2b.~~ Institution ~~increases~~ *maintains acceptable progress towards agreed upon targets for* the percentage of in-state undergraduate ~~enrollment~~ *students* from under-represented populations. (Such populations ~~should~~ include low income, first-generation college status, geographic origin within Virginia, race, and ethnicity, or other populations as may be identified by the State Council.)

~~3c.~~ Institution annually meets at least 95 percent of its *undergraduate and 90 percent of its graduate and first-professional* State Council-approved estimates of degrees awarded.

#### B 2. Affordability

~~1.~~ With the intent of developing a clearly understandable measure of affordability no later than July 1, 2008, SCHEV shall report annually an institution's in-state undergraduate tuition and fees, both gross and net of need-based gift aid, as a percentage of the institution's median student family income. By October 1, 2008, each institution shall identify a "maintenance of effort" target for ensuring that the institution's financial commitment to need-based student aid shall increase commensurately with planned increases in in-state, undergraduate tuition and fees. ~~The financial plan for these goals should be incorporated into the institution's 2009-2014 six-year plan as required under § 23-9.2:3.02., Code of Virginia.~~

~~2.~~ Institution establishes mutually acceptable annual targets for need-based borrowing that reflect institutional commitment to limit the average borrowing of in-state students with established financial need, and the percentage of those students who borrow, to a level that maintains or increases access while not compromising affordability.

~~3.~~ Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on applications, enrollment, and student indebtedness incurred for the payment of tuition and fees and provides the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plans. The institution shall also make a parent- and student-friendly version of this assessment widely available on the institution's website.

*Institution establishes annual targets of graduation rates according to financial aid status with the intent of achieving, where appropriate, a similar graduation rate for each cohort of students. Three cohorts of students shall be used for this measure, as they are identified in their first year of enrollment at the institution:*

- i. Students receiving Pell grants.*
- ii. Students receiving other forms of need-based financial assistance other than Pell grants.*
- iii. Students receiving no need-based financial assistance.*

*Four-year institutions shall set targets based on four-year and six-year graduation rates.*

*The Virginia Community College System and Richard Bland College shall use two-year and four-year graduation rates.*

### €3. Breadth of Academics

Institution maintains acceptable progress towards ~~an~~ agreed upon ~~target~~ *targets* for the total number and percentage of graduates in high-need areas, as identified by the State Council of Higher Education.

### Ð4. Academic Standards

Institution reports on total programs reviewed under Southern Association of Colleges and Schools assessment of student learning outcomes criteria within the institution's established assessment cycle in which continuous improvement plans addressing recommended policy and program changes were implemented.

### £5. Student Retention and Timely Graduation

1. Institution demonstrates a commitment to ensuring that lower division undergraduates have access to required courses at the 100- and 200-level sufficient to ensure timely graduation by reporting annually to the State Council of Higher Education on the number of students denied enrollment in such courses for each fall and spring semesters. No later than July 1, 2008, to the extent the institution does not currently track student access and registration attempts at the course level, the institution shall, in consultation with the State Council of Higher Education, establish an appropriate quantitative method to identify the extent to which limited access to 100- and 200-level courses reduce progression, retention, and graduation rates. After July 1, 2008, each institution shall include in its annual report to the State Council its plan of action to increase such access and remediate the identified problems.

2. Institution maintains or increases the ratio of degrees conferred per full-time equivalent instructional faculty member, within the prescribed range of permitted variance.

3a. Institution maintains *acceptable progress towards agreed upon targets for* ~~or~~ improves the average annual retention and progression rates of degree-seeking undergraduate students.

4b. ~~Within the prescribed range of permitted variance, the institution~~ *Institution maintains acceptable progress towards agreed upon targets for* increases, the ratio of total undergraduate degree awards to the number of annual full-time equivalent, degree-seeking undergraduate students except in those years when the institution is pursuing planned enrollment growth as demonstrated by their SCHEV-approved enrollment projections.

### ƒ6. Articulation Agreements and Dual Enrollment

1. Institution increases the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College consistent with a target agreed to by the institution, the Virginia Community College System, and the State Council of Higher Education for Virginia.

2a. Institution *maintains acceptable progress towards agreed upon targets for* increases the total number of associate degree graduates enrolled as transfer students, including as a priority those with an associate degree, from Virginia's public two-year colleges with the expectation that the general education credits from those institutions apply toward general education baccalaureate degree requirements, as a percent of all undergraduate students enrolled, within the prescribed range of permitted variance.

3b. ~~Institution~~ *The Virginia Community College System and Richard Bland College maintain acceptable progress towards agreed upon targets for* increases the number of students involved in dual enrollment programs consistent with a target agreed upon by the institution, the Department of Education and the State Council of Higher Education for Virginia.

### G- Economic Development

In cooperation with the State Council, institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of local and regional leaders, and the economic development partners identified in its plans, regarding the success of its local and regional economic development plans.

### H7. Research, Patents, and Licenses

1. Institution maintains *acceptable progress towards agreed upon targets for* ~~or~~ increases the three-year moving average of total expenditures in grants and contracts for research, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

### B. Biennial Assessments

#### 1. Affordability



*a. Institution includes in its six-year plan the expected average borrowing of in-state students with established financial need, and the percentage of those students who borrow, and states its commitment to limit, where possible, the average borrowing to a level that maintains or increases access while not unduly compromising affordability.*

*b. Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on student indebtedness incurred for the payment of tuition and fees and provided the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plans. The institution shall also make a parent- and student-friendly version of this assessment widely available on the institution's website. The assessment should include, but is not limited to, the following information for in-state undergraduate students: a five-year historical overview of average tuition and fees, average federal loans and grants, average institutional aid, average state support, and average total debt burden.*

*This report, along with institutional tuition and fee information shall be prominently located on the institution's web site.*

*Institution will provide an addendum to the six-year plan identifying the steps it is taking to maintain its effort to meet the needs of in-state undergraduate financially-needy students taking into account tuition and fees, state appropriations, and financial need of these students.*

## *2. Academic Standards Productivity*

*Institution reports biennially the ratio of degrees conferred per full-time equivalent instructional faculty member.*

## *3. Articulation Agreements*

*Institution maintains acceptable progress towards agreed upon targets for the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College.*

## *4. Economic Development*

*Institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. A summary of activities will be reported to the State Council biennially.*

## *5. Patents and Licenses*

*Institution reports biennially to the State Council the annual number of new patent awards and licenses.*

~~2. Institution maintains or increases the annual number of new patent awards and licenses, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.~~

## *16. Elementary and Secondary Education*

~~In cooperation with the State Council, institution~~ *Institution develops a specific set of actions with schools or school district administrations with specific goals to improve student achievement, upgrade the knowledge and skills of teachers, or strengthen the leadership skills of school administrators. A summary of activities and the improvements in student learning, if any, shall be reported to the State Council biennially. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of the superintendents, principals, and appropriate other parties.*

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.

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.

*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.*

### 7. *Campus Safety and Security*

*The institution shall work to adopt an acceptable number of the 27 Best Practice Recommendations for Campus Safety adopted by the Virginia Crime Commission on January 10, 2006. Each practice shall be considered by the institution as to how it fits in with current practices and the needs of the institution. Following each biennium of reporting, the institution shall enumerate those practices adopted by the institution.*

### ~~J~~C. Six-Year Plan

Institution prepares six-year financial plan consistent with § 23-9.2:3.02.

~~K~~D. Financial and Administrative Standards for all institutions except those governed under Chapters 933 and 943 of the 2006 Acts of Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly,

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

- a. An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
- b. No significant audit deficiencies attested to by the Auditor of Public Accounts;
- 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. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable;

b) The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within 1) the budget originally approved by the institution's governing board for projects initiated under delegated authority, or 2) the budget set out in the Appropriation Act or other Acts of Assembly. 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.

6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the budgets and schedules originally approved by the institution's governing board. 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.

~~7~~E. Financial and Administrative Standards for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly, shall be measured by the administrative standards outlined in the Management Agreements and ~~§ 4-9.02.K.4.a~~ § 4-9.02.D.4.a) of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. ~~upon notification to the Chairmen of the House Appropriations and Senate Finance Committees and the institutions within 45 days of the start of a fiscal year.~~ Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly,

### 1. Financial

- a. An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

- b. No significant audit deficiencies attested to by the Auditor of Public Accounts;*
- 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;*
- 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;*
- 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 Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable;*
- b. The institution (with the exception of Virginia Commonwealth University) 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. VCU will process no less than 70 percent of its transactions through eVA with no less than 80 percent of its purchase transactions in fiscal year 2010.*

## *5. Capital Outlay*

- a. The institution will complete capital projects (with an individual cost of over \$1,000,000) within 1) the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or 2) 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;*
- 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;*
- 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. 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.*

#### ~~L. Campus Safety and Security~~

~~The institution shall work to adopt an acceptable number of the 27 Best Practice Recommendations for Campus Safety adopted by the Virginia Crime Commission on January 10, 2006. Each practice should be considered by the institution as to how it fits in with current practices and the needs of the institution. Following each year of reporting and certification, the institution shall enumerate those practices adopted by the institution.~~

#### **§ 4-10.00 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.

#### **§ 4-11.00 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.

#### **§ 4-12.00 CONFLICT WITH OTHER LAWS**

Notwithstanding any other provision of law, and until June 30, 2010, 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.

#### **§ 4-13.00 EFFECTIVE DATE**

This act is effective on ~~July 1, 2008~~ *its passage as provided in § 1-214, Code of Virginia.*

#### **ADDITIONAL ENACTMENTS**

2. That Chapter 289 of the Acts of Assembly of 1989, as amended and reenacted by Chapter 888 of the Acts of Assembly of 1990 and Chapters 385 and 401 of the Acts of Assembly of 1992, Chapters 139 and 147 of the Acts of Assembly of 1994, Chapters 375 and 458 of the Acts of Assembly of 1996, Chapter 464 of the Acts of Assembly of 1998, and Chapters 501 and 553 of the Acts of Assembly of 2000, is hereby repealed effective January 1, 2003.

3. That no provision of this act shall be construed or interpreted to cause the expiration of any provision of Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of such Chapter.

4. That the Code of Virginia is amended by adding a section numbered 58.1-615.1 as follows:

##### *§ 58.1-615.1. Returns by certain dealers.*

*A. This section shall apply to any dealer as defined by § 58.1-612, or any direct payment permit holder pursuant to § 58.1-624, with taxable sales or purchases of \$12,000,000 or greater for the 12-month period beginning January 1 and ending December 31 of the immediately preceding calendar year, notwithstanding the provisions of §§ 58.1-615 and 58.1-616. Such dealer or direct payment permit holder shall be required to make a payment in each month for the 12-month period that begins in the month of June that immediately follows such calendar year and that ends in the month of May that immediately follows such month of June. The payment shall be made on or before the 20th day of the respective month.*

*Beginning with the month of June, the dealer or direct payment permit holder shall transmit to the Tax Commissioner a return showing the gross sales, gross proceeds, or cost price, as the case may be, arising from all transactions taxable under this chapter (i) for the first fifteen days of the month, on or before the 20th of the same month, and (ii) for the remaining days in the month, on or before the 20th day of the following month. The dealer or direct payment permit holder shall remit the tax due pursuant to this chapter when transmitting such return.*

*B. The Tax Commissioner shall 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 at the minimum amount required.*

*E. The provisions of this section shall become effective on May 31, 2010.*

5. That payments made pursuant to § 58.1-615.1 of the Code of Virginia 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 and 58.1-606 of the Code of Virginia.

6. That the State Comptroller shall make no distribution of the taxes collected pursuant to § 58.1-615.1 of the Code of Virginia in accordance with §§ 58.1-605, 58.1-606, 58.1-638, and 58.1-638.1 of the Code of Virginia until the Tax Commissioner makes a written certification to the Comptroller certifying the sales and use tax revenues generated pursuant to § 58.1-615.1. 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 .

7. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2010. The provisions of the second third, fourth, fifth and sixth enactment of this act shall have no expiration date.