2012 Session

# Budget Bill - HB1300 (Introduced)



Central Appropriations

## Item 470

| | First Year - FY2011 | Second Year - FY2012 |
|---|---|---|
| **Payments for Special or Unanticipated Expenditures (75800)** | **$28,086,976** | **$55,533,368** |
| Miscellaneous Contingency Reserve Account (75801) | $1,500,000 | $4,500,000 |
| Undistributed Support for Designated State Agency Activities (75806) | $26,586,976 | $51,033,368 |
| Fund Sources: | | |
| General | $28,086,976 | $55,533,368 |

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 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 the first year and $1,200,000 the second 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 the first year and $1,000,000 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.

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 the first year and $300,000 the second 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 58, 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 58, Paragraph B of this act.

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, up to $26,586,166 the first year and ~~$28,658,439~~*$20,322,132* the second year from the general fund is provided to state agencies for costs incurred as the result of changes to service 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 service rates approved by the Joint Legislative Audit and Review Commission. Transfers may be made if current funding exceeds actual charges.

2.a. Should the provision of the general fund support for addressing the costs incurred from changes in service rates for information technology services provided by the Virginia Information Technologies Agency be insufficient to address all of the anticipated needs of impacted state agencies, no changes shall be made to the allocation of any amounts provided for state agencies receiving less than $1,000,000 in additional funding to address the impact of such service rate changes.

b. Unless an agency can demonstrate greater need, in accordance with the following provisions describing information technology needs assessments, no more than 97 percent of each agency's share of its identified impact amount in the second year, as determined by the Department of Planning and Budget, shall be transferred.

c. This savings incentive program is established to control information technology services costs and to minimize or obviate the associated general fund transfers. To promote information technology cost control, state agencies shall perform a Comprehensive Information Technology Assessment. The assessments shall include, but are not limited to, consideration of the following actions: (1) Implement a print/paper output reduction program; This program should focus on reducing the overall volume of print output, reducing the number of dedicated desktop printers and increased utilization of multi-function output devices; (2) Limit purchase of laptop computers to mobile workers; (3) Perform cost/benefit analyses of purchasing "standard"; versus "premium"; equipment, with justification for selecting "premium"; (4) Implement best practices for wireless device usage, including conversion of all wireless devices to new, state-wide contracts; (5) Implement best practices for data storage; (6) Convert long-term (greater than one year), critical-need information technology contractor positions to classified employee positions; (7) Consolidate stand-alone data centers to the Commonwealth Enterprise Solutions Center and where possible utilize increased use of virtualized servers; and (8) Deploy technologies that reduce an agency's total expenses, improve citizen interactions, and improve employee productivity and job satisfaction. Such technologies include but are not limited to increased use of electronic forms, electronic signatures and automated workflows.

d. The Comprehensive Information Technology Assessment and implementation plan shall be completed by the agency head or governing body, and submitted to the Chief Information Officer by September 1, 2011.

e. The Virginia Information Technologies Agency shall make available on its website, upon enactment of this act, documentation on information technology best practices as well as provide programmatic guidance to state agencies in the preparation of the Comprehensive Information Technology Assessment and in the execution of the assessment's recommendations.

I. Out of the appropriation for this Item, up to ~~$245,000~~*$711,236* the second year from the general fund is provided to state agencies for costs incurred as the result of an internal service fund established within the Department of Accounts to cover ongoing operational and maintenance costs of the Performance Budgeting System, an enterprise application of the Commonwealth. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies ~~based upon user licensing information for the system~~.

*J. Out of the appropriation for this Item, the Director, Department of Planning and Budget, may transfer to the State Board of Elections up to $3,000,000 the second year from the general fund to cover the costs associated with the 2012 presidential primary. Out of this amount, up to $2,730,000 may be used by the State Board of Elections to*

*reimburse localities for their presidential primary expenditures and up to $270,000 may be used to cover costs incurred directly by the State Board of Elections.*

*K. Out of the appropriation for the Item, $30,000,000 the second year from the general fund is provided to capitalize a Federal Action Contingency Trust (FACT) Fund to help prepare the Commonwealth for future federal spending reductions.*