
VIRGINIA STATE BUDGET

2016 Session

Budget Bill - HB30 (Reenrolled)

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Central Appropriations

Item 476

First Year - FY2017 Second Year - FY2018

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| Payments for Special or Unanticipated Expenditures (75800) | \$15,651,027 | \$9,123,901 |
| Miscellaneous Contingency Reserve Account (75801) | \$2,300,000 | \$2,300,000 |
| Undistributed Support for Designated State Agency Activities (75806) | \$13,351,027 | \$6,823,901 |
| Fund Sources: | | |
| General | \$15,651,027 | \$9,123,901 |

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 Virginia Lottery, 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 \$2,000,000 the first year and \$2,000,000 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, services, and training which cannot be absorbed within agency appropriations including 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. 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.
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 Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.5. of this Item.
6. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.
7. 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.

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 59, 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 59, Paragraph B of this act.

F. 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.

G. The Director, Department of Planning and Budget, shall transfer from this Item, general fund amounts estimated at \$5,332,350 the first year and \$3,659,945 the second year to state agencies and institutions of higher education to support the general fund portion of costs resulting from the estimated usage of technology services provided by the Virginia Information Technologies Agency.

H.1. Any unexpended general fund balances as of June 30, 2016 that were appropriated for the purpose of supporting the City of Richmond in the development of the Slavery and Freedom Heritage Site in Richmond shall not revert to the general fund but shall instead be reappropriated for its original purpose. Out of the \$2,000,000 originally appropriated, \$1,000,000 shall be used for improvements to the Slave Trail, and \$1,000,000 for costs associated with Lumpkin's Pavilion.

2. Prior to the receipt of state funds for the purpose set out in paragraph H.1., the Richmond City Council shall pass a resolution outlining its approval of and financial commitment to the proposed project and local matching funds in an amount totaling at least \$5,000,000 which shall be appropriated by the City of Richmond for the project prior to receipt of any state funds. Release of state funding for Lumpkin's Pavilion shall also require evidence that the City of Richmond has raised at least fifty percent of the remaining funding required for that portion of the project from private or other sources.

3. At such time that the City of Richmond has completed construction of the respective improvements, the City of Richmond shall be eligible for reimbursement from the Commonwealth of an amount not to exceed \$9,000,000, or up to twenty five percent of the total costs of each project.

4. State funding appropriated in paragraph H.1. and future appropriations considered in paragraph H.3., shall be allocated only as follows: no more than \$5,000,000 shall be allocated for the planning, design, and construction of the Pavilion at Lumpkin's Jail, no more than \$1,000,000 shall be allocated for improvements to the Richmond Slave Trail, and no more than \$5,000,000 shall be allocated for the planning, design and construction of a slavery museum.

5. The City of Richmond shall provide documentation to the Department of General Services on the progress of this project and actual expenditures incurred for it in a form acceptable to the Secretaries of Finance and Administration.

6. In addition to the matching requirements set out in paragraph H.2., the City of Richmond shall provide and dedicate appropriate contiguous real estate prior to the receipt of any state funding for the purposes outlined in paragraph H.1 above.

7. The Department of General Services shall act as the fiscal agent for these funds. The director shall oversee the expenditure of state appropriations to ensure that payments to the City of Richmond are made consistent with the purposes set out in paragraphs H.1. and H.4. The Director, Department of Planning and Budget, is authorized to transfer these funds to the Department of General Services to implement this appropriation.

8. This appropriation shall be exempt from the disbursement procedures specified in § 4-5.05 of the act

I. Out of this appropriation, the Director, Department of Planning and Budget, is authorized to transfer an amount up to \$5,000,000 the first year, to the Department of State Police for unanticipated costs associated with mitigating security threats, information technology (IT) security gaps, and the data stored on IT systems used by the Department. The costs eligible for reimbursement shall be for information technology and telecommunications goods and services that have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency. These funds may not be transferred until the requirements of Paragraph I.2. of this item have been fulfilled.

2. The Superintendent of State Police shall develop a prioritized list of information technology projects for the

Department of State Police, justify the need for the projects, and identify costs associated with such projects. The Superintendent shall also identify the potential or expected projects to be addressed using the appropriation provided in Paragraph I.1. of this item. The Superintendent shall report the list of projects to the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2016.

J. Out of this appropriation, \$3,018,677 the first year and \$3,163,956 the second year from the general fund shall be provided to state agencies to support the costs of information technology security audits and information security officer services. With such funding, agencies are encouraged to work with the Virginia Information Technologies Agency's information technology shared security center created pursuant to Item 435 of this act.

K. It is the intent of the General Assembly that relief shall be provided to localities for qualifying damages resulting from the tornadoes of February 24, 2016, in accordance with state law and the provisions of Item 57 of this act. Such relief is hereby appropriated in accordance with the provisions of Item 57 of this act from the unexpended balances of the general fund.