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# VIRGINIA STATE BUDGET

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2006 Special Session I

## Budget Bill - HB5002 (Chapter 3)

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Central Appropriations

### Item 458

First Year - FY2007 Second Year - FY2008

	First Year - FY2007	Second Year - FY2008
<b>Distribution of Tobacco Settlement (74500)</b> <b>a sum sufficient, estimated at</b>	<b>\$46,971,974</b>	<b>\$49,912,436</b>
Payments to Tobacco Producers and Tobacco Growing Communities (74501)	\$33,551,410	\$35,430,778
Payments for Tobacco Usage Prevention (74502)	\$13,420,564	\$14,481,658
Fund Sources:		
Trust and Agency	\$46,971,974	\$49,912,436

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Authority: Title 3.1, Chapter 11, and Title 32.1, Chapter 14, Code of Virginia

A.1. The State Comptroller shall deposit fifty percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Tobacco Indemnification and Community Revitalization Fund, pursuant to § 3.1-1111, Code of Virginia. There is hereby appropriated a sum sufficient estimated at \$33,551,410 the first year and \$35,430,778 the second year from the available balances in the Fund for the purposes set forth in § 3.1-1109, Code of Virginia.

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 48 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 \$13,420,564 the first year and \$14,481,658 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 48 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 the preceding paragraphs A and 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.

D. Employees of the Tobacco Indemnification and Community Revitalization Commission and Virginia Tobacco Settlement Foundation shall be treated as state employees for purposes of participation in the Virginia Retirement

System, health insurance, and all other employee benefits offered by the Commonwealth to its classified employees. Employees of the Commission and Foundation shall not be subject to the provisions of Chapter 29 of Title 2.2, Code of Virginia.

E. There is hereby appropriated to the Tobacco Indemnification and Community Revitalization Endowment all proceeds of any sale of the Commission Allocation pursuant to the provisions of Chapter 482 of the Acts of Assembly of 2002.

F. The Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation of the Tobacco Indemnification and Community Revitalization Fund for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the fund in accordance with § 3.1-1109.1, Code of Virginia. Such expenditures shall be made pursuant to § 3.1-1112, Code of Virginia.