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# VIRGINIA STATE BUDGET

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2006 Special Session I

## Budget Bill - HB5002 (Chapter 3)

Bill Order » Office of Education » Item 233

Jamestown 2007

Item 233	First Year - FY2007	Second Year - FY2008
<b>Historic and Commemorative Attraction Management (50200)</b>	<b>\$8,431,519</b>	<b>\$6,834,037</b>
Commemorative Attraction Management (50202)	\$8,431,519	\$6,834,037
Fund Sources:		
General	\$2,104,278	\$506,796
Special	\$280,565	\$280,565
Dedicated Special Revenue	\$6,046,676	\$6,046,676

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Authority: Discretionary Inclusion

A.1. The funds in this appropriation are designated for organizing, coordinating and supporting the planning, promotion, and commemoration of the 400th anniversary of the Jamestown Settlement in 2007. Allotment of this appropriation by the Department of Planning and Budget shall be consistent with the operating plan and progress reports submitted pursuant to paragraph D below.

2. Any employees paid from this appropriation shall be exempt from the Virginia Personnel Act.

B.1. The State Comptroller shall continue on the books of the Commonwealth a special non-reverting fund to be known as the Virginia 400th Anniversary Fund (V400). Private funds associated with the Jamestown 2007 commemoration shall be deposited to this Fund for sole use by the Jamestown-Yorktown Foundation to provide planning and support for the 2007 commemoration and related events, to provide matching grants to the Virginia Cultural Network special 2007 programs as well as 2007-related cultural and community programs, to provide for 2007-focused educational outreach programs, and to provide for regional cooperative advertising programs with a 2007 commemoration related theme.

2. The Jamestown-Yorktown Foundation shall have the responsibility for recording and maintaining all appropriate records and financial reporting of the Fund in accordance with generally accepted accounting principles. The State Comptroller and the Auditor of Public Accounts shall periodically review the Foundation's accounting and financial procedures for compliance with the requirement of this subparagraph.

C.1. The Secretary of Finance shall provide Jamestown 2007 an interest-free anticipation loan in the amount of \$5,000,000 to serve as an advance stream of funds in anticipation of private funding generated from corporate sponsorships and other activities or revenue as may be transferred to the Fund pursuant to Item 232, paragraph

B.2. Any loan shall be based on the revenue estimated from these activities and, notwithstanding the provisions of §4-3.02 b. of this act, may be extended for a period longer than twelve months. The Jamestown-Yorktown Foundation shall report quarterly to the Secretary of Finance and the Secretary of Education regarding its request for, and planned use of, funds loaned pursuant to this provision, and the funds so requested shall be disbursed with the approval of the Secretary of Finance and the Secretary of Education.

2. The Secretary of Finance, with the concurrence of the Secretary of Education, may increase the amount of the treasury loan pursuant to this provision based on a financial analysis identifying revenues to be received by the Fund in excess of \$6,000,000.

D. By August 1 of each year, the Jamestown-Yorktown Foundation shall submit annual progress reports, which shall include the physical and programmatic aspects of the events, the fund-raising activities of the Virginia 400th Anniversary Fund, and the uses of the Fund to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees regarding the planned and completed work of the Jamestown 2007 Steering Committee.

E. With the prior written approval of the Director of the Department of Planning and Budget, funding and positions in the Jamestown 2007 appropriation may be transferred to the Jamestown-Yorktown Foundation if deemed appropriate.

F. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq., Code of Virginia) shall not apply to the expenditure of funds from the Virginia 400th Anniversary Fund. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown 2007 through the expenditure of funds from the Virginia 400th Anniversary Fund. The guidelines shall implement a system of competitive negotiation for professional services; shall prohibit discrimination because of race, religion, color, sex or national origin of the bidder or offeror in the solicitation or award of contracts; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ 2.2-4350 and 2.2-4354, Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown 2007 with funds from the Virginia 400th Anniversary Fund: §§ 2.2-4311, 2.2-4315, 2.2-4330, 2.2-4333 through 2.2-4338, 2.2-4340 through 2.2-4342, and 2.2-4367 through 2.2-4377, Code of Virginia.