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# VIRGINIA STATE BUDGET

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2005 Session

## Budget Bill - HB1500 (Chapter 951)

Bill Order » Office of Technology » Item 463

Virginia Information Technologies Agency

Item 463	First Year - FY2005	Second Year - FY2006
<b>Administrative and Support Services (84900)</b>	<b>\$1,106,152</b>	<b>\$0</b>
Physical Plant Services (84915)	\$1,106,152	\$0
Fund Sources:		
Dedicated Special Revenue	\$1,106,152	\$0

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Authority: Title 2.2, Chapter 20.1, Code of Virginia.

*AA.1. Operational costs for General Management and Direction shall be paid solely from charges to other programs within this agency.*

*2. Out of the appropriation for Physical Plant Services, \$1,106,152 the first year from dedicated special revenue is provided for the preparation of the move of the State Data Center. The Virginia Information Technologies Agency may negotiate a revenue anticipation note from the Comptroller for a term of not more than five years for this purpose.*

A. Consistent with the provisions of Chapters 981 and 1021, Acts of Assembly of 2003, the Director, Department of Planning and Budget, is authorized to transfer general fund and nongeneral fund appropriations from Executive Department agencies, other than institutions of higher education, to the Virginia Information Technologies Agency. These transfers represent funds appropriated to agencies for information technology resource expenses that have been identified by the Secretary of Technology for transfer to the Virginia Information Technologies Agency. The State Comptroller shall transfer cash consistent with these appropriation transfers.

B.1.a. Consistent with the provisions of Chapter 981 and 1021, Acts of Assembly of 2003, the Director, Department of Planning and Budget, is authorized to transfer general fund and nongeneral fund positions identified by the Secretary of Technology in the Executive Department agencies, other than institutions of higher education, as technology-related positions to the Virginia Information Technologies Agency.

b. The Governor shall provide to the Chairmen of the House Appropriations and Senate Finance Committees no later than 30 days after any such transfers the approved amounts and/or positions and the agencies affected.

2. The Governor is hereby authorized to increase the maximum position level for the Virginia Information Technologies Agency as necessary to efficiently and effectively administer and integrate new technologies within state government.

3. The Chief Information Officer (CIO) shall provide a report by January 1, 2005, or within five days of final agreement if final agreement is reached prior to January 1, 2005, to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, the Senate General Laws Committee, and the House Science and Technology Committee with copies of the finalized memorandum of agreement (MOA) for each agency scheduled to have its information technology services transitioned to VITA by January 1, 2005. The MOA is to guide the provision of information technology equipment and operating support by the Virginia Information Technologies

Agency to each affected state agency. The report shall also detail how service levels will be determined, the input affected agencies will have in ensuring service levels are maintained, and mechanisms available to agencies with concerns about services provided by the Virginia Information Technologies Agency.

4. Starting July 1, 2004, the CIO shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, the Senate General Laws Committee, and the House Science and Technology Committee with quarterly status reports on the implementation of information technology reform.

~~C. Operational costs for this program shall be paid solely from charges to other programs within this agency.~~

D. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.

E. The requirement that the Department of Mental Health, Mental Retardation, and Substance Abuse Services purchase information technology equipment or services from the Virginia Information Technologies Agency 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.

F.1. The Department of Human Resource Management shall review all compensation actions for employees of the Virginia Information Technologies Agency 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 the Virginia Information Technologies Agency 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.

G. The Information Technology Investment Board, in addition to the responsibilities as set forth in the 9th Enactment clause of Chapter 981 of the Acts of Assembly of 2003, shall have the authority to postpone the implementation schedule of any state agency by a vote of the majority of members. The members may consider the following reasons for postponement: security and sensitivity of information, adverse economic affects on participants' benefits, unusual effects on the agency's budget, or other matters that could adversely effect the Commonwealth's operations in the opinion of the Chief Information Officer.

H. 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.

*I. The Virginia Information Technologies Agency's treasury loan for start-up costs shall be reduced to actual costs incurred as of the effective date of this act and shall be interest free. VITA shall adjust its rates without the Joint Legislative Audit and Review Commission approval for the sole purpose of immediately beginning to repay this loan, which shall occur within 24 months of the effective date of this act; however, all other such rate adjustments shall require the prior approval of the Joint Legislative Audit and Review Commission in accordance with § 2.2-803, Code of Virginia. Should VITA, the Department of Planning and Budget or the Governor determine that some other means exists to repay the treasury loan without incurring an increase in the rates or using direct general fund appropriations to VITA, they shall submit such a plan to the Chairmen of the Senate Finance and the House Appropriations Committees and Chairman of the Joint Legislative Audit and Review Commission for review and approval. ]*

