2008 Session

Budget Bill - HB30 (Introduced)

Item 3-1.01

§ 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)	MsoNormal	MsoNormal
For collection by Department of Taxation	$33,878	$33,878
3. Peanut Fund (§ 3.1-662, Code of Virginia)	MsoNormal	MsoNormal
For collection by Department of Taxation	$969	$969
4. Proceeds of the Tax on Motor Vehicle Fuels	MsoNormal	MsoNormal
For inspection of gasoline, diesel fuel and motor oils	$97,586	$97,586
5. Virginia Retirement System (Trust and Agency)	MsoNormal	MsoNormal
For postage by the Department of the Treasury	$60,000	$60,000
6. Department of Alcoholic Beverage Control (Enterprise)	MsoNormal	MsoNormal
For services by the:	MsoNormal	MsoNormal
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)	MsoNormal	MsoNormal
For the Meat and Poultry Program	$112,000	$112,000
TOTAL	**$76,335,000**	**$76,335,000**

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 $34,600,000 the first year and $34,500,000 the second year. Distributions of net profits from the sale of alcoholic beverages to localities shall be limited to only towns and shall not exceed $260,000 the first year and $260,000 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.

c. Distributions of wine liter tax collections to localities pursuant to § 4.1-235, Code of Virginia, shall be limited to only towns and shall not exceed $260,000 the first year and $260,000 the second year.

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 the first year and $6,711,796 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 the first year and $3,166,766 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	$22,946
123	Department of Military Affairs	0200	$2,735	$2,735
123	Department of Military Affairs	0900	$7,901	$7,901
140	Department of Criminal Justice Services	0200	$24,670	$24,670
140	Department of Criminal Justice Services	0900	$82,736	$82,736
154	Department of Motor Vehicles	0400	$958,258	$958,258
165	Department Of Housing And Community Development	0900	$2,285	$2,285
171	State Corporation Commission	0900	$13,027	$13,027
174	Virginia College Savings Plan	0500	$201,232	$201,232
181	Department of Labor And Industry	0200	$6,204	$6,204
199	Department of Conservation and Recreation	0200	$4,019	$4,019
199	Department of Conservation and Recreation	0900	$100,000	$100,000
201	Department of Education, Central Office Operations	0400	$2,331	$2,331
203	Woodrow Wilson Rehabilitation Center	0200	$102,816	$102,816
222	Department of Professional and Occupational Regulation	0200	$1,282	$1,282
226	Board of Accountancy	0900	$11,556	$11,556
232	Department of Minority Business Enterprise	0400	$32,923	$32,923
233	Board of Bar Examiners	0200	$5,206	$5,206
238	Virginia Museum of Fine Arts	0200	$3,195	$3,195
262	Department of Rehabilitative Services	0900	$18,625	$18,625
325	Department of Business Assistance	0200	$169	$169
325	Department of Business Assistance	0900	$40,408	$40,408
402	Marine Resources Commission	0200	$36,330	$36,330
402	Marine Resources Commission	0900	$4,003	$4,003

403	Department of Game and Inland Fisheries	0900	$701,208	$701,208
407	Virginia Port Authority	0200	$83,423	$83,423
407	Virginia Port Authority	0400	$71,749	$71,749
411	Department of Forestry	0200	$36,821	$36,821
411	Department of Forestry	0900	$760	$760
417	Gunston Hall	0200	$3,999	$3,999
423	Department of Historic Resources	0400	$1,080	$1,080
501	Department of Transportation	0400	$3,460,676	$3,460,676
505	Department of Rail and Public Transportation	0400	$183,898	$183,898
506	Motor Vehicle Dealer Board	0200	$17,375	$17,375
601	Department of Health	0900	$144,429	$144,429
799	Department of Corrections	0200	$160,419	$160,419
751	Department for the Deaf and Hard of Hearing	0200	$1,688	$1,688
841	Department of Aviation	0400	$96,672	$96,672
851	Virginia Tobacco Indemnification and Community Revitalization Commission	0900	$199,062	$199,062
852	Virginia Tobacco Settlement Foundation	0900	$25,559	$25,559
912	Department of Veterans Services	0200	$72,194	$72,194
960	Department of Fire Programs	0200	$91,057	$91,057
	Total		**$7,036,926**	**$7,036,926**

G. The Comptroller shall transfer to the Lottery Proceeds Fund an amount estimated at $450,000,000 the first year and $450,000,000 the second year from the State Lottery Fund. The transfer for each year shall be made in two parts: (1) on or before June 30 of each year, the Comptroller shall transfer balances of the State Lottery Fund for the fiscal year, based on an estimate determined by the State Lottery Department and (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 transfer was based, the State Comptroller shall transfer the difference between the actual revenue and the estimate from the Lottery Proceeds Fund to the State Lottery 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. The amount so transferred to the Lottery Proceeds Fund shall be accounted for and considered to be part of the general fund of the state treasury pursuant to § 58.1-4022, 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 the first year and $4,900,000 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. 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, which are estimated to generate $150,000 the first year and $150,000 the second year, shall be paid into the general fund of the state treasury.

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 the first year and $7,100,000 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.

Agency Name	**Fund Group**	**FY2009**	**FY2010**
Department of Minority Business Enterprise	0410	$695	$695
Department of Criminal Justice Services	1000	$24,707	$24,707
Virginia Information Technologies Agency	0600	$31,222	$31,222
Department of Professional and Occupational Regulation	0900	$11,761	$11,761
Department for the Aging	1000	$910	$910
Department of Health Professions	0900	$11,930	$11,930
Department of Medical Assistance Services	1000	$12,565	$12,565
Department of Emergency Management	1000	$5,265	$5,265

Department of Fire Programs	0218	$4,400	$4,400
Department of Rail and Public Transportation	0410	$2,197	$2,197
TOTAL	MsoNormal	**$105,652**	**$105,652**

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 $10,560,500 the first year and $10,560,500 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 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 from the Court Debt Collection Program Fund at the Department of Taxation.

R. 1. The Department of Motor Vehicles shall retain $6,400,000 in the first year and $6,400,000 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.

S. 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 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.

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).