# 2008 SESSION

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER 847

An Act to amend and reenact Chapter 847 of the 2007 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

[H 29]

**Approved April 11, 2008**

Be it enacted by the General Assembly of Virginia:

1. That Items 1, 25, 27, 30, 30.10, 31, 32, 33, 34, 35, 36, 38, 39, 40, 52, 59, 60, 61, 62, 63, 65, 66, 73, 88, 98, 102, 103, 104, 111, 119, 125, 127, 132, 134, 135, 141, 145, 178, 182, 203, 222, 224, 237, 242, 250, 254, 260, 260.10, 263, 265, 276, 279, 280, 286, 289, 291, 292, 293, 300, 301, 302, 306, 318, 321, 323, 334, 335, 337, 338, 340, 358, 359, 362, 364, 365, 369, 370, 383, 386, 387, 391, 393, 395, 397, 402, 403, 405, 406, 414, 416.20, 427, 436, 437, 438, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449.10, 453, 454, 455.20, 456, 462, 463.20, 481, C-0, C-2, C-4, C-5, C-17.50, C-52, C-55.30, C-55.60, C-55.95, C-61, C-61.30, C-61.96, C-155.30, C-223, C-325, C-328, § 3-1.01, § 3-2.03, § 3-3.01, and § 4-9.02 of Chapter 847 of the Acts of Assembly of 2007 be hereby amended and reenacted and that the cited chapter be further amended by adding Items 455.30, 455.40, 455.50, C-7.50, C-110.40, C-202.15, C-240.20, C-324.10, C-326.20, C-326.30, and 3-3.04, and by adding a fourth and fifth enactment clause.

2. §1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

| | **First Year** | **Second Year** | **Total** |
|---|---|---|---|
| Unreserved Balance, June 30, 2006 | $1,804,483,000 | ~~$0~~ | ~~$1,804,483,000~~ |
| | | *$1,204,000,823* | *$3,008,483,823* |
| Additions to Balance | ($139,149,712) | ~~$47,000~~ | ~~($139,102,712)~~ |
| | | *($878,912,672)* | *($1,018,062,384)* |
| Official Revenue Estimates | $15,800,205,404 | ~~$16,432,391,683~~ | ~~$32,232,597,087~~ |
| | | $15,751,062,507 | $31,551,267,911 |
| *Revenue Stabilization Fund* | *$0* | *$351,500,000* | *$351,500,000* |
| Lottery Proceeds Fund | $406,331,308 | ~~$405,400,000~~ | ~~$811,731,308~~ |
| | | *$462,180,128* | *$868,511,436* |
| Transfers | $388,037,447 | ~~$483,162,276~~ | ~~$871,199,723~~ |
| | | *$359,712,393* | *$747,749,840* |
| Total General Fund Resources Available for Appropriation | $18,259,907,447 | ~~$17,321,000,959~~ | ~~$35,580,908,406~~ |
| | | *$17,249,543,179* | *$35,509,450,626* |

The appropriations made in this act from nongeneral fund revenues are based upon the following:

| | First Year | Second Year | Total |
|---|---|---|---|
| Balance, June 30, 2006 | $4,750,383,961 | $0 | $4,750,383,961 |
| Official Revenue Estimates | $18,240,531,955 | ~~$18,691,824,286~~ | ~~$36,932,356,241~~ |
| | | *$18,937,065,573* | *$37,177,597,528* |
| Bond Proceeds | $921,941,000 | ~~$390,097,000~~ | ~~$1,312,038,000~~ |
| | | *$829,097,000* | *$1,751,038,000* |
| Total Nongeneral Fund Revenues Available for Appropriation | $23,912,856,916 | ~~$19,081,921,286~~ | ~~$42,994,778,202~~ |
| | | *$19,766,162,573* | *$43,679,019,489* |
| TOTAL PROJECTED REVENUES | $42,172,764,363 | ~~$36,402,922,245~~ | ~~$78,575,686,608~~ |
| | | *$37,015,705,752* | *$79,188,470,115* |

§ 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts respectively establishing them.

§ 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

§ 6. When used in this act the term:

A. "Current biennium" means the period from the first day of July two thousand six, through the thirtieth day of June two thousand eight, inclusive.

B. "Previous biennium" means the period from the first day of July two thousand four, through the thirtieth day of June two thousand six, inclusive.

C. "Next biennium" means the period from the first day of July two thousand eight, through the thirtieth day of June two thousand ten, inclusive.

D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and which is designated in this act by title and a three-digit agency code.

E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations are shown.

G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the appropriations are shown.

H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent employment.

I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation Act if required to carry out the purpose for which the appropriation is made.

J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for information reference only.

K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the instructions for preparation of the Executive Budget.

§ 7. The total appropriations from all sources in this act have been allocated as follows:

**BIENNIUM 2006-08**

| | General Fund | Nongeneral Fund | Total |
|---|---|---|---|
| OPERATING EXPENSES | ~~$34,365,801,628~~ | ~~$36,693,302,446~~ | ~~$70,059,104,074~~ |
| | *$33,993,457,853* | *$37,104,873,306* | *$71,098,331,159* |
| LEGISLATIVE DEPARTMENT | ~~$123,070,440~~ | $ 7,117,524 | ~~$130,187,964~~ |
| | *$123,265,696* | | *130,383,220* |

| | | | |
|---|---|---|---|
| JUDICIAL | | | |
| DEPARTMENT | ~~$711,419,874~~ | ~~$48,831,591~~ | ~~$760,251,465~~ |
| | *$725,419,874* | *$50,371,591* | *$775,791,465* |
| EXECUTIVE | | | |
| DEPARTMENT | ~~$33,467,269,124~~ | ~~$35,975,355,019~~ | ~~$69,442,624,143~~ |
| | *$33,080,730,093* | *$36,385,385,879* | *$69,466,115,972* |
| INDEPENDENT | | | |
| AGENCIES | $613,570 | $661,998,312 | $662,611,882 |
| STATE GRANTS TO | | | |
| NONSTATE AGENCIES | $63,428,620 | $0 | $63,428,620 |
| CAPITAL OUTLAY | | | |
| EXPENSES | ~~$1,208,611,869~~ | ~~$1,948,941,500~~ | ~~$3,157,553,369~~ |
| | *$1,203,169,869* | *$2,413,655,183* | *$3,616,825,052* |
| TOTAL | ~~$35,574,413,497~~ | ~~$38,642,243,946~~ | ~~$74,216,657,443~~ |
| | *$35,196,627,722* | *$39,518,528,489* | *$74,715,156,211* |

§ 8. This chapter shall be known and may be cited as the "2008 Amendments to the 2007 Appropriation Act."

| ITEM 1. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| **PART 1: OPERATING EXPENSES** | | | | |
| **LEGISLATIVE DEPARTMENT** | | | | |
| **§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)** | | | | |
| 1. Enactment of Laws (78200) | | | | |
| a sum sufficient, estimated at | | | $29,224,232 | ~~$30,120,888~~ *$30,316,144* |
| Legislative Sessions (78204) | $29,224,232 | ~~$30,120,888~~ *$30,316,144* | | |
| Fund Sources: General | $29,224,232 | ~~$30,120,888~~ *$30,316,144* | | |
| Authority: Article IV, Constitution of Virginia. | | | | |
| A. Out of this appropriation, the House of Delegates is funded ~~$18,423,119~~ *$18,835,547* the first year and ~~$18,422,301~~ *$19,279,908* the second year from the general fund. The Senate is funded ~~$9,926,898~~ *$10,388,685* the first year and ~~$9,927,389~~ *$11,036,236* the second year from the general fund. | | | | |
| B. Out of this appropriation shall be paid: | | | | |
| 1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be $36,321 per year. The salaries of other members of the House of Delegates shall be $17,640 per year. The salaries of the members of the Senate shall be $18,000 per year. | | | | |
| 2. The annual salary of the Clerk of the House of Delegates, $133,290 from July 1, 2006, to November 24, 2006, $138,622 from November 25, 2006, to November 24, 2007, and $144,167 from November 25, 2007, to June 30, 2008. | | | | |
| 3. The annual salary of the Clerk of the Senate, $130,481 from July 1, 2006, to November 24, 2006, $135,700 from November 25, 2006, to November 24, 2007, and $141,128 from November 25, 2007, to June 30, 2008. | | | | |
| 4. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, $16,200 each year, to be paid in equal monthly installments during the year. | | | | |
| 5. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs: | | | | |
| a. $61,683 per calendar year for the compensation of one or more secretaries of the Speaker of the House of | | | | |

| ITEM 1. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

Delegates. Salary increases shall be governed by the provisions of Item 461 of this act.

b. $92,526 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 461 of this act.

c. $30,842 per calendar year for the compensation of legislative assistants of each member of the General Assembly. Salary increases granted shall be governed by the provisions of Item 461 of this act.

d. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B 7, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

e. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

f. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

g. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

h. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.

i. $15,000 per calendar year additional allowance for

| ITEM 1. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate. Salary increases shall be governed by the provisions of Item 461 of this act.

6. Compensation to members of the General Assembly, pursuant to § 30-19.12, Code of Virginia, and subject to the limitations and conditions stated therein, at a rate of $200 per day, or for any part thereof, for the time actually engaged in the discharge of their duties. All other members of any legislative committee, commission or council established by the General Assembly, or a committee or subcommittee thereof shall receive compensation at the rate of $50 per day, or for any part thereof. The Clerk of the House of Delegates and the Clerk of the Senate are authorized to provide reimbursements to legislative commissions for per diem payments made for studies requested by the chairmen of standing committees of the respective bodies.

7. Allowances for expenses of members of the General Assembly, either (a) an amount not exceeding $75 per day for expenses which are vouchered or (b) an amount equaling the maximum daily amount permitted by the Internal Revenue Service.

8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of $1,250 for each month of each calendar year. An additional $500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate.

C. A legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph A 5, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and

| ITEM 1. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

operating expenses during the current biennium shall be transferred to the account established for this purpose.

E. An amount of up to $10,000 per year shall be transferred from Item 24 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee.

F.1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and to make recommendations to their respective committees. The objective of the review is to develop policies and formulas to provide the public institutions of higher education with an equitable funding methodology that: (a) recognizes differences in institutional mission; (b) provides incentives for achievement and productivity; (c) recognizes enrollment growth; and (d) establishes funding objectives in areas such as faculty salaries, financial aid, and the appropriate share of educational and general costs that should be borne by resident students. In addition, the review shall include the development of comparable cost data concerning the delivery of higher education through an analysis of the relationship of each public institution to its national peers. The public institutions of higher education and the staff of the State Council of Higher Education for Virginia are directed to provide technical assistance, as required, to the joint subcommittee.

2. The Joint Subcommittee on Higher Education Funding Policies shall conduct an assessment of the adequacy of the current educational and general funding levels for Virginia's public institutions of higher education. The assessment shall be used to develop guidelines against which to measure funding requests for higher education. The assessment shall include, but not be limited to, the following components:

a) Updated student-to-faculty ratios based on current practice or industry norms.

b) Consideration of support staff needs and the changing requirements of support staff due to technology and privatization of services previously performed by the institutions.

c) Costs of instruction, such as equipment, utilities, facilities maintenance, and other nonpersonal services expenses.

d) Recognition of the individual mission of the institution, student characteristics, location, or other factors that may influence the costs of instruction.

e) Benchmarking of the funding guidelines against a group of peer institutions, or other appropriate comparator group, to assess the validity of the

| ITEM 1. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

guidelines.

f) Means by which measures of institutional performance can be assessed and incorporated into funding and policy guidelines for higher education.

3. The Joint Subcommittee on Higher Education Funding Policies shall develop a more precise methodology for determining funding needs at Virginia's public institutions of higher education related to enrollment growth. The methodology should take into consideration that support staff and operations may need to be expanded when enrollment growth reaches certain levels.

4. The Joint Subcommittee may seek support from the staff of the Senate Finance and House Appropriations Committees, the public institutions of higher education, or other higher education or state agency representatives, as requested by the Joint Subcommittee. At its discretion, the Joint Subcommittee may contract for consulting services.

5. The Joint Subcommittee is hereby continued to provide direction and oversight of higher education funding policies. The Joint Subcommittee shall review and articulate policies and funding methodologies on: (a) the appropriate share of educational and general costs that should be borne by students; (b) student financial aid; (c) undergraduate medical education funding; (d) the mix of full-time and part-time faculty; (e) the mix of in-state and out-of-state students as it relates to tuition policy; and (f) the viability of statewide articulation agreements between four-year and two-year public institutions.

6. a. It is the objective of the General Assembly that funding for Virginia's public colleges and universities shall be based primarily on the funding guidelines outlined in the November, 2001 report of the Joint Subcommittee on Higher Education Funding Policies.

b. Based on the findings and recommendations of its November, 2001 report, the Joint Subcommittee shall coordinate with the State Council of Higher Education, the Secretary of Education, and the Department of Planning and Budget in incorporating the higher education funding guidelines into the development of budget recommendations.

c. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly.

G. The Chairmen of the Senate Finance and House Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review compensation of state agency heads and cabinet secretaries. The Department of Human Resource Management, the Virginia Retirement

| ITEM 1. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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| | System and all other agencies and institutions of the Commonwealth are directed to provide technical assistance, as required, to the joint subcommittee. | | | | |
| | H. 1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint one member from their respective committees to a joint subcommittee to provide on-going direction and oversight of Standards of Quality funding cost policies and to make recommendations to their respective committees. | | | | |
| | 2. The Joint Subcommittee on Elementary and Secondary Education Funding shall: 1) study re-benchmarking cost trends and drivers; 2) review existing Standards of Quality (SOQ), incentive, categorical, and school facilities funding streams within Direct Aid to Public Education, as well as the Literary Fund, and identify options for efficiencies and cost savings and for greater funding flexibility, especially to better prepare the state and localities for future economic downturns; 3) consider alternatives to across-the-board compensation supplements to better target state funds; 4) review funding streams for students at-risk of academic failure, and assess whether such programs should be incorporated into the SOQ; and 5) examine special education funding issues. | | | | |
| | 3. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee. The Joint Subcommittee shall publish a preliminary report by September 15, 2007. | | | | |
| | I. Notwithstanding the salaries listed in Item 1, paragraph B.2., of this act, the Speaker of the House may establish a salary range for the Clerk of the House of Delegates. | | | | |
| | Total for General Assembly of Virginia..... | | | **$29,224,232** | **~~$30,120,888~~** ***$30,316,144*** |
| | General Fund Positions..... | 221.00 | 221.00 | | |
| | Position Level ..... | 221.00 | 221.00 | | |
| | Fund Sources: General..... | $29,224,232 | ~~$30,120,888~~ *$30,316,144* | | |
| 2. | Not set out. | | | | |
| 3. | Not set out. | | | | |
| 4. | Not set out. | | | | |
| 5. | Not set out. | | | | |
| 6. | Not set out. | | | | |
| 7. | Not set out. | | | | |
| 8. | Not set out. | | | | |
| 9. | Not set out. | | | | |

| ITEM 10. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 10. | Not set out. | | | | |
| 11. | Not set out. | | | | |
| 12. | Not set out. | | | | |
| 13. | Not set out. | | | | |
| 14. | Not set out. | | | | |
| 15. | Not set out. | | | | |
| 16. | Not set out. | | | | |
| 17. | Not set out. | | | | |
| 18. | Not set out. | | | | |
| 19. | Not set out. | | | | |
| 20. | Not set out. | | | | |
| 20.10. | Not set out. | | | | |
| 20.20. | Not set out. | | | | |
| 20.30. | Not set out. | | | | |
| 20.40. | Not set out. | | | | |
| 20.50. | Not set out. | | | | |
| 20.60. | Not set out. | | | | |
| 20.70. | Not set out. | | | | |
| 20.80. | Not set out. | | | | |
| 21. | Not set out. | | | | |
| 22. | Not set out. | | | | |
| 23. | Not set out. | | | | |
| 24. | Not set out. | | | | |
| | TOTAL FOR LEGISLATIVE DEPARTMENT..... | | | **$62,542,727** | **~~$67,645,237~~** ***$67,840,493*** |
| | General Fund Positions..... | 585.50 | 600.50 | | |
| | Nongeneral Fund Positions..... | 32.50 | 32.50 | | |
| | Position Level ..... | 618.00 | 633.00 | | |
| | Fund Sources: General..... | $59,258,965 | ~~$63,811,475~~ *$64,006,731* | | |
| | Special..... | $2,557,578 | $3,107,578 | | |
| | Trust and Agency ..... | $105,538 | $105,538 | | |
| | Federal Trust..... | $620,646 | $620,646 | | |

| ITEM 25. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **JUDICIAL DEPARTMENT** | | | | |
| | **§ 1-2. SUPREME COURT (111)** | | | | |
| 25. | Pre-Trial, Trial, and Appellate Processes (32100)..... | | | $6,937,384 | ~~$15,137,384~~ *$30,104,384* |
| | Appellate Review (32101)..... | $6,926,484 | ~~$6,926,484~~ *$6,893,484* | | |
| | Other Court Costs and Allowances (Criminal Fund) (32104) ..... | $10,900 | ~~$8,210,900~~ *$23,210,900* | | |
| | Fund Sources: General..... | $6,937,384 | ~~$15,137,384~~ *$30,104,384* | | |
| | Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia. | | | | |
| | A. Out of the amounts for Appellate Review shall be paid: | | | | |
| | 1. The annual salary of the Chief Justice, $158,514 from July 1, 2006, to November 24, 2006, $164,855 from November 25, 2006, to November 24, 2007, and $178,043 from November 25, 2007, to June 30, 2008. | | | | |
| | 2. The annual salaries of the six (6) Associate Justices, each $148,682 from July 1, 2006, to November 24, 2006, $154,629 from November 25, 2006, to November 24, 2007, and $166,999 from November 25, 2007, to June 30, 2008. | | | | |
| | 3. To each justice, $13,500 the first year and $13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court. | | | | |
| | B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2006, in the appropriation made in Item 26, Chapter 921, Acts of Assembly of 2005, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2007. | | | | |
| | C. Out of the amounts appropriated in this item, $8,200,000 in the second year is included for increased reimbursements for court-appointed counsel pursuant to House Bill 2361 and Senate Bill 1168 as adopted during the 2007 Regular Session of the General Assembly. | | | | |
| 26. | Not set out. | | | | |
| 27. | Adjudicatory Research, Planning, and Coordination (32400) ..... | | | $25,000 | ~~$25,000~~ *$20,000* |
| | Adjudicatory Coordination (32401) ..... | $25,000 | ~~$25,000~~ *$20,000* | | |
| | Fund Sources: General..... | $25,000 | ~~$25,000~~ *$20,000* | | |

| ITEM 27. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | Authority: §§ 17.1-700 through 17.1-705, Code of Virginia. | | | | |
| | 28. | Not set out. | | | | |
| | 29. | Not set out. | | | | |
| | 30. | Administrative and Support Services (39900)..... | | | $21,926,499 | ~~$25,662,548~~ *$27,167,548* |
| | | General Management and Direction (39901)..... | $21,926,499 | ~~$25,662,548~~ *$27,167,548* | | |
| | | Fund Sources: General..... | $15,241,639 | ~~$16,221,658~~ *$16,186,658* | | |
| | | Special..... | $6,332,125 | ~~$8,352,575~~ *$9,892,575* | | |
| | | Federal Trust..... | $352,735 | $1,088,315 | | |
| | | Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia. | | | | |
| | | A. The Executive Secretary of the Supreme Court shall submit a monthly summary to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund. | | | | |
| | | B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court. | | | | |
| | | C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands. | | | | |
| | | D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairmen of the House and Senate Committees on Courts of Justice, and the House Appropriations and Senate Finance Committees. | | | | |
| | | E. Included in this Item is $3,750,000 the first year and $3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts. | | | | |
| | | F. Out of the amounts included for General Management and Direction, $300,000 the first year and $300,000 the second year from the general fund is provided for the estimated costs of fully implementing the Judicial Performance Evaluation Project. | | | | |
| | | G. The Executive Secretary of the Supreme Court shall submit a report by December 1, 2006, to the Chairmen | | | | |

| ITEM 30. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | of the House Appropriations and Senate Finance Committees regarding the selection, training, oversight, accountability, and scheduling of magistrates. This report shall also examine issues regarding the use of video-conferencing technology to provide magistrate services to the public where part-time, on-call magistrates may serve currently. | | | | |
| | | H. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairmen of the House and Senate Courts of Justice Committees, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System. | | | | |
| | 30.10. | Judicial Holding Account (71800) ..... | | | $0 | $3,828,110 |
| | | Supplement to Employee Compensation (71801) ..... | $0 | $3,828,110 | | |
| | | Fund Sources: General ..... | $0 | $3,828,110 | | |
| | | A. Out of the amounts for the Judicial Department Holding Account shall be paid $1,790,793 the second year from the general fund to provide an additional 4.0 percent salary increase for judges of the Supreme Court of Virginia, Court of Appeals of Virginia, Circuit Courts, General District Courts, Juvenile and Domestic Relations District Courts, and Combined District Courts. Such nongeneral funds as are required to provide this increase for Commissioners of the State Corporation Commission and Commissioners of the Virginia Workers' Compensation Commission are hereby appropriated. When combined with the general salary increase authorized in Item 461 F of this act the total increase for these employees shall be 8.0 percent, effective November 25, 2007. | | | | |
| | | B. Out of the amounts for the Judicial Department Holding Account shall be paid $2,037,317 the second year from the general fund to provide an additional 4.0 percent salary increase for state employees of the Supreme Court of Virginia; the Office of the Executive Secretary of the Supreme Court, the Court of Appeals of Virginia; the clerks' offices of the General District Courts, Juvenile and Domestic Relations District Courts, and Combined District Courts; and Magistrates' offices. When combined with the general salary increase authorized in Item 461.F of this act the total increase for these employees shall be 8.0 percent, effective November 25, 2007. | | | | |
| | | Total for Supreme Court..... | | | **$30,610,402** | **~~$46,472,061~~** ***$62,939,061*** |
| | | General Fund Positions..... | 123.63 | 135.63 | | |
| | | Nongeneral Fund Positions..... | 1.00 | 1.00 | | |
| | | Position Level ..... | 124.63 | 136.63 | | |
| | | Fund Sources: General..... | $23,900,542 | ~~$37,006,171~~ *$51,933,171* | | |

| ITEM 30.10. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | Special | $6,332,125 | ~~$8,352,575~~ *$9,892,575* | | |
| | | Trust and Agency | $25,000 | $25,000 | | |
| | | Federal Trust | $352,735 | $1,088,315 | | |
| | | **Court of Appeals of Virginia (125)** | | | | |
| | 31. | Pre-Trial, Trial, and Appellate Processes (32100) | | | $7,096,364 | ~~$7,240,528~~ *$7,220,528* |
| | | Appellate Review (32101) | $7,091,364 | ~~$7,235,528~~ *$7,215,528* | | |
| | | Other Court Costs and Allowances (Criminal Fund) (32104) | $5,000 | $5,000 | | |
| | | Fund Sources: General | $7,096,364 | ~~$7,240,528~~ *$7,220,528* | | |
| | | Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia. | | | | |
| | | A. Out of the amounts for Appellate Review shall be paid: | | | | |
| | | 1. The annual salary of the Chief Judge, $144,248 from July 1, 2006, to November 24, 2006, $149,898 from November 25, 2006, to November 24, 2007, and $161,650 from November 25, 2007, to June 30, 2008. | | | | |
| | | 2. The annual salaries of the ten (10) judges, each at $141,248 from July 1, 2006, to November 24, 2006, $146,898 from November 25, 2006, to November 24, 2007, and $158,650 from November 25, 2007, to June 30, 2008. | | | | |
| | | 3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional $3,000 annually. | | | | |
| | | 4. To each judge, $6,500 the first year and $6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court. | | | | |
| | | B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2006, in the appropriation made in Item 31, Chapter 951, Acts of Assembly of 2005, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2007. | | | | |
| | | C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the Court. | | | | |
| | | Total for Court of Appeals of Virginia | | | **$7,096,364** | ~~**$7,240,528**~~ ***$7,220,528*** |
| | | General Fund Positions | 66.13 | 69.13 | | |
| | | Position Level | 66.13 | 69.13 | | |
| | | Fund Sources: General | $7,096,364 | ~~$7,240,528~~ *$7,220,528* | | |

| ITEM 32. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **Circuit Courts (113)** | | | | |
| 32. | Pre-Trial, Trial, and Appellate Processes (32100)..... | | | $87,678,958 | ~~$86,282,603~~ *$86,267,603* |
| | Trial Processes (32103) ..... | $36,480,433 | ~~$36,478,433~~ *$36,463,433* | | |
| | Other Court Costs and Allowances (Criminal Fund) (32104) ..... | $51,198,525 | $49,804,170 | | |
| | Fund Sources: General ..... | $87,378,958 | ~~$85,982,603~~ *$85,967,603* | | |
| | Special ..... | $300,000 | $300,000 | | |

Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.

A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid:

1. The annual salaries of Circuit Court judges, each at $138,028 from July 1, 2006, to November 24, 2006, $143,549 from November 25, 2006, to November 24, 2007, and $155,033 from November 25, 2007, to June 30, 2008. Such salaries shall represent the total compensation from all sources for Circuit Court judges.

2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding $1,500 a year for each judge.

3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2006, in the appropriation made in Item 32, Chapter 951, Acts of Assembly of 2005, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2007.

D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total $88,715,432 the first year and ~~$96,601,077~~ *$110,961,077* the second year in this item and Items 25, 31, 33, 34 and 35. Included within this appropriation is $1,300,000 ~~each~~

| ITEM 32. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | ~~year~~ *the first year and $1,300,000 the second year* from the general fund, which is intended to enable the court to fully fund the existing statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. | | | | |
| | 2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to the Criminal Fund will be allocated, consistent with statutory provisions in the Code of Virginia. It is the intent of the General Assembly that funds within these appropriations be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Furthermore, it is the intent of the General Assembly that, should this appropriation not be sufficient to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable. | | | | |
| | Total for Circuit Courts | | | **$87,678,958** | **~~$86,282,603~~** ***$86,267,603*** |
| | General Fund Positions | 164.00 | 164.00 | | |
| | Position Level | 164.00 | 164.00 | | |
| | Fund Sources: General | $87,378,958 | ~~$85,982,603~~ *$85,967,603* | | |
| | Special | $300,000 | $300,000 | | |
| | **General District Courts (114)** | | | | |
| 33. | Pre-Trial, Trial, and Appellate Processes (32100) | | | $83,798,982 | ~~$83,791,482~~ *$83,521,482* |
| | Trial Processes (32103) | $68,144,180 | ~~$68,136,680~~ *$67,866,680* | | |
| | Other Court Costs and Allowances (Criminal Fund) (32104) | $12,014,397 | $12,014,397 | | |
| | Involuntary Mental Commitments (32105) | $3,640,405 | $3,640,405 | | |
| | Fund Sources: General | $83,798,982 | ~~$83,791,482~~ *$83,521,482* | | |
| | Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.1-67.1 et seq., Code of Virginia. | | | | |
| | A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid: | | | | |
| | 1. The annual salaries of all General District Court judges, $124,233 from July 1, 2006, to November 24, 2006, $129,202 from November 25, 2006, to November 24, 2007, and $139,538 from November 25, 2006, to June 30, 2007. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities. | | | | |

| ITEM 33. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | 2. The salaries of substitute judges and court personnel. | | | | |
| | B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2006, in the appropriation made in Item 33, Chapter 951 Acts of Assembly of 2005, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2007. | | | | |
| | C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 33, 34, 35, and 300, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services. | | | | |
| | D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia. | | | | |
| | Total for General District Courts | | | **$83,798,982** | **~~$83,791,482~~** ***$83,521,482*** |
| | General Fund Positions | 1,018.10 | 1,018.10 | | |
| | Position Level | 1,018.10 | 1,018.10 | | |
| | Fund Sources: General | $83,798,982 | ~~$83,791,482~~ *$83,521,482* | | |
| | **Juvenile and Domestic Relations District Courts (115)** | | | | |
| 34. | Pre-Trial, Trial, and Appellate Processes (32100) | | | $66,330,279 | ~~$66,320,279~~ *$66,142,779* |
| | Trial Processes (32103) | $45,648,510 | ~~$45,638,510~~ *$45,461,010* | | |
| | Other Court Costs and Allowances (Criminal Fund) (32104) | $20,374,414 | $20,374,414 | | |
| | Involuntary Mental Commitments (32105) | $307,355 | $307,355 | | |
| | Fund Sources: General | $66,330,279 | ~~$66,320,279~~ *$66,142,779* | | |
| | Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.1-67.1 et seq., Code of Virginia. | | | | |
| | A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid: | | | | |
| | 1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, $124,233 from July 1, 2006, to November 24, 2006, $129,202 from November 25, 2006, to November 24, 2007, and $139,538 from November 25, 2007, to June 30, 2008. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for Juvenile and Domestic Relations District Court Judges. | | | | |
| | 2. The salaries of substitute judges and court personnel. | | | | |
| | B. There is hereby reappropriated the unexpended | | | | |

| ITEM 34. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | balances remaining at the close of business on June 30, 2006, in the appropriation made in Item 34, Chapter 951, Acts of Assembly of 2005, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2007. | | | | |
| | C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 33, 34, 35, and 300, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services. | | | | |
| | D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia. | | | | |
| | E. Notwithstanding any other provision of law, when a Guardian ad Litem is appointed for a child by the Commonwealth, the juvenile and domestic relations district court or the circuit court, as the case may be, shall order the parent, parents, adoptive parent or adoptive parents of the child, or another party with a legitimate interest therein who has filed a petition with the court to reimburse the Commonwealth the costs of such services in an amount not to exceed the amount awarded the Guardian ad Litem by the court. If the court determines such party is unable to pay, the required reimbursement may be reduced or eliminated. In addition, it is the intent of the General Assembly that the Supreme Court actively administer the Guardian ad Litem program to ensure that payments made to Guardians ad Litem do not exceed that which is required. The Executive Secretary of the Supreme Court shall report August 1 and January 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on the amounts paid for Guardian ad Litem purposes, amounts reimbursed by parents and/or guardians, savings achieved, and management actions taken to further enhance savings under this program. | | | | |
| | Total for Juvenile and Domestic Relations District Courts ..... | | | **$66,330,279** | **~~$66,320,279~~** ***$66,142,779*** |
| | General Fund Positions..... | 594.10 | 594.10 | | |
| | Position Level ..... | 594.10 | 594.10 | | |
| | Fund Sources: General..... | $66,330,279 | ~~$66,320,279~~ *$66,142,779* | | |
| | **Combined District Courts (116)** | | | | |
| 35. | Pre-Trial, Trial, and Appellate Processes (32100)..... | | | $18,448,785 | ~~$18,448,785~~ *$18,373,785* |
| | Trial Processes (32103) ..... | $11,531,161 | ~~$11,531,161~~ *$11,456,161* | | |
| | Other Court Costs and Allowances (Criminal Fund) (32104) ..... | $5,552,196 | $5,552,196 | | |
| | Involuntary Mental Commitments (32105)..... | $1,365,428 | $1,365,428 | | |

| ITEM 35. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | Fund Sources: General | $18,448,785 | ~~$18,448,785~~ *$18,373,785* | | |
| | Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 16.1-226 through 16.1-334, 19.2-163, and 37.1-67.1 et seq., Code of Virginia. | | | | |
| | A. Out of the amounts for Pre-Trial, Trial and Appellate Processes shall be paid the salaries of substitute judges and court personnel. | | | | |
| | B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2006, in the appropriation made in Item 35, Chapter 951, Acts of Assembly of 2005, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2007. | | | | |
| | C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 33, 34, 35, and 300, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services. | | | | |
| | D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia. | | | | |
| | Total for Combined District Courts | | | **$18,448,785** | ~~**$18,448,785**~~ ***$18,373,785*** |
| | General Fund Positions | 204.55 | 204.55 | | |
| | Position Level | 204.55 | 204.55 | | |
| | Fund Sources: General | $18,448,785 | ~~$18,448,785~~ *$18,373,785* | | |
| | **Magistrate System (103)** | | | | |
| 36. | Pre-Trial, Trial, and Appellate Processes (32100) | | | $20,955,406 | ~~$20,954,631~~ *$20,794,631* |
| | Pre-Trial Assistance (32102) | $20,955,406 | ~~$20,954,631~~ *$20,794,631* | | |
| | Fund Sources: General | $20,955,406 | ~~$20,954,631~~ *$20,794,631* | | |
| | Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia. | | | | |
| | Total for Magistrate System | | | **$20,955,406** | ~~**$20,954,631**~~ ***$20,794,631*** |
| | General Fund Positions | 400.20 | 400.20 | | |
| | Position Level | 400.20 | 400.20 | | |
| | Fund Sources: General | $20,955,406 | ~~$20,954,631~~ *$20,794,631* | | |
| | Grand Total for Supreme Court | | | **$314,919,176** | ~~**$329,510,369**~~ ***$345,259,869*** |

| ITEM 36. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | General Fund Positions | 2,570.71 | 2,585.71 | | |
| | Nongeneral Fund Positions | 1.00 | 1.00 | | |
| | Position Level | 2,571.71 | 2,586.71 | | |
| | Fund Sources: General | $307,909,316 | ~~$319,744,479~~ *$333,953,979* | | |
| | Special | $6,632,125 | ~~$8,652,575~~ *$10,192,575* | | |
| | Trust and Agency | $25,000 | $25,000 | | |
| | Federal Trust | $352,735 | $1,088,315 | | |
| 37. | Not set out. | | | | |
| | **§ 1-3. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)** | | | | |
| 38. | Adjudication Training, Education, and Standards (32600) | | | $519,064 | ~~$518,951~~ *$514,951* |
| | Judicial Standards (32602) | $519,064 | ~~$518,951~~ *$514,951* | | |
| | Fund Sources: General | $519,064 | ~~$518,951~~ *$514,951* | | |
| | Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia. | | | | |
| | Total for Judicial Inquiry and Review Commission | | | **$519,064** | ~~**$518,951**~~ ***$514,951*** |
| | General Fund Positions | 3.00 | 3.00 | | |
| | Position Level | 3.00 | 3.00 | | |
| | Fund Sources: General | $519,064 | ~~$518,951~~ *$514,951* | | |
| | **§ 1-4. INDIGENT DEFENSE COMMISSION (848)** | | | | |
| 39. | Legal Defense (32700) | | | $36,162,445 | ~~$39,857,664~~ *$39,657,664* |
| | Indigent Defense, Criminal (32701) | $36,162,445 | ~~$39,857,664~~ *$39,657,664* | | |
| | Fund Sources: General | $36,152,445 | ~~$39,847,664~~ *$39,647,664* | | |
| | Special | $10,000 | $10,000 | | |
| | Authority: §§ 19.2-163.1 through 19.2-163.8, Code of Virginia, as amended by Chapter 884 of the Acts of Assembly 2004. | | | | |
| | A. Out of the amounts provided for criminal indigent defense, $5,931,546 the first year and $5,931,546 the second year from the general fund is provided to establish four public defender offices in Arlington County (including the City of Falls Church) and the cities of Chesapeake, Hampton, and Newport News. The Indigent Defense Commission shall give priority in establishing these public defender offices first to the City of Newport News. | | | | |
| | B. Pursuant to § 19.2-163.01 (A) (9), Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the | | | | |

| ITEM 39. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | Commission. | | | | |
| | C. Out of the amounts in this Item, $1,609,686 from the general fund in the second year is provided for a 9 percent increase in the base salary for public defender office attorneys and a 24 percent increase in the base salary for Capital Defender office attorneys to attract and retain qualified counsel to represent indigent criminal litigants in the Commonwealth, and a nine percent increase in the base salary for administrative and support personnel, effective November 25, 2007, subject to the approval of a compensation plan by the Indigent Defense Commission. | | | | |
| | D. Out of the amounts in this Item, $200,000 from the general fund in the second year is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel. | | | | |
| | E. On or before June 30, 2007, the Director, Department of Planning and Budget shall unallot $3,000,000 from the balances in the Indigent Defense Commission, which shall revert to the general fund. | | | | |
| | Total for Indigent Defense Commission..... | | | **$36,162,445** | **~~$39,857,664~~** ***$39,657,664*** |
| | General Fund Positions..... | 514.00 | 540.00 | | |
| | Position Level ..... | 514.00 | 540.00 | | |
| | Fund Sources: General..... | $36,152,445 | ~~$39,847,664~~ *$39,647,664* | | |
| | Special..... | $10,000 | $10,000 | | |
| | **§ 1-5. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)** | | | | |
| 40. | Adjudicatory Research, Planning, and Coordination (32400) ..... | | | $976,528 | ~~$976,397~~ *$970,897* |
| | Adjudicatory Research and Planning (32403) ..... | $976,528 | ~~$976,397~~ *$970,897* | | |
| | Fund Sources: General..... | $906,528 | ~~$906,397~~ *$900,897* | | |
| | Special..... | $70,000 | $70,000 | | |
| | Authority: Title 17.1, Chapter 8, Code of Virginia. | | | | |
| | Total for Virginia Criminal Sentencing Commission..... | | | **$976,528** | **~~$976,397~~** ***$970,897*** |
| | General Fund Positions..... | 10.00 | 10.00 | | |
| | Position Level ..... | 10.00 | 10.00 | | |
| | Fund Sources: General..... | $906,528 | ~~$906,397~~ *$900,897* | | |
| | Special..... | $70,000 | $70,000 | | |
| 41. | Not set out. | | | | |
| 42. | Not set out. | | | | |

| ITEM 42. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | TOTAL FOR JUDICIAL DEPARTMENT | | | **$370,337,340** | ~~**$389,914,125**~~ ***$405,454,125*** |
| | General Fund Positions | 3,097.71 | 3,138.71 | | |
| | Nongeneral Fund Positions | 97.00 | 97.00 | | |
| | Position Level | 3,194.71 | 3,235.71 | | |
| | Fund Sources: General | $347,882,368 | ~~$363,537,506~~ *$377,537,506* | | |
| | Special | $11,522,840 | ~~$13,586,635~~ *$15,126,635* | | |
| | Trust and Agency | $25,000 | $25,000 | | |
| | Dedicated Special Revenue | $10,554,397 | $11,676,669 | | |
| | Federal Trust | $352,735 | $1,088,315 | | |

| ITEM 43. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **EXECUTIVE DEPARTMENT** | | | | |
| | **EXECUTIVE OFFICES** | | | | |
| 43. | Not set out. | | | | |
| 44. | Not set out. | | | | |
| 45. | Not set out. | | | | |
| 46. | Not set out. | | | | |
| 47. | Not set out. | | | | |
| | **§ 1-6. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)** | | | | |
| 48. | Not set out. | | | | |
| 49. | Not set out. | | | | |
| 50. | Not set out. | | | | |
| 51. | Not set out. | | | | |
| | **Division of Debt Collection (143)** | | | | |
| 52. | Collection Services (74000) | | | $1,665,104 | $1,663,972 |
| | State Collection Services (74001) | $1,665,104 | $1,663,972 | | |
| | Fund Sources: Special | $1,665,104 | $1,663,972 | | |
| | Authority: Title 2.2, Chapter 5, Code of Virginia. | | | | |
| | A. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4806 of the Code of Virginia, except as provided otherwise therein or in this act. | | | | |
| | ~~B.1. There is hereby created on the books of the Comptroller a special nonreverting fund known as the "Debt Collection Recovery Fund." The Division of Debt Collection shall deposit to the Fund all revenues generated by it, less any cost of recovery, from receivables collected on behalf of state agencies, pursuant to §§ 2.2-518 and 2.2-4806 of the Code of Virginia. This deposit provision shall also apply to state agencies for any direct payment received by an agency on an account that has been referred for collection to the Division of Debt Collection. Upon making a deposit into the Fund, the state agency shall report the deposit to the Division of Debt Collection.~~ | | | | |
| | ~~2. The Secretary of Finance may make full or partial exemptions from the required deposits to the Fund, as specified in B.1. above, upon his determination that such collections are more appropriately returned to the fund source in which such receivables are due. Any such exemptions shall be reported by the Secretary of Finance to the Division of Debt Collection and to the Chairmen of the Senate Finance and House Appropriations Committees within 30 days of such approval.~~ | | | | |

| ITEM 52. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| 3.a. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by it pursuant to paragraph B.1. to pay operating costs supported by the appropriation in this item. | | | | |
| b. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division may retain up to a $400,000 balance in its operating accounts. *Any amounts contained in the operating accounts that exceed $400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.*~~as required by paragraph B.5. of this item, the Division of Debt Collection shall transfer to the general fund all retained fees in excess of a $400,000 balance in its operating accounts after payment of all fiscal year operating costs.~~ | | | | |
| 4. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.3.b. if the Division of Debt Collection can show just cause. | | | | |
| ~~5. From the amounts collected for the Fund, 30 percent shall be returned to the state agency for which the claim was collected. Out of the balance in the Fund, the State Comptroller shall transfer up to $1,300,000 to the general fund on or before June 30, 2007, and up to $1,300,000 on or before June 30, 2008. Any amount in excess of the transfer which remains in the Debt Collection Recovery Fund each year after the transfer shall be returned on a pro rata basis to all state agencies having claims collected by the Division of Debt Collection during the course of the year, to the extent that such collections contributed to the balance in the Fund.~~ | | | | |
| C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than $15,000. | | | | |
| D. The Attorney General shall provide a report on the most cost-effective strategies for improving Virginia's collections of accounts receivable, including both general and nongeneral fund receivables. The Secretary of Finance shall provide assistance as necessary in the preparation of this report. Copies of this report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 16, 2006. | | | | |
| Total for Division of Debt Collection ..... | | | **$1,665,104** | **$1,663,972** |
| Nongeneral Fund Positions..... | 24.00 | 24.00 | | |
| Position Level ..... | 24.00 | 24.00 | | |
| Fund Sources: Special..... | $1,665,104 | $1,663,972 | | |
| Grand Total for Attorney General and Department of Law..... | | | **$32,697,436** | **$34,946,928** |

| | ITEM 52. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| 1 | | General Fund Positions | 241.50 | 243.50 | | |
| 2 | | Nongeneral Fund Positions | 96.50 | 96.50 | | |
| 3 | | Position Level | 338.00 | 340.00 | | |
| 4 | | Fund Sources: General | $21,045,183 | $21,465,807 | | |
| 5 | | Special | $7,920,739 | $7,849,607 | | |
| 6 | | Dedicated Special Revenue | $9,129 | $9,129 | | |
| 7 | | Federal Trust | $3,722,385 | $5,622,385 | | |
| 8 | 53. | Not set out. | | | | |
| 9 | 54. | Not set out. | | | | |
| 10 | 54.10. | Not set out. | | | | |
| 11 | 54.20. | Not set out. | | | | |
| 12 | 55. | Not set out. | | | | |
| 13 | | TOTAL FOR EXECUTIVE OFFICES | | | **$46,657,281** | **$48,883,395** |
| 14 | | General Fund Positions | 313.17 | 318.17 | | |
| 15 | | Nongeneral Fund Positions | 100.83 | 100.83 | | |
| 16 | | Position Level | 414.00 | 419.00 | | |
| 17 | | Fund Sources: General | $34,276,367 | $34,673,613 | | |
| 18 | | Special | $7,920,739 | $7,849,607 | | |
| 19 | | Commonwealth Transportation | $128,661 | $128,661 | | |
| 20 | | Dedicated Special Revenue | $9,129 | $9,129 | | |
| 21 | | Federal Trust | $4,322,385 | $6,222,385 | | |

| ITEM 56. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **OFFICE OF ADMINISTRATION** | | | | |
| 56. | Not set out. | | | | |
| 57. | Not set out. | | | | |
| 58. | Not set out. | | | | |
| | **§ 1-7. COMPENSATION BOARD (157)** | | | | |
| 59. | Financial Assistance for Sheriffs' Offices and Regional Jails (30700) | | | $368,548,949 | ~~$370,861,519~~ *$380,446,385* |
| | Financial Assistance for Regional Jail Operations (30710) | $84,614,456 | ~~$86,056,806~~ *$88,639,162* | | |
| | Financial Assistance for Local Law Enforcement (30712) | $82,888,388 | $83,303,798 | | |
| | Financial Assistance for Local Court Services (30713) | $41,722,183 | $41,966,007 | | |
| | Financial Assistance to Sheriffs (30716) | $11,367,350 | $11,376,360 | | |
| | Financial Assistance for Local Jail Operations (30718) | $147,956,572 | ~~$148,158,548~~ *$155,161,058* | | |
| | Fund Sources: General | $368,548,949 | ~~$370,861,519~~ *$380,446,385* | | |
| | Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia. | | | | |
| | A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible. | | | | |
| | 2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this Item and such sheriff shall receive as additional compensation the sum of one thousand dollars. | | | | |

| | July 1, 2006 to November 30, 2006 | December 1, 2006 to November 30, 2007 | December 1, 2007 to June 30, 2008 |
|---|---|---|---|
| **Law Enforcement and Jail Responsibility** | | | |
| Less than 10,000 | $59,910 | $62,306 | $64,798 |
| 10,000 to 19,999 | $68,861 | $71,615 | $74,480 |
| 20,000 to 39,999 | $75,672 | $78,699 | $81,847 |
| 40,000 to 69,999 | $82,252 | $85,542 | $88,964 |
| 70,000 to 99,999 | $91,391 | $95,047 | $98,849 |

| ITEM 59. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | 100,000 to 174,999 | $101,547 | $105,609 | $109,833 | |
| | 175,000 to 249,999 | $106,890 | $111,166 | $115,613 | |
| | 250,000 and Above | $118,766 | $123,517 | $128,458 | |
| | **Law Enforcement or Jail** | | | | |
| | Less than 10,000 | $58,711 | $61,059 | $63,501 | |
| | 10,000 to 19,999 | $67,483 | $70,182 | $72,989 | |
| | 20,000 to 39,999 | $74,158 | $77,124 | $80,209 | |
| | 40,000 to 69,999 | $80,607 | $83,831 | $87,184 | |
| | 70,000 to 99,999 | $89,563 | $93,146 | $96,872 | |
| | 100,000 to 174,999 | $99,514 | $103,495 | $107,635 | |
| | 175,000 to 249,999 | $104,753 | $108,943 | $113,301 | |
| | 250,000 and Above | $116,985 | $121,664 | $126,531 | |
| | **No Law Enforcement or Jail Responsibility** | | | | |
| | Less than 10,000 | $55,165 | $57,372 | $59,667 | |
| | 10,000 to 19,999 | $61,294 | $63,746 | $66,296 | |
| | 20,000 to 39,999 | $68,104 | $70,828 | $73,661 | |
| | 40,000 to 69,999 | $75,672 | $78,699 | $81,847 | |
| | 70,000 to 99,999 | $84,081 | $87,444 | $90,942 | |
| | 100,000 to 174,999 | $93,422 | $97,159 | $101,045 | |
| | 175,000 to 249,999 | $98,337 | $102,270 | $106,361 | |
| | 250,000 and Above | $110,453 | $114,871 | $119,466 | |

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. Notwithstanding the provisions of § 53.1-120, or any other section of the Code of Virginia, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered for civil cases, not more than one deputy may be ordered for criminal cases in a district court, and not more than two deputies may be ordered for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

| ITEM 59. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 66, the Board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the Board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding in accordance with the Board's staffing standards for alternatives to incarceration programs or court services within the sheriff's office or among other jails in the Commonwealth.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Master Deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meets the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 Master Deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the

| ITEM 59. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

election by the sheriff.

H. There is hereby reappropriated the unexpended balance in this Item on June 30, 2006, and June 30, 2007.

I. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the Board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 66 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local Sheriff's offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

J. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 59 and 60, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

K.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by Sheriffs as part of their annual budget request to the Compensation Board, the Board shall increase the annual salary shown in Paragraph A of this Item by the percentage shown below for a twelve-month period effective the following July 1:

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and have achieved accreditation from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association, or,

b. For sheriffs that have not achieved one of the above accreditations:

1. 3.1 percent for all sheriffs who certify their compliance with the established minimum criteria for

| ITEM 59. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | the Sheriffs' Career Development Program; and | | | | |
| | 2. 3.1 percent additional increase for sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and operate a jail; and | | | | |
| | 3. 3.1 percent additional increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and provide primary law enforcement services in the county. | | | | |
| | L. The Governor may include in his budget recommendations to the 2008 session of the General Assembly for FY 2008 funding for any additional cost incurred by the Compensation Board as a result of localities electing to provide enhanced retirement benefits to their deputy sheriffs and jail officers, as provided for in Senate Bill 1166, prior to the mandatory implementation date of July 1, 2008. | | | | |
| 60. | Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600) | | | $81,562,204 | ~~$70,734,695~~ *$82,589,327* |
| | Financial Assistance for Local Jail Per Diem (35601) | $55,636,678 | ~~$48,483,770~~ *$54,396,549* | | |
| | Financial Assistance for Regional Jail Per Diem (35604) | $25,925,526 | ~~$22,250,925~~ *$28,192,778* | | |
| | Fund Sources: General | $81,562,204 | ~~$70,734,695~~ *$82,589,327* | | |
| | Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia. | | | | |
| | A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2006, and June 1, 2007, may be reallocated among localities on a pro rata basis according to such deficiency. | | | | |
| | B. For the purposes of this Item, the following definitions shall be applicable: | | | | |
| | 1. Effective sentence—a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court. | | | | |
| | 2. Local responsible inmate—(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year. | | | | |
| | 3. State responsible inmate—any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive | | | | |

| ITEM 60. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

effective sentences for felonies, committed before January 1, 1995, is more than two years.

C. The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the Department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.

D. Out of this appropriation, an amount not to exceed $377,010 the first year and $377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.

E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:

1. For local responsible inmates—$8 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be $22 per inmate day.

2. For state responsible inmates:

a. Who are being held awaiting trial for additional felony charges—$8 per inmate day.

b. With all pending charges adjudicated:

i. $8 per inmate day—for up to sixty days following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

ii. $14 per inmate day—on and after the sixty-first day following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

iii. $14 per inmate day—on and after the ninety-first day following the date of final sentence, if the final court order was not mailed by certified letter or electronic transmission to the Department of Corrections within thirty days after the order being issued.

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|---|---|---|---|---|

c. Who remain incarcerated in a local correctional facility at the request of the locality—$8 per inmate day.

F. For the payment specified in paragraph E1 of this Item for prisoners in alternative punishment or alternative to incarceration programs:

1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.

2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.

G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this Item, the Compensation Board shall reimburse any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of $22 per day for local responsible inmates and $28 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.

2. Any locality covered by the provisions of this section shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the Board's opinion, the local sheriff fails to negotiate in good faith.

H.1. The Compensation Board shall recover the state-funded personnel costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.

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2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.

3. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

4. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H1.

5. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director of the Department of Corrections certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.

6. Any sheriff or regional jail administrator who houses contract prisoners from other states, the District of Columbia, or the federal government for more than 48 hours, shall provide a monthly report to the Director of the Department of Corrections, which shall include the classification of the level of security of each such contract inmate and the level of security of the housing unit in which such inmates are confined.

7. The Compensation Board shall apply the cost recovery methodology set out in paragraph H1 of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.

8. Any regional jail with a fiscal year 2004 Department of Corrections rated capacity between 175 and 185, which by resolution certifies to the Compensation Board that it has expanded its member jurisdictions by one or more, or has entered into agreements extending four or more years to house inmates from one or more jurisdictions, shall be exempt from 25 percent of any amounts that would otherwise be recovered under the provisions of paragraph H.1. of this item until June 30, 2008.

| ITEM 60. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| I.1. Local or regional jails receiving funds from the Compensation Board shall give priority to the housing of inmates in order of local-responsible, state-responsible, and state contract inmates. Within the limits of funds appropriated in this Item, local and regional jails shall enter into agreements with the Director, Department of Corrections, to house state-responsible offenders and effect transfers of convicted state felons between and among local and regional jails. | | | | |
| 2. Such agreements shall be entered into for a period of one year, subject only to the limitations of available funding, with a minimum percentage of bedspace guaranteed by the local or regional jail and shall take precedence over contracts for housing federal prisoners, within the limits of bedspace availability as defined pursuant to standards of the Board of Corrections, except in any case where a federal agency has contributed a share of the capital cost of the facility in return for a guarantee of a proportional number of beds. Bedspace pursuant to such agreements shall be determined by the Director, Department of Corrections, based upon state prisoner intake compliance, operational capacity of the jail, and current and projected prisoner population of the jail. | | | | |
| 3. Pursuant to such jail contract bed agreements, the Compensation Board is authorized to reimburse localities an amount not to exceed $14 per state felon day, which shall be in addition to any such amounts otherwise authorized by this act. Any such funds received by the localities as a result of this provision shall be used for the maintenance and operation of the local or regional facility. | | | | |
| J. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2006, and June 30, 2007. | | | | |
| K. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 59 and 60, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities. | | | | |
| L. Projected growth in per diem payments for the support of prisoners in local and regional jails shall be based on actual inmate population counts up through the first quarter of the affected fiscal year. | | | | |
| 61. Financial Assistance for Local Finance Directors (71700) | | | $5,861,539 | ~~$5,958,739~~ *$6,073,278* |
| Financial Assistance to Local Finance Directors (71701) | $526,257 | $526,257 | | |
| Financial Assistance for Operations of Local Finance Directors (71702) | $5,335,282 | ~~$5,432,482~~ *$5,547,021* | | |

| ITEM 61. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| Fund Sources: General | $5,861,539 | ~~$5,958,739~~ *$6,073,278* | | |

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of §15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

| | **July 1, 2006 to November 30, 2006** | **December 1, 2006 to November 30, 2007** | **December 1, 2007 to June 30, 2008** |
|---|---|---|---|
| Less than 10,000 | $53,943 | $56,101 | $58,345 |
| 10,000-19,999 | $59,939 | $62,337 | $64,830 |
| 20,000-39,999 | $66,599 | $69,263 | $72,034 |
| 40,000-69,999 | $73,997 | $76,957 | $80,035 |
| 70,000-99,999 | $82,220 | $85,509 | $88,929 |
| 100,000-174,999 | $91,354 | $95,008 | $98,808 |
| 175,000 to 249,999 | $96,164 | $100,011 | $104,011 |
| 250,000 and above | $109,277 | $113,648 | $118,194 |

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this item.

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2006, and June 30, 2007.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of §15.2-1636.17, Code of Virginia.

| ITEM 61. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | 2. The Compensation Board may increase the annual salary in paragraph A1 of this item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year. | | | | |
| 62. | Financial Assistance for Local Commissioners of the Revenue (77100) | | | $18,230,107 | ~~$18,410,707~~ *$19,036,197* |
| | Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101) | $8,223,616 | $8,223,616 | | |
| | Financial Assistance for Operations of Local Commissioners of the Revenue (77102) | $8,331,161 | ~~$8,530,487~~ *$9,155,977* | | |
| | Financial Assistance for State Tax Services by Commissioners of the Revenue (77103) | $1,675,330 | $1,656,604 | | |
| | Fund Sources: General | $18,230,107 | ~~$18,410,707~~ *$19,036,197* | | |
| | Authority: Title 15.2, Chapter 16, Article 6.1, Code of Virginia. | | | | |
| | A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia. | | | | |

| | **July 1, 2006 to November 30, 2006** | **December 1, 2006 to November 30, 2007** | **December 1, 2007 to June 30, 2008** |
|---|---|---|---|
| Less than 10,000 | $53,943 | $56,101 | $58,345 |
| 10,000-19,999 | $59,939 | $62,337 | $64,830 |
| 20,000-39,999 | $66,599 | $69,263 | $72,034 |
| 40,000-69,999 | $73,997 | $76,957 | $80,035 |
| 70,000-99,999 | $82,220 | $85,509 | $88,929 |
| 100,000-174,999 | $91,354 | $95,008 | $98,808 |
| 175,000 to 249,999 | ~~$94,164~~ *$96,164* | ~~$97,931~~ *$100,011* | ~~$101,848~~ *$104,011* |
| 250,000 and above | $109,277 | $113,648 | $118,194 |

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2006,

| ITEM 62. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

and June 30, 2007.

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the Commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by Commissioners of the Revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A of this item by the amount shown herein for a 12-month period effective the following July 1. The salary supplement shall be based upon the levels of service offered by the Commissioner of the Revenue for his/her locality and shall be in accordance with the following schedule:

a. 4.7 percent increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program;

b. 2.3 percent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax or Real Estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Program; and

c. 2.3 percent additional increase for all Commissioners of the Revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax and Real Estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Program.

D.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners' Career Development Program.

2. For each Deputy Commissioner selected by the Commissioner of the Revenue for participation in the Deputy Commissioners' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the Commissioner of the Revenue's certification that the minimum requirements of the Deputy Commissioners' Career Development Program have been met, and provided that such certification is submitted by the Commissioner of the Revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1st.

| ITEM 62. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| 63. Financial Assistance for Attorneys for the Commonwealth (77200) | | | $57,854,164 | ~~$62,130,515~~ *$63,938,421* |
| Financial Assistance to Attorneys for the Commonwealth (77201) | $13,665,383 | $13,665,383 | | |
| Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202) | $44,188,781 | ~~$48,465,132~~ *$50,273,038* | | |
| Fund Sources: General | $57,854,164 | ~~$62,130,515~~ *$63,938,421* | | |

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

| | July 1, 2006 to November 30, 2006 | December 1, 2006 to November 30, 2007 | December 1, 2007 to June 30, 2008 |
|---|---|---|---|
| Less than 10,000 | $47,805 | $49,717 | $51,706 |
| 10,000-19,999 | $53,123 | $55,248 | $57,458 |
| 20,000-34,999 | $58,434 | $60,771 | $63,202 |
| 35,000-44,999 | $105,178 | $109,385 | $113,760 |
| 45,000-99,999 | $116,862 | $121,536 | $126,397 |
| 100,000-249,999 | $121,245 | $126,095 | $131,139 |
| 250,000 and above | $125,631 | $130,656 | $135,882 |

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.

3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

| ITEM 63. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

D. The provisions of this act notwithstanding, no Commonwealth's Attorney, Public Defender or employee of a Public Defender shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the Circuit Court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the Board in Item 74 E of Chapters 912 and 924.

F. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2006, and June 30, 2007.

G. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's Attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for Clerks of the Courts and Commonwealth's Attorneys, the amount of unpaid fines and costs collected by this program.

H. Out of this appropriation, $389,165 the first year

| ITEM 63. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | and $389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's Attorney's Offices that shall be dedicated to prosecuting gang-related criminal activities. The Board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax). | | | | |
| | I. Included within this appropriation is $268,030 from the general fund the second year for the Career Prosecutor Program. | | | | |
| 64. | Not set out. | | | | |
| 65. | Financial Assistance for Local Treasurers (77400) ..... | | | $18,733,834 | ~~$18,945,522~~ *$19,554,259* |
| | Financial Assistance to Local Treasurers (77401)..... | $8,732,702 | $8,732,768 | | |
| | Financial Assistance for Operations of Local Treasurers (77402) ..... | $8,856,878 | ~~$9,082,792~~ *$9,691,529* | | |
| | Financial Assistance for State Tax Services by Local Treasurers (77403) ..... | $1,144,254 | $1,129,962 | | |
| | Fund Sources: General ..... | $18,733,834 | ~~$18,945,522~~ *$19,554,259* | | |
| | Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia. | | | | |
| | A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia. | | | | |

| | July 1, 2006 to November 30, 2006 | December 1, 2006 to November 30, 2007 | December 1, 2007 to June 30, 2008 |
|---|---|---|---|
| Less than 10,000 | $53,943 | $56,101 | $58,345 |
| 10,000 to 19,999 | $59,939 | $62,337 | $64,830 |
| 20,000-39,999 | $66,599 | $69,263 | $72,034 |
| 40,000-69,999 | $73,997 | $76,957 | $80,035 |
| 70,000-99,999 | $82,220 | $85,509 | $88,929 |
| 100,000-174,999 | $91,354 | $95,008 | |

| ITEM 65. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | | | | $98,808 | |
| | 175,000-249,999 | $96,164 | $100,011 | | | |
| | | | | | $104,011 | |
| | 250,000 and above | $109,277 | $113,648 | | | |
| | | | | | $118,194 | |

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year FY 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2006, and June 30, 2007.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A1 of this Item following receipt of the Treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by Treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.

D.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.

2. For each Deputy Treasurer selected by the Treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the Treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the Treasurer as part of the annual budget

| ITEM 65. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | request to the Compensation Board on or before February 1st of each year for an effective date of salary increase of the following July 1st. | | | | |
| 66. | Administrative and Support Services (79900)..... | | | $7,504,204 | ~~$7,459,491~~ *$7,507,491* |
| | General Management and Direction (79901)..... | $2,435,040 | ~~$2,434,327~~ *$2,482,327* | | |
| | Information Technology Services (79902)..... | $1,542,002 | $1,498,002 | | |
| | Training Services (79925) ..... | $172,422 | $172,422 | | |
| | Liability Insurance (79940) ..... | $3,354,740 | $3,354,740 | | |
| | Fund Sources: General..... | $7,504,204 | ~~$7,459,491~~ *$7,507,491* | | |
| | Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia. | | | | |
| | A.1. In determining the salary of any officer specified in Items 59, 61, 62, 63, 64, and 65 of this act, the Compensation Board shall use the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office. | | | | |
| | 2. In determining the salary of any officer specified in Items 59, 61, 62, 63, 64, and 65 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city. | | | | |
| | 3. Any officer whose salary is specified in Items 59, 61, 62, 63, 64, and 65 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified. | | | | |
| | B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels: | | | | |

| | FY 2007 | FY 2008 |
|---|---|---|
| Sheriffs | 9,981 | ~~10,056~~ *10,090* |
| Partially Funded: Jail Medical, Treatment, and Classification and Records Positions | 725 | 725 |
| Commissioners of the Revenue | 828 | 846 |
| Treasurers | 841 | 861 |
| Directors of Finance | 374 | 383 |
| Commonwealth's Attorneys | 1,158 | 1,266 |

| ITEM 66. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| Clerks of the Circuit Court | | 1,124 | 1,144 | | |
| TOTAL | | 15,031 | ~~15,281~~ 15,315 | | |

2. The Compensation Board is authorized to provide funding for 549 temporary positions the first year and 549 temporary positions the second year.

3. The Board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002 shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 f 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System.

2. The rate specified in paragraph D 1 shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph D 1 shall be borne by the employer.

E. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

F. Any new positions established in Item 66 of this act shall be allocated by the Compensation Board upon

| ITEM 66. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 59 of this act.

G. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

H. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the Board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

I. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Administration certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 384 of this act.

J. Out of this appropriation $118,110 the first year and $118,110 the second year from the general fund is designated for executive management, lawful employment practices, and new deputy and jail management training for constitutional officers, their employees, and regional jail superintendents.

K. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.

L.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of

| ITEM 66. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.

2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.

3. If any sheriff, superintendent, county administrator or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the Chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

M. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 59, 62, 63, 64, and 65 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph F of this Item, any positions in the constitutional offices of the former city which are available for reallocation as a result of the transition shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county, as provided in § 15.2-1302, Code of Virginia.

N. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

O. The Compensation Board is hereby authorized to deduct, from the first reimbursements made each year to localities out of the amounts in Items 61, 62 and 65 of this act, an amount equal to each locality's share of the insurance premium paid by the Compensation Board on behalf of the offices of the Commissioner of Revenue and the Treasurer.

| ITEM 66. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | P. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld. | | | | |
| | Q. There is hereby reappropriated the unexpended balance remaining in the Liability Insurance service area on June 30, 2006, and June 30, 2007. | | | | |
| | R. Included in this appropriation is $260,000 the first year and $216,000 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Community Policing Institute to implement an interface between the Statewide Automated Victim Notification (SAVIN) system and the Virginia Sex Offender Registry. | | | | |
| | *S. Notwithstanding the provisions of Items 59 H, 60 J, 61 B, 62 B, 63 F, 64 D, and 65 B, $4,680,432 of the unexpended general fund balances remaining in programs 307, 356, 717, 771, 772, 773, and 774 as of June 30, 2007, shall not be reappropriated.* | | | | |
| | Total for Compensation Board | | | **$608,281,150** | **~~$604,953,893~~** ***$629,598,063*** |
| | General Fund Positions | 25.00 | 25.00 | | |
| | Nongeneral Fund Positions | 1.00 | 1.00 | | |
| | Position Level | 26.00 | 26.00 | | |
| | Fund Sources: General | $596,553,024 | ~~$593,225,767~~ *$617,869,937* | | |
| | Trust and Agency | $11,728,126 | $11,728,126 | | |
| 67. | Not set out. | | | | |
| 68. | Not set out. | | | | |
| | **§ 1-8. DEPARTMENT OF GENERAL SERVICES (194)** | | | | |
| 69. | Not set out. | | | | |
| 70. | Not set out. | | | | |
| 71. | Not set out. | | | | |
| 72. | Not set out. | | | | |
| 73. | Physical Plant Management Services (74100) | | | $4,860,800 | ~~$4,855,937~~ *$4,990,937* |
| | Parking Facilities Management (74105) | $2,823,357 | $2,823,357 | | |
| | Statewide Building Management (74106) | $1,167,506 | ~~$1,118,205~~ | | |

| ITEM 73. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| | | *$1,253,205* | | |
| Statewide Engineering and Architectural Services (74107) | $457,107 | $457,107 | | |
| Seat of Government Mail Services (74108) | $412,830 | $457,268 | | |
| Fund Sources: General | $1,520,927 | ~~$1,546,138~~ *$1,681,138* | | |
| Special | $3,339,873 | $3,309,799 | | |
| Internal Service | a sum sufficient | | | |

Authority: Title 2.2, Chapter 11, Articles 4 and 6; § 58.1-3403, Code of Virginia.

A.1. Statewide Building Management ~~is~~ *includes* an internal service fund. The amounts for this service area shall be paid solely from revenues derived for services. The estimated cost is $6,416,705 the first year and $6,642,169 the second year.

2. Also in Statewide Building Management is an internal service fund supported from revenues derived from rental charges assessed to occupants for seat-of-government buildings controlled, maintained and operated by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department. The estimated cost for this service area is $23,868,566 the first year and $24,596,035 the second year for facilities at the seat of government, and a sum sufficient for maintenance and operation of such other state-owned facilities as the Governor or department may direct, as otherwise provided by law.

3. Further, out of the estimated cost for this service area, amounts estimated at $1,562,000 the first year and $1,562,000 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for the sum sufficient, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

| | **FY 2007** | **FY 2008** |
|---|---|---|
| Department of Alcoholic Beverage Control | $53,119 | $53,119 |
| Department of Game and Inland Fisheries | $15,068 | $15,068 |
| Department of Military Affairs | $17,306 | $17,306 |
| Department of Motor Vehicles | $158,722 | $158,722 |
| Department of State Police | $333 | $333 |
| Department of Taxation | $23,364 | $23,364 |
| Department of Transportation | $199,439 | $199,439 |
| Department for the Blind and Vision Impaired | $3,739 | $3,739 |
| State Corporation Commission | $96,798 | $96,798 |
| Virginia Employment Commission | $52,886 | $52,886 |
| Virginia Museum of Fine Arts | $158,513 | $158,513 |
| Virginia Retirement System | $38,438 | $37,438 |
| **TOTAL** | **$816,725** | **$816,725** |

B.1. Statewide Engineering and Architectural Services include an internal service fund to support the Bureau of Capital Outlay Management. This internal service fund shall consist of the fees imposed upon state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects. The estimated total amount to be collected by this fund is a sum sufficient

| ITEM 73. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| estimated at $2,500,412 in the first year and $2,500,412 in the second year. | | | | |
| 2. Under the internal service fund, the Department of General Services shall review 85 percent of all capital outlay projects within 14 calendar days, 95 percent within 21 calendar days, and 100 percent within 28 days of submission. The Department of General Services also shall work with its client agencies and institutions to develop estimated budgetary standards for the hours and associated costs of review that will be required for different project types. | | | | |
| 3. In administering this internal service fund, the Department of General Services may dedicate a full-time position to conduct fire and life safety code reviews for any institution of higher education that generates a high volume of capital outlay projects on a routine basis. This dedicated reviewer shall report to the Director of the Bureau of Capital Outlay Management but may be located at the institution of higher education. The cost of the dedicated reviewer shall be borne by the higher education institution. | | | | |
| C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall be added to the fund as earned. | | | | |
| D. Included in this Item is $330,231 the first year and $311,004 the second year from the general fund to maintain and oversee the Facility Inventory Condition and Assessment system. The general fund dollars are to be supplemented by fees assessed to state agencies and institutions of higher education. The Department of General Services, in conjunction with the Department of Planning and Budget, shall develop guidelines for these fees. | | | | |
| E. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound processing location or locations, and the enhancement of mail security capabilities within these location(s). | | | | |
| *F. This Item includes $135,000 the second year from the general fund to be used for the site work of the Civil Rights Memorial statue to be located on Capitol Square.* | | | | |
| 74. Not set out. | | | | |
| 75. Not set out. | | | | |
| 76. Not set out. | | | | |
| Total for Department of General Services..... | | | **$45,272,657** | **~~$58,978,335~~** ***$59,113,335*** |

| ITEM 76. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | General Fund Positions | 250.70 | 249.50 | | |
| | | Nongeneral Fund Positions | 404.30 | 405.50 | | |
| | | Position Level | 655.00 | 655.00 | | |
| | | Fund Sources: General | $23,435,893 | ~~$23,071,698~~ | | |
| | | | | *$23,206,698* | | |
| | | Special | $3,874,969 | $4,236,394 | | |
| | | Enterprise | $9,469,593 | $23,178,041 | | |
| | | Federal Trust | $8,492,202 | $8,492,202 | | |
| 77. | | Not set out. | | | | |
| 78. | | Not set out. | | | | |
| 79. | | Not set out. | | | | |
| 80. | | Not set out. | | | | |
| 81. | | Not set out. | | | | |
| 82. | | Not set out. | | | | |
| 83. | | Not set out. | | | | |
| 84. | | Not set out. | | | | |
| 84.10. | | Not set out. | | | | |
| 85. | | Not set out. | | | | |
| 86. | | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF ADMINISTRATION | | | **$853,484,771** | ~~**$883,992,463**~~ |
| | | | | | | ***$908,771,633*** |
| | | General Fund Positions | 435.70 | 434.50 | | |
| | | Nongeneral Fund Positions | 476.30 | 477.50 | | |
| | | Position Level | 912.00 | 912.00 | | |
| | | Fund Sources: General | $649,029,856 | ~~$645,386,540~~ | | |
| | | | | *$670,165,710* | | |
| | | Special | $7,232,699 | $7,671,828 | | |
| | | Commonwealth Transportation | $1,382,070 | $1,385,501 | | |
| | | Enterprise | $174,469,593 | $188,178,041 | | |
| | | Trust and Agency | $12,852,543 | $32,852,543 | | |
| | | Federal Trust | $8,518,010 | $8,518,010 | | |

| ITEM 87. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **OFFICE OF AGRICULTURE AND FORESTRY** | | | | |
| 87. | Not set out. | | | | |
| | **§ 1-9. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)** | | | | |
| 88. | Nutritional Services (45700) | | | $2,028,993 | $2,028,993 |
| | Distribution of USDA Donated Food (45708) | $2,028,993 | $2,028,993 | | |
| | Fund Sources: General | $294,296 | $294,296 | | |
| | Federal Trust | $1,734,697 | $1,734,697 | | |
| | Authority: Title 3.1, Chapter 26, Code of Virginia. | | | | |
| 89. | Not set out. | | | | |
| 90. | Not set out. | | | | |
| 91. | Not set out. | | | | |
| 92. | Not set out. | | | | |
| 93. | Not set out. | | | | |
| 94. | Not set out. | | | | |
| 95. | Not set out. | | | | |
| 96. | Not set out. | | | | |
| 97. | Not set out. | | | | |
| | **Total for Department of Agriculture and Consumer Services** | | | **$52,627,158** | **$52,598,336** |
| | General Fund Positions | 339.49 | 342.49 | | |
| | Nongeneral Fund Positions | 168.51 | 167.51 | | |
| | Position Level | 508.00 | 510.00 | | |
| | Fund Sources: General | $27,703,277 | $27,621,580 | | |
| | Special | $5,230,810 | $5,283,685 | | |
| | Trust and Agency | $5,215,488 | $5,215,488 | | |
| | Dedicated Special Revenue | $8,072,888 | $8,072,888 | | |
| | Federal Trust | $6,404,695 | $6,404,695 | | |
| | **§ 1-10. DEPARTMENT OF FORESTRY (411)** | | | | |
| 98. | Forest Management (50100) | | | $28,536,534 | $28,509,088 |
| | Reforestation Incentives to Private Forest Land Owners (50102) | $2,557,156 | $2,673,987 | | |
| | Forest Conservation, Wildfire & Watershed Services (50103) | $22,320,454 | $22,176,177 | | |
| | Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104) | $3,358,924 | $3,358,924 | | |
| | Financial Assistance for Forest Land Management (50105) | $300,000 | $300,000 | | |
| | Fund Sources: General | $18,301,714 | $18,274,268 | | |
| | Special | $8,041,675 | $8,041,675 | | |
| | Dedicated Special Revenue | $15,000 | $15,000 | | |
| | Federal Trust | $2,178,145 | $2,178,145 | | |
| | Authority: Title 10.1, Chapter 11, and Title 58.1, | | | | |

| ITEM 98. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| Chapter 32, Article 4, Code of Virginia. | | | | |
| A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations. | | | | |
| B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 462 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget. | | | | |
| C. This appropriation includes annual membership dues to the Southeast Interstate Forest Fire Protection Compact, $1,000 the first year and $1,000 the second year, from nongeneral funds. | | | | |
| D. The Department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the Department may charge an administrative fee for this service. | | | | |
| E. The Department of Forestry, in cooperation with the Department of Corrections, shall increase the use of inmate labor for routine and special work projects in state forests. | | | | |
| F. The Department shall report by December 15 of each year on the progress of implementing the silvicultural water quality laws in Virginia. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees. | | | | |
| G. The appropriation in Reforestation Incentives to Private Forest Land Owners include $1,100,493 the first year and $1,217,324 the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia. | | | | |
| H. Out of this appropriation, $579,629 the first year and $579,629 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program. | | | | |
| Total for Department of Forestry..... | | | **$28,536,534** | **$28,509,088** |
| General Fund Positions..... | 218.77 | 218.77 | | |
| Nongeneral Fund Positions..... | 104.61 | 104.61 | | |
| Position Level ..... | 323.38 | 323.38 | | |
| Fund Sources: General..... | $18,301,714 | $18,274,268 | | |
| Special..... | $8,041,675 | $8,041,675 | | |

| ITEM 98. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | Dedicated Special Revenue | $15,000 | $15,000 | | |
| | Federal Trust | $2,178,145 | $2,178,145 | | |
| 99. | Not set out. | | | | |
| | TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY | | | **$86,558,523** | **$82,002,454** |
| | General Fund Positions | 561.26 | 564.26 | | |
| | Nongeneral Fund Positions | 273.12 | 272.12 | | |
| | Position Level | 834.38 | 836.38 | | |
| | Fund Sources: General | $50,909,488 | $46,300,544 | | |
| | Special | $13,272,485 | $13,325,360 | | |
| | Trust and Agency | $5,215,488 | $5,215,488 | | |
| | Dedicated Special Revenue | $8,578,222 | $8,578,222 | | |
| | Federal Trust | $8,582,840 | $8,582,840 | | |

| ITEM 100. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **OFFICE OF COMMERCE AND TRADE** | | | | |
| 100. | Not set out. | | | | |
| 101. | Not set out. | | | | |
| | **§ 1-11. DEPARTMENT OF BUSINESS ASSISTANCE (325)** | | | | |
| 102. | Economic Development Services (53400) | | | $16,014,728 | $12,695,160 |
| | Workforce Services Jobs Investment Program (53403) | $10,524,484 | $8,524,484 | | |
| | Business Formation Services (53418) | $320,704 | $320,704 | | |
| | Administrative Services (53422) | $1,720,698 | $1,720,698 | | |
| | Financial Services for Economic Development (53423) | $2,590,696 | $1,340,696 | | |
| | Existing Business Services (53424) | $858,146 | $788,578 | | |
| | Fund Sources: General | $14,823,366 | $11,503,798 | | |
| | Special | $350,253 | $350,253 | | |
| | Dedicated Special Revenue | $841,109 | $841,109 | | |
| | Authority: Title 2.2, Chapter 9; Chapter 22, Article 7; and Chapter 24, Article 7, Code of Virginia. | | | | |
| | A. The Virginia Small Business Financing Authority is authorized to withdraw revenues of up to $50,000 the first year and $50,000 the second year from the accrued interest balances of the Virginia Small Business Growth Fund in order to cover the costs of administering the Virginia Capital Access Program. | | | | |
| | B.1. Out of the amounts for Economic Development Services shall be provided $148,700 the first year and $148,700 the second year from the general fund to the Virginia-Israel Advisory Board. | | | | |
| | 2. The Virginia-Israel Advisory Board shall report by January 15 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the Board's activities and expenditure of state funds. | | | | |
| | C. Any monies remaining in the Workforce Service Jobs Investment Program at the end of fiscal years 2007 and 2008 shall not revert to the general fund of the state treasury but shall be deposited to the Workforce Retraining Fund and be available for allocation in the ensuing fiscal years. | | | | |
| | D. To meet changing financing needs of small businesses, the Executive Director of the Virginia Small Business Financing Authority with the approval of the Director of the Department of Business Assistance may transfer moneys between funds managed by the Authority. These include the Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund (§ 2.2-2309, Code of Virginia); and the Insurance or Guarantee Fund (§ 2.2-2290, Code of Virginia). The Executive Director of the Virginia Small Business Financing Authority shall report, by fund, the transfers made by January 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees. | | | | |
| | E. Out of the amounts provided in this item, $1,250,000 in the first year shall be used to support the | | | | |

| ITEM 102. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | programs managed by the Virginia Small Business Financing Authority. These include the Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund (§ 2.2-2309, Code of Virginia); Capital Access Fund for Disadvantaged Businesses (§ 2.2-2311, Code of Virginia) and the Insurance or Guarantee Fund (§ 2.2-2290, Code of Virginia). | | | | |
| | Total for Department of Business Assistance..... | | | **$16,014,728** | **$12,695,160** |
| | General Fund Positions..... | 40.00 | 43.00 | | |
| | Nongeneral Fund Positions..... | 7.00 | 7.00 | | |
| | Position Level ..... | 47.00 | 50.00 | | |
| | Fund Sources: General..... | $14,823,366 | $11,503,798 | | |
| | Special..... | $350,253 | $350,253 | | |
| | Dedicated Special Revenue..... | $841,109 | $841,109 | | |
| | **§ 1-12. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)** | | | | |
| 103. | Housing Assistance Services (45800)..... | | | $47,705,638 | ~~$44,825,638~~ *$45,075,638* |
| | Housing Assistance (45801)..... | $27,231,406 | ~~$24,351,406~~ *$24,601,406* | | |
| | Homeless Assistance (45804)..... | $17,474,232 | $17,474,232 | | |
| | Financial Assistance for Housing Services (45805)..... | $3,000,000 | $3,000,000 | | |
| | Fund Sources: General..... | $11,750,343 | ~~$8,870,343~~ *$9,120,343* | | |
| | Special..... | $341,162 | $341,162 | | |
| | Dedicated Special Revenue..... | $100,000 | $100,000 | | |
| | Federal Trust..... | $35,514,133 | $35,514,133 | | |
| | Authority: Title 36, Chapters 1.4, 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia. | | | | |
| | A. The amounts for Housing Assistance Services include $3,265,120 from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from the federal trust fund the first year and $3,265,120 from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from the federal trust fund the second year to support emergency shelters and housing for populations with special needs, and $4,500,000 the first year and $4,500,000 the second year from the general fund for homeless prevention. The amounts allocated for emergency shelters shall be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended at the close of business on June 30, 2007, and June 30, 2008 shall not revert to the general fund, but shall be carried forward and reappropriated. | | | | |
| | B. The amounts for Housing Assistance Services include $15,800,000 from federal funds the first year and $15,800,000 from federal funds the second year to support Virginia affordable housing programs and the Indoor Plumbing Program. | | | | |
| | C. Out of the amounts in this Item shall be provided $500,000 the first year and $500,000 the second year from the general fund for a child service coordinator | | | | |

| ITEM 103. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | referral system in domestic violence and homeless shelters serving minor children. | | | | |
| | | D. The Department shall report to the Chairmen of the Senate Finance, the House Appropriations Committees, and the Director, Department of Planning and Budget by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, and (iv) homeless intervention programs supported by state funding on a locality and statewide basis. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the Department shall consult with localities and community-based groups. | | | | |
| | | *E. Out of the amounts for this Item $250,000 in the second year shall be provided from the general fund to support foreclosure counseling services across the Commonwealth. Of this amount, up to $150,000 will be used to provide training and technical assistance to counselors specializing in foreclosure prevention, loss mitigation and consumer rights under existing mortgage lending laws and regulations. Remaining funding will be used to provide grants to nonprofit organizations to support new or expanded foreclosure prevention counseling services targeted to areas and populations at greatest risk. Any balances for the purposes specified in this paragraph which are unexpended at the close of business on June 30, 2008, shall not revert to the general fund, but shall be carried forward and be reappropriated.* | | | | |
| | 104. | Community Development Services (53300) ..... | | | $42,233,099 | $42,244,099 |
| | | Community Development and Revitalization (53301)..... | $5,319,003 | $5,319,003 | | |
| | | Financial Assistance for Regional Cooperation (53303)... | $3,188,758 | $3,194,758 | | |
| | | Financial Assistance for Community Development (53305) ..... | $33,725,338 | $33,730,338 | | |
| | | Fund Sources: General ..... | $16,910,973 | $16,921,973 | | |
| | | Special ..... | $152,012 | $152,012 | | |
| | | Federal Trust ..... | $25,170,114 | $25,170,114 | | |
| | | Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia. | | | | |
| | | A. This appropriation includes annual membership dues to the Appalachian Regional Commission, $265,000 the first year and $271,000 the second year, from the general fund. These dues are payable from the amounts for Community Development and Revitalization. | | | | |
| | | B.1. Out of the amounts provided to the Department shall be provided $2,880,000 the first year and $4,480,000 the second year from the general fund for the Indoor Plumbing Program. In addition, an annual allocation of federal dollars will be made available to this program dependent upon the level of federal support each year. Any unexpended balance in this program at the close of business on June 30, 2007, and | | | | |

| ITEM 104. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

June 30, 2008, shall not revert to the general fund, but shall be carried forward and reappropriated.

2. The Department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.

3. The Department of Housing and Community Development shall prepare a report on the Indoor Plumbing Program. As part of the report, the Department shall identify the need for indoor plumbing program services by planning district commission; strategies for leveraging state dollars with resources from other public agencies, nonprofit organizations, and the private sector; options to reduce the costs to rehabilitate housing; and alternatives other than rehabilitation of existing structures. The Department shall submit the report to the Chairmen of the Senate Finance and House Appropriations Committees by December 1, 2007.

C. Out of the amounts for Community Development Services shall be paid from the general fund in four equal quarterly installments each year:

1. To the Lenowisco Planning District Commission, $128,610 the first year and $128,610 the second year, which includes $38,610 the first year and $38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

2. To the Cumberland Plateau Planning District Commission, $132,390 the first year and $132,390 the second year, which includes $42,390 the first year and $42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

3. To the Mount Rogers Planning District Commission, $90,000 the first year and $90,000 the second year.

4. To the New River Valley Planning District Commission, $90,000 the first year and $90,000 the second year.

5. To the Roanoke Valley-Alleghany Regional Commission, $90,000 the first year and $90,000 the second year.

6. To the Central Shenandoah Planning District Commission, $90,000 the first year and $90,000 the second year.

7. To the Northern Shenandoah Valley Regional Commission, $90,000 the first year and $90,000 the second year.

8. To the Northern Virginia Regional Commission,

| ITEM 104. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| $303,499 the first year and $303,499 the second year. | | | | |
| 9. To the Rappahannock-Rapidan Regional Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 10. To the Thomas Jefferson Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 11. To the Region 2000 Regional Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 12. To the West Piedmont Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 13. To the Southside Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 14. To the Piedmont Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 15. To the Richmond Regional Planning District Commission, $165,277 the first year and $165,277 the second year. | | | | |
| 16. To the RADCO Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 17. To the Northern Neck Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 18. To the Middle Peninsula Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 19. To the Crater Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 20. To the Accomack-Northampton Planning District Commission, $90,000 the first year and $90,000 the second year. | | | | |
| 21. To the Hampton Roads Planning District Commission $293,995 the first year, and $293,995 the second year. | | | | |
| D. Out of the amounts provided to the Department shall be provided $2,463,112 the first year and $1,563,112 the second year from the general fund for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The Department shall disburse the total payment each year in twelve equal monthly installments. Of these amounts, at least $900,000 the first year shall be used for indoor plumbing rehabilitation. | | | | |
| E. Any remaining balances in the Virginia Enterprise Initiative shall not revert to the general fund, but shall be carried forward and reappropriated. | | | | |

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F. Any unexpended balance in the Industrial Site Development Fund at the close of business on June 30, 2007, and June 30, 2008, shall not revert to the general fund, but shall be carried forward and reappropriated.

G.1. Out of the amounts in this Item shall be provided $100,000 the first year and $100,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the Center.

2. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing rural economic development problems. Any unexpended balance for the Center for Rural Virginia at the close of business on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward and reappropriated.

H. The amount appropriated in Item 111, paragraph J of Chapter 951 of the Acts of Assembly of 2005 to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts shall be leveraged with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the Item for this purpose on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted.

I.1. Out of the amounts for Community Development Services shall be provided $200,000 the first year and $200,000 the second year from the general fund to support a community development financial institution to provide business and housing loans in distressed communities and to distressed populations.

2. The Director, Department of Housing and Community Development, and another appointee of the Governor shall serve as members of the board of directors of the community development financial institution.

J. Out of the amounts for Community Development Services shall be provided $100,000 the first year and $100,000 the second year from the general fund to support increased access to New Market tax credits, a federal program designed to stimulate private investment in distressed communities. The Department of Housing and Community Development will provide targeted assistance to organizations pursuing credit allocations; to communities that have eligible development activities; and to businesses and developers of community development projects for the purpose of increasing the number of Virginia organizations receiving allocations from the federal

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government and the projects in distressed communities that are able to use tax credits as part of their financing packages.

K. Any unexpended balances on June 30, 2006, June 30, 2007 and June 30, 2008 from the amount appropriated in Item 112.10, paragraph D of Chapter 951 of the Acts of Assembly of 2005 for two regional consortium grants to support specifically identified current and future workforce training needs of existing businesses in distressed regions of the state shall not revert to the general fund but shall be carried forward and reappropriated.

L. Any unexpended balances on June 30, 2006, June 30, 2007, and June 30, 2008 from amounts appropriated in Item 112.10, paragraph F and Item 506, paragraph V of Chapter 951 of the Acts of Assembly of 2005 to develop regional artisan centers shall not revert to the general fund but shall be carried forward and reappropriated.

M. Out of the amounts for Community Development Services shall be provided $75,000 the first year and $75,000 the second year from the general fund to support The Crooked Road: Virginia's Heritage Music Trail.

N. Out of the amounts for Community Development Services shall be provided $660,000 the first year and $1,160,000 the second year from the general fund to support the creation of industry-focused regional research and development centers. Funds shall be used to provide grants to two communities, which may include but are not limited to Hopewell and Lynchburg, which will partner with a higher education institution in the development of the regional research and development centers. These centers will support existing industry clusters by providing research on product and process development and enhancements. The Department shall submit a report to the Chairmen of the Senate Finance and House Appropriations Committees by December 31, 2007, on the benefits and costs of the two regional research and development centers, including but not limited to the number of jobs created or retained by participating industries, investments made by participating institutions of higher education, and number of joint higher education-private sector projects.

O.1. Out of the amounts for Community Development Services shall be provided $3,700,000 the first year and $500,000 the second year from the general fund for efforts to expand rural access to broadband technology. Of this amount, $3,000,000 the first year shall be used to fund the costs for engineering and permitting related to expansion of a broadband network to the Eastern Shore and other rural Tidewater areas in the Northern Neck and Middle Peninsula; $500,000 in each year shall be used to fund feasibility studies of best last-mile solutions for other rural areas; and $200,000 the first year shall be used to support the extension of broadband infrastructure from the Crossroads Institute in the City of Galax to business and customer locations

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in Carroll and Grayson Counties, the City of Galax, and the Town of Independence. It is the intent of the General Assembly that the Crossroads Institute and the Virginia Employment Commission enter into a Memorandum of Understanding regarding the location of a local Virginia Employment Commission office in the Crossroads Institute facility. The Department of Housing and Community Development shall develop appropriate criteria and guidelines for the use of the funding provided in this paragraph. Such criteria and guidelines shall include requirements for local matches and shall give a high priority to localities with fiscal stress greater than the statewide average and localities where there are no available commercial providers. Of the total funding provided, the department is authorized to use up to $25,000 the first year and $25,000 the second year for administrative expenses related to this initiative.

2. Out of the amounts provided to fund feasibility studies of best last-mile solutions for rural areas, $100,000 the first year shall be made available to study broadband telecommunication services in the region covering Planning District #7, Planning District #6, Planning District #10, and the Counties of Orange, Madison, and Culpeper. The results of the study shall be submitted to the Secretary of Commerce and Trade and to the Chairmen of the Senate Finance and House Appropriations Committees.

P. Out of the amounts for Community Development Services shall be provided $500,000 the first year from the general fund to the City of Petersburg for the Appomattox River Dredging Project.

Q. Out of the amounts for Community Development Services shall be provided $125,000 the first year from the general fund to the Southside Planning District Commission as a $1.00 for $1.00 match for contributions from local or private sources, or from the Tobacco Indemnification Commission, for the acquisition of a facility to house the offices of the planning district commission.

R. $250,000 in the first year from the general fund shall be provided for the Commonwealth Regional Council for regional planning and economic development efforts.

S. Out of the appropriation for this item, $2,400,000 the first year and $2,400,000 the second year from the general fund shall be provided to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts. The Department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the item for this purpose on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted.

T. Out of the appropriation for Community Development Services shall be included $17,000,000

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| | the first year transferred from the Water Quality Improvement Fund to be provided as grants to communities located outside the Chesapeake Bay watershed for: 1) the construction of mandated water quality improvement facilities at publicly owned treatment works for projects that would otherwise result in a financial hardship for the residential users of the facilities; 2) the design and construction of managed on-site community wastewater treatment systems in isolated areas that cannot be addressed through active treatment facilities; and 3) planning grants to develop regional or county wide wastewater treatment strategies in areas that have not previously completed planning and engineering studies. Priority will be given to the elimination of straight piping of household wastewater into the Commonwealth's waterways. The Department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the Item for this purpose on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted. | | | | |
| | *The Department of Housing and Community Development is authorized to act as fiscal agent for the Fort Monroe Federal Area Development Authority (FMFADA) created pursuant to § 15.2-6304.1, Code of Virginia, Chapters 707 and 740 of the Acts of Assembly of 2007). As fiscal agent, the department is authorized to conduct payroll, fiscal, procurement, and any other business activities requested by the Board of Commissioners for the FMFADA that are necessary to support the administration of the FMFADA. When acting in its capacity as fiscal agent for the FMFADA, the department shall have discretion regarding the transactions it performs on behalf of the FMFADA. Further, the department may employ staff on behalf of the FMFADA as requested by the Board of Commissioners for the FMFADA. Any such employees shall be placed in restricted positions and shall serve at the pleasure of the Board of Commissioners for the FMFADA.* | | | | |
| 105. | Not set out. | | | | |
| 106. | Not set out. | | | | |
| 107. | Not set out. | | | | |
| 108. | Not set out. | | | | |
| | Total for Department of Housing and Community Development..... | | | **$115,108,082** | **~~$111,072,318~~** ***$111,322,318*** |
| | General Fund Positions..... | 113.50 | ~~114.50~~ *118.50* | | |
| | Nongeneral Fund Positions..... | 22.50 | 22.50 | | |
| | Position Level ..... | 136.00 | ~~137.00~~ *141.00* | | |
| | Fund Sources: General..... | $50,535,545 | ~~$46,529,781~~ *$46,779,781* | | |

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| | Special | $3,349,028 | $3,319,028 | | |
| | Dedicated Special Revenue | $400,000 | $400,000 | | |
| | Federal Trust | $60,823,509 | $60,823,509 | | |
| | **§ 1-13. DEPARTMENT OF LABOR AND INDUSTRY (181)** | | | | |
| 109. | Not set out. | | | | |
| 110. | Not set out. | | | | |
| 111. | Regulation of Individual Safety (55500) | | | $8,338,617 | ~~$8,923,390~~ *$9,161,135* |
| | Virginia Occupational Safety and Health Services (55501) | $8,013,317 | ~~$8,598,090~~ *$8,835,835* | | |
| | Asbestos and Lead Safety Services (55502) | $325,300 | $325,300 | | |
| | Fund Sources: General | $2,996,592 | ~~$3,582,265~~ *$3,820,010* | | |
| | Special | $440,224 | $440,224 | | |
| | Federal Trust | $4,901,801 | $4,900,901 | | |
| | Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia. | | | | |
| | Notwithstanding § 40.1-49.4 D, Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to $116,000 in civil penalties assessed pursuant to § 40.1-49.4 as the required federal grant match for the voluntary compliance program. | | | | |
| 112. | Not set out. | | | | |
| 113. | Not set out. | | | | |
| | Total for Department of Labor and Industry | | | **$13,385,773** | ~~**$13,964,468**~~ ***$14,202,213*** |
| | General Fund Positions | 114.04 | 114.04 | | |
| | Nongeneral Fund Positions | 68.96 | 68.96 | | |
| | Position Level | 183.00 | 183.00 | | |
| | Fund Sources: General | $7,422,611 | ~~$8,002,206~~ *$8,239,951* | | |
| | Special | $1,061,361 | $1,061,361 | | |
| | Federal Trust | $4,901,801 | $4,900,901 | | |
| 114. | Not set out. | | | | |
| 115. | Not set out. | | | | |
| 116. | Not set out. | | | | |
| 117. | Not set out. | | | | |
| 118. | Not set out. | | | | |
| | **§ 1-14. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)** | | | | |
| 119. | Economic Development Services (53400) | | | $18,562,701 | $16,962,701 |
| | Financial Assistance for Economic Development (53410) | $100,000 | $100,000 | | |
| | Economic Development Services (53412) | $18,462,701 | $16,862,701 | | |

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| Fund Sources: General | $18,562,701 | $16,962,701 | | |

Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of Virginia.

A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.

B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all Partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

C. In developing the criteria for any pay for performance plan, the Board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically located in more than one contiguous locality, the highest Fiscal Stress Index of the participating localities will be used.

D.1. The Virginia Economic Development Partnership shall report before the General Assembly convenes in January of each year on the status of the implementation of the state's comprehensive economic development strategy, and shall recommend legislative actions related to the implementation of the comprehensive economic development strategy. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, and shall include the number of site visits made by employees of the Virginia Economic Development Partnership with potential economic development prospects.

2. The Virginia Economic Development Partnership shall identify and target industries suited for location in the southside and southwest regions of the state.

E. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly

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installments. The Director of the Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

F. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2008, or until the Authority is able to provide such services.

G. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairmen of the Senate Finance and House Appropriations Committees on the Governor's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the Fund, total grants awarded, cash balances, and balances available for future commitments.

H. The Virginia Coalfield Economic Development Authority is authorized to spend funds provided by Chapters 91 and 1066 of the Acts of Assembly of 2000, which extended the coalfield employment enhancement tax credit, for workforce development and training.

I. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.

J. The amounts for Economic Development Services include $500,000 the first year and $500,000 the second year from the general fund to market distressed areas of the Commonwealth.

K. Out of the amounts for Economic Development Services shall be provided $100,000 the first year and $100,000 the second year from the general fund to the Virginia Commercial Space Flight Authority.

L. Out of the amounts for Economic Development Services shall be provided $215,000 the first year and $215,000 the second year from the general fund to assist small manufacturers with the export of advanced manufacturing products.

M. Out of the amounts for Economic Development Services shall be provided $125,000 the first year and $125,000 the second year from the general fund to attract motor sports-related businesses to Virginia.

N. Out of the amounts for Economic Development Services shall be provided $125,000 the first year and $125,000 the second year from the general fund to market the Commonwealth's modeling and simulation industry.

O. Out of the amounts for Economic Development Services shall be transferred to the Pulaski County

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Industrial Development Authority $1,000,000 the first year from the general fund in satisfaction of the Commonwealth's commitment, by Memorandum of Agreement dated August 25, 2003, to fund construction and development costs for the New River Valley Center of Excellence for worker training and retraining. Such funding shall not be provided until such time as Volvo Trucks North America, Inc., conveys the property on which the Center shall be sited to the Pulaski County Industrial Development Authority and the parties enter into an agreement stipulating the financial plan, provision of maintenance, utilities and other services, and develops, in conjunction with New River Valley Community College, a curriculum of courses to be offered at the Center for the benefit of the surrounding community.

P.1. Out of the amounts for Economic Development Services shall be provided $510,000 the first year and $510,000 the second year from the general fund for operations of the Virginia National Defense Industrial Authority.

2. Employees of the Authority shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.

Q. The Virginia Economic Development Partnership is authorized to provide support as it deems appropriate to Virginia businesses seeking to develop public-private relationships with foreign governmental entities, such as Virginia's sister province of Gyeong-gi in the Republic of Korea, if such relationships will result in an economic benefit for the Commonwealth, including increased foreign investments, tourism and academic exchange.

R. It is the intent of the General Assembly to fulfill the commitment made to the Virginia Advanced Shipbuilding and Carrier Integration Center to support the Center's operating costs, as stipulated in § 2.2-2444, Code of Virginia.

S. The Virginia Economic Development Partnership shall conduct a review of past economic arrangements made by the Commonwealth with Virginia-headquartered insurance companies. The objective of the review is to evaluate whether any arrangements made in such agreements have accomplished their intended purposes. The review may include recommendations to the chairmen of the House Appropriations and Senate Finance Committees for additional steps the Commonwealth may take to further the economic development goals underlying those arrangements. All other agencies, boards and commissions of the Commonwealth are requested to provide technical assistance, as required, to the Partnership in this review. The review shall be completed and submitted to the chairmen of the House

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| | | Appropriations and Senate Finance Committees, or their designees from their respective committees, by December 1, 2007. | | | | |
| | | Total for Virginia Economic Development Partnership.... | | | **$18,562,701** | **$16,962,701** |
| | | Fund Sources: General..... | $18,562,701 | $16,962,701 | | |
| | 120. | Not set out. | | | | |
| | 121. | Not set out. | | | | |
| | 122. | Not set out. | | | | |
| | 123. | Not set out. | | | | |
| | 124. | Not set out. | | | | |
| | | **§ 1-15. VIRGINIA TOURISM AUTHORITY (320)** | | | | |
| | 125. | Tourist Promotion (53600)..... | | | $16,805,049 | $15,740,260 |
| | | Financial Assistance for Tourist Promotion (53606)..... | $675,000 | $525,000 | | |
| | | Tourist Promotion Services (53607)..... | $16,130,049 | $15,215,260 | | |
| | | Fund Sources: General..... | $16,805,049 | $15,740,260 | | |
| | | Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia. | | | | |
| | | A.1. The Department of Transportation shall pay to the Virginia Tourism Authority $1,100,000 each year for continued operation of the Welcome Centers. The Department of Transportation shall fund maintenance at each facility based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation. Included in the amounts in this paragraph is $100,000 each year for maintenance of the Danville Welcome Center. This appropriation shall be subject to the following conditions: conveyance by the City of Danville to the Commonwealth of sufficient real estate to encompass the Danville Center State 29 Welcome Center near the intersection of the Route 29 and Route 58 bypasses, three miles from the North Carolina border, together with ingress and egress, by deed in a form satisfactory to the Attorney General; and execution of a Memorandum of Agreement between the Virginia Tourism Corporation and the City of Danville whereby the Virginia Tourism Corporation contracts with vendors to offset expenses in the Center's operation and to provide maintenance and security at the Center. | | | | |
| | | 2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the Welcome Centers. | | | | |
| | | B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation. | | | | |
| | | C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairmen of the | | | | |

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House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director of the Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all Authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director of the Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

E. Out of the amounts for Tourist Promotion shall be provided $100,000 the first year and $100,000 the second year from the general fund to the Virginia Foundation for the Humanities and Public Policy to develop African-American heritage trails in Virginia programs. Funds may be used to support research positions and to develop such programs, as well as to promote and market the programs.

F. Out of the amounts for Tourist Promotion shall be provided $225,000 the first year and $225,000 the second year from the general fund for the Tredegar National Civil War Center, a national comprehensive museum and education center in the City of Richmond.

G. Out of the amounts for Tourist Promotion shall be provided $2,500,000 the first year and $1,250,000 the second year from the general fund to advertise and market the Jamestown 2007 commemoration and for a partnership leveraging program.

H. Out of the amounts for Tourist Promotion shall be provided $25,000 the first year and $100,000 the second year from the general fund to support the activities of the Coalfield Regional Tourism Authority.

I. Out of the amounts provided for Tourist Promotion, $250,000 the first year and $250,000 the second year from the general fund shall be provided to "See Virginia First," a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism. The Virginia Association of Broadcasters shall provide a total of at least $750,000 in advertising value to promote tourism in Virginia in each fiscal year.

J. Out of the amounts provided for Tourist Promotion, $110,000 the first year and $110,000 the second year from the general fund shall be provided to support the "See Virginia First" cooperative advertising program operated by the Outdoor Advertising Association of Virginia. The Outdoor Advertising Association of Virginia shall provide a total of at least $330,000 in

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advertising value to promote tourism in Virginia in each fiscal year.

K. Out of the amounts for Tourist Promotion shall be provided $1,700,000 the first year and $1,700,000 the second year from the general fund to promote the Virginia tourism industries. These funds shall be used, among other purposes, to initiate strategies to expand growth tourism industries such as Virginia history tours, wine and epicurean tours and other packaged travel itineraries.

L. Out of the amounts for Tourist Promotion shall be provided $425,000 the first year and $425,000 the second year from the general fund for grants to regional and local tourism authorities and other tourism entities to support their efforts.

M. Out of the amounts for Tourist Promotion shall be provided $500,000 from the general fund in the first year for film promotion activities. These funds shall be used for history-themed theatrical or television productions that are intended to increase awareness about Virginia's significant role in the country's history. These productions will bring increased awareness to history and other topics and serve as a way to increase visitation to related tourism sites. To be eligible for funding, a production company shall film in Virginia and utilize Virginia labor, goods and services.

N. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.

O. The Virginia Tourism Authority shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Appropriations Committees by November 30, 2006, on the location, staffing, programming, capital, maintenance and operating cost requirements and standards for the Commonwealth to include public, nonstate owned and operated visitor centers in the state's network of Welcome Centers.

P. The Virginia Tourism Authority is authorized to accept on behalf of the Commonwealth the conveyance, by deed in a form satisfactory to the Attorney General, of the Potomac Gateway Welcome Center located at 3540 James Madison Parkway in King George County.

A Memorandum of Agreement shall be executed to delineate the responsibilities of each party with regard to the operation and maintenance of the Center. To assist in the transition of the Center to ownership by the Commonwealth $80,000 from the general fund the first year and $337,135 the second year shall be provided to cover the Center's operating costs.

Q. Out of the amounts for Tourist Promotion shall be provided $50,000 the first year from the general fund to conduct a marketing and promotions study of opportunities to expand tourism in the New River Valley region. The Virginia Tourism Authority shall contract with qualified organizations in the region to undertake this analysis.

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| | R. Out of the amounts for this Item, $153,183 the second year from the general fund shall be appropriated to support the operations of the Danville Welcome Center. | | | | |
| | Total for Virginia Tourism Authority | | | **$16,805,049** | **$15,740,260** |
| | Fund Sources: General | $16,805,049 | $15,740,260 | | |
| | TOTAL FOR OFFICE OF COMMERCE AND TRADE | | | **$846,550,266** | ~~**$849,615,862**~~ ***$850,103,607*** |
| | General Fund Positions | 444.16 | ~~448.16~~ *452.16* | | |
| | Nongeneral Fund Positions | 1,374.34 | 1,406.34 | | |
| | Position Level | 1,818.50 | ~~1,854.50~~ *1,858.50* | | |
| | Fund Sources: General | $121,985,357 | ~~$111,445,079~~ *$111,932,824* | | |
| | Special | $16,117,569 | $21,387,569 | | |
| | Trust and Agency | $612,386,467 | $619,268,601 | | |
| | Dedicated Special Revenue | $17,768,570 | $19,223,210 | | |
| | Federal Trust | $78,292,303 | $78,291,403 | | |

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| | **OFFICE OF EDUCATION** | | | | |
| 126. | Not set out. | | | | |
| | **§ 1-16. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)** | | | | |
| 127. | Instructional Services (18100) | | | $28,849,843 | $28,979,965 |
| | Public Education Instructional Services (18101) | $20,977,326 | $21,046,243 | | |
| | Program Administration and Assistance for Instructional Services (18102) | $6,211,453 | $6,211,453 | | |
| | Compliance and Monitoring of Instructional Services (18103) | $13,500 | $13,500 | | |
| | Adult Education and Literacy (18104) | $1,647,564 | $1,708,769 | | |
| | Fund Sources: General | $6,232,024 | $6,362,146 | | |
| | Special | $1,464,565 | $1,464,565 | | |
| | Commonwealth Transportation | $226,983 | $226,983 | | |
| | Trust and Agency | $3,869 | $3,869 | | |
| | Federal Trust | $20,922,402 | $20,922,402 | | |
| | Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code. | | | | |
| | Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code. | | | | |
| | Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code. | | | | |
| | Adult Education and Literacy: §§ 2.2-2670, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code. | | | | |
| | A. The Superintendent of Public Instruction is encouraged to implement school/community team training. | | | | |
| | B. The appropriation for Public Education Instructional Services includes $20,000 the first year and $20,000 the second year from the general fund to provide technical assistance to localities in developing a comprehensive, coordinated, quality preschool program for serving at-risk four-year-old children. | | | | |
| | C. Out of the amounts for Public Education Instructional Services, $296,000 the first year and $296,000 the second year from the general fund is provided for the Virginia VIEWS Program. | | | | |
| | D. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices. | | | | |
| | E. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school | | | | |

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| | | resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce. | | | | |
| | | F. Notwithstanding § 4-1.05 b 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards. | | | | |
| | | G. Out of this appropriation, $469,071 the first year and ~~$469,071~~ *$189,000* the second year from the general fund is designated to support the state's portion of the contract for the turnaround specialist credential program. Included in the amount for Item 135 of this act is $613,439 the first year and $613,439 the second year from the general fund for salary incentives for 10 principals each year for a period of three years. | | | | |
| | | H. In the event that existing funds are not available, additional nongeneral funds do not become available, and/or the contracts are not re-negotiated to lower amounts, the Department of Education is authorized to transfer up to $150,890 the first year and $150,890 the second year from the general fund appropriation for Item 135 in C. 23. a. to this Item for the contract with the University of Virginia Partnership for Leaders in Education - The Darden School Foundation for the turnaround specialists program. | | | | |
| | | I. Out of this appropriation, $356,512 the first year and $356,512 the second year from the general fund is designated for administrative and contractual services for the support of Project Graduation. | | | | |
| | 128. | Not set out. | | | | |
| | 129. | Not set out. | | | | |
| | 130. | Not set out. | | | | |
| | 131. | Not set out. | | | | |
| | 132. | Teacher Licensure and Education (56600) ..... | | | $10,472,740 | ~~$10,828,615~~ *$11,232,740* |
| | | Teacher Licensure and Certification (56601) ..... | $2,495,846 | ~~$5,095,846~~ *$5,499,971* | | |
| | | Teacher Education and Assistance (56602) ..... | $7,976,894 | $5,732,769 | | |
| | | Fund Sources: General ..... | $3,394,583 | ~~$3,750,458~~ *$4,154,583* | | |
| | | Special ..... | $2,647,440 | $2,647,440 | | |
| | | Federal Trust ..... | $4,430,717 | $4,430,717 | | |
| | | Authority: Teacher Licensure and Certification: §§ 22-1.16, 22.1-298, 22.1-299, 299.2, 22.1-299.3, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code. | | | | |
| | | Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, 23-9.2:3.4, Code of Virginia; P. L. 108-446 | | | | |

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and P. L. 107-110, Federal Code.

A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.

B. This appropriation includes $558,000 the first year and $708,000 the second year from the general fund for the Virginia Teaching Scholarship Loan Program. These scholarships shall be for undergraduate students at or beyond the sophomore year in college with a cumulative grade point average of at least 2.7 who are nominated by their college and students at the graduate level, who are nominated by their college and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for (i) critical teacher shortage disciplines, such as special education, chemistry, physics, earth and space science, foreign languages, or technology education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia, who have been identified by a local school board to teach in any discipline or at any grade level in which the school board has determined that a shortage of teachers exists; however, such persons shall meet the qualifications for awards granted pursuant to this item. Minority students may be enrolled in any content area for teacher preparation and male students may be enrolled in any approved elementary or middle school teacher preparation program; therefore, this provision shall satisfy the requirements for the Diversity in Teaching Initiative and Fund, pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of Assembly of 2000. Scholarship recipients may fulfill the teaching obligation by accepting a teaching position (i) in one of the critical teacher shortage disciplines; or (ii) regardless of teaching discipline, in a school with a high concentration of students eligible for free or reduced price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or (iv) in a rural or urban region of the state with a teacher shortage. For the purposes of this item, "critical teacher shortage area and discipline" means subject areas and grade levels identified by the Board of Education in which the demand for classroom teachers exceeds the supply of teachers, as defined in the Board of Education’s Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on $3,720 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Board of Education is authorized to recover total funds awarded as scholarships or the appropriate proportion thereof in the event that scholarship recipients fail to honor the stipulated teaching obligation. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.

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| | C. The Board of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation. Any funds collected by the Board on behalf of this program shall revert to the general fund on June 30 each year. Such reversion shall be the net of any administrative or legal fees associated with the collection of these funds. | | | | |
| | D. This appropriation includes $75,000 the first year and $75,000 the second year from the general fund for incentive grants for Virginia teachers seeking certification from the National Board for Professional Teaching Standards. | | | | |
| | E. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification from the National Board of Professional Teaching Standards. Such bonuses shall be $5,000 the first year of the certificate and $2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at $2,325,000 the first year and ~~$2,530,875~~ *$2,935,000* the second year from the general fund for the purpose of paying these bonuses. By September 30 of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year who hold such certification. | | | | |
| | F. This appropriation includes $240,392 the first year and $240,392 the second year from the general fund to establish an alternative licensure program as prescribed by the Board of Education. | | | | |
| 133. | Not set out. | | | | |
| | Total for Department of Education, Central Office Operations | | | **$122,137,818** | **~~$121,882,358~~ *$122,286,483*** |
| | General Fund Positions | 168.50 | 170.50 | | |
| | Nongeneral Fund Positions | 168.50 | 168.50 | | |
| | Position Level | 337.00 | 339.00 | | |
| | Fund Sources: General | $60,398,693 | ~~$60,143,233~~ *$60,547,358* | | |
| | Special | $5,696,598 | $5,696,598 | | |
| | Commonwealth Transportation | $226,983 | $226,983 | | |
| | Trust and Agency | $279,663 | $279,663 | | |
| | Federal Trust | $55,535,881 | $55,535,881 | | |
| | **Direct Aid to Public Education (197)** | | | | |
| 134. | Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300) | | | $2,747,750 | $3,097,750 |
| | Financial Assistance for Supplemental Education (14304) | $2,747,750 | $3,097,750 | | |
| | Fund Sources: General | $2,747,750 | $3,097,750 | | |
| | Authority: Discretionary Inclusion. | | | | |

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A. Out of this appropriation, the Department of Education shall provide $400,000 the first year and $500,000 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B.1. Out of this appropriation, the Department of Education shall provide $800,000 the first year and $900,000 the second year from the general fund for Project Discovery. These funds are to fund approximately one-half of the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery.

2. The Board of Education shall determine the Project Discovery funding distributions to each community action agency. The contract with Project Discovery, Inc. should specify the allocations to each local Project Discovery program. Allocations shall be on a per pupil basis for students enrolled in the program.

C. Out of this appropriation, the Board of Education shall provide $200,000 the first year and $200,000 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional $97,750 the first year and $97,750 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

D. This appropriation includes $100,000 the first year and ~~$100,000~~*$95,000* the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

E. This appropriation includes $50,000 the first year and ~~$50,000~~*$47,500* the second year from the general fund for the Virginia Career Education Foundation.

F. An additional state payment of $200,000 the first year and $200,000 the second year from the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division.

G. This appropriation includes $500,000 the first year from the general fund for the Communities in Schools program, contingent upon securing the matching funds from private sources.

H. Out of this appropriation, $400,000 in the first year

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| | and $400,000 in the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions. | | | | |
| | I. Out of this appropriation, the Board of Education shall provide $200,000 the second year from the general fund for the planning of a new Regional Career and Vocational Education Center located within the Middle Peninsula area. The funding will be allocated provided that a complete and comprehensive plan has been submitted to the Department of Education by July 1, 2007. The comprehensive plan shall include, but not be limited to, written commitments from participating school divisions, businesses and other community partners that will be involved in the regional center's development and sustained operation or student enrollments; an annual operating budget that should include financial commitments from participating school divisions, businesses and other community groups; potential course offerings and curriculum guidelines that will complement the surrounding school divisions' and community colleges' curriculums; short and long range goals; and objectives and mission statement of the Regional Center. | | | | |
| | J. Out of this appropriation, a one-time allocation of $300,000 in the second year from the general fund shall be made to the Norfolk City school division for an alternative education program entitled Project WORD, Winning Options in Responding to Discipline, that focuses on improvements in student learning. The school division shall develop an initial report that includes, but is not limited to, specific goals and student performance measures that will be used in the final report to evaluate the effectiveness of this initiative. The initial report shall be completed and submitted to the State Board of Education prior to September 1, 2007. Furthermore, the school division shall complete and submit a final report, based on the initiative's goals and performance measures, to the State Board of Education within three months after the end of the 2008 school year that reflect outcomes for the academic improvements and successes of those students who participated in the initiative. | | | | |
| | K. Out of this appropriation, a one-time allocation of $150,000 in the second year from the general fund shall be distributed among Portsmouth, Richmond City, Stafford, Spotsylvania, and Virginia Beach school divisions for supplemental payments of $12,500 for each of a total of twelve mathematic specialists placed among these divisions. | | | | |
| 135. | State Education Assistance Programs (17800) ..... | | | $5,830,057,587 | ~~$6,011,955,738~~ *$5,956,267,859* |
| | Standards of Quality for Public Education (SOQ) (17801) ..... | $4,803,332,919 | ~~$4,919,295,671~~ *$4,866,706,706* | | |
| | Financial Incentive Programs for Public Education (17802) ..... | $444,041,127 | ~~$521,440,887~~ *$518,942,249* | | |

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| Financial Assistance for Categorical Programs (17803) ... | $133,283,539 | ~~$138,319,179~~ *$137,718,903* | | |
| Financial Assistance for School Facilities (17804) ..... | $449,400,002 | $432,900,001 | | |
| Fund Sources: General ..... | $5,648,342,433 | ~~$5,828,945,021~~ *$5,764,451,547* | | |
| Special ..... | $795,000 | $795,000 | | |
| Commonwealth Transportation ..... | $2,173,000 | $2,173,000 | | |
| Trust and Agency ..... | $178,747,154 | ~~$180,042,717~~ *$188,848,312* | | |

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through 22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-101, 22.1-108, 22.1-199 through 22.1-212.2:3, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.

Financial Assistance for School Facilities (17804): §§ 58.1-638, 58.1-638.1, and 58.1-4022, Code of Virginia.

| **Appropriation Detail of Education Assistance Programs** | **FY 2007** | **FY 2008** |
|---|---|---|
| **Standards of Quality** | | |
| Basic Aid | $2,702,563,632 | ~~$2,710,926,572~~ *$2,665,894,951* |
| Sales Tax | $1,142,665,205 | ~~$1,202,199,660~~ *$1,148,200,000* |
| Textbooks | $67,209,948 | ~~$67,589,092~~ *$67,067,996* |
| Vocational Education | $60,565,473 | ~~$60,918,007~~ *$60,373,892* |
| Gifted Education | $27,695,127 | ~~$27,870,812~~ *$27,659,745* |
| Special Education | $338,071,611 | ~~$339,871,667~~ *$337,224,764* |
| Prevention, Intervention, and Remediation | $41,990,207 | ~~$41,945,067~~ *$41,408,081* |
| VRS Retirement | $200,481,386 | ~~$238,706,431~~ *$236,887,786* |

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| Social Security | $158,293,119 | | ~~$159,303,341~~ *$158,090,300* | |
| Group Life | $9,323,037 | | ~~$8,340,580~~ *$8,276,845* | |
| English as a Second Language | $30,450,004 | | ~~$36,452,224~~ *$34,379,635* | |
| Remedial Summer School | $24,024,170 | | ~~$25,172,218~~ *$24,656,939* | |
| **Total** | **$4,803,332,919** | | ~~**$4,919,295,671**~~ ***$4,810,120,934*** | |
| **Incentive Programs** | | | | |
| Alternative Education | $6,220,518 | | ~~$6,766,309~~ *$6,765,069* | |
| At-Risk | $62,972,357 | | ~~$60,300,562~~ *$59,736,445* | |
| Virginia Preschool Initiative | $46,213,471 | | ~~$53,090,536~~ *$50,004,004* | |
| Compensation Supplements | $74,533,205 | | ~~$192,224,391~~ *$192,833,048* | |
| Early Reading Intervention | $10,172,555 | | ~~$14,339,348~~ *$15,215,328* | |
| Enrollment Loss | $13,959,227 | | ~~$10,090,789~~ *$16,128,705* | |
| Governor's School | $11,612,622 | | ~~$12,282,713~~ *$11,689,910* | |
| ISAEP | $2,247,581 | | $2,247,581 | |
| Clinical Faculty & Mentor Teacher | $1,475,000 | | $1,475,000 | |
| No Child Left Behind/Education for a Lifetime | $7,463,405 | | ~~$7,853,362~~ *$6,081,445* | |
| K-3 Class Size Reduction | $83,008,564 | | ~~$84,550,640~~ *$84,472,086* | |
| Project Graduation | $2,774,478 | | $2,774,478 | |
| School Breakfast | $1,060,971 | | ~~$1,060,971~~ *$1,398,251* | |
| SOL Algebra Readiness | $8,223,918 | | ~~$8,230,832~~ *$8,003,378* | |
| Special Education - Inservice | $600,000 | | $600,000 | |
| Special Education - Regional Tuition | $56,769,978 | | ~~$62,862,390~~ *$58,840,141* | |
| Special Education - Voc Ed | $200,089 | | $200,089 | |
| Supplemental Basic Aid | $519,497 | | ~~$490,966~~ *$477,366* | |
| Hold Harmless Sales Tax | $54,013,691 | | $0 | |
| **Total** | **$444,041,127** | | ~~**$521,440,957**~~ ***$518,942,324*** | |
| **Categorical Programs** | | | | |
| Adult Education | $1,051,800 | | $1,051,800 | |
| Adult Literacy | $2,655,000 | | ~~$2,655,000~~ *$2,652,500* | |
| Electronic Classroom | $2,256,908 | | $2,256,908 | |
| Foster Care | $11,109,888 | | $12,197,112 | |
| American Indian Treaty Commitment | $53,805 | | $53,805 | |
| School Lunch | $5,801,932 | | $5,801,932 | |
| Special Education - Homebound | $4,876,833 | | ~~$5,700,053~~ *$5,227,112* | |
| Special Education - Jails | $2,868,499 | | $2,954,553 | |
| Special Education - State Operated Programs | $29,593,951 | | ~~$30,962,505~~ *$30,835,169* | |
| Vocational Education - Categorical | $10,400,829 | | $10,900,829 | |
| Debt Service on VPSA Equipment Notes | $62,614,094 | | $63,784,682 | |
| **Total** | $133,283,539 | | ~~$137,819,179~~ ***$137,716,402*** | |
| **School Facilities** | | | | |
| Lottery | $405,400,000 | | ~~$405,400,000~~ | |

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| | | | *$459,000,000* | |
| Additional Lottery | $16,500,000 | | ~~$0~~ | |
| | | | *$31,780,128* | |
| School Construction | $27,500,002 | | ~~$27,500,001~~ | |
| | | | *$27,499,995* | |
| **Total** | **$449,400,002** | | **~~$432,900,001~~** | |
| | | | ***$518,280,123*** | |

Note: The above distributions do not include projected VPSA Technology Grants.

Payments out of the above amounts shall be subject to the following conditions:

**A. Definitions**

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

a. School divisions shall take a count of September 30 fall membership and report this information to the Department of Education no later than October 15 of each year.

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at 1,191,172 the first year and ~~1,199,701~~ *1,192,696* the second year.

c. March 31 ADM adjusted for half-day kindergarten at 85 percent of March 31 ADM, is estimated at 1,190,164 the first year and ~~1,198,656~~ *1,192,009* the second year.

d. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course shall be counted in the funded fall membership and March 31 ADM of the relevant school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.

e. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 D shall be counted in the March 31 Average Daily Membership of the relevant school division. School divisions shall report these students separately in their March 31 reports of Average Daily

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Membership.

2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.

3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), school nurses, operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.

b. The amount resulting from the support cost calculation for school nurses shall be specifically identified as such and reported to school divisions annually. School divisions will allocate these funds for school nurse positions or for contracted services of health professionals providing health services.

4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2003-2004 school year and 1/3 of the index of wealth per capita (population estimates for 2003 as determined by the Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2003 - 50 percent; (2) adjusted gross income for the calendar year 2003 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2003 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the

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Department of Education by the responsible source agencies no later than November 15, 2005.

b. Each locality whose total Virginia Adjusted Gross Income is comprised of at least 3 percent or more which is accounted for by nonresidents of Virginia may elect at its option to exclude such nonresident income in computing the composite index of ability-to-pay. Each locality which elects this option must have certified its intention to do so to the Department of Education on or before January 1, 2006. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.

c.1) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions become one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be paid Standard of Quality payments for all pupils in the combined division on the basis of a composite index determined by the Board of Education, which shall not be less than the lowest nor higher than the highest composite index of any of the individual school divisions involved in such consolidation. In the event of a consolidation of local governments, this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index figure as set forth above. The Governor shall approve the composite index determined by the Board of Education prior to disbursement of funds under such index. The Department shall annually report to the Chairmen of the House Appropriations and Senate Finance Committees the composite indices approved by the Governor and the Board under this provision.

2) In the case of the consolidation of Clifton Forge and Alleghany County school divisions, the fifteen year period for the application of a new composite index pursuant to paragraph b.1) above shall apply beginning with the fiscal year that starts on July 1, 2004.

3) Pursuant to paragraph c.1) above, if the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.

d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the

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current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.

e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.

5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the triennial census of school age population, as specified in this item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.

6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all School Facilities and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.

7. "Planning District Eight"—The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.

8. "State Share for the Standards of Quality" - The state share for a locality shall be equal to the cost for that locality less the locality's estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the triennial census of school age population, as specified in this item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins and less the required local expenditure.

9. In the event that the appropriations in Item 134 and Item 135 are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of each item, the Department of Education is authorized to transfer any available funds between these items to address such insufficiencies. If the total appropriations after such transfers remain insufficient to meet the

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entitlements of any program, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in the program where such shortfall occurred.

**B. General Conditions**

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

| Instructional Position | First Year Salary | Second Year Salary |
|---|---|---|
| Elementary Teachers | $39,681 | $39,681 |
| Elementary Assistant Principals | $55,827 | $55,827 |
| Elementary Principals | $68,822 | $68,822 |
| Secondary Teachers | $41,615 | $41,615 |
| Secondary Assistant Principals | $59,784 | $59,784 |
| Secondary Principals | $75,268 | $75,268 |
| Aides | $13,828 | $13,828 |

a.1) Payment by the state to a local school division shall be based on the state share of fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the composite index.

2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing fringe benefit funds under this provision.

3) The state payment to each school division for retirement, social security, and group life insurance costs for noninstructional personnel is included in and distributed through Basic Aid.

b. Payments to school divisions from this item shall be calculated using March 31 Average Daily Membership adjusted for half-day kindergarten programs.

c. Payments for health insurance fringe benefits are included in and distributed through Basic Aid.

2. Each locality shall offer a school program for all its eligible pupils which is acceptable to the Department of Education as conforming to the Standards of Quality program requirements.

3. In the event the statewide number of pupils in March 31 ADM exceeds the number estimated as the basis for this appropriation, the locality's state share of the Basic Operation Cost and the required local share shall be reduced proportionately so that this appropriation will not be exceeded.

4. The Department of Education shall make equitable adjustments in the computation of indices of wealth and in other state-funded accounts for localities affected by annexation, unless a court of competent jurisdiction makes such adjustments. However, only the indices of

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wealth and other state-funded accounts of localities party to the annexation will be adjusted.

5. In the event that the actual revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item (both of which are returned on the basis of the 2005 triennial census of school age population) for sales in the fiscal year in which the school year begins are different from the number estimated as the basis for this appropriation, the estimated revenues shall not be adjusted.

6. This appropriation shall be apportioned to the public schools with guidelines established by the Department of Education consistent with legislative intent as expressed in this act.

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 2); Education of the Gifted, 1.0 professional instructional position (C 3); Occupational-Vocational Education Payments and Special Education Payments; a minimum of 6.0 professional instructional positions and aide positions (C 4 and C 5) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C8).

b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.

c. Appropriations in this item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.

8.a. The Department of Education shall make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to

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support their estimated required local expenditure. The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. The Department of Education shall specify the calculations to determine if a school division has appropriated and expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:

b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs or escrow accounts will be calculated.

c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the 2005 triennial census of school age population as specified in this item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.

d. The following federal funds will also be deducted from the amount calculated in paragraph a above: total receipts from federal funds (except federal funds for non-regular school programs, Impact Aid funds CFDA 84.040 and 84.041 and Forest Reserve,) and any federal funds carried forward from the previous fiscal year. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.

e. Tuition receipts and receipts from payments from other cities or counties will also be deducted from the amount calculated in paragraph a, then

f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.

g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.

h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.

9.a. Any sum which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such

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payments shall be made not later than the end of the school year following that in which the under expenditure occurs.

b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a, the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:

1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;

2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;

3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the Department of Education for review and approval;

4) The local school board agrees to submit periodic reports to the Department of Education on the use of funds provided through this project award; and

5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.

c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.

10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has appropriated and expended the local funds required to support the actual local match based on all School Facilities and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any School Facilities or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by November 1 the first year and October 1 the second year in a manner prescribed by the Department of Education. Upon receipt of the certifications, the Department of Education shall make calculations to ensure that school divisions have appropriated adequate local funds, above the required local effort for the Standards of Quality, to support the projected required local match based on the School Facilities and

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Incentive programs in which the school division has elected to participate. If the Department of Education's calculations indicate that insufficient local funds are appropriated to meet the required local funding match for one or more programs, state funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall also make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.

11. Beginning in fiscal year 2008, any sum which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.

12. The Superintendent of Public Instruction shall provide a report on the status of teacher salaries, by local school division, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year of the biennium.

13. All local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.

14. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.

15. School divisions may choose to use state payments provided for Standards of Quality prevention, intervention, and remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program.

16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the establishment and maintenance of the public schools.

17. At the Department of Education's option, fees for

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audio-visual services may be deducted from state aid payments for individual local school divisions.

18. For distributions not otherwise specified, the Department of Education, at its option, may use prior year data to calculate actual disbursements to individual localities.

19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four approximately equal bimonthly installments at the middle and end of each month.

20. The Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund based on the 2005 triennial census of school age population in each year of the biennium.

The State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund based on the 2005 triennial census of school age population in each year of the biennium.

21. In the second year, the school divisions within the Tobacco Region, as defined by the Tobacco Indemnification and Community Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.

*22. Notwithstanding any other provisions of this item, the Superintendent of Public Instruction is authorized to use the Lottery Proceed Funds to effect the payment of any of the provisions set forth within Item 135, provided the payments are made directly to the local school divisions.*

*23. It is the intent of the General Assembly that any locality that has met its required local effort for the Standards of Quality accounts and incentive-based programs, in which the locality elected to participate, may carry over into fiscal year 2009 any remaining state fund balances available to help minimize any revenue shortfall related adjustments that may occur in state funding to that locality.*

**C. Apportionment**

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.

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2. School Employee Retirement Contributions

a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.

b. Notwithstanding § 51.1-1401 of the Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional positions, distributed based on the composite index of the local ability-to-pay.

c. As a part of the review of the Virginia Retirement System pursuant to House Joint Resolution No. 34 the joint subcommittee shall review: 1) the Commonwealth's responsibilities for funding the teacher retirement system beyond the actuarial normal rate and 2) the Commonwealth's appropriate share for retirement payments by school divisions. In making this review, the joint subcommittee shall review the impact of the blended retirement rates on the retirement system, school divisions, and the Commonwealth.

d. Appropriations for contributions in Paragraphs 2 and 3 include payments from funds derived from the principal of the Literary Fund in accordance with Article VIII, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes are approximately $116,003,959 the first year and ~~$116,128,935~~ *$124,934,530* the second year.

3. School Employee Social Security Contributions

This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.

4. School Employee Insurance Contributions

This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.

5. Basic Aid Payments

a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM (adjusted for half-day kindergarten programs).

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2) This appropriation includes funding to recognize the common labor market in the Washington -Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District 8. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, and Warren and the City of Fredericksburg the SOQ payments have been increased by 10 percent the first year and 25 percent the second year of the COCA rates paid to school divisions in Planning District 8. For the Counties of Frederick and Culpeper and the City of Winchester the SOQ payments have been increased by 25 percent the second year of the COCA rates paid to school divisions in Planning District 8.

b.1) The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax (returned on the basis of the 2005 triennial census of school age population as specified in this item), in the fiscal year in which the school year begins and less the required local expenditure.

2) In addition to this appropriation, $236,931,856 the first year and ~~$236,931,856~~ *$290,531,856* the second year are transferred from Lottery Funds appropriated in this Item pursuant to paragraph 28.b.1) to Basic Aid Payments to provide for the state share of the Basic Operations Cost as defined in paragraphs a. and b.1) above.

3) In addition, $10,131,000 the first year is transferred from Lottery Funds to Basic Aid Payments from the fiscal year 2006 Lottery profits that are appropriated in this Item pursuant to paragraph 28.b.2).

*4) In addition, $31,780,128 the second year is transferred to Basic Aid Payments from the fiscal year 2007 Lottery profits that are appropriated in this item pursuant to paragraph 28.b.3).*

c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.

d.1) In accordance with the provisions of §§ 22.1-281 and 37.1-96, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Mental Health, Mental Retardation and Substance Abuse Services from the locality's Basic Aid appropriation.

2) The amounts deducted from Basic Aid for the education of mentally retarded persons shall be transferred to the Department of Mental Health, Mental Retardation and Substance Abuse Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover

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extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Mental Health, Mental Retardation and Substance Abuse Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.

e.1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of the basic operation cost in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.

2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

f. Textbooks

1) The appropriation in this item includes $67,209,948 the first year and ~~$67,589,092~~ *$67,067,996* the second year from the general fund as the state's share of the cost of textbooks based on a per pupil amount of $100.28 the first year and $100.28 the second year. The state's distributions for textbooks shall be based on adjusted March 31 ADM.

2) School divisions shall provide free textbooks to all students.

3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials.

4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2007, or June 30, 2008, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose.

g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this item which are distributed to localities on the basis of the 2005 triennial census of school age population as specified in this item shall be

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reflected in each locality's annual budget for educational purposes as a separate revenue source for the then current fiscal year.

h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at $225,900,000 the first year and ~~$237,700,000~~ *$230,150,000* the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act which are derived from the 1/4 cent increase in the state sales and use tax levied pursuant to Chapter 3, 2004 Special Session I. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.

i. From the total amounts in paragraph h. above, an amount estimated at $113,100,000 the first year and ~~$119,000,000~~ *$115,850,000* the second year (approximately 1/8 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.

j. From the total amounts in paragraph h. above, an amount estimated at $112,800,000 the first year and ~~$118,700,000~~ *$114,300,000* the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the 2005 triennial census of school age population as specified in this item.

6. Compensation Supplements

a. The appropriation in this Item includes $74,533,205 the first year and ~~$192,224,391~~ *$192,833,048* the second year from the general fund for an equivalent payment for the following salary increase and related fringe benefit costs for funded SOQ instructional and support positions and other funded incentive program positions:

1) For the first year, the state share of a payment equivalent to a 3.0 percent salary increase effective December 1, 2006, for all funded positions.

2) For the first year, the state share of a payment equivalent to an additional 1.0 percent salary increase effective December 1, 2006, for funded SOQ instructional positions only. Funded SOQ instructional positions shall include the teacher, guidance counselor,

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librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in both years of the biennium.

3) It is the intent of the General Assembly that the average instructional position salaries be improved throughout the state by at least 4.0 percent the first year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 3.0 percent salary increase for all funded positions and an additional 1.0 percent for funded SOQ instructional positions effective December 1, 2006, to school divisions which certify to the state Department of Education, no later than March 1, 2007, that equivalent increases have been granted in the first year.

4) For the second year, the state share of a payment equivalent to a 3.0 percent salary increase effective December 1, 2007, for all funded positions.

5) It is the intent of the General Assembly that the average salaries for all funded positions be improved throughout the state by at least 3.0 percent in the second year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 3.0 percent salary increase for all funded positions, effective December 1, 2007, to school divisions which certify to the state Department of Education that equivalent increases have been granted in the second year.

b. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

c. This funding is not intended as a mandate to increase salaries.

7. Education of the Gifted Payments

a. An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.

b. Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.

8. Occupational-Vocational Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. An amount estimated at $97,321,636 the first year and $98,224,251 the second year from the general fund

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included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.

9. Special Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.

c. In recalculating the cost of the Standards of Quality effective with the 2006-2008 biennium, the Department of Education shall calculate the cost of instructional positions for special education based on the aggregate sum of students by disability category by school for the disability categories listed in the special education caseloads adopted by the Board of Education.

10. Enrollment Loss

An additional state payment in each year equal to the state share per pupil of Basic Aid for each locality, for a percentage of the enrollment loss (as determined below) in March 31 ADM from the prior year.

| Composite Index | Percentage |
|---|---|
| 0.0000-0.1999 | 85% |
| 0.2000-0.3499 | 70% |
| 0.3500-0.4999 | 45% |
| 0.5000 or more | 30% |

11. Remedial Education Payments

a. An additional payment estimated at $61,507,706 the first year and ~~$61,462,566~~ *$60,925,580* the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality prevention, intervention, and remediation program adopted in June 2003.

b. The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year average failure rates for English and math Standards of Learning test scores to

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18:1 for those divisions with the lowest combined three year average failure rates for English and math Standards of Learning test scores.

c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

d. An amount estimated at $19,517,499 the first year and $19,517,499 the second year for Lottery Proceeds Revenue Sharing appropriated in this act shall be added to general funds appropriated in this Item, to provide for the state share of the Standards of Quality prevention, intervention, and remediation program.

e. An additional state payment estimated at $62,972,357 the first year and ~~$60,300,562~~ *$59,736,445* the second year from the general fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:

1) A minimum ~~one~~*two* percent add-on *the first year,* as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program~~;~~ ~~and,~~. *In addition to the minimum amount, based on the concentration of children qualifying for the federal Free Lunch Program, each school division will receive up to an additional ten percent add-on the first year, up to a maximum amount of twelve percent. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.*

*2) A minimum one percent add-on the second year, as a percent of the per pupil basic aid cost, for each child who qualifies for the federal Free Lunch Program.* ~~An~~*In* addition to the ~~add-on~~*minimum amount*, based on the concentration of children qualifying for the federal Free Lunch Program ~~.~~*, each school division will receive up to an additional eleven percent add-on the second year, up to a maximum amount of twelve percent.* ~~Based on its percentage of Free Lunch participants, each school division will receive between 1 and 12 percent in additional basic aid per Free Lunch participant~~. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3a) Local school divisions are required to spend the established at-risk payment (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local shares of the at-risk payment will be used to support approved programs for students who are educationally at risk. For the second year, along with its certification, each school division shall provide information on the planned uses of these funds in a format prescribed by the Department of Education. No later than November 15, 2007, the Department of Education shall compile this information and submit it to the Chairmen of the Senate Finance and House

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Appropriations Committees. These programs may include: Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak English as a second language, and programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training.

f. Regional Alternative Education Programs

1) An additional state payment of $6,220,518 the first year and ~~$6,724,787~~ *$6,765,069* the second year from the general fund shall be disbursed for regional alternative education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.

2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.

3)a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.

b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.

1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.

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2. However, no requesting school division shall receive more tuition funding from the state for any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.

3. The Department of Education shall report by June 30 each year, to the Chairmen of the House Appropriations and Senate Finance Committees, the number of available student slots, students placed, the request of unused slots, and the number of unused slots subsequently used by each school division for each Regional Alternative Education program.

4) The Board of Education shall provide assistance for the state share of the incremental cost of regional alternative education program operations based on the composite index of local ability-to-pay.

g. Remedial Summer School

1) This appropriation includes $24,024,170 the first year and ~~$25,172,218~~ *$24,656,939* the second year from the general fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program. After actual enrollment in Remedial Summer School in fiscal year 2006 has been calculated, the Department of Education shall recalculate the amounts needed to fully fund the state share of Remedial Summer School obligations in fiscal year 2007 and fiscal year 2008.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

12. Primary Class Size Payments

a. An additional payment estimated at $83,008,564 the first year and ~~$84,550,640~~ *$84,472,086* the second year from the general fund shall be disbursed by the Department of Education as an incentive payment for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division

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average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

Qualifying School Percentage of Students Approved

| Eligible for Free Lunch | Grades K-3 School Ratio | Maximum Individual Class Size |
|---|---|---|
| 16% but less than 30% | 20 to 1 | 25 |
| 30% but less than 45% | 19 to 1 | 24 |
| 45% but less than 55% | 18 to 1 | 23 |
| 55% but less than 65% | 17 to 1 | 22 |
| 65% but less than 70% | 16 to 1 | 21 |
| 70% but less than 75% | 15 to 1 | 20 |
| 75% or more | 14 to 1 | 19 |

e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. Special education teachers shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade level in the school.

13. Literary Fund Subsidy Program

a. The Board of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. The program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on the First or Second Literary Fund Waiting List, or other critical projects which may receive priority placement on the First or Second Literary Fund Waiting List by the Board of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Board of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.

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b. The Virginia Public School Authority shall provide an interest rate subsidy program in fiscal year 2007 and fiscal year 2008 for projects that are on the Board of Education's First Priority Waiting List. Projects on the Literary Fund Second Priority Waiting List may participate in the Interest Rate Subsidy Program if unused subsidy appropriation remains once the participation of projects on the First Priority Waiting List is confirmed. However, the cost of the subsidy shall not exceed $15,000,000 in the first year and $20,000,000 in the second year including the subsidy payments and related issuance costs.

c. The Board of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology in this item.

d.1) In the event that on any scheduled payment date of bonds of the Virginia Public School Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the sum of (i) the payments on general obligation school bonds of cities, counties, and towns (localities) paid to the VPSA and (ii) the proceeds derived from the application of the provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt service due on such bonds of the VPSA on such date, there is hereby appropriated to the VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a sum equal to such deficiency.

2) The Commonwealth shall be subrogated to the VPSA to the extent of any such appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with respect to the defaulting locality and to full recovery of the amount of such deficiency, together with interest at the rate of the defaulting locality's bonds.

e. The chairman of the Board of Commissioners of the VPSA shall, on or before December 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds of the VPSA issued and projected to be issued during such biennium pursuant to the bond resolution referred to in paragraph 1a above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1 above.

14. Educational Technology Payments

a. Any unobligated amounts transferred to the educational technology fund shall be disbursed on a pro rata basis to localities. The additional funds shall be used for technology needs identified in the division's

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technology plan approved by the Department of Education.

b. The Board of Education shall provide amounts estimated at $12,090,750 the first year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2002.

c. The Board of Education shall provide amounts estimated at $11,949,600 the first year and $11,949,600 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2003.

d.1) The Board of Education shall provide amounts estimated at $12,657,050 the first year and $12,654,800 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2004.

2) It is the intent of the General Assembly to appropriate Literary Fund revenues sufficient to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2008-10 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to appropriate Literary Fund revenues sufficient to make debt service payments for this program in fiscal year 2009.

e.1) The Board of Education shall provide amounts estimated at $12,635,250 the first year and $12,635,500 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2005.

2) It is the intent of the General Assembly to appropriate Literary Fund revenues sufficient to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2008-10 biennial budget for public education, the Board of Education shall include a recommendation to the Governor to appropriate Literary Fund revenues sufficient to make debt service payments for this program in fiscal year 2009 and fiscal year 2010.

f.1) The Board of Education shall provide amounts estimated at $13,281,444 the first year and $13,227,750 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2006.

2) It is the intent of the General Assembly to appropriate Literary Fund revenues sufficient to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2008-10 and 2010-12 biennial budgets for public education, the Board of Education

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shall include a recommendation to the Governor to appropriate Literary Fund revenues sufficient to make debt service payments for this program in fiscal years 2009, 2010, and 2011.

g.1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at $58,702,000 in fiscal year 2007 and ~~$59,014,000~~ *$59,872,000* in fiscal year 2008. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools.

2) The Board of Education shall provide amounts estimated at $13,317,031 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in fiscal year 2007.

3) It is the intent of the General Assembly to appropriate Literary Fund revenues sufficient to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs in fiscal year 2007 and in fiscal year 2008. In developing the proposed 2008-10, 2010-2012, and 2012-2014 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to appropriate Literary Fund revenues sufficient to make debt service payments for these programs in fiscal years 2009, 2010, 2011, 2012, and 2013.

4) Grant funds from the issuance of $58,702,000 in fiscal year 2007 and ~~$59,014,000~~ *$59,872,000* in fiscal year 2008 in equipment notes are based on a grant of $26,000 per school and $50,000 per school division. For purposes of this grant program, eligible schools shall include those reporting membership in grades K through 12 as of September 30, 2006, for the fiscal year 2007 issuance, and September 30, 2007, for the fiscal year 2008 issuance as well as district and regional centers including vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Schools for the Deaf and the Blind. Schools and district centers that serve only pre-kindergarten students shall not be eligible for this grant.

5) Localities are required to provide a match for these funds equal to 20 percent of the grant amount. At least 25 percent of the local match shall be used for teacher training in the use of technology. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Schools for the Deaf and the Blind are exempt from the match requirement.

6) The goal of the program is to improve the

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instructional, remedial and testing capabilities of the Standards of Learning for local school divisions.

7) Funds shall be used in the following manner:

a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.

b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.

c) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

8) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

h. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program. The Department of Education shall report on the implementation of this program to the Chairmen of the Senate Finance and House Appropriations Committees by September 1 of each year.

i.1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the appropriations for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.

2) The Chairman of the Board of Commissioners of the VPSA shall, on or before December 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes of the VPSA issued and projected to be issued during such biennium pursuant to the resolution referred to in paragraph 1) above. The

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Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

j. Unspent proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes.

k.1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with the best rates obtained in other parts of the state.

2) The State Corporation Commission, in its consideration of the discount for services provided to elementary schools, secondary schools, and libraries and the universal service funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby encouraged to make the discounts for intrastate services provided to elementary schools, secondary schools, and libraries for educational purposes as large as is prudently possible and to fund such discounts through the universal fund as provided in § 254. The Commission shall proceed as expeditiously as possible in implementing these discounts and the funding mechanism for intrastate services, consistent with the rules of the Federal Communications Commission aimed at the preservation and advancement of universal service.

15. Virginia Preschool Initiative

a.1) It is the intent of the General Assembly that an additional state payment shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds unserved by Head Start program funding.

2) These grants shall be used to provide programs for at-risk four-year-old children which include quality preschool education, health services, social services, parental involvement and transportation. Programs must provide full-day or half-day and, at least, school-year services.

3) The Department of Education, in cooperation with the Council on Child Day Care and Early Childhood Programs, shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter into kindergarten. These standards shall be established in such a manner as to be

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measurable for student achievement and success. Students shall be required to be evaluated at specified times as determined appropriate by the Department of Education. Superintendents, or their designee, of each participating school division must certify that the At-Risk Four-Year-Old program follows the established standards in order to receive the funding for quality preschool education and criteria for the service components. Such guidelines shall be consistent with the findings of the November 1993 study by the Board of Education, the Department of Education, and the Council on Child Day Care and Early Childhood Programs.

4)a) Grants shall be distributed based on an allocation formula providing the state share of a $5,700 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. Programs operating half-day shall receive state funds based on a fractional basis determined by the pro-rata portion of a full-day, school year program provided.

b) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days.

b.1) Any locality which desires to participate in this grants program must submit a proposal through its chief administrator (county administrator or city manager) by May 15 of each year. The chief administrator, in conjunction with the school superintendent, shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk children which demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children.

2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department and other groups identified by the lead agency.

3) A local match, based on the composite index of local ability-to-pay shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is prohibited from continuing the previous level of support to programs for at-risk four-year-olds from Title 1 of the Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such

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prohibition may occur due to amendments to the allocation formula in the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a percentage reduction in a locality's Title I allocation in 2006-2007 or 2007-2008. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:

1) "Wraparound Services" — methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.

2) "Wrapout Services" — methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.

3) "Expansion of Service" — methods for using grant funds to purchase slots within existing programs, such as Head Start, which provide comprehensive services to at-risk four-year-old children.

Local plans must indicate the number of at-risk four-year-old children to be served, and the criteria by which they will be determined to be at risk.

d.1) The Department of Education and the Council on Child Day Care and Early Childhood Programs shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program for serving at-risk four-year-old children.

2) A pre-application session shall be provided by the Department and the Council on Child Day Care and Early Childhood Programs prior to the proposal deadline. The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk four-year-old population is currently unserved.

e. The Department of Education is authorized to expend unobligated balances in this item if participation in the At-Risk Four-Year-Olds Preschool program is greater than projected. The Department is also authorized to expend unobligated balances in this program for grants to qualifying schools and community-based groups for

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one-time expenses, other than capital, related to start-up or expansion of programs.

f. Out of this appropriation, ~~$2,557,266~~ *$1,737,176* is provided to the Department of Education to enter into agreements during the 2007-2008 school year with school divisions to pilot early childhood development programs. Eligibility shall be limited to those school divisions that have existing partnerships with private and/or non-profit providers as of the 2006-2007 school year. School divisions that elect to participate under this pilot shall use the funding to expand the availability of early childhood education programs for at-risk students not served in those school divisions. Participating school divisions will be required to evaluate the providers using the Quality Standards checklist recommended by the National Institute for Early Education Research. The Department of Education shall compile and submit an interim report by December 1, 2007 to the Governor, and the Chairmen of House Committee on Appropriations, House Committee on Education, Senate Committee on Finance and Senate Committee on Health and Education that includes, but is not limited to, the number of school divisions participating, number of students served, and the benchmarks used to evaluate the pilot; and the final findings of these evaluations shall be submitted within ninety days after the completion of the school year.

16. Early Reading Intervention

a. An additional incentive payment of $10,172,555 the first year and ~~$14,339,348~~ *$15,215,328* the second year from the general fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These incentive payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of five to one. The estimated number of students in each school division in each year shall be determined by multiplying the projected number of students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3 by the percent of students who are determined to need

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services based on diagnostic tests administered in the previous year in that school division and adjusted in the following manner:

| | Year 1 | Year 2 |
|---|---|---|
| Kindergarten | 100% | 100% |
| Grade 1 | 50% | 100% |
| Grade 2 | 50% | 100% |
| Grade 3 | 25% | 25% |

c. These incentive payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these incentive payments are required to match these funds based on the composite index of local ability-to-pay.

17. Standards of Learning Algebra Readiness

a. An additional incentive payment of $8,223,918 the first year and ~~$8,230,832~~ *$8,003,378* the second year from the general fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra 1 end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These incentive payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.

c. These incentive payments are available to any school division that certifies to the Department of Education

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that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these incentive payments are required to match these funds based on the composite index of local ability-to-pay.

18. School Construction Grants Program

a. This appropriation includes an amount estimated at $27,500,002 the first year and ~~$27,500,001~~ *$27,499,995* the second year from the general fund to provide grants to school divisions for nonrecurring expenditures by the relevant school division. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, payments to escrow accounts pursuant to Chapter 391, Acts of Assembly of 1999, school safety equipment or school safety renovations, and debt service payments on school projects completed during the last ten years.

b. School divisions are encouraged to utilize value engineering in school construction projects funded with these grant proceeds.

c. Any funds provided to school divisions for school construction that are unexpended as of June 30, 2007, and June 30, 2008, shall be carried on the books of the locality to be appropriated to the school division the following year for use for the same purpose.

d. Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be paid School Construction Grant payments on the basis of having the same number of school divisions as existed prior to September 30, 2000.

19. English as a Second Language Payments

A payment of $30,450,004 the first year and ~~$36,452,224~~ *$34,379,635* the second year from the general fund shall be disbursed by the Department of Education to local school divisions to support the state share of 17 professional instructional positions per 1,000 students for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.

20. Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

b. Out of the amounts for special education payments, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at $56,769,978 the first year and ~~$62,862,390~~*$58,840,141* the second year from the general fund for the purpose of the

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state's share of the tuition rates for approved public school regional programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

c. Out of the amounts for Financial Assistance for Categorical Programs, $29,593,951 the first year and ~~$30,962,505~~ *$30,835,169* the second year from the general fund is appropriated to permit the Department of Education to contract with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The selection and employment of instructional and administrative personnel under such contracts will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board.

21. Vocational Education Instruction Payments

a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

b. This appropriation includes $1,800,000 the first year and $2,300,000 the second year from the general fund for secondary vocational-technical equipment. A base allocation of $2,000 the first year and $3,000 the second year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality.

22. Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.

23. General Education Payments

a.1) This appropriation includes $7,463,405 the first year and ~~$7,853,362~~ *$6,081,445* the second year from the general fund for targeted education initiatives to improve student achievement and teacher quality, including a mentoring program for teachers with no experience working in schools that are at-risk of not meeting adequate yearly progress, a middle school math teacher initiative in at-risk schools, turnaround specialists to enhance the leadership in schools that have consistently failed to show improvement in student progress, virtual Advanced Placement courses, and GED tests as required by the No Child Left Behind Act.

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2) In the event that existing funds are not available, additional nongeneral funds do not become available, and/or the contracts are not renegotiated to lower amounts, the Department of Education is authorized to transfer up to $150,890 the first year and up to $150,890 the second year from the general fund appropriation for this Item in C. 23. a. to Item 127 for the contract with the University of Virginia Partnership for Leaders in Education - The Darden School Foundation for the turnaround specialists program. In the event that existing funds are not available, additional nongeneral funds do not become available, and/or the contracts are not re-negotiated to lower amounts, the Department is also authorized to transfer up to $487,200 the first year and up to $487,200 the second year from the general fund appropriation for this Item in C. 23. a. to Item 127 for the contract for the on-line student career planning program.

b.1) In addition, the appropriation includes $500,000 the first year and $500,000 the second year from the general fund for competitive grants of $100,000 each to be awarded to school divisions which demonstrate a partnership agreement with a Virginia institution of higher learning and/or other entity for a defined leadership development training program that addresses the leadership standards established for such training as defined by the Board of Education. Such competitive grants may be awarded to the existing leadership development training programs. The Department of Education shall establish the guidelines for school divisions to apply for these grants. These grants shall be allocated over the biennium.

2) School divisions that are awarded a competitive leadership grant in either fiscal year shall be allowed to retain any unspent balances at the end of that fiscal year in which the grant was awarded and shall be permitted to spend any remaining balances for the intended purposes during the ensuing two fiscal years.

c. This appropriation includes $2,774,478 the first year and $2,774,478 the second year from the general fund to support Project Graduation.

d. The Department of Education shall develop a report specific to the first cohort of the three school divisions participating in the Hard-to-Staff School pilot program. The report shall address, but not be limited to, any measurable improvements in student achievement that can be linked to the recruitment and retention of highly qualified teachers; fewer teachers with provisional or conditional licenses; demonstrated improvements in the general teaching environment within the participating schools; any other comparable retention statistics relative to pre- and post- participation in the Hard-to-Staff Schools pilot program. The Department of Education shall submit, upon completion of the participation cycle of the first cohort of school divisions, but not later than September 1, 2007, the comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees. The report will be used as an evaluation tool to determine the pilot program’s merits and whether it should be

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implemented in other school divisions.

24. Educational Telecommunications Payments

a. Out of the amounts for Financial Assistance for Categorical Programs, the Board of Education shall provide assistance for electronic classrooms.

b. The local share of costs associated with operation of electronic classrooms shall be computed using the local composite index of ability-to-pay.

25. Individual Student Alternative Education Program

Out of this appropriation, $2,247,581 the first year and $2,247,581 in the second year from the general fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly. The Department of Education shall report the status of this program along with any recommendations for determining the cost of this program to the Governor and the Chairmen of the Senate Finance, Senate Education and Health, House Appropriations, and House Education Committees and the Department of Planning and Budget no later than October 15 of each year.

26. Foster Children Education Payments

a. An additional state payment is provided from the general fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home.

b. This appropriation provides $11,109,888 the first year and $12,197,112 the second year from the general fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item and Item 134 for this support.

c. This appropriation also includes $150,000 the second year from the general fund to reimburse school divisions for transportation costs incurred in the previous year resulting from the provision of transportation that permitted students placed in foster care or other custodial placement to continue their education at the same school they attended before the placement. The Department is further authorized to use

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any unobligated balances for Foster Children Education Payments in this Item to reimburse school divisions for any costs associated with such transportation.

27. Sales Tax

a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).

b. Certification of payments and distribution of this appropriation shall be made by the State Comptroller.

c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.

d.1) This item includes an appropriation estimated at $54,013,691 in the first year, $48,709,475 from the general fund and $5,304,216 from excess lottery funds identified in this Item, to be paid to local school divisions as a hold harmless sales tax payment dedicated to public education. As such, local governing bodies shall appropriate these funds to the local school division.

2) The hold harmless sales tax payment is in addition to the one and 1/8 cents sales tax estimated by the Department of Taxation and included in this Item.

3) For the purposes of calculating Required Local Expenditure as defined in this Item, this hold harmless sales tax payment will be counted as a credit toward the local share of the costs of the Standards of Quality in the first year. Further, additional payments from Enrollment Loss and Supplemental Basic Aid, as identified by the Department of Education, resulting from the Department of Taxation's correction of the sales tax estimates and resulting in this hold harmless sales tax payment may also be counted as a credit toward the local share of the costs of the Standards of Quality in the first year.

4) The Department of Education is authorized to distribute the hold harmless sales tax payment to school divisions in quarterly installments. The Department is further authorized to make adjustments in these quarterly supplemental payments to reflect the difference between the actual sales tax payments distributed to school divisions to date and an estimate of the payment that would have been paid to date based on the percentage of the total distribution paid in the prior fiscal year to date multiplied by the total amount of sales tax distribution included in this Item. The amount paid as hold harmless sales tax payments shall not exceed the amounts listed in paragraph d.1) above.

5) It is the intent of the General Assembly to update this hold harmless sales tax payment based on any subsequent increases to the Sales Tax estimates approved by the General Assembly and included in this

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Item.

~~28. Lottery~~

~~a.1) This appropriation includes $405,400,000 the first year and $405,400,000 the second year from the general fund as the state payment for the lottery profits, to be deposited into the general fund pursuant to § 3-1.01 G of this act.~~

~~2) This appropriation includes $16,500,000 in the first year as an additional appropriation of Lottery profits that were earned in fiscal year 2006 as excess revenue that was not appropriated for public education.~~

~~3) The appropriation for the hold harmless sales tax payments, as defined in paragraph 27.d.1) above, includes $4,952,630 the first year from Lottery profits that were earned in fiscal year 2006 and $351,586 the first year from Lottery profits that were earned in fiscal year 2005 as excess revenue that was not appropriated for public education.~~

~~b.1) Out of this appropriation, $ 236,931,856 the first year and $236,931,856 the second year shall be transferred and used to fund the state's share of Basic Aid Payments as defined in paragraph 5.b.2) above.~~

~~2) Out of this appropriation, $10,131,000 the first year shall be transferred from the additional appropriation in paragraph 28.a.2) above and used to fund the state's share of Basic Aid Payments as defined in paragraph 5.b.3) above.~~

~~c. $19,517,499 the first year and $19,517,499 the second year in Lottery proceeds appropriated in this Item shall be added to general funds appropriated in this Item, to provide for the state share of cost of the Standards of Quality prevention, intervention, and remediation program.~~

~~d.1) Out of this appropriation, an amount estimated at $148,950,645 the first year and $148,950,645 the second year shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated $222.24 per pupil the first year and $220.99 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. These funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2006-08 biennial Standards of Quality expenditure data were based; provided however, that no locality shall be required to maintain a per pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the~~

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~~2006-08 biennial Standards of Quality expenditure data were based.~~

~~2) Out of this appropriation, an amount estimated at $6,369,000 the first year in additional Lottery proceeds shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated $9.50 per pupil the first year in adjusted daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected. These funds shall be matched by the local government, based on the composite index of local ability-to-pay, and shall be subject to the same terms and conditions as other Lottery proceeds appropriated in this Item.~~

~~e. Of the amounts listed above, no more than 50 percent shall be used for recurring costs and at least 50 percent shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.~~

~~f. Any lottery funds provided to school divisions from this Item that are unexpended as of June 30, 2007, and June 30, 2008, shall be carried on the books of the locality to be appropriated to the school division in the following year.~~

*28. Lottery - First Year*

*a.1) This appropriation includes $405,400,000 the first year from the general fund as the state payment for the lottery profits, to be deposited into the general fund pursuant to § 3-1.01 G of this act.*

*2) This appropriation includes $16,500,000 in the first year as an additional appropriation of Lottery profits that were earned in fiscal year 2006 as excess revenue that was not appropriated for public education.*

*3) The appropriation for the hold harmless sales tax payments, as defined in paragraph 27.d.1) above, includes $4,952,630 the first year from Lottery profits that were earned in fiscal year 2006 and $351,586 the first year from Lottery profits that were earned in fiscal year 2005 as excess revenue that was not appropriated for public education.*

*b.1) Out of this appropriation, $236,931,856 the first year shall be transferred and used to fund the state's share of Basic Aid Payments as defined in paragraph 5.b.2) above.*

*2) Out of this appropriation, $10,131,000 the first year shall be transferred from the additional appropriation in paragraph 28.a.2) above and used to fund the state's share of Basic Aid Payments as defined in paragraph 5.b.3) above.*

*c. $19,517,499 the first year in Lottery proceeds*

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*appropriated in this item shall be added to general funds appropriated in this item, to provide for the state share of cost of the Standards of Quality prevention, intervention, and remediation program.*

*d.1) Out of this appropriation, an amount estimated at $148,950,645 the first year shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated $222.24 per pupil the first year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. These funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2006-08 biennial Standards of Quality expenditure data were based; provided however, that no locality shall be required to maintain a per pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2006-08 biennial Standards of Quality expenditure data were based.*

*2) Out of this appropriation, an amount estimated at $6,369,000 the first year in additional Lottery proceeds shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated $9.50 per pupil the first year in adjusted daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected. These funds shall be matched by the local government, based on the composite index of local ability-to-pay, and shall be subject to the same terms and conditions as other Lottery proceeds appropriated in this item.*

*3) Of the amounts listed above, no more than 50 percent shall be used for recurring costs and at least 50 percent shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.*

*e. Any lottery funds provided to school divisions from this item that are unexpended as of June 30, 2007 shall be carried on the books of the locality to be appropriated to the school division in the following year.*

*28.5 Lottery - Second Year*

*a.1) This appropriation includes $459,000,000 the second year as the state payment for the lottery profits, pursuant to § 3-1.01 G of this act.*

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*2) This appropriation includes $31,780,128 in the second year as an additional appropriation of Lottery profits that were earned in fiscal year 2007.*

*b. Out of this appropriation, an amount estimated at $148,950,645 the second year shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated $222.71 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. These funds shall be matched by the local government, based on the composite index of local ability-to-pay. Further, in order to receive this funding, the locality in which the school division is located shall appropriate these funds solely for educational purposes and shall not use such funds to reduce total local operating expenditures for public education below the amount expended by the locality for such purposes in the year upon which the 2006-08 biennial Standards of Quality expenditure data were based; provided however, that no locality shall be required to maintain a per pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2006-08 biennial Standards of Quality expenditure data were based.*

*2) Of the amounts listed above, no more than 50 percent shall be used for recurring costs and at least 50 percent shall be spent on nonrecurring expenditures by the relevant school divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.*

*c. Any lottery funds provided to school divisions from this item that are unexpended as of June 30, 2007, and June 30, 2008, shall be carried on the books of the locality to be appropriated to the school division in the following year.*

29. Adult Literacy

a. The appropriation for Financial Assistance for Categorical Programs includes $125,000 the first year and $125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College, and $125,000 the first year and $125,000 the second year from the general fund will be transferred to the Department of Housing and Community Development to support workforce literacy and training.

b. Out of this appropriation, the Board of Education shall provide $100,000 the first year and $100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.

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c. Out of this appropriation, the Board of Education shall provide $50,000 the first year and ~~$50,000~~ *$47,500* the second year from the general fund to Virginia Tech as the fiscal agent for the Virginia Educational Technology Alliance to provide teacher training opportunities in the effective use of educational technologies to full-time, part-time and volunteer teachers involved in adult education and literacy programs in the Commonwealth.

30. Governor's School Payments

a. Out of the amounts for Governor's School Payments, the Board of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed students for participation in this program.

b. Out of the amounts for Governor's School Payments, the Board of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed students for participation in this program if they are enrolled in a public school.

c. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.

d. The Board of Education shall not take any action that would increase the state's share of costs associated with the Governor's Schools as set forth in paragraph C.26. of this Item. This provision shall not prohibit the Board of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.

e.1) Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,500 students per Governor's School. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per

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pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.

2) Students attending a revolving Academic Year Governor's School program for only one semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30th and January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor's School programs that admit students on a semester basis.

3) Students attending a continuous, non-revolving Academic Year Governor's School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor's School program will be adjusted based upon actual September 30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor's School programs that only admit students at the beginning of the school year.

4) Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.

31. School Nutrition

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

32. Clinical Faculty and Mentor Teacher Programs

This appropriation includes $1,375,000 the first year and $1,375,000 the second year from the general fund for statewide Clinical Faculty and Mentor Teacher Programs to assist preservice teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:

a. An application process for localities and school/higher education partnerships that wish to participate in the programs;

b. Provisions for a local funding or institutional

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| | | commitment of 50 percent, to match state grants of 50 percent; | | | | |
| | | c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs; | | | | |
| | | d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and | | | | |
| | | e. It is the intent of the General Assembly that no preference between preservice or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding. | | | | |
| | | 33. This appropriation includes $100,000 the first year and $100,000 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education. | | | | |
| | 136. | Not set out. | | | | |
| | | Total for Direct Aid to Public Education | | | **$6,566,897,437** | **~~$6,749,145,588~~** ***$6,693,457,709*** |
| | | Fund Sources: General | $5,651,090,183 | ~~$5,832,042,771~~ *$5,767,549,297* | | |
| | | Special | $795,000 | $795,000 | | |
| | | Commonwealth Transportation | $2,173,000 | $2,173,000 | | |
| | | Trust and Agency | $178,747,154 | ~~$180,042,717~~ *$188,848,312* | | |
| | | Federal Trust | $734,092,100 | $734,092,100 | | |
| | 137. | Not set out. | | | | |
| | 138. | Not set out. | | | | |
| | 139. | Not set out. | | | | |
| | | **Virginia School for the Deaf and the Blind at Staunton (218)** | | | | |
| | 140. | Not set out. | | | | |
| | 141. | Residential Support (19800) | | | $3,775,001 | ~~$3,676,960~~ *$3,726,960* |
| | | Food and Dietary Services (19801) | $281,537 | $281,537 | | |
| | | Medical and Clinical Services (19802) | $266,366 | $266,366 | | |
| | | Physical Plant Services (19803) | $1,206,369 | ~~$1,206,369~~ *$1,256,369* | | |
| | | Residential Services (19804) | $1,685,174 | $1,685,174 | | |
| | | Transportation Services (19805) | $335,555 | $237,514 | | |

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|---|---|---|---|---|---|
| | Fund Sources: General | $3,094,605 | ~~$3,094,605~~ *$3,144,605* | | |
| | Special | $416,903 | $318,862 | | |
| | Federal Trust | $263,493 | $263,493 | | |
| | Authority: Title 22.1, Chapter 19, Code of Virginia. | | | | |
| | *Out of this appropriation, $50,000 the second year from the general fund shall be used to renovate facilities to accommodate multi-disabled students transferring from the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton.* | | | | |
| 142. | Not set out. | | | | |
| | Total for Virginia School for the Deaf and the Blind at Staunton | | | **$8,179,867** | ~~**$8,133,683**~~ ***$8,183,683*** |
| | General Fund Positions | 143.00 | 143.00 | | |
| | Position Level | 143.00 | 143.00 | | |
| | Fund Sources: General | $7,078,912 | ~~$7,130,769~~ *$7,180,769* | | |
| | Special | $547,143 | $449,102 | | |
| | Federal Trust | $553,812 | $553,812 | | |
| | Grand Total for Department of Education, Central Office Operations | | | **$6,704,308,391** | ~~**$6,886,296,027**~~ ***$6,831,062,273*** |
| | General Fund Positions | 439.50 | 441.50 | | |
| | Nongeneral Fund Positions | 168.50 | 168.50 | | |
| | Position Level | 608.00 | 610.00 | | |
| | Fund Sources: General | $5,725,163,616 | ~~$5,905,953,730~~ *$5,841,914,381* | | |
| | Special | $7,325,092 | $7,227,051 | | |
| | Commonwealth Transportation | $2,399,983 | $2,399,983 | | |
| | Trust and Agency | $179,026,817 | ~~$180,322,380~~ *$189,127,975* | | |
| | Federal Trust | $790,392,883 | $790,392,883 | | |
| | **§ 1-17. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)** | | | | |
| 143. | Not set out. | | | | |
| 144. | Not set out. | | | | |
| 145. | Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100) | | | $54,583,931 | $57,110,680 |
| | Higher Education Coordination and Review (11104) | $53,818,989 | $56,285,314 | | |
| | Regulation of Private and Out-Of-State Institutions (11105) | $764,942 | $825,366 | | |
| | Fund Sources: General | $12,218,855 | $11,675,314 | | |
| | Special | $42,064,942 | $45,435,366 | | |
| | Federal Trust | $300,134 | $0 | | |
| | Authority: §§ 23-9.3, 23-9.6:1, 23-20, 23-38.13, and 23-38.45, Code of Virginia; SJR 22 (1949). | | | | |
| | A. Omitted. | | | | |

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B. The State Council of Higher Education for Virginia (SCHEV), with direction from the Secretary of Education, shall develop a six-year statewide strategic plan for higher education. As part of this planning process and consistent with the provisions of Chapters 933 and 945, 2005 Acts of Assembly, Virginia's public colleges and universities shall develop six-year financial, enrollment, and academic plans that include strategies to meet statewide higher education goals. In this planning process and consistent with the provisions of Chapters 933 and 945, 2005 Acts of Assembly, SCHEV shall also require institutions to provide annual updates on their strategic plans. Such reports shall include (i) progress in meeting both state and institutional goals and (ii) specific actions to restructure institutional activities and programs to meet state and institutional goals.

C. In discharging the responsibilities specified in § 23-272 D, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, copartnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

D. Out of this appropriation, $85,033 the first year and one position from the general fund and $91,493 and one position from the general fund the second year is designated for the purpose of coordination of articulation activities from the state's community colleges and Richard Bland College to ensure compliance with the 2005 Restructured Higher Education Financial and Administrative Operations Act.

E. Out of the appropriation for Higher Education Coordination and Review, $6,003,177 the first year and $6,003,177 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, $396,785 in each year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

F.1. The State Council of Higher Education for Virginia and the Secretary of Education, in conjunction with the three medical schools, University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, shall monitor the results of the Generalist Initiative, especially the decisions of graduates from the undergraduate medical programs to enter generalist residencies, and the composition of the residencies in the two associated academic health centers. The three medical schools shall report biennially to the State Council by October 1. It is the intent of the General Assembly that:

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a. The three medical schools shall maintain the efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, the medical schools shall support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

b. The three medical schools shall jointly collect and report on their production of generalist residents to the Secretary of Education and the State Council of Higher Education biennially.

c. The State Council of Higher Education for Virginia shall set forth the reporting requirements in consultation with the three medical schools.

d. The State Council shall, in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, provide a summary of the biennial report to the chairman of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.

G. Out of this appropriation, $492,237 the first year and four positions from nongeneral funds and $552,661 the second year and four positions from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23-276.9, Code of Virginia.

H.1. Out of this appropriation, $586,870 and six positions each year from the general fund are provided in recognition of the increased role that the State Council of Higher Education must play in: (i) coordinating Virginia's system of higher education; (ii) aligning statewide enrollment demand with institutional enrollment projections; (iii) providing guidance and oversight in the development and routine update of six-year financial, academic, and enrollment plans; and (iv) making policy recommendations to the Governor and General Assembly that ensure the Commonwealth's needs with respect to higher education are met consistently.

2. Specifically, these funds are provided to enhance the agency's capacity to: (i) collect and analyze data; (ii) conduct rigorous policy reviews, as needed; and (iii) evaluate and make recommendations related to resource needs, allocations, and systemwide funding policies. In addition to these funds, existing agency resources shall be reallocated and reprioritized in order to meet the needs of the Governor and General Assembly for routine assessments of the academic program and strategic planning efforts of Virginia's colleges and

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universities.

I.1. The State Council of Higher Education, in consultation with the Healthcare Workforce Task Force described herein, shall develop and recommend criteria for awarding additional state funds via a competitive grant process to innovative regional public-private sector partnerships that seek to maximize the number of newly licensed nurses and increase the supply of graduate nursing faculty. The Healthcare Workforce Task Force will develop criteria for the grant award process, identify aggressive attainment goals, establish mechanisms to monitor results and recommend program scope for the Council and policy makers to consider. The Task Force will be co-chaired by the Secretaries of Education and Health and Human Resources and will also include two members of the Senate appointed by the President pro tempore and three members of the House of Delegates appointed by the Speaker of the House. In addition to these seven policy makers, the Task Force will include six individuals appointed by the co-chairs with experience and knowledge of nursing and other allied health professional supply, training and practice issues as follows: two higher education leaders, two business leaders and two hospital or health system executives. The criteria developed by the Task Force for reviewing potential grant applications will reward a) regions that demonstrate partnerships between education institutions and healthcare employers for addressing the registered nursing shortage; b) applicants that document past, current and new matching private funds applied toward registered nurse education (to leverage potential public funds); c) innovative and cost-effective plans that expand the output of registered nurses (e.g., standardized curricula, improved retention rates and improved pass rates on licensure exams); and d) partnerships that demonstrate a desire and capability to be held accountable for results. The Council and Healthcare Workforce Task Force shall submit a report on the healthcare workforce competitive grant program scope, criteria and structure to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by May 1, 2007.

2. Out of this appropriation $750,000 each year from the general fund shall be provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

3. Out of this appropriation $750,000 each year from the general fund shall be provided to the University of Virginia to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

J. The State Council of Higher Education (SCHEV) shall examine the financial and programmatic feasibility of establishing a satellite campus of the Virginia Commonwealth University School of Dentistry on the campus of the University of Virginia at Wise. SCHEV shall provide a report of its findings to the Chairman of

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House Appropriations and Senate Finance Committees by October 1, 2007.

K. The State Council of Higher Education for Virginia (SCHEV), in consultation with the House Appropriations Committee, the Senate Finance Committee, the Department of General Services and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.

L. The Executive Director of the State Council of Higher Education for Virginia (SCHEV) may appoint an advisory committee to assist the Council with technology-enriched learning initiatives. The advisory committee may assist the Council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.

M. 1. In consultation with the Secretary of Education, the Secretary of Finance, and the Chairmen of the House Appropriations Committee and Senate Finance Committee, or their designees, the State Council of Higher Education for Virginia shall review, and if necessary, update institutional peer groups used for assessing the Commonwealth's goal to fund teaching and research faculty at the 60th percentile of peer institutions nationally.

2. In updating each public college or university's peer group, the Council shall develop a set of peers that is statistically similar to the Virginia institution. Factors to be used in the assessment of similar institutions may include, but shall not be limited to, the institution's Carnegie classification, the mix of academic programs offered, qualifications for student admissions, and faculty qualifications.

3. The State Council shall report its findings to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than July 1, 2007 along with an assessment of the impact of faculty salary rankings using the updated peer groups.

N. By November 15, 2006, the State Council of Higher Education for Virginia shall present to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees, its recommendations for allocating general fund support for

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| | | state need-based student financial aid to public colleges and universities. To the extent those recommendations differ from the General Assembly's long-held goal to meet 50 percent of remaining student need, the State Council shall identify how the proposed methodology addresses student need, and if appropriate, recommend an alternative measure to monitor the level of need being met with existing appropriations. | | | | |
| | | O. The State Council shall review the funding guideline methodologies and processes related to base adequacy. The State Council shall review factors affecting the methodologies and processes and shall report on the recommendations of its findings to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2007. | | | | |
| | 146. | Not set out. | | | | |
| | 147. | Not set out. | | | | |
| | | Total for State Council of Higher Education for Virginia | | | **$120,685,945** | **$135,846,309** |
| | | General Fund Positions | 39.00 | 39.00 | | |
| | | Nongeneral Fund Positions | 12.00 | 12.00 | | |
| | | Position Level | 51.00 | 51.00 | | |
| | | Fund Sources: General | $72,852,696 | $83,786,191 | | |
| | | Special | $42,149,942 | $45,520,366 | | |
| | | Federal Trust | $5,683,307 | $6,539,752 | | |
| | 148. | Not set out. | | | | |
| | 149. | Not set out. | | | | |
| | 150. | Not set out. | | | | |
| | 151. | Not set out. | | | | |
| | 152. | Not set out. | | | | |
| | 153. | Not set out. | | | | |
| | 154. | Not set out. | | | | |
| | 155. | Not set out. | | | | |
| | 156. | Not set out. | | | | |
| | 157. | Not set out. | | | | |
| | 158. | Not set out. | | | | |
| | 159. | Not set out. | | | | |
| | 160. | Not set out. | | | | |
| | 161. | Not set out. | | | | |
| | 162. | Not set out. | | | | |
| | 163. | Not set out. | | | | |

| ITEM 164. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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| 164. | Not set out. | | | | |
| 165. | Not set out. | | | | |
| 166. | Not set out. | | | | |
| 167. | Not set out. | | | | |
| 168. | Not set out. | | | | |
| 169. | Not set out. | | | | |
| 170. | Not set out. | | | | |
| 171. | Not set out. | | | | |
| 172. | Not set out. | | | | |
| 173. | Not set out. | | | | |
| 174. | Not set out. | | | | |
| 175. | Not set out. | | | | |
| 176. | Not set out. | | | | |
| 177. | Not set out. | | | | |
| | **§ 1-18. OLD DOMINION UNIVERSITY (221)** | | | | |
| 178. | Educational and General Programs (10000) | | | $192,405,150 | $206,001,966 |
| | Higher Education Instruction (100101) | $114,956,942 | $127,803,834 | | |
| | Higher Education Research (100102) | $950,553 | $947,553 | | |
| | Higher Education Public Services (100103) | $451,872 | $451,872 | | |
| | Higher Education Academic Support (100104) | $37,555,740 | $37,555,740 | | |
| | Higher Education Student Services (100105) | $7,570,397 | $7,570,397 | | |
| | Higher Education Institutional Support (100106) | $19,111,239 | $19,243,462 | | |
| | Operation and Maintenance of Plant (100107) | $11,808,407 | $12,429,108 | | |
| | Fund Sources: General | $106,254,589 | $109,412,411 | | |
| | Higher Education Operating | $86,150,561 | $96,589,555 | | |
| | Authority: Title 23, Chapter 5.2, Code of Virginia. | | | | |
| | A.1. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly). | | | | |
| | 2. Out of this appropriation, the University may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school. | | | | |
| | B. Out of this appropriation shall be expended an amount estimated at $431,013 from the general fund and $198,244 from nongeneral funds the first year and $431,013 from the general fund and $198,244 from nongeneral funds the second year for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by the State Council of Higher Education for Virginia. | | | | |

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C. Out of this appropriation $4,726,361 and 41.88 positions the first year from the general fund and $1,440,000 and 12.62 positions the first year from nongeneral funds and $4,726,361 and 41.88 positions the second year from the general fund and $1,440,000 and 12.62 positions the second year from nongeneral funds is designated for the TELETECHNET program at 22 community college sites.

D.1. Out of this appropriation, $425,088 the first year and $425,088 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.

2. The lease agreement shall be approved by the Governor, pursuant to § 2.2-1149, Code of Virginia and the agreement shall provide for a long term lease to support the work associated with the activities referred to in D.1.

E.1. Out of this appropriation, $2,610,000 from the general fund and $2,610,000 from nongeneral funds the first year and $2,610,000 from the general fund and $2,610,000 from nongeneral funds the second year are provided for the development and support of a Technology Workforce Training Center designed to train workers in the field of information technology.

2. Out of this appropriation, $2,015,280 and 10 positions the first year and $2,015,280 and 10 positions the second year from the general fund is provided to support workforce development in engineering and computer science. The University shall actively promote and recruit high school and community college students to consider engineering and computer science programs for their college careers. In carrying out the workforce development program, the University shall take into consideration that the General Assembly will be studying the advantages and disadvantages of incentive scholarships and their role in the Commonwealth's financial aid program.

F. Out of this appropriation, $1,165,196 and two positions the first year and $1,165,196 and two positions the second year from the general fund is designated to enhance the use of instructional technology in the classroom.

G. Notwithstanding § 55-297, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.

H. Notwithstanding § 23-7.4:2, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

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| | I. Out of this appropriation, $2,000,000 the first year from the general fund is to be used for the procurement of a full-scale "rolling road" test module that can be utilized in the wind tunnel at the NASA Langley Research Center, through a partnership with the University. | | | | |
| | J. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible. | | | | |
| | K. Out of this appropriation, $132,722 the second year from the general fund is provided to increase the average salary of nursing faculty by 10 percent, effective November 25, 2007. This additional funding will help to attract and retain nursing faculty that are needed to address a shortage of nurses in the Commonwealth. | | | | |
| | L. Out of this appropriation, $500,000 the second year from the general fund is provided for a Center for Teacher Quality and Educational Leadership at Old Dominion University. The Center will serve as a professional development facility that focuses on improving teacher quality and educational leadership through intensive, research-based, professional development for teachers and administrators in school divisions that have not met all of the standards for Virginia Standards of Learning accreditation and the requirements of the No Child Left Behind Act. | | | | |
| 179. | Not set out. | | | | |
| 180. | Not set out. | | | | |
| 181. | Not set out. | | | | |
| | Total for Old Dominion University | | | **$272,243,905** | **$287,533,499** |
| | General Fund Positions | 1,000.21 | 1,009.21 | | |
| | Nongeneral Fund Positions | 1,315.53 | 1,315.53 | | |
| | Position Level | 2,315.74 | 2,324.74 | | |
| | Fund Sources: General | $121,888,438 | $126,739,038 | | |
| | Higher Education Operating | $143,460,467 | $153,899,461 | | |
| | Debt Service | $6,895,000 | $6,895,000 | | |
| | **§ 1-19. RADFORD UNIVERSITY (217)** | | | | |
| 182. | Educational and General Programs (10000) | | | $89,425,629 | $94,233,868 |
| | Higher Education Instruction (100101) | $52,905,403 | $56,831,757 | | |
| | Higher Education Public Services (100103) | $327,247 | $327,247 | | |
| | Higher Education Academic Support (100104) | $9,193,874 | $9,193,874 | | |

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| Higher Education Student Services (100105) | $3,981,651 | $3,981,651 | | |
| Higher Education Institutional Support (100106) | $13,143,742 | $14,025,627 | | |
| Operation and Maintenance of Plant (100107) | $9,873,712 | $9,873,712 | | |
| Fund Sources: General | $47,540,290 | $50,370,913 | | |
| Higher Education Operating | $41,885,339 | $43,862,955 | | |

Authority: Title 23, Chapter 11.1, Code of Virginia.

A. Thism includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Educatiinancial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Outthis appropriation $350,000 from the general fund and $225,658 from nongeneral funds the first year and $840,781 from the general fund and $542,083 from nneral funds the second year is provided to assist with the first and second of five annual payments for the purchase and installation of the university's adminitive information system.

C. Out of this appropriation $1,367,523 from the general fund and $881,694 from nongeneral funds the first year and $862,429 from the general fund and $556,040 from nongeneral funds the second year is provided to establish two clinical simulation laboratories. These amounts include $321,772 from the general fund and $207,459 from nongeneral funds the first year and $327,852 from the general fund and $211,379 from nongeneral funds the second year to assist with the first and second of five annual payments for the purchase of nursing education equipment for the laboratories. The total cost of the equipment is $2,421,000.

D. Out of this appropriation, $257,500 the first year and $257,500 the second year from nongeneral funds is designated to support technology education initiatives, including information technology degree programs and technology training for faculty and students.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Radford University is authorized to offer a Doctor of Psychology degree in Counseling Psychology as approved by the State Council of Higher Education for Virginia. Approved doctoral programs are niche programs, consistent with the comprehensive mission of the University, and are targeted to meet critical needs

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| | | in the Commonwealth. | | | | |
| | | G. Out of this appropriation, $113,059 the second year from the general fund is provided to increase the average salary of nursing faculty by 10 percent, effective November 25, 2007. This additional funding will help to attract and retain nursing faculty that are needed to address a shortage of nurses in the Commonwealth. | | | | |
| | | *H. Radford University is authorized to offer a limited number of applied doctoral programs in specialized areas subject to approval from the State Council of Higher Education for Virginia. Such programs should support the comprehensive mission of the University and be targeted to meet critical needs in the Commonwealth.* | | | | |
| | 183. | Not set out. | | | | |
| | 184. | Not set out. | | | | |
| | 185. | Not set out. | | | | |
| | | Total for Radford University | | | **$140,321,872** | **$145,853,780** |
| | | General Fund Positions | 621.51 | 621.51 | | |
| | | Nongeneral Fund Positions | 749.53 | 749.53 | | |
| | | Position Level | 1,371.04 | 1,371.04 | | |
| | | Fund Sources: General | $53,107,916 | $56,662,208 | | |
| | | Higher Education Operating | $87,213,956 | $89,191,572 | | |
| | 186. | Not set out. | | | | |
| | 187. | Not set out. | | | | |
| | 188. | Not set out. | | | | |
| | 189. | Not set out. | | | | |
| | 190. | Not set out. | | | | |
| | 191. | Not set out. | | | | |
| | 192. | Not set out. | | | | |
| | 193. | Not set out. | | | | |
| | 194. | Not set out. | | | | |
| | 195. | Not set out. | | | | |
| | 196. | Not set out. | | | | |
| | 197. | Not set out. | | | | |
| | 198. | Not set out. | | | | |
| | 199. | Not set out. | | | | |

| ITEM 200. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 200. | Not set out. | | | | |
| 201. | Not set out. | | | | |
| 202. | Not set out. | | | | |
| | **§ 1-20. VIRGINIA COMMONWEALTH UNIVERSITY (236)** | | | | |
| 203. | Educational and General Programs (10000) | | | $413,553,002 | $440,504,235 |
| | Higher Education Instruction (100101) | $266,188,588 | $291,276,642 | | |
| | Higher Education Research (100102) | $8,111,000 | $8,111,000 | | |
| | Higher Education Public Services (100103) | $2,527,000 | $2,627,000 | | |
| | Higher Education Academic Support (100104) | $53,125,999 | $53,125,999 | | |
| | Higher Education Student Services (100105) | $11,836,997 | $11,836,997 | | |
| | Higher Education Institutional Support (100106) | $40,517,048 | $40,753,679 | | |
| | Operation and Maintenance of Plant (100107) | $31,246,370 | $32,772,918 | | |
| | Fund Sources: General | $185,724,515 | $194,722,160 | | |
| | Higher Education Operating | $227,828,487 | $245,782,075 | | |
| | Authority: Title 23, Chapter 6.1, Code of Virginia. | | | | |
| | A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly). | | | | |
| | B.1. Out of this appropriation, $5,978,735 the first year and $6,084,895 the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant. | | | | |
| | 2. The University shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program. | | | | |
| | 3. The University, in cooperation with the University of Virginia, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents. | | | | |
| | 4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement. | | | | |
| | C. Out of this appropriation an amount estimated at $388,468 from the general fund and $168,533 from nongeneral funds the first year and $388,468 from the general fund and $168,533 from nongeneral funds the second year is designated for the educational telecommunications project to provide graduate engineering education, subject to a plan approved by | | | | |

| ITEM 203. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

the State Council of Higher Education for Virginia.

D.1. Out of this appropriation, not less than $387,500 the first year and $387,500 the second year from the general fund is designated for the Virginia Center on Aging. This includes $205,000 in each year for the Alzheimer's and Related Diseases Research Award Fund.

2. Out of this appropriation $375,000 from the general fund and $375,000 from nongeneral funds the first year and $375,000 from the general fund and $375,000 from nongeneral funds the second year is designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.

E.1. It is the intent of the General Assembly that Virginia Commonwealth University, in conjunction with the University of Virginia and Eastern Virginia Medical School, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the University support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

2. Virginia Commonwealth University, in conjunction with the University of Virginia and Eastern Virginia Medical School, shall jointly collect and report on their production of generalist residents. The report shall be submitted biennially to the Secretary of Education and the State Council of Higher Education no later than October 1.

3. Reporting requirements shall be set forth by the State Council of Higher Education for Virginia in consultation with the University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School.

4. The State Council shall, in consultation with Virginia Commonwealth University, the University of Virginia, and Eastern Virginia Medical School, provide a summary of the biennial report to the chairman of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.

F. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.

G. Out of this appropriation, $740,000 the first year and $790,000 the second year from the general fund is provided for the continued operation and expansion of

| ITEM 203. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

the Autism Program of Virginia. The Commonwealth Institute for Child and Family Studies shall have oversight responsibility for the program and shall retain five percent each year for administration. The balance each year shall be provided to the Autism Program of Virginia for operation and expansion of the program.

H. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate.

I. Out of this appropriation, $300,000 the first year and $300,000 the second year from the general fund is designated for support of the Council on Economic Education.

J. Out of this appropriation, $48,500 the first year and $48,500 the second year from the general fund is designated for support of the Education Policy Institute.

K.1. Out of this appropriation, $25,000,000 the first year and $29,000,000 the second year from nongeneral funds is designated to support the University's branch campus in Qatar.

2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.

3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.

4. Notwithstanding Section 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.

5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act.

6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.

| ITEM 203. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

L.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:

2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed twenty percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by twenty percent of the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.

3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed twenty percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by twenty percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.

4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.

M. Out of this appropriation, $250,000 the first year and $300,000 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.

N. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

O. Out of this appropriation, $127,807 the second year from the general fund is provided to increase the average salary of nursing faculty by 10 percent, effective November 25, 2007. This additional funding will help to attract and retain nursing faculty that are needed to address a shortage of nurses in the Commonwealth.

| ITEM 204. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 204. | Not set out. | | | | |
| 205. | Not set out. | | | | |
| 206. | Not set out. | | | | |
| 207. | Not set out. | | | | |
| | Total for Virginia Commonwealth University | | | **$780,104,432** | **$829,430,209** |
| | General Fund Positions | 1,554.57 | 1,559.05 | | |
| | Nongeneral Fund Positions | 3,524.77 | 3,593.29 | | |
| | Position Level | 5,079.34 | 5,152.34 | | |
| | Fund Sources: General | $203,654,925 | $214,709,314 | | |
| | Higher Education Operating | $558,819,629 | $597,091,017 | | |
| | Debt Service | $17,629,878 | $17,629,878 | | |
| 208. | Not set out. | | | | |
| 209. | Not set out. | | | | |
| 210. | Not set out. | | | | |
| 211. | Not set out. | | | | |
| 212. | Not set out. | | | | |
| 213. | Not set out. | | | | |
| 214. | Not set out. | | | | |
| 215. | Not set out. | | | | |
| 216. | Not set out. | | | | |
| 217. | Not set out. | | | | |
| 218. | Not set out. | | | | |
| 219. | Not set out. | | | | |
| | **§ 1-21. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)** | | | | |
| 220. | Not set out. | | | | |
| 221. | Not set out. | | | | |
| 222. | Financial Assistance for Educational and General Services (11000) | | | $266,401,934 | $266,401,934 |
| | Eminent Scholars (11001) | $2,000,000 | $2,000,000 | | |
| | Sponsored Programs (11004) | $264,401,934 | $264,401,934 | | |
| | Fund Sources: General | $7,825,000 | $7,825,000 | | |
| | Higher Education Operating | $258,576,934 | $258,576,934 | | |
| | Authority: Title 23, Chapter 11, Code of Virginia. | | | | |
| | A. Out of this appropriation, $7,525,000 from the general fund and $15,000,000 from nongeneral funds each year is designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology. | | | | |

| ITEM 222. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

B. Virginia Polytechnic Institute shall report on the use of these funds and progress made under this initiative to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2007. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment.

C. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

D. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the University to cover sponsored program operations.

223. Not set out.

| | | | | |
|---|---|---|---|---|
| Total for Virginia Polytechnic Institute and State University ..... | | | **$874,442,522** | **$917,411,554** |

| ITEM 223. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | General Fund Positions | 2,001.00 | 2,004.90 | | |
| | | Nongeneral Fund Positions | 4,249.28 | 4,273.74 | | |
| | | Position Level | 6,250.28 | 6,278.64 | | |
| | | Fund Sources: General | $190,740,184 | $199,031,289 | | |
| | | Higher Education Operating | $673,466,457 | $708,029,765 | | |
| | | Debt Service | $10,235,881 | $10,350,500 | | |
| | | **Virginia Cooperative Extension and Agricultural Experiment Station (229)** | | | | |
| | 224. | Educational and General Programs (10000) | | | $81,358,460 | ~~$83,342,100~~ *$83,542,100* |
| | | Higher Education Instruction (100101) | $844,114 | $2,116,754 | | |
| | | Higher Education Research (100102) | $36,457,121 | $36,457,121 | | |
| | | Higher Education Public Services (100103) | $42,535,485 | ~~$43,246,485~~ *$43,446,485* | | |
| | | Higher Education Academic Support (100104) | $929,609 | $929,609 | | |
| | | Operation and Maintenance of Plant (100107) | $592,131 | $592,131 | | |
| | | Fund Sources: General | $63,290,406 | ~~$65,241,346~~ *$65,441,346* | | |
| | | Higher Education Operating | $18,068,054 | $18,100,754 | | |
| | | Authority: § 23-132.1 through § 23-132.11, Code of Virginia. | | | | |
| | | A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law. | | | | |
| | | B.1. It is the intent of the General Assembly that the Cooperative Extension Service give highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The University shall ensure that the service utilizes information technology to the extent possible in the delivery of programs. | | | | |
| | | 2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds. | | | | |
| | | C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming. | | | | |
| | | D. Out of the amounts for this Item, $250,000 is appropriated in the second year from the general fund to be used by the Virginia Cooperative Extension and Agricultural Experiment Station toward the implementation of the recommendations for the Study of the Plight of Virginia's Beekeepers (Senate Document Number 20, 2006). The Extension shall report the progress toward these recommendations to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation and Natural Resources and | | | | |

| ITEM 224. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | the House Committees on Appropriations and Agriculture, Chesapeake and Natural Resources by June 30, 2008. *It is the intent of the General Assembly that any funds from this appropriation that are unexpended as of June 30, 2008 shall be carried forward to fiscal year 2009 for the stated purposes.* | | | | |
| | *E. Out of the amounts for this item, $200,000 is appropriated in the second year from the general fund to be used to aid recovery from a quarantine at the Marion DuPont Scott Equine Center in Leesburg, Virginia.* | | | | |
| | Total for Virginia Cooperative Extension and Agricultural Experiment Station..... | | | **$81,358,460** | **~~$83,342,100~~** ***$83,542,100*** |
| | General Fund Positions..... | 735.95 | 742.95 | | |
| | Nongeneral Fund Positions..... | 384.47 | 384.47 | | |
| | Position Level ..... | 1,120.42 | 1,127.42 | | |
| | Fund Sources: General..... | $63,290,406 | ~~$65,241,346~~ *$65,441,346* | | |
| | Higher Education Operating..... | $18,068,054 | $18,100,754 | | |
| | Grand Total for Virginia Polytechnic Institute and State University ..... | | | **$955,800,982** | **~~$1,000,753,654~~** ***$1,000,953,654*** |
| | General Fund Positions..... | 2,736.95 | 2,747.85 | | |
| | Nongeneral Fund Positions..... | 4,633.75 | 4,658.21 | | |
| | Position Level ..... | 7,370.70 | 7,406.06 | | |
| | Fund Sources: General..... | $254,030,590 | ~~$264,272,635~~ *$264,472,635* | | |
| | Higher Education Operating..... | $691,534,511 | $726,130,519 | | |
| | Debt Service..... | $10,235,881 | $10,350,500 | | |
| 225. | Not set out. | | | | |
| 226. | Not set out. | | | | |
| 227. | Not set out. | | | | |
| 228. | Not set out. | | | | |
| 229. | Not set out. | | | | |
| 230. | Not set out. | | | | |
| 231. | Not set out. | | | | |
| 232. | Not set out. | | | | |
| 233. | Not set out. | | | | |
| | **§ 1-22. THE LIBRARY OF VIRGINIA (202)** | | | | |
| 234. | Not set out. | | | | |
| 235. | Not set out. | | | | |
| 236. | Not set out. | | | | |

| ITEM 236. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| 237. | Administrative and Support Services (19900) | | | | $7,575,637 | ~~$7,375,475~~ *$7,409,574* |
| | General Management and Direction (19901) | | $5,739,215 | ~~$5,764,366~~ *$5,798,465* | | |
| | Information Technology Services (19902) | | $1,447,774 | $1,222,461 | | |
| | Physical Plant Services (19915) | | $388,648 | $388,648 | | |
| | Fund Sources: General | | $5,759,854 | ~~$5,509,692~~ *$5,543,791* | | |
| | Special | | $805,167 | $855,167 | | |
| | Federal Trust | | $1,010,616 | $1,010,616 | | |
| | Authority: Title 42.1, Chapter 1, Code of Virginia. | | | | | |
| | Total for The Library of Virginia | | | | **$40,966,677** | ~~**$41,068,503**~~ ***$41,102,602*** |
| | General Fund Positions | | 145.00 | 145.00 | | |
| | Nongeneral Fund Positions | | 59.00 | 59.00 | | |
| | Position Level | | 204.00 | 204.00 | | |
| | Fund Sources: General | | $31,060,188 | ~~$31,112,014~~ *$31,146,113* | | |
| | Special | | $4,798,624 | $4,848,624 | | |
| | Federal Trust | | $5,107,865 | $5,107,865 | | |
| 238. | Not set out. | | | | | |
| 239. | Not set out. | | | | | |
| 240. | Not set out. | | | | | |
| 241. | Not set out. | | | | | |
| | **§ 1-23. EASTERN VIRGINIA MEDICAL SCHOOL (274)** | | | | | |
| 242. | Financial Assistance for Educational and General Services (11000) | | | | $19,389,353 | $19,678,313 |
| | Sponsored Programs (11004) | | $2,700,000 | $2,700,000 | | |
| | Medical Education (11005) | | $16,689,353 | $16,978,313 | | |
| | Fund Sources: General | | $18,189,353 | $18,478,313 | | |
| | Higher Education Operating | | $1,200,000 | $1,200,000 | | |
| | Authority: Chapter 87, Acts of Assembly of 2002. | | | | | |
| | A.1. Out of this appropriation, state aid for the instructional programs for undergraduate medical education at Eastern Virginia Medical School is provided in the amount of $8,978,162 the first year and $8,978,162 the second year from the general fund. Funding is provided on the basis of an average enrollment of 292 in-state students. The Medical School shall submit, to the Department of Planning and Budget on September 30 of each year, a report on in-state enrollment. | | | | | |
| | 2. Allotment of $4,229,454 in the second year is contingent upon approval by the Governor of a plan prepared and adopted by the Board of Visitors of the Eastern Virginia Medical School to strengthen joint academic, operational and management relationships with a major academic institution or medical center. | | | | | |

| ITEM 242. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

B. Out of this appropriation, a state grant in an amount not to exceed $894,298 the first year, and $894,298 the second year from the general fund is designated for the operation of the Family Practice Residency program and Family Practice Medical Student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

C.1. It is the intent of the General Assembly that the Eastern Virginia Medical School, in conjunction with the University of Virginia and Virginia Commonwealth University, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the University support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

2. Eastern Virginia Medical School, in conjunction with the University of Virginia and Virginia Commonwealth University, shall jointly collect and report on their production of generalist residents. The report shall be submitted biennially to the Secretary of Education and the State Council of Higher Education no later than October 1.

3. Reporting requirements shall be set forth by the State Council of Higher Education for Virginia in consultation with Eastern Virginia Medical School, the University of Virginia, and Virginia Commonwealth University.

4. The State Council shall, in consultation with Eastern Virginia Medical School, the University of Virginia, and Virginia Commonwealth University, provide a summary of the biennial report to the chairman of the House Appropriations and Senate Finance Committees by November 1, and shall include policy and funding recommendations, as appropriate, to address the need for medical education and training in the Commonwealth.

D. Out of this appropriation, $92,000 the first year and $92,000 the second year from the general fund is designated to support the Eastern Virginia Area Health Education Center.

E. This appropriation provides state aid of $6,158,108 in the first year and $6,158,108 in the second year from the general fund for treatment, care and maintenance of indigent Virginia patients through the medical school; the aid is to be apportioned on the basis of a plan having the prior written approval of the Director, Department of Medical Assistance Services.

F. The Medical School will account for financial activities based on generally accepted accounting principles for the health care industry and will report expenditures for indigent, medically indigent, and other patients. The Medical School shall report by October

| ITEM 242. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | 31 annually to the Department of Medical Assistance Services on expenditures related to this Item. | | | | |
| | | G. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate. | | | | |
| | | H. Out of this appropriation, $1,500,000 from the general fund and $1,200,000 from nongeneral funds each year is designated to build research capacity in medical modeling and simulation. | | | | |
| | | I. Eastern Virginia Medical School shall report on the use of these funds and progress made under this initiative to the Chairman of the House Appropriations and Senate Finance Committees by October 1, 2007. The report shall include, but not be limited to: 1) how the funds were used, 2) the amount of federal and private funds that were leveraged, 3) collaborative efforts in support of private industry, 4) the number of junior and senior faculty recruited in each field, 5) the amount of federal or other grant funds received as the result of those recruitments, 6) additional grants or contracts being pursued, 7) the level of instructional activity conducted by these faculty, 8) the impact of research activities on undergraduate instruction, 9) the use of graduate student aid funds, and 10) recommendations for future investment. | | | | |
| | 243. | Not set out. | | | | |
| | | Total for Eastern Virginia Medical School..... | | | **$19,389,353** | **$19,678,313** |
| | | Fund Sources: General..... | $18,189,353 | $18,478,313 | | |
| | | Higher Education Operating..... | $1,200,000 | $1,200,000 | | |
| | 244. | Not set out. | | | | |
| | 244.10. | Not set out. | | | | |
| | 245. | Not set out. | | | | |
| | 246. | Not set out. | | | | |
| | 247. | Not set out. | | | | |
| | 248. | Not set out. | | | | |
| | 249. | Not set out. | | | | |
| | | **§ 1-24. HIGHER EDUCATION RESEARCH INITIATIVE (989)** | | | | |
| | 250. | Financial Assistance for Educational and General Services (11000)..... | | | $5,300,000 | $5,300,000 |
| | | Sponsored Programs (11004) ..... | $5,300,000 | $5,300,000 | | |
| | | Fund Sources: General..... | $5,300,000 | $5,300,000 | | |
| | | Authority: Discretionary Inclusion. | | | | |
| | | 1. State, federal and private support totaling $205,540,687 in Items 153, 154, 161, 163, 164, 179, 180, 193, 194, 204, 205, 221, 222, 242, 245, 250, 251 | | | | |

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are provided to strengthen leading research programs at public institutions of higher education in the Commonwealth. Funding is provided to support biomedical research and biomaterials engineering, modeling and simulation, to increase support for graduate students, and to expand research programs in Southside Virginia.

2. Nongeneral fund amounts included in the aforementioned Items represent the institutions' contributions to enhancing their research programs. These ongoing amounts shall be invested in support of research programs including but not limited to those identified in each Item.

3. a. Out of this appropriation, $5,000,000 the first year and $1,000,000 the second year from the general fund is designated for the Commonwealth Technology Research Fund pursuant to § 2.2-2233.1., Code of Virginia. These funds shall be used to enhance research opportunities at public institutions of higher education in the Commonwealth in accordance with § 2.2-2233.1 C. of the Code of Virginia. Awards from the Fund shall be matched on at least a dollar-for-dollar basis by the respective institutions of higher education with institutional funds, private funds, local funds or combinations thereof.

b. The Governor is authorized to expend $3,000,000 the first year from the general fund to provide an incentive for the location of a research-related entity along the Interstate 81 corridor.

4. The Director, Department of Planning and Budget shall transfer $300,000 from the general fund each year to the Virginia Department of Economic Development to support modeling and simulation research specifically an emergency management training simulation.

5. Out of this appropriation, $500,000 the second year from the general fund is designated to support the Christopher Reeve Stem Cell Research Fund. This fund supports medical and biomedical stem cell research conducted in the Commonwealth's institutions of higher education relating to the causes and cures of disease.

6. a. Out of this appropriation, the Director, Department of Planning and Budget, shall transfer $1,000,000 the second year from the general fund to the University of Virginia to support cancer research.

b. Out of this appropriation, the Director, Department of Planning and Budget, shall transfer $1,000,000 the second year from the general fund to Virginia Commonwealth University to support cancer research.

c. 1. Out of this appropriation, $1,500,000 the second year from the general fund is designated for the Virginia Coastal Energy Research Consortium (VCERC) to implement research and development of Virginia's marine renewable energy resources, with an initial focus on offshore winds, waves, and marine biomass. These funding amounts are necessary for (but

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| | not limited to) energy resource assessment, characterization of extreme storm survival conditions and sea floor anchoring and foundation properties, identification of potential environmental concerns, new technology research and development to enable project installations in deeper offshore waters "over the horizon," and realistic evaluation of economic benefits and new business opportunities for Virginia's maritime industry. These funds are necessary to support VCERC's close engagement of the Mineral Management Service (MMS) to ensure that the new MMS rules for alternative energy uses of the outer continental shelf, as well as the 2007-2012 offshore leasing program now being formulated, are well-supported by data and have the best possible terms for Virginia. These funds also are required for assessment of the Virginia Tech Agricultural Extension and Research Center as an anchor and field laboratory for VCERC studies related to the nearby access to deepwater and offshore research projects. | | | | |
| | 2. The distribution of these cost-sharing funds shall be designated by the VCERC Board of Directors for proposals involving VCERC institutions working together. Old Dominion University will fund the support for the VCERC organization as required and provide industry sub-contracting as appropriate to support research and industry collaboration. | | | | |
| | 3. It is intended that VCERC shall operate following the administrative model of the Virginia Space Grant Consortium, employing Old Dominion Research Foundation as its fiscal agent. | | | | |
| | 4. Funding contained in c.1. is contingent on the Virginia Coastal Energy Research Consortium (VCERC) and/or the member institutions being able to document existing financial investments in such research activities from other federal or private funds. | | | | |
| | Total for Higher Education Research Initiative..... | | | **$5,300,000** | **$5,300,000** |
| | General Fund Positions..... | 100.00 | 100.00 | | |
| | Nongeneral Fund Positions..... | 100.00 | 100.00 | | |
| | Position Level ..... | 200.00 | 200.00 | | |
| | Fund Sources: General..... | $5,300,000 | $5,300,000 | | |
| 251. | Not set out. | | | | |
| | TOTAL FOR OFFICE OF EDUCATION..... | | | **$13,658,308,459** | **~~$14,233,317,212~~ *$14,178,317,557*** |
| | General Fund Positions..... | 18,873.96 | 18,957.82 | | |
| | Nongeneral Fund Positions..... | 32,722.34 | 33,092.16 | | |
| | Position Level ..... | 51,596.30 | 52,049.98 | | |
| | Fund Sources: General..... | $7,590,457,610 | ~~$7,859,550,694~~ *$7,795,745,444* | | |
| | Special..... | $73,212,392 | $78,201,517 | | |
| | Higher Education Operating..... | $4,845,939,876 | $5,138,425,174 | | |
| | Commonwealth Transportation..... | $2,399,983 | $2,399,983 | | |
| | Trust and Agency ..... | $179,326,817 | ~~$180,622,380~~ *$189,427,975* | | |

| ITEM 251. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Debt Service..... | $152,094,141 | $157,768,379 | | |
| 2 | Dedicated Special Revenue..... | $13,015,885 | $13,630,885 | | |
| 3 | Federal Trust..... | $801,861,755 | $802,718,200 | | |

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| | **OFFICE OF FINANCE** | | | | |
| 252. | Not set out. | | | | |
| | **§ 1-25. DEPARTMENT OF ACCOUNTS (151)** | | | | |
| 253. | Not set out. | | | | |
| 254. | Accounting Services (73700) | | | $4,623,166 | $6,106,714 |
| | General Accounting (73701) | $1,703,045 | $2,967,362 | | |
| | Disbursements Review (73702) | $724,029 | $726,170 | | |
| | Payroll Operations (73703) | $912,329 | $1,026,189 | | |
| | Financial Reporting (73704) | $1,283,763 | $1,386,993 | | |
| | Fund Sources: General | $4,239,501 | $5,723,049 | | |
| | Special | $383,665 | $383,665 | | |
| | Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia. | | | | |
| | A. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is provided to the Department of Accounts for a program to train internal auditors. The Department of Accounts shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Department of Accounts shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors. | | | | |
| | B. There is hereby created on the books of the Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions *and payments due to the federal government* are hereby appropriated from the Fund. All remaining rebate revenue in the Fund shall be deposited to the general fund by June 30 of each year. | | | | |
| 255. | Not set out. | | | | |
| 256. | Not set out. | | | | |
| 257. | Not set out. | | | | |
| 258. | Not set out. | | | | |
| 259. | Not set out. | | | | |
| | Total for Department of Accounts | | | **$9,847,216** | **$11,422,811** |
| | General Fund Positions | 102.00 | 116.00 | | |
| | Nongeneral Fund Positions | 3.00 | 3.00 | | |
| | Position Level | 105.00 | 119.00 | | |
| | Fund Sources: General | $9,463,551 | $11,039,146 | | |
| | Special | $383,665 | $383,665 | | |

| ITEM 260. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **Department of Accounts Transfer Payments (162)** | | | | |
| 260. | Financial Assistance to Localities - General (72800) | | | | |
| | a sum sufficient, estimated at | | | $54,530,000 | ~~$54,530,000~~ *$118,188,954* |
| | Distribution of Alcoholic Beverage Control Profits (72801) | $4,150,000 | $4,150,000 | | |
| | Distribution of Wine Taxes (72805) | $4,350,000 | $4,350,000 | | |
| | Distribution of Rolling Stock Taxes (72806) | $4,970,000 | $4,970,000 | | |
| | Distribution of Recordation Taxes (72808) | $40,000,000 | $40,000,000 | | |
| | Distribution of Sales Tax Revenues From Certain Public Facilities (72811) | $930,000 | $930,000 | | |
| | Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812) | $130,000 | $130,000 | | |
| | *Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815)* | *$0* | *$63,658,954* | | |
| | Fund Sources: General | $54,530,000 | $54,530,000 | | |
| | *Dedicated Special Revenue* | *$0* | *$63,658,954* | | |

Authority: §§ 4.1-116, 4.1-117, 4.1-235, 15.2-5814, 15.2-5914, 58.1-608.3, 58.1-815.1, 58.1-816, 58.1-2658.1, and 58.1-3406, Code of Virginia.

A. Out of this appropriation, amounts estimated at $18,500,000 the first year and $18,500,000 the second year from the general fund shall be deposited into the Northern Virginia Transportation District Fund, as provided in §58.1-815.1, Code of Virginia. Said amount shall consist of recordation taxes attributable to and transferable to the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the counties of Arlington, Fairfax, Loudoun, and Prince William, pursuant to § 58.1-816, Code of Virginia. This amount shall be transferred to Item 447 of this act and shall be used to support the Northern Virginia Transportation District Program as defined in § 33.1-221.1:3, Code of Virginia. The Commonwealth Transportation Board shall make such allocations and expenditures from the Fund as are provided in the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993 (Chapter 391, Acts of Assembly of 1993). The Commonwealth Transportation Board also shall make such allocations and expenditures from the fund as are provided in Chapters 470 and 597 of the Acts of Assembly of 1994 (amendments to Chapter 391, Acts of Assembly of 1993).

B. Pursuant to Chapters 233 and 662 of the Acts of Assembly of 1994, out of this appropriation, an amount estimated at $1,000,000 the first year and $1,000,000 the second year from the general fund shall be deposited into the Set-aside Fund as requested in an ordinance adopted March 28, 1995, and in compliance with the requirements provided for in § 58.1-816.1, Code of Virginia, for an account for the City of Chesapeake. These amounts shall be transferred to Item 447 of this act and shall be allocated by the Commonwealth Transportation Board to provide for the debt service pursuant to the Oak Grove Connector, City of Chesapeake, Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994

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| | | (Chapters 233 and 662, Acts of Assembly of 1994). | | | | |
| | | C. There is hereby appropriated for payment to the Virginia Baseball Stadium Authority from the program Financial Assistance to Localities - General a sum sufficient equal to the state personal, corporate, and pass-through entity income and sales and use tax revenues to which the Authority is entitled. | | | | |
| | | *D. There is hereby appropriated for payment to the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission a sum sufficient amount of nongeneral fund revenues estimated at $63,658,954 in the second year equal to the revenues collected pursuant to § 58.1-1720 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-1720 et seq., Code of Virginia. Such funds shall be returned to the respective Commissions in amounts equivalent to the shares collected in the respective member jurisdictions.* | | | | |
| | 260.10. | Revenue Stabilization Fund (73500)..... | | | $106,690,348 | ~~$184,317,629~~ *$114,845,430* |
| | | Payments to the Revenue Stabilization Fund (73501)..... | $106,690,348 | ~~$184,317,629~~ *$114,845,430* | | |
| | | Fund Sources: General..... | $106,690,348 | ~~$184,317,629~~ *$114,845,430* | | |
| | | Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia. | | | | |
| | | A.1. That portion of the FY 2006 Revenue Stabilization Fund deposit attributable to FY 2005 tax collections in excess of the minimum deposit certified by the Auditor of Public Accounts on October 27, 2005, less any transfer from the Fund to the general fund in FY 2006 pursuant to § 2.2-1829, Code of Virginia, shall be considered to be an advance payment of any required deposit to the Revenue Stabilization Fund attributable to actual tax collections for FY 2006. | | | | |
| | | 2. Out of this appropriation, $106,690,348 the first year from the general fund attributable to actual tax collections for FY 2006 shall be paid by the State Comptroller on or before June 30, 2007, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for FY 2006. This appropriation meets the additional deposit requirement of § 2.2-1829, Code of Virginia. | | | | |
| | | 3. Out of this appropriation, ~~$184,317,629~~*$114,845,430* the second year from the general fund attributable to actual tax collections for FY 2006 shall be paid by the State Comptroller on or before June 30, 2008, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certifications of the Auditor of Public Accounts of actual tax revenues for FY 2006 *and the maximum fund allowed for FY 2008*. This appropriation meets the mandatory deposit requirement of Article X, Section 8 | | | | |

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| | | of the Constitution of Virginia. | | | | |
| | | *B.1. In accordance with the provisions of Article X, Section 8 of the Constitution of Virginia and § 2.2-1830, Code of Virginia, $351,500,000 is hereby appropriated in fiscal year 2008 from the Revenue Stabilization Fund. The State Comptroller shall deposit this sum into the general fund of the State Treasury on or before June 30, 2008.* | | | | |
| | | *2. The shortfall in general fund revenues for the fiscal year ending June 30, 2008, is computed by comparing the revised general fund forecast contained in enactment number 2 of this act to the total general fund revenues appropriated in Chapter 847 of the 2007 Acts of Assembly.* | | | | |
| | | ~~B~~*C*. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The Auditor shall, at the same time, provide his report on the 10 percent limitation and the amount that could be paid into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia. | | | | |
| | 261. | Not set out. | | | | |
| | 262. | Not set out. | | | | |
| | | Total for Department of Accounts Transfer Payments ..... | | | **$169,642,190** | **~~$249,940,683~~** ***$244,127,438*** |
| | | Fund Sources: General ..... | $168,597,412 | ~~$248,895,905~~ *$179,423,706* | | |
| | | Trust and Agency ..... | $1,044,778 | $1,044,778 | | |
| | | *Dedicated Special Revenue* ..... | *$0* | *$63,658,954* | | |
| | | Grand Total for Department of Accounts ..... | | | **$179,489,406** | **~~$261,363,494~~** ***$255,550,249*** |
| | | General Fund Positions ..... | 102.00 | 116.00 | | |
| | | Nongeneral Fund Positions ..... | 3.00 | 3.00 | | |
| | | Position Level ..... | 105.00 | 119.00 | | |
| | | Fund Sources: General ..... | $178,060,963 | ~~$259,935,051~~ *$190,462,852* | | |
| | | Special ..... | $383,665 | $383,665 | | |
| | | Trust and Agency ..... | $1,044,778 | $1,044,778 | | |
| | | *Dedicated Special Revenue* ..... | *$0* | *$63,658,954* | | |
| | | **§ 1-26. DEPARTMENT OF PLANNING AND BUDGET (122)** | | | | |
| | 263. | Planning, Budgeting, and Evaluation Services (71500) .... | | | $8,450,057 | ~~$8,449,102~~ *$8,477,102* |
| | | Budget Development and Budget Execution Services (71502) ..... | $4,782,861 | $4,782,861 | | |
| | | Legislation and Executive Order Review Service (71504) ..... | $59,886 | $59,886 | | |
| | | Forecasting and Regulatory Review Services (71505) ..... | $634,542 | $634,542 | | |

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| Program Evaluation Service (71506) | $2,510,694 | $2,510,694 | | |
| Administrative Services (71598) | $462,074 | ~~$461,119~~ *$489,119* | | |
| Fund Sources: General | $8,200,057 | ~~$8,199,102~~ *$8,227,102* | | |
| Special | $250,000 | $250,000 | | |

Authority: Title 2.2, Chapter 15 and Chapter 26, Article 8, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government. The Department shall collaborate with the Governor's Secretaries and all other agencies of state government and other entities as necessary to ensure that information generated from these processes is useful for managing and improving the efficiency and effectiveness of state government operations.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the plans and performance measures, the processes used to develop and implement the plans and measures, the degree to which agencies achieve intended goals and results, and the relation between intended and actual results and budget requirements.

C. The Department of Planning and Budget shall include in the Budget Document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. The Budget Document shall also include the amount of projected spending, less funding for personal property tax relief, for the same fiscal years, on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

D.1. The Department of Planning and Budget shall provide staffing and operational support to the Commonwealth Competition Council. Other state agencies and institutions of the Commonwealth shall also assist the Commonwealth Competition Council in its work upon the request of the chairman of the Council.

2. There is hereby created upon the books of the Comptroller a special, nonreverting fund known as the "Commonwealth Competition Council Savings Recovery Fund." This Fund shall provide a nongeneral fund appropriation of $250,000 each year for use by the Department of Planning and Budget in defraying the costs of providing staff and operational support to the council.

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3. Prior to April 1 each year, the Director of the Department of Planning and Budget shall notify the Auditor of Public Accounts of any savings recommendations put forth by the Commonwealth Competition Council for which savings are likely to be realized in the current fiscal year or in the fiscal year beginning on the next July 1 after such notification. The Auditor of Public Accounts shall audit the implementation of these savings recommendations and shall certify to the State Comptroller by June 1 each year the total savings realized by state agencies or institutions as a result of the savings recommendations put forth by the Commonwealth Competition Council. By July 1 each year, the State Comptroller shall transfer 10 percent of these certified savings to the Commonwealth Competition Council Savings Recovery Fund for support of the council's operations. However, if these savings have since accrued to the benefit of the general fund, either by subsequent budgetary action or by reversion, then following the certification of the savings by the Auditor of Public Accounts, the State Comptroller shall transfer the equivalent of 10 percent of the affected certified savings from the general fund to the Commonwealth Competition Council Savings Recovery Fund. The total amount transferred to the Commonwealth Competition Council Savings Recovery Fund pursuant to these provisions shall not exceed $500,000 in any one fiscal year.

E.1. Out of this appropriation, $1,182,500 the first year and $1,182,500 the second year from the general fund is provided to support the continuation of the school efficiency reviews program. Any school division undergoing an efficiency review shall provide a report to the Department of Planning and Budget indicating what action has been taken on each recommendation identified in the efficiency review along with any budget savings realized for each recommendation. The report shall also include a schedule for implementation of the remaining recommendations not implemented to date. The Department of Planning and Budget shall forward copies of the reports to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees within 30 days of receiving such reports. The first report shall be made within six months following the receipt of the final efficiency review, and subsequent follow-up reports shall be submitted annually by June 30th until 100 percent of the recommendations have been implemented or rationale reported that explain and address the division's lack of such implementation. The Department of Planning and Budget shall provide the format for such report that shall include budget savings realized for each recommendation implemented.

2. Commencing in fiscal year 2007, each participating school division shall pay 25 percent of the cost incurred by the state for that school division's efficiency review to be conducted.

Consistent with language and intent contained in Item 130, any school division that elects to participate in a school efficiency review as a component unit of a division level academic review shall be exempt from

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| | the 25 percent payment of the costs of the review but will not be exempt from paying a recovery cost of 25 percent if the school division does not initiate at least 50 percent of the review's recommendations within 24 months of receiving their final school efficiency review report. | | | | |
| | Payment shall occur in the fiscal year immediately following the completion of the final school efficiency review report. The cost shall include the direct cost incurred by the state for that fiscal year to coordinate the school efficiency review and 100 percent of the costs awarded to the contractor(s) to conduct that school division's review. | | | | |
| | 3. Additionally, commencing in fiscal year 2007, a recovery of a separate and additional 25 percent payment of the cost of individual reviews shall be made in the fiscal year beginning not less than 12 months and not more than 24 months following the release of a final efficiency review report for an individual school division. Such recovery shall occur if the affected school division superintendent or superintendent's designee has not certified that at least half the recommendations have been initiated or at least half of the equivalent savings of such efficiency review have been realized. Lacking such certification the school division shall reimburse the state for 25 percent of the cost of the school efficiency review. Such reimbursement shall be paid into the general fund of the state treasury. The Department of Planning and Budget shall provide the format for such certification. | | | | |
| | Total for Department of Planning and Budget..... | | | **$8,450,057** | **~~$8,449,102~~** ***$8,477,102*** |
| | General Fund Positions..... | 68.00 | 68.00 | | |
| | Nongeneral Fund Positions..... | 2.00 | 2.00 | | |
| | Position Level ..... | 70.00 | 70.00 | | |
| | Fund Sources: General..... | $8,200,057 | ~~$8,199,102~~ *$8,227,102* | | |
| | Special..... | $250,000 | $250,000 | | |
| | **§ 1-27. DEPARTMENT OF TAXATION (161)** | | | | |
| 264. | Not set out. | | | | |
| 265. | Revenue Administration Services (73200)..... | | | $56,121,296 | $55,349,457 |
| | Tax Return Processing (73214)..... | $11,534,386 | $11,534,386 | | |
| | Customer Services (73217)..... | $9,380,606 | $9,263,042 | | |
| | Compliance Audit (73218) ..... | $16,907,844 | $16,892,509 | | |
| | Compliance Collections (73219)..... | $18,298,460 | $17,659,520 | | |
| | Fund Sources: General..... | $46,422,513 | $46,414,614 | | |
| | Special..... | $9,550,233 | $8,786,293 | | |
| | Trust and Agency ..... | $135,588 | $135,588 | | |
| | Dedicated Special Revenue..... | $12,962 | $12,962 | | |
| | Authority: Title 3.1, Chapters 18, 25.3 and 27; Title 58.1, Code of Virginia. | | | | |
| | A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with | | | | |

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private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade *audit and* collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

B. There is hereby appropriated, for each year of the biennium, revenues from the sales tax on fuel in certain transportation districts *and certain authorities* to cover only the direct cost of administration incurred by the Department in collecting ~~this~~ ~~tax~~ *these taxes* as provided by § 58.1-1724 *and §58.1-1724.6*, Code of Virginia.

C.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the Department for any ongoing operational collection expenses.

2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the Department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.

D. The Department of Taxation is authorized to make tax incentive payments to small tobacco product manufacturers who do not participate in the 1998 Tobacco Master Settlement Agreement, pursuant to Chapter 901 of the 2005 Acts of Assembly.

E. The Department of Taxation shall study the feasibility of requiring a certification that all tax obligations are paid prior to the issuance of or the renewal of a state license or permit. Specifically, the department shall examine the effectiveness of various alternatives for implementing this certification, including (i) requiring the applicant to certify that all tax obligations are paid and authorizing the certifying agency to verify that certification with the Department of Taxation, (ii) requiring the applicant to obtain a tax clearance letter from the Department of Taxation, and (iii) allowing the Department of Taxation to obtain licensing information from certifying agencies and to maintain such information until a delinquency occurs, at which time the department may notify the certifying agency of such delinquency. All other agencies of the Commonwealth, particularly the Department of Professional and Occupational Regulation and the Department of Health Professions, shall provide the names of licensees, the date of licensure, the length of time that the license continues, the date of license renewal, and any other information or assistance to the Department of Taxation for this study, upon request. A report shall be made to the Governor and the General Assembly for consideration by the 2008 Session of the

| ITEM 265. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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| | General Assembly. | | | | |
| | F.1. Pursuant to the provisions of Chapter 780 of the Acts of Assembly of 2006, the State Comptroller shall provide a treasury loan of up to $1,000,000 to the Department of Taxation to implement the Virginia Communications Sales and Use Tax. This treasury loan shall bear interest at a rate equal to the general fund composite investment rate and shall be repaid no later than December 1, 2007. Funding to repay this treasury loan shall be provided from the Communications Sales and Use Tax Trust Fund. | | | | |
| | 2. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia. | | | | |
| | G. Out of the amounts appropriated for Revenue Administration Services, $128,325 the first year from the general fund is provided to the Department of Taxation to support the development of forms and systems modifications necessary to capture information about the use of the federal earned income tax credit by Virginians, pursuant to Chapter 590 of the Acts of Assembly of 2006. | | | | |
| | *H. The Department of Taxation is hereby appropriated revenues from the retail sales and use tax imposed on motor vehicle repair labor and services pursuant to § 58.1-605 K(2) and § 58.1-606 H(2), Code of Virginia, to recover the direct cost of administration incurred by the department in implementing and collecting such tax.* | | | | |
| | *I. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the Department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.* | | | | |
| 266. | Not set out. | | | | |
| 267. | Not set out. | | | | |
| 268. | Not set out. | | | | |
| 269. | Not set out. | | | | |
| | Total for Department of Taxation | | | **$98,634,535** | **$96,086,790** |
| | General Fund Positions | 909.50 | 910.50 | | |
| | Nongeneral Fund Positions | 36.00 | 36.00 | | |
| | Position Level | 945.50 | 946.50 | | |

| ITEM 269. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | Fund Sources: General | $86,054,998 | $86,771,193 | | |
| | | Special | $12,430,987 | $9,167,047 | | |
| | | Trust and Agency | $135,588 | $135,588 | | |
| | | Dedicated Special Revenue | $12,962 | $12,962 | | |
| | | **§ 1-28. DEPARTMENT OF THE TREASURY (152)** | | | | |
| | 270. | Not set out. | | | | |
| | 271. | Not set out. | | | | |
| | 272. | Not set out. | | | | |
| | | **Treasury Board (155)** | | | | |
| | 273. | Not set out. | | | | |
| | 274. | Not set out. | | | | |
| | 275. | Not set out. | | | | |
| | 276. | Bond and Loan Retirement and Redemption (74300) | | | $345,893,677 | ~~$410,077,950~~ *$405,605,250* |
| | | Debt Service Payments on General Obligation Bonds (74301) | $83,289,966 | ~~$95,521,805~~ *$95,373,103* | | |
| | | Capital Lease Payments (74302) | $14,159,123 | ~~$14,160,961~~ *$14,079,761* | | |
| | | Debt Service Payments on Public Building Authority Bonds (74303) | $148,811,711 | ~~$185,401,309~~ *$182,927,332* | | |
| | | Debt Service Payments on College Building Authority Bonds (74304) | $99,632,877 | ~~$114,993,875~~ *$113,225,054* | | |
| | | Fund Sources: General | $336,623,799 | ~~$398,809,586~~ *$394,336,886* | | |
| | | Special | $2,427,276 | $2,425,762 | | |
| | | Higher Education Operating | $6,842,602 | $8,842,602 | | |

Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X, Section 9, Constitution of Virginia.

A. The Director of the Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

| Series | FY 2007 | FY 2008 |
|---|---|---|
| 1997 | $5,365,500 | $0 |
| 1998 Refunding | $10,786,989 | $15,275,739 |
| 1998 | $3,457,650 | $3,286,325 |
| 1999 | $1,215,024 | $1,163,349 |
| 2002 Refunding | $13,240,050 | $7,757,850 |
| 2003A | $4,320,288 | $4,194,538 |

| ITEM 276. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | 2004A | $15,343,538 | | $14,927,438 | | |
| | 2004B Refunding | $4,045,550 | | $7,015,550 | | |
| | 2005 | $11,256,101 | | $11,133,726 | | |
| | 2006A Refunding | $5,636,826 | | $5,497,150 | | |
| | Projected debt service & expenses | $8,622,450 | | ~~$25,270,140~~ *$25,121,438* | | |
| | **Total Service Area** | **$83,289,966** | | **~~$95,521,805~~** ***$95,373,103*** | | |

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C. Out of the amounts for Capital Lease Payments, the following amounts are hereby appropriated for capital lease payments:

| | FY 2007 | FY 2008 |
|---|---|---|
| Big Stone Gap RHA (DOC) (Wallens Ridge, 1995) | $6,059,500 | $6,038,725 |
| Norfolk RHA (VCCS-TCC), Series 1995 | $2,024,598 | $2,016,079 |
| Innovative Technology Authority (VEDP) (1997) | $1,381,525 | $1,409,013 |
| Virginia Biotech Research Park, 2001 | $4,693,500 | $4,697,144 |
| **Total Capital Lease Payments** | **$14,159,123** | **$14,160,961** |

D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the Authority for its various bond issues:

| | FY 2007 | | FY 2008 | |
|---|---|---|---|---|
| **Series** | **General Fund** | **Special Funds** | **General Fund** | **Special Funds** |
| 1992B Refunding | $15,230,000 | $0 | $15,230,000 | $0 |
| 1997 | $7,272,500 | $0 | $7,261,500 | $0 |
| 1998 Refunding | $20,595,266 | $605,969 | $20,588,619 | $605,492 |
| 1998 | $1,953,875 | $0 | $1,950,500 | $0 |
| 1999 | $3,167,888 | $0 | $3,165,344 | $0 |
| 1999B | $2,027,402 | $0 | $2,023,820 | $0 |
| 2000 | $5,072,383 | $0 | $5,052,668 | $0 |
| 2001 | $2,753,195 | $0 | $2,748,333 | $0 |
| 2002 | $4,196,100 | $0 | $4,192,200 | $0 |
| 2003 Refunding | $4,898,974 | $177,464 | $4,893,020 | $177,293 |
| 2004A | $16,740,856 | $0 | $16,720,544 | $0 |
| 2004B | $19,143,850 | $0 | $19,130,850 | $0 |
| 2004C | $4,519,800 | $0 | $4,525,575 | $0 |
| 2004D | $5,487,638 | $0 | $5,486,088 | $0 |
| 2005A Refunding | $2,868,575 | $0 | $4,978,913 | $0 |
| 2005B Refunding | $6,792,150 | $1,643,843 | ~~$10,194,150~~ *$8,551,173* | $1,642,977 |
| 2005C | $6,018,788 | $0 | $6,019,188 | $0 |
| STARS 2005C | $12,251,650 | $0 | $12,249,500 | $0 |
| 2005D | $2,513,750 | $0 | ~~$2,544,750~~ *$2,613,750* | $0 |
| 2006A | $1,562,076 | $0 | $5,955,300 | $0 |
| STARS 2006A | $1,197,719 | $0 | $7,145,844 | $0 |

| ITEM 276. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| Projected debt service and expenses | $120,000 | $0 | | $20,918,841 | $0 | |
| **Total Service Area** | $146,384,435 | $2,427,276 | | ~~$182,975,547~~ *$181,401,570* | $2,425,762 | |

2a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82 of the Code of Virginia for the following:

Riverside Regional Jail Expansion
Reimbursement may be made in two installments, the first following completion of the addition to the Pre-Release Center.
Southwest Virginia Regional Jail
Middle River Regional Jail
Hampton City Jail
Loudoun County Adult Detention Center
Botetourt-Craig Regional Jail
Eastern Shore Regional Jail
Chesterfield County Jail Replacement
Virginia Beach Local Jail
Northwest Virginia Regional Jail
Rappahannock Regional Jail Expansion
Western Virginia Regional Jail
Gloucester County Jail
Prince William Manassas Regional Adult Detention Center
Culpeper County Jail

b. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

3.a. Funding is included in this Item for reimbursement of the state share of the costs of juvenile residential care facilities in accordance with §16.1-309.5 of the Code of Virginia and guidelines approved by the State Board of Juvenile Justice, for the following:

| | |
|---|---|
| Newport News Detention | $5,904,094 |
| Virginia Beach Detention | $5,764,514 |

b. This paragraph shall constitute the authority for the Virginia Public Building Authority to finance the reimbursement of the state share of costs of the foregoing projects by the issuance of revenue bonds in accordance with § 2.2-2261 of the Code of Virginia.

E.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

| ITEM 276. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

| Series | FY 2007 | FY 2008 |
|---|---|---|
| 1996 | $2,724,775 | $2,722,874 |
| 1998 | $3,375,313 | ~~$3,378,988~~ |
| | | *$2,958,988* |
| 1999 | $1,419,661 | ~~$1,422,280~~ |
| | | *$1,066,980* |
| 2000 | $665,288 | $665,363 |
| 2001 | $1,446,069 | ~~$1,441,869~~ |
| | | *$1,076,719* |
| 2002 | $6,604,363 | ~~$6,608,963~~ |
| | | *$4,675,475* |
| 2003A | $8,367,963 | $8,369,213 |
| 2004A | $10,512,995 | $10,514,245 |
| 2004B Refunding | $3,117,825 | $3,121,450 |
| 2005A | $5,082,200 | $5,082,700 |
| 2006 | $8,501,525 | ~~$8,501,430~~ |
| | | *$8,501,606* |
| Projected 21st Century debt service & expenses | $60,000 | ~~$3,992,500~~ |
| | | *$6,474,635* |
| **Subtotal 21st Century** | $51,877,977 | ~~$55,821,875~~ |
| | | ***$55,230,248*** |

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

| Series | FY 2007 | FY 2008 |
|---|---|---|
| 2002 | $10,758,800 | $0 |
| 2003 | $7,265,500 | $7,266,000 |
| 2004 | $8,543,000 | $8,539,000 |
| 2005 | $11,437,500 | $11,437,000 |
| 2006 | $9,690,100 | $12,913,000 |
| Projected debt service & expenses | $60,000 | ~~$19,017,000~~ |
| | | *$18,839,806* |
| Subtotal Equipment | $47,754,900 | ~~$59,172,000~~ |
| | | *$58,994,806* |
| **Total Service Area** | **$99,632,877** | **~~$114,993,875~~** |
| | | ***$114,225,054*** |

3. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:

| Institution | FY 2007 | FY 2008 |
|---|---|---|
| George Mason University | $114,035 | $311,338 |
| Old Dominion University | $108,790 | $193,298 |
| University of Virginia | $376,300 | $760,448 |
| Virginia Polytechnic Institute and State University | $386,400 | $794,424 |
| Virginia Commonwealth University | $94,125 | $289,108 |
| College of William and Mary | $133,950 | $241,596 |
| Christopher Newport University | $7,190 | $11,324 |

| ITEM 276. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| University of Virginia's College at Wise | $3,790 | $7,800 | | |
| James Madison University | $219,230 | $457,402 | | |
| Norfolk State University | $75,375 | $113,258 | | |
| Longwood University | $9,130 | $21,646 | | |
| University of Mary Washington | $55,465 | $102,204 | | |
| Radford University | $51,190 | $71,570 | | |
| Virginia Military Institute | $36,135 | $65,262 | | |
| Virginia State University | $68,770 | $142,136 | | |
| Richard Bland College | $1,165 | $1,448 | | |
| Virginia Community College System | $258,960 | $415,738 | | |
| **TOTAL** | **$2,000,000** | **$4,000,000** | | |

4. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:

| | FY 2007 | | FY 2008 | |
|---|---|---|---|---|
| **Institution** | **General Fund** | **Nongeneral Fund** | **General Fund** | **Nongeneral Fund** |
| College of William & Mary | $1,115,246 | $259,307 | $1,194,854 | $259,307 |
| University of Virginia | $6,527,239 | $1,088,024 | $6,910,206 | $1,088,024 |
| Virginia Polytechnic Institute and State University | $6,187,111 | $992,321 | $6,348,791 | $992,321 |
| Virginia Military Institute | $487,742 | $88,844 | $556,428 | $88,844 |
| Virginia State University | $774,494 | $108,886 | $839,170 | $108,886 |
| Norfolk State University | $1,168,943 | $108,554 | $1,277,285 | $108,554 |
| Longwood University | $462,311 | $54,746 | $475,877 | $54,746 |
| University of Mary Washington | $512,757 | $97,063 | $495,422 | $97,063 |
| James Madison University | $1,673,973 | $254,504 | $1,679,408 | $254,504 |
| Radford University | $906,626 | $135,235 | $986,402 | $135,235 |
| Old Dominion University | $2,633,259 | $374,473 | $2,821,105 | $374,473 |
| Virginia Commonwealth University | $5,497,974 | $401,647 | $5,821,729 | $401,647 |
| Richard Bland College | $175,410 | $2,027 | $119,086 | $2,027 |
| Christopher Newport University | $537,107 | $17,899 | $560,484 | $17,899 |
| University of Virginia's College at Wise | $197,485 | $19,750 | $210,355 | $19,750 |
| George Mason University | $3,501,024 | $205,665 | $3,443,450 | $205,665 |
| Virginia Community College System | $9,234,535 | $633,657 | $9,030,582 | $633,657 |
| Virginia Institute of Marine Science | $396,210 | $0 | $415,497 | $0 |
| Roanoke Higher Education Authority | $74,394 | $0 | $88,094 | $0 |

| ITEM 276. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| Southwest Virginia Higher Education Center | $140,195 | $0 | $152,336 | $0 | | |
| Institute for Advanced Learning and Research | $648,449 | $0 | $798,900 | $0 | | |
| Southern Virginia Higher Education Center | $0 | $0 | $4,310 | $0 | | |
| **TOTAL** | **$42,852,483** | **$4,842,602** | **$44,229,771** | **$4,842,602** | | |

F. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 447, paragraph E of this act and §§ 58.1-815, 58.1-815.1 and 58.1-816.1, Code of Virginia, as follows:

| | **FY 2007** | **FY 2008** |
|---|---|---|
| Transportation Contract Revenue Refunding Bonds, Series 2002 (Route 28) | $7,529,845 | $7,524,883 |
| Commonwealth of Virginia Transportation Revenue Bonds U.S. Route 58 Corridor Development Program: | | |
| Series 1996B | $4,235,155 | $4,236,750 |
| Series 1997C | $4,879,944 | $4,879,194 |
| Series 1999B | $8,179,663 | $8,176,438 |
| Series 2001B | $5,591,613 | $5,591,688 |
| Series 2002B (Refunding) | $7,233,288 | $7,235,438 |
| Series 2003A (Refunding) | $9,914,875 | $9,916,075 |
| Series 2004B | $11,563,050 | $11,563,050 |
| Northern Virginia Transportation District Program: | | |
| Series 1996A | $2,709,540 | $2,709,000 |
| Series 1997B | $2,333,613 | $2,333,769 |
| Series 1999A | $1,328,863 | $1,327,988 |
| Series 2001A | $3,210,013 | $3,211,163 |
| Series 2002A | $14,935,019 | $14,951,219 |
| Series 2004A | $4,102,000 | $4,102,000 |
| Transportation Program Revenue Bonds, Series 1997 (Oak Grove Connector, City of Chesapeake) | $2,328,870 | $2,326,620 |

G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.

277. Not set out.

| | | | |
|---|---|---|---|
| Total for Treasury Board..... | | **$356,946,570** | **~~$421,120,140~~** |
| | | | ***$416,473,940*** |

| ITEM 277. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | Fund Sources: General | $347,676,692 | ~~$409,851,776~~ *$405,205,576* | | |
| | Special | $2,427,276 | $2,425,762 | | |
| | Higher Education Operating | $6,842,602 | $8,842,602 | | |
| | Grand Total for Department of the Treasury | | | **$374,987,429** | ~~**$437,469,583**~~ ***$432,823,383*** |
| | General Fund Positions | 46.50 | 46.50 | | |
| | Nongeneral Fund Positions | 76.50 | 76.50 | | |
| | Position Level | 123.00 | 123.00 | | |
| | Fund Sources: General | $357,365,204 | ~~$417,703,040~~ *$413,056,840* | | |
| | Special | $3,155,235 | $3,153,721 | | |
| | Higher Education Operating | $6,842,602 | $8,842,602 | | |
| | Commonwealth Transportation | $164,160 | $164,160 | | |
| | Trust and Agency | $6,855,977 | $7,001,809 | | |
| | Dedicated Special Revenue | $604,251 | $604,251 | | |
| | TOTAL FOR OFFICE OF FINANCE | | | **$662,187,819** | ~~**$803,995,561**~~ ***$793,564,116*** |
| | General Fund Positions | 1,131.00 | 1,146.00 | | |
| | Nongeneral Fund Positions | 117.50 | 117.50 | | |
| | Position Level | 1,248.50 | 1,263.50 | | |
| | Fund Sources: General | $630,307,614 | ~~$773,234,978~~ *$699,144,579* | | |
| | Special | $16,219,887 | $12,954,433 | | |
| | Higher Education Operating | $6,842,602 | $8,842,602 | | |
| | Commonwealth Transportation | $164,160 | $164,160 | | |
| | Trust and Agency | $8,036,343 | $8,182,175 | | |
| | Dedicated Special Revenue | $617,213 | ~~$617,213~~ *$64,276,167* | | |

| ITEM 278. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| **OFFICE OF HEALTH AND HUMAN RESOURCES** | | | | |
| 278. Not set out. | | | | |
| **§ 1-29. COMPREHENSIVE SERVICES FOR AT-RISK YOUTH AND FAMILIES (200)** | | | | |
| 279. Protective Services (45300) | | | $269,375,350 | ~~$291,937,020~~ *$346,214,124* |
| Financial Assistance for Child and Youth Services (45303) | $269,375,350 | ~~$291,937,020~~ *$346,214,124* | | |
| Fund Sources: General | $216,357,852 | ~~$239,329,274~~ *$293,606,378* | | |
| Federal Trust | $53,017,498 | $52,607,746 | | |
| Authority: Title 2.2, Chapter 52, Code of Virginia. | | | | |
| A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C. | | | | |
| B.1.a. Out of this appropriation, $144,831,133 from the general fund and $52,017,498 from nongeneral funds the first year and $169,945,460 from the general fund and $51,607,746 from nongeneral funds the second year, shall be used for the state pool of funds, pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation. | | | | |
| b. The Medicaid state pool allocation shall consist of $34,834,425 from the general fund and $43,597,500 from nongeneral funds the first year and $32,526,197 from the general fund and $43,187,748 from nongeneral funds the second year. The Office of Comprehensive Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims. | | | | |
| c. The non-Medicaid state pool allocation shall consist of $109,996,708 from the general fund and $8,419,998 in nongeneral funds the first year and $137,419,263 from the general fund and $8,419,998 in nongeneral funds the second year. The nongeneral funds shall be transferred from the Department of Social Services. | | | | |
| d. The Office of Comprehensive Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools. | | | | |
| e. The Office of Comprehensive Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia. | | | | |
| 2.a. Out of this appropriation, $69,430,969 from the general fund and $1,000,000 from nongeneral funds the | | | | |

| ITEM 279. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

first year and ~~$66,119,312~~ *$120,396,416* from the general fund and $1,000,000 from nongeneral funds the second year shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

b. In each year, the director of the Office of Comprehensive Services for At-Risk Youth and Families may approve and obligate supplemental funding requests in excess of the amount in 2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B1a in this Item.

c. The State Executive Council shall maintain local government performance measures to include, but not be limited to, use of federal funds for state and local support of the Comprehensive Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Comprehensive Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Comprehensive Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays statewide and for each locality.

3. Each locality receiving funds for activities under the Comprehensive Services Act (CSA) shall have a utilization management process, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Comprehensive Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by a uniform assessment instrument. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.

4. The Secretary of Health and Human Resources, in consultation with the Secretaries of Education and Public Safety, shall direct the actions for the Departments of Social Services, Education, Juvenile Justice, Medical Assistance Services, Health, and Mental Health, Mental Retardation and Substance Abuse Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill

| ITEM 279. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

CSA reporting needs.

5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.

6. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.

7. The State Executive Council shall work with the Department of Medical Assistance Services' existing preauthorization and utilization management contract with a qualified medical review organization, in order to provide utilization management of residential placements provided to youth under the Comprehensive Services Act who are not Medicaid eligible. A payment of $175,000 the first year and $175,000 the second year from the general fund shall be transferred to the Department of Medical Assistance Services for such utilization management services. The Department of Medical Assistance Services, in cooperation with representatives of the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, shall develop the criteria and guidelines to be followed by the utilization management provider.

8. Out of this appropriation, $70,000 the first year and $70,000 the second year from the general fund is provided for the Office of Comprehensive Services to contract for the support of uniform CSA reporting requirements.

9. The State Executive Council shall require a uniform assessment instrument.

10. The Office of Comprehensive Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Comprehensive Services Act for At-Risk Youth and Families.

11. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.

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C. The funding formula to carry out the provisions of the Comprehensive Services Act for At-Risk Youth and Families is as follows:

1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B 1 b and B 1 c in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Comprehensive Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.

2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Comprehensive Services Act for At-Risk Youth and Families. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C 3 in this Item.

3. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed $1,560,000 each year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C 2 of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of $12,500 or an amount equal to two percent of the total pool allocation. No locality shall receive more than $50,000, inclusive of the state allocation and local matching funds. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Comprehensive Services Act program. Localities may pool this administrative funding to hire regional coordinators.

4. Definition. For purposes of the funding formula in the Comprehensive Services Act for At-Risk Youth and Families, "locality" means city or county.

D. Any unexpended general fund balance in this Item on June 30 each year shall not revert to the general fund but shall be reappropriated for expenditure in the succeeding year.

E. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Comprehensive Services Act for At-Risk Children and Youth.

F. Pursuant to subdivision 3 of §2.2-52.06, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal

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guardians of children receiving services under the Comprehensive Services Act for At-Risk Children and Youth. The Office of Comprehensive Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social Services, upon the request of the community policy management team, the Office of Comprehensive Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General.

G. The Office of Comprehensive Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Comprehensive Services Act for At-Risk Children and Youth (CSA) to become Medicaid-certified providers.

H. The Office of Comprehensive Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Comprehensive Services Act for At-Risk Children and Youth, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.

I. Out of the federal Temporary Assistance to Needy Families block grant, $965,579 the first year and $965,579 the second year from the general fund shall be designated for the "Community Services Trust Fund for Youth and Families." The Department of Social Services shall assist the Office of Comprehensive Services in developing procedures to support these activities.

J. Pursuant to subdivision 19 of §2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on comprehensive services for children, youth and families and a plan for such services for the succeeding biennium.

K. Out of this appropriation, $250,000 the first year and $500,000 the second year from the general fund is for the Community Development Infrastructure Grant program. On a competitive basis, the director of CSA shall allocate funding for start-up costs to localities that are interested in developing community-based services for children and adolescents who are placed in out-of-community residential care or are at risk of such placement.

L. The Office of Comprehensive Services for At-Risk

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Youth and Families in cooperation with the Department of Social Services, the Department of Medical Assistance Services, the League of Social Services Executives, representatives from the treatment foster care provider associations, and other state agencies as appropriate, shall examine establishing statewide rates for treatment foster care that conform with federal and state law and shall determine the impact on federal, state and local funding. The Office of Comprehensive Services for At-Risk Youth and Families shall submit a report with recommendations to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than October 1, 2007.

M. The State Executive Council shall examine and report on the current allocation, adequacy and equity of the funding allocations for non-mandated services to children served through the Comprehensive Services for At-Risk Youth and Families program. The council shall recommend any changes necessary, including additional funding, to eliminate gaps in the current allocation formula. The final report shall be delivered to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 31, 2007.

N. The Office of Comprehensive Services shall report on the potential fiscal impact of Senate Bill 1332, passed by the 2007 Session of the General Assembly, including: (i) an estimate of the number of additional children and adolescents that would become eligible for services pursuant to § 2.2-5211(a)(6); (ii) the type and estimated cost of the services anticipated to be needed to serve newly eligible children and adolescents through the Comprehensive Services Act, and (iii) mechanisms to offset the cost of these services, including the need for additional statutory, policy, or procedural changes to ensure services are delivered in the least restrictive environment and most cost effective manner. The report shall be made to the Governor, and the chairmen of the House Appropriations and Senate Finance Committees by November 1, 2007.

*O. The Secretary of Health and Human Resources shall establish a work group to prepare for changes in state and local match rates for the Comprehensive Services Act program. The work group shall include representatives from the Virginia Association of Counties, the Virginia Municipal League, the Virginia League of Social Services Executives, the Virginia Association of Community Service Boards, the Virginia Coalition of Private Providers, the Virginia Association of School Superintendents, the Department of Education, the Department of Juvenile Justice, and the Office of the Executive Secretary of the Supreme Court. The work group will examine the impact of proposed match rate changes on local and state administration of the program, reporting requirements, service development and delivery, quality assurance, utilization management, and care coordination to ensure that children continue to receive appropriate and cost-effective services.*

*The work group shall also consider future actions to*

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| | *improve the quality of care, maximize cost effectiveness, and achieve administrative efficiencies in the program, such as (i) the feasibility of using a managed care approach to coordinate care and to provide utilization management and quality assurance of services; (ii) participation of community service boards in providing care coordination and monitoring of emotionally disturbed and behaviorally challenged children receiving services through CSA; (iii) better communication, cooperation and coordination in the development of individualized education plans and plans of care for children in special education receiving services through CSA; and (iv) better communication and coordination with court service units, Juvenile and Domestic Relations Court judges, and the Department of Juvenile Justice on the plans of care for "Children in Need of Services" as defined under the interagency guidelines on foster care services or children at risk for residential placement through an order by a judge of the Juvenile and Domestic Relations Court. Materials related to or used by the work group shall be considered public documents under the Virginia Freedom of Information Act and not covered under the exemption for Governor's working papers.* | | | | |
| | Total for Comprehensive Services for At-Risk Youth and Families | | | **$269,375,350** | **~~$291,937,020~~ *$346,214,124*** |
| | Fund Sources: General | $216,357,852 | ~~$239,329,274~~ *$293,606,378* | | |
| | Federal Trust | $53,017,498 | $52,607,746 | | |
| | **§ 1-30. DEPARTMENT FOR THE AGING (163)** | | | | |
| 280. | Individual Care Services (45500) | | | $30,806,751 | $30,806,751 |
| | Financial Assistance for Local Services to the Elderly (45504) | $28,925,261 | $28,925,261 | | |
| | Rights and Protection for the Elderly (45506) | $1,881,490 | $1,881,490 | | |
| | Fund Sources: General | $12,871,039 | $12,871,039 | | |
| | Special | $100,000 | $100,000 | | |
| | Federal Trust | $17,835,712 | $17,835,712 | | |
| | Authority: Title 2.2, Chapter 7, Code of Virginia. | | | | |
| | A.1. Out of this appropriation, $564,964 the first year and $564,964 the second year shall be provided from the general fund to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease. | | | | |
| | 2. Out of this appropriation, $391,691 the first year and $391,691 the second year from the general fund shall be transferred to the Virginia Respite Care Grant Fund authorized by §2.2-716, Code of Virginia, to provide grants to community respite care organizations. | | | | |
| | B.1. Out of this appropriation, $923,000 the first year and $923,000 the second year shall be provided from the general fund to support local programs of the Virginia Public Guardian and Conservator Program. Up to $5,000 of this appropriation each year may be used | | | | |

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for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

2. Out of this appropriation, $79,000 the first year and $79,000 the second year shall be provided from the general fund for the administration of the public guardianship programs and for no other purpose.

3. Out of this appropriation, $132,000 the first year and $132,000 the second year from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or mental retardation who are 18 years of age and older.

C. Out of this appropriation, $148,014 the first year and $148,014 the second year shall be provided from the general fund to support adult day care services at the Oxbow Center in Wise County.

D. Out of this appropriation, $53,605 the first year and $53,605 the second year shall be provided from the general fund for the Norfolk Senior Center.

E. Out of this appropriation, $20,002 the first year and $20,002 the second year shall be provided from the general fund for the Korean Intergenerational and Multi-purpose Senior Center.

F. Out of this appropriation, $98,009 the first year and $98,009 the second year shall be provided from the general fund for the Jewish Family Service of Tidewater.

G. Out of this appropriation, $80,008 the first year and $80,008 the second year shall be provided from the general fund for a companion care program to be administered by Mountain Empire Older Citizens, Inc., the evaluation of which shall incorporate the use of performance measures.

H. Out of this appropriation, $364,809 the first year and $364,809 the second year shall be provided from the general fund for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.

I. Out of this appropriation, $22,224 the first year and $22,224 the second year shall be provided from the general fund for the development of adult day care services to be managed by Mountain Empire Older Citizens, Inc. and the Junction Center for Independent Living, Inc.

J. Out of this appropriation, $250,000 the first year and $250,000 the second year shall be provided from the general fund to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.

K. Out of this appropriation, $390,000 the first year

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| | | and $390,000 the second year from the general fund shall be provided to Bay Aging. Of these amounts, $90,000 the first year and $90,000 the second year shall be used to address unmet local needs and $300,000 the first year and $300,000 the second year from the general fund shall be used to supplement private donations and other resources for Adult Day Break Services provided by Bay Aging in partnership with local churches. | | | | |
| | | L. Out of this appropriation, $1,268,734 the first year and $1,268,734 the second year from the general fund shall be provided to Area Agencies on Aging against losses due to the application of population data from the 2000 decennial census. The Commissioner, Virginia Department for the Aging, shall distribute these funds in compliance with the Funding Formula Task Force recommendation, House Document 63 (2005). | | | | |
| | | M. The Peninsula Agency on Aging shall be authorized to use funding provided for care coordination for the elderly to conduct a pilot program providing mobile, brief intervention and service linking as a form of care coordination. The Agency shall report on the pilot project including the design of the program, the cost of the program, staffing, the number of individuals served and the impact on overall care of individuals in the program. The Agency shall report on the pilot program to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2007. | | | | |
| | 281. | Not set out. | | | | |
| | 282. | Not set out. | | | | |
| | 283. | Not set out. | | | | |
| | | Total for Department for the Aging..... | | | **$49,409,005** | **$50,942,266** |
| | | General Fund Positions..... | 10.00 | 10.00 | | |
| | | Nongeneral Fund Positions..... | 17.00 | 17.00 | | |
| | | Position Level ..... | 27.00 | 27.00 | | |
| | | Fund Sources: General..... | $17,719,307 | $19,349,077 | | |
| | | Special..... | $100,000 | $100,000 | | |
| | | Federal Trust..... | $31,589,698 | $31,493,189 | | |
| | 284. | Not set out. | | | | |
| | | **§ 1-31. DEPARTMENT OF HEALTH (601)** | | | | |
| | 285. | Not set out. | | | | |
| | 286. | Emergency Medical Services (40200)..... | | | $28,384,800 | $30,109,800 |
| | | Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203)... | $23,160,808 | $24,885,808 | | |
| | | State Office of Emergency Medical Services (40204)..... | $2,538,678 | $2,538,678 | | |
| | | Regional Emergency Medical Services Councils (40205) ..... | $2,685,314 | $2,685,314 | | |
| | | Fund Sources: General..... | $1,884,877 | $1,884,877 | | |
| | | Special..... | $13,625,162 | $14,487,662 | | |

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| | Dedicated Special Revenue | $12,469,178 | $13,331,678 | | |
| | Federal Trust | $405,583 | $405,583 | | |
| | Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia. | | | | |
| | A. Out of this appropriation, $25,000 each year shall be provided from special funds to the Department of State Police for administration of criminal history record information for local volunteer fire and rescue squad personnel (pursuant to § 19.2-389 A 11, Code of Virginia). | | | | |
| | B. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations. | | | | |
| | C. Out of this appropriation, $1,045,375 the first year and $1,045,375 the second year from the Rescue Squad Assistance Fund shall be provided to the Department of State Police for aviation (med-flight) operations. | | | | |
| | D. Out of this appropriation, $1,884,877 the first year and $1,884,877 the second year from the general fund shall be provided to the Virginia Trauma Fund to recognize uncompensated care losses, including readiness costs and clinical services, incurred by providing care to uninsured patients by Virginia hospitals with trauma centers. The Virginia Department of Health, in consultation with the Trauma System Oversight and Management Committee, shall (i) review the criteria used to distribute funding to the trauma centers, (ii) make refinements as necessary to encourage existing trauma centers to upgrade their trauma designation, and (iii) assess whether this additional general fund support can be used as matching funds to maximize federal Medicaid revenues. The Department shall report on the use of these funds in improving Virginia's trauma system to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1 of each year. | | | | |
| | *E. Notwithstanding any other provision of law or regulations, the Board of Health shall not modify the geographic service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.* | | | | |
| 287. | Not set out. | | | | |
| 288. | Not set out. | | | | |
| 289. | Communicable Disease Prevention and Control (40500) | | | $46,624,833 | $48,260,441 |
| | Immunization Program (40502) | $6,560,522 | $8,196,130 | | |
| | Tuberculosis Prevention and Control (40503) | $1,868,699 | $1,868,699 | | |
| | Sexually Transmitted Disease Prevention and Control (40504) | $1,877,424 | $1,877,424 | | |
| | Disease Investigation and Control Services (40505) | $3,881,938 | $3,881,938 | | |
| | HIV/Aids Prevention and Treatment Services (40506) | $32,436,250 | $32,436,250 | | |

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| | Fund Sources: General | $9,429,728 | $11,044,874 | | |
| | Special | $719,398 | $719,398 | | |
| | Federal Trust | $36,475,707 | $36,496,169 | | |
| | Authority: §§ 32.1-11.1 through 32.1-11.2, 32.1-35 through 32.1-73.4, Code of Virginia; and P.L. 91-464, as amended, Federal Code. | | | | |
| | A. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs. | | | | |
| | B. Out of this appropriation, $40,000 the first year and $40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents. | | | | |
| | C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E of the Code of Virginia shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health. | | | | |
| | D. Out of this appropriation, $22,386 the first year and $280,110 the second year from the general fund and $819,826 the first year and $840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diptheria/pertussis) vaccine for children without insurance. The Department shall use available balances to fully fund the program in the first year. | | | | |
| | E.1. Out of this appropriation, $300,000 the first year and $300,000 the second year shall be provided to establish a state pharmaceutical assistance program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries. | | | | |
| | 2. On or before June 30, 2007, the Director, Department of Planning and Budget, shall unallot $200,000 in the Department of Health from balances in the state pharmaceutical assistance program, which shall revert to the general fund. | | | | |
| 290. | Not set out. | | | | |
| 291. | State Health Services (43000) | | | $98,978,581 | $99,128,581 |
| | Child and Adolescent Health Services (43002) | $16,385,556 | $16,635,556 | | |
| | Women's and Infant's Health Services (43005) | $6,374,128 | $6,374,128 | | |

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| Chronic Disease Prevention, Health Promotion, and Oral Heath (43015) | $5,411,014 | $5,311,014 | | |
| Injury and Violence Prevention (43016) | $4,705,217 | $4,705,217 | | |
| Women, Infants, and Children (WIC) and Community Nutrition Services (43017) | $66,102,666 | $66,102,666 | | |
| Fund Sources: General | $8,567,013 | $10,568,813 | | |
| Special | $3,708,734 | $3,708,734 | | |
| Dedicated Special Revenue | $56,815,255 | $56,815,255 | | |
| Federal Trust | $29,887,579 | $28,035,779 | | |

Authority: §§ 32.1-11, 32.1-77, and 32.1-89 through 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.

A. Health programs which improve pregnancy outcomes shall be assigned a high priority within the Department of Health. The Commissioner shall assure that adequate prenatal care services to include early identification and management of intermediate and high risk patients are available to low-income pregnant women through the appropriate state program. Recommendations of the Maternal and Child Health Council shall guide the Department of Health in assessing the adequacy of prenatal care services.

B.1. Out of this appropriation, $176,800 the first year from the federal Temporary Assistance to Needy Families block grant and $176,800 the second year from the general fund shall be designated for the Resource Mothers Sibling program.

2. Notwithstanding § 4-1.03 of this act, general fund and nongeneral fund appropriations in this item for activities associated with the Resource Mothers Program shall not be transferred to support other public health programs or any other purpose.

C. Out of this appropriation, $765,000 the first year from the federal Temporary Assistance to Needy Families block grant and $765,000 the second year from the general fund shall be designated for the Partners in Prevention Program.

D. Out of this appropriation, $910,000 the first year from the federal Temporary Assistance to Needy Families block grant and $910,000 the second year from the general fund shall be designated for the operation of the teenage pregnancy prevention programs in the health districts of Richmond, Norfolk, Alexandria, Roanoke City, Crater, Portsmouth, and Eastern Shore.

E. Out of this appropriation, $952,807 the first year and $952,807 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.

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| | F. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.). | | | | |
| | G. Out of this appropriation, $50,000 from the general fund the first year is for a Prostate Cancer Awareness program. Funding shall be used to conduct a public awareness and outreach campaign targeted to males 45 and over in high risk areas as determined by stage of diagnosis and mortality rates. | | | | |
| | H. Out of this appropriation, $200,000 from the general fund the second year shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program. | | | | |
| 292. | Community Health Services (44000) | | | $220,959,335 | $221,446,267 |
| | Local Dental Services (44002) | $8,623,047 | $8,623,047 | | |
| | Restaurant and Food Safety, Well and Septic Permitting and other Environmental Health Services (44004) | $36,699,744 | $36,699,744 | | |
| | Local Family Planning Services (44005) | $17,240,844 | $17,240,844 | | |
| | Support for Local Management, Business, and Facilities (44009) | $46,151,555 | $46,633,487 | | |
| | Local Maternal and Child Health Services (44010) | $41,875,381 | $41,875,381 | | |
| | Local Immunization Services (44013) | $8,598,907 | $8,598,907 | | |
| | Local Communicable Disease Investigation, Treatment, and Control (44014) | $17,819,244 | $17,819,244 | | |
| | Local Home Health and Personal Care Services (44015) | $5,579,935 | $5,579,935 | | |
| | Local Chronic Disease and Prevention Control (44016) | $11,807,277 | $11,812,277 | | |
| | Local Laboratory and Pharmacy Services (44017) | $10,272,548 | $10,272,548 | | |
| | Local Nutrition Services (44018) | $16,290,853 | $16,290,853 | | |
| | Fund Sources: General | $90,840,976 | $91,271,642 | | |
| | Special | $94,927,423 | $94,983,689 | | |
| | Dedicated Special Revenue | $1,195,138 | $1,195,138 | | |
| | Federal Trust | $33,995,798 | $33,995,798 | | |
| | Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-145 through 32.1-147, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act. | | | | |
| | A. Notwithstanding §32.1-163 through §32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than $37.50, those existing fees associated with the application for a construction permit for private wells, on-site sewage systems, and alternative discharging systems. | | | | |
| | B. The Commissioner of Health is authorized to develop, in consultation with the regulated entities, a plan and specification review fee and an annual permit renewal fee, each not to exceed $40 per year, to be collected from all establishments, except K-12 public schools, that are subject to inspection by the | | | | |

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| | Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia; however, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed $40. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources. | | | | |
| | C. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided to the Virginia Department of Health to provide case management services to pregnant women in rural communities who lose obstetrical services. | | | | |
| | D. In the event that the City of Suffolk or the City of Portsmouth begins construction of a new human services building to be jointly occupied by local health and human services agencies, the Commissioner of Health may request that the Governor include funding for the state's share of the local health department's cost of leasing space in the facility during the development of the next budget. When preparing the budget, the Governor may consider the Commissioner's request for funding the state share of lease costs for the space occupied by the Suffolk or Portsmouth local health department in the newly constructed facility. | | | | |
| | E. Out of this appropriation, $150,000 the second year from the general fund shall be used to match available special funds for the development and implementation of an electronic medical records system for local health departments. Release of this appropriation shall be contingent upon the Virginia Department of Health collaborating with the Secretary of Technology to pursue a multi-source procurement. This procurement will ensure interoperability and be consistent with federal standards for the electronic exchange of health information. | | | | |
| | F. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals that participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of $40.00 provided the event is held only one time each calendar year and the event takes place within the locality where the individual resides. | | | | |
| | G. Out of this appropriation, $5,000 the second year from the general fund shall be provided to the Russell County Health Department for a diabetic outreach program. | | | | |
| 293. | Financial Assistance to Community Human Services Organizations (49200) | | | $14,608,186 | $15,055,686 |
| | Payments to Human Services Organizations (49204) | $14,608,186 | $15,055,686 | | |
| | Fund Sources: General | $12,016,938 | $14,806,328 | | |
| | Federal Trust | $2,591,248 | $249,358 | | |

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Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, $571,000 the first year and $2,712,890 the second year from the general fund is provided to the Comprehensive Health Investment Project (CHIP) of Virginia.

2. The Department of Social Services shall provide $2,141,890 the first year from the federal Temporary Assistance for Needy Families (TANF) grant to the CHIP of Virginia.

3. In addition, the CHIP of Virginia shall receive $100,000 the first year and $100,000 the second year from other nongeneral funds subject to the availability of foster care prevention funding transferred from the Department of Social Services.

4. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.

5. The general fund appropriation in this Item for the CHIP of Virginia projects shall not be used for administrative costs.

6. CHIP of Virginia shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the CHIP program increase its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.

7. Of this appropriation, $49,358 the first year and $49,358 the second year from the general fund is provided to the CHIP of Roanoke and shall be used as matching funds to add three full-time equivalent public health nurse positions to expand services in the Roanoke Valley and Allegheny Highlands.

B. Out of this appropriation shall be provided $95,625 the first year and $95,625 the second year from the general fund for the Alexandria Neighborhood Health Services, Inc. The organization shall pursue raising funds and in-kind contributions from the local community.

C. Out of this appropriation shall be provided $11,250 the first year and $11,250 the second year from the general fund for the Louisa County Resource Council. The Council shall continue to pursue raising funds and in-kind contributions from the local community.

D. Out of this appropriation, $15,300 the first year and $15,300 the second year from the general fund shall be provided to the Olde Towne Medical Center.

E.1. Out of this appropriation, $433,750 the first year and $433,750 the second year from the general fund shall be provided to the Virginia Primary Care Association for the purchase of pharmaceuticals and

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medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Primary Care Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Primary Care Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $500,000 the first year and $750,000 the second year from the general fund shall be provided to the Virginia Primary Care Association to expand existing or develop new community health centers in medically underserved and economically disadvantaged areas of the Commonwealth. The Association shall consult with the Virginia Health Care Foundation on funding allocation decisions. It is the intent of the General Assembly that funding be used to match funding solicited by the Virginia Primary Care Association from local and federal sources, and other public or private organizations. On September 1, 2007, and each year thereafter, the Virginia Primary Care Association shall report on the use of the funding to the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care.

3. Out of this appropriation, $175,000 each year from the general fund shall be provided to the Virginia Primary Care Association to expand access to care provided through community health centers.

F.1. Out of this appropriation, $1,321,400 the first year and $1,321,400 the second year from the general fund shall be provided to the Virginia Association of Free Clinics for the purchase of pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $167,500 the first year and $175,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to expand access to health care services.

G.1.a. Out of this appropriation, $400,000 the first year

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and $400,000 the second year from the general fund are provided pursuant to § 32.1-122.7, Code of Virginia, to support the Virginia Statewide Area Health Education Centers. General fund appropriations in this item shall be used for the recruitment and retention, practice support, and training of health care professionals in medically underserved areas or areas with medically underserved populations. The Director, Department of Planning and Budget, has the authority to make this transfer.

b. Of this appropriation, no less than $100,000 the first year and $100,000 the second year from the general fund shall be used to develop and implement a statewide nursing recruitment and retention program in collaboration with nursing and health care groups.

2. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Virginia Statewide Area Health Education Centers so that qualifying funds may be used at the discretion of each center for obtaining matching nongeneral funds when available.

3. The Statewide Area Health Education Centers (AHEC) Program shall submit a report by October 1 each year to the Chairmen of the Senate Finance Committee, the House Appropriations Committee, and the Joint Commission on Health Care that documents (i) the actions taken to secure nonstate funding to support AHEC activities, and (ii) a cash match of at least 100 percent of the funds provided by the Commonwealth.

H. Out of this appropriation, $295,920 the first year and $295,920 the second year from the general fund are provided to support the development of the Southwest Virginia Graduate Medical Education Consortium to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.

I. Out of this appropriation, $605,000 the first year and $605,000 the second year is provided from the general fund to support the regional AIDS resource and consultation centers and one local early intervention and treatment center.

J. Out of this appropriation, $114,750 the first year and $114,750 the second year is provided from the general fund to support the Arthur Ashe Health Center in Richmond.

K. Out of this appropriation, $22,500 the first year and $22,500 the second year from the general fund shall be provided to the Fan Free Clinic for AIDS related services.

L.1. Out of this appropriation, $3,630,571 the first year and $4,080,571 the second year from the general fund and $200,000 the first year from federal funds shall be paid to the Virginia Health Care Foundation. These funds shall be matched with local public and private resources and shall be awarded to proposals which

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enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The Foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The Foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on Foundation initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the Foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the Foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.

3. Of this appropriation, $200,000 the first year from federal Temporary Assistance to Needy Families/Social Services Block Grant funds shall be paid to the Virginia Health Care Foundation for programs that assist low-income persons in the acquisition of reduced cost medication from pharmaceutical manufacturers.

4. Of this appropriation, $125,000 the first year and $125,000 the second year from the general fund shall be paid to the Virginia Health Care Foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

5. Of this appropriation, $105,000 the first year and $105,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation for the Rx Partnership to improve access to free medications for low-income Virginians.

6. Of this appropriation, $1,600,000 from the general fund the first year and $1,850,000 from the general fund the second year shall be provided to the Virginia Health Care Foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) $850,000 the first year and $850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) $600,000 the first year and $850,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) $150,000 the first year and $150,000 the second year shall be made available for locations with existing medication assistance programs.

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M. Out of this appropriation, $26,775 in the first year and $26,775 in the second year from the general fund shall be provided to the Chesapeake Adult General Medical Clinic.

N. Out of this appropriation, $306,271 the first year and $306,271 the second year from the general fund is provided to support the administration of the patient level data base, including the outpatient data reporting system.

O. Out of this appropriation, $100,000 in the first year and $100,000 in the second year from the general fund shall be provided to the St. Mary's Health Wagon.

P.1.a. Out of this appropriation, $900,000 in the first year and $800,000 in the second year from the general fund shall be provided to encourage the adoption of electronic health records throughout the Commonwealth.

b. The Governor shall establish an Advisory Committee on Electronic Health Records for the purpose of developing recommendations for the design and implementation of electronic health records systems in Virginia that will advance interoperability while protecting patient privacy. Members of the Advisory Committee shall be appointed by the Governor and shall be composed of a representative from the hospital industry, a practicing physician, a representative of a pharmaceutical manufacturer, a representative of a licensed health insurance carrier, a corporate purchaser of health care, consumers, the Department of Medical Assistance Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Virginia Information Technology Agency, the Department of Human Resource Management, and other members as appointed by the Governor. The Secretary of Health and Human Resources and the Secretary of Technology shall serve as co-chairs of the Advisory Committee. Beginning October 1, 2007 and each year thereafter, the Advisory Committee shall submit to the Governor and the General Assembly an annual report of its activities, findings and recommendations.

2. Of this appropriation, $250,000 the first year shall be used to match private funding available for a pilot project developing a Master Patient Index. The Department of Health shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the State Board of Health on the progress of the implementation of the pilot project by November 1, 2006.

3. Of this appropriation, $650,000 the first year and $800,000 the second year shall be used to issue grants to providers for the acquisition of electronic health records.

Q. Out of this appropriation, $100,000 the first year and $100,000 the second year shall be used to continue the pilot project connecting public health providers to Carilion Health System's electronic health records system. The clinical sites shall be local health

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| | departments. The Department shall be responsible, in collaboration with the Carilion Health System, for designing, implementing, administering, and evaluating the pilot program. The amount allocated to each clinical site by the Department of Health shall be used to pay for operational support, infrastructure, software licensing, and connectivity. The Department of Health shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the State Board of Health on the progress of the implementation of the pilot project by October 15, 2006. | | | | |
| | R. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided to the Virginia Transplant Council to maintain and operate the Virginia Organ and Tissue Donor Registry. | | | | |
| | S. Out of this appropriation, $60,000 the first year from the general fund shall be provided to Piedmont Access to Health Services, Inc. for an additional family nurse practitioner to deliver health care services at community health centers in Danville and Martinsville. The Commissioner of Health shall not allot the funds appropriated until the organization submits a financial plan to ensure the new position will be self-sustaining by fiscal year 2009. | | | | |
| | T. Out of this appropriation, $150,000 from the general fund each year shall be used for start-up costs related to pilot projects in the Northern Neck and Emporia, pursuant to Chapter 926 of the 2005 Acts of Assembly, to provide alternative arrangements for prenatal and delivery services in areas where obstetrical departments at community hospitals no longer exist. | | | | |
| | U. This appropriation includes $333,072 the first year and $333,072 the second year from the general fund for the health planning fund in accordance with § 32.1-122.06, Code of Virginia. | | | | |
| | V. Out of this appropriation, $100,000 from the general fund the second year is for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The department shall develop criteria for distributing these funds including specific goals and outcome measures. Beginning June 30, 2008 and each year thereafter, a report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees detailing program outcomes. | | | | |
| 294. | Not set out. | | | | |
| 295. | Not set out. | | | | |
| 296. | Not set out. | | | | |
| 297. | Not set out. | | | | |
| | Total for Department of Health..... | | | **$530,177,629** | **$535,427,433** |

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| | | General Fund Positions | 1,661.00 | 1,664.00 | | |
| | | Nongeneral Fund Positions | 2,107.00 | 2,107.00 | | |
| | | Position Level | 3,768.00 | 3,771.00 | | |
| | | Fund Sources: General | $161,715,879 | $169,123,134 | | |
| | | Special | $127,345,139 | $128,723,905 | | |
| | | Dedicated Special Revenue | $92,119,767 | $92,701,983 | | |
| | | Federal Trust | $148,996,844 | $144,878,411 | | |
| 298. | | Not set out. | | | | |
| 299. | | Not set out. | | | | |
| | | **§ 1-32. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)** | | | | |
| 300. | | Pre-Trial, Trial, and Appellate Processes (32100) | | | $9,437,494 | ~~$11,549,689~~ *$10,200,697* |
| | | Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107) | $9,437,494 | ~~$11,549,689~~ *$10,200,697* | | |
| | | Fund Sources: General | $9,437,494 | ~~$11,549,689~~ *$10,200,697* | | |
| | | Authority: § 37.2-809, Code of Virginia. | | | | |
| | | A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 33, 34, 35, and 300 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services. | | | | |
| | | B. Out of this appropriation, payments may be made from the Involuntary Mental Commitment Fund to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia. | | | | |
| 301. | | Children's Health Insurance Program Delivery (44600) | | | $82,938,843 | ~~$99,871,436~~ *$103,755,832* |
| | | Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602) | $82,938,843 | ~~$99,871,436~~ *$103,755,832* | | |
| | | Fund Sources: General | $14,962,968 | ~~$20,862,022~~ *$22,248,914* | | |
| | | Dedicated Special Revenue | $14,065,627 | $14,065,627 | | |
| | | Federal Trust | $53,910,248 | ~~$64,943,787~~ *$67,441,291* | | |
| | | Authority: Title 32.1, Chapter 13, Code of Virginia. | | | | |
| | | A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable | | | | |

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| | year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the Comptroller. | | | | |
| | B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the State Children's Health Insurance Program. | | | | |
| | C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program. To the extent that appropriations in this Item are insufficient, the Director, Department of Planning and Budget shall transfer general fund appropriations from Items302 and 306 into this Item, to be used as state match for federal Title XXI funds. | | | | |
| | D. The Department of Medical Assistance Services shall have the authority to amend the Family Access to Medical Insurance Security Plan and related regulations to expand medical coverage to pregnant women who are over the age of 19 who are ineligible for Medicaid and have annual family income less than or equal to 185 percent of the Federal Poverty Level and to simplify the administration of the premium assistance program available to families with children eligible for FAMIS who have access to an employer-sponsored health insurance program. The medical coverage period shall apply to a woman during her pregnancy and extend no longer than the end of the month in which her 60-day postpartum period ends. Services provided during this coverage period shall include all services in the FAMIS State Plan with the exception of the Early Periodic Screening Diagnosis and Treatment Program. The department will continue to ensure the cost effectiveness of the premium assistance program. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act. | | | | |
| | E. The Department of Medical Assistance Services shall review and evaluate State Children's Health Insurance Program (SCHIP) buy-in programs for children that are operating in other states, which allow families with income in excess of the state's Title XXI program eligibility limits to purchase health insurance for their children. This review, including recommendations regarding the development of a SCHIP buy-in program in Virginia, shall be presented to the Chairmen of the House Appropriations and Senate Finance Committees, and the Joint Commission on Health Care by October 1, 2006. | | | | |
| 302. | Medicaid Program Services (45600)..... | | | $5,033,150,165 | ~~$5,451,198,787~~ *$5,348,897,253* |
| | Reimbursements to State-Owned Mental Health and Mental Retardation Facilities (45607)..... | $210,412,730 | $203,128,980 | | |
| | Reimbursements for Mental Health and Mental Retardation Services (45608)..... | $298,693,765 | ~~$348,558,989~~ *$380,756,920* | | |

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| Reimbursements for Professional and Institutional Medical Services (45609) | $3,097,488,867 | ~~$3,356,488,179~~ *$3,260,914,676* | | |
| Reimbursements for Long-Term Care Services (45610) | $1,426,554,803 | ~~$1,543,022,639~~ *$1,504,096,677* | | |
| Fund Sources: General | $2,306,997,947 | ~~$2,519,828,545~~ *$2,452,981,999* | | |
| Dedicated Special Revenue | $288,141,334 | ~~$291,435,579~~ *$304,691,528* | | |
| Federal Trust | $2,438,010,884 | ~~$2,639,934,663~~ *$2,591,223,726* | | |

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-87, as amended, Title XIX, Social Security Act, Federal Code.

A. It is the intent of the General Assembly to develop and cause to be developed appropriate, fiscally responsible methods for addressing the issues related to the cost and funding of long-term care. It is the further intent of the General Assembly to promote home-based and community-based care for individuals who are determined to be in need of nursing facility care.

B.1. The Director of the Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for medical assistance.

2. The Director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.

C.1. The appropriation includes $105,206,365 the first year from the general fund and $105,206,365 from the federal trust fund and $101,564,490 the second year from the general fund and $101,564,490 from the federal trust fund for reimbursement to the institutions within the Department of Mental Health, Mental Retardation and Substance Abuse Services. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall be reimbursed for the federal share of general salary scale adjustments approved by the General Assembly.

2. The appropriation includes the first year $167,332,953 from the general fund and $167,332,953 from the federal trust fund, and the second year ~~$185,517,166~~ *$202,556,404* from the general fund and ~~$185,517,166~~ *$202,556,404* from the federal trust fund for estimated reimbursements for services provided to individuals on the Mental Retardation Waiver or the Mental Retardation Day Support Waiver.

D. Out of this appropriation, the Department of Medical Assistance Services shall provide coverage of intensive assisted living care to residents of licensed Adult Care

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Residences who are Auxiliary Grant recipients. Individuals entitled to benefits under this section are not entitled to benefits under Item 304.

E. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director of the Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

F.1. Included in this appropriation is $59,443,568 from the general fund and $59,443,568 from nongeneral funds in the first year and ~~$62,237,416~~ *$60,017,825* from the general fund and ~~$62,237,416~~ *$60,017,825* from nongeneral funds in the second year to reimburse the Virginia Commonwealth University Health System for indigent health care costs and Medicaid losses. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

2. Included in this appropriation is $28,656,089 from the general fund and $28,656,089 from nongeneral funds in the first year and ~~$32,405,318~~ *$33,713,445* from the general fund and ~~$32,405,318~~ $33,713,445 from nongeneral funds in the second year to reimburse the University of Virginia Health System for indigent health care costs and Medicaid losses. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

G. The Department shall establish a program to more effectively manage those Medicaid recipients who receive the highest cost care. To implement the program, the Department shall establish uniform criteria for the program, including criteria for the high cost recipients, providers and reimbursement, service limits, assessment and authorization limits, utilization review, quality assessment, appeals and other such criteria as may be deemed necessary to define the program. The Department shall seek any necessary approval from the Centers for Medicare and Medicaid Services, and shall promulgate such regulations as may be deemed

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necessary to implement this program.

H. The Department of Medical Assistance Services and the Virginia Department of Health shall work with representatives of the dental community: to expand the availability and delivery of dental services to pediatric Medicaid recipients; to streamline the administrative processes; and to remove impediments to the efficient delivery of dental services and reimbursement thereof. The Department of Medical Assistance Services shall report its efforts to expand dental services to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget by December 15 each year.

I. The Department of Medical Assistance Services shall implement continued enhancements to the prospective drug utilization review (pro-DUR) program. The Department shall continue the Pharmacy Liaison Committee and the pro-DUR Committee. The Department shall continue to work with the Pharmacy Liaison Committee to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The Department shall report on the Pharmacy Liaison Committee's and the pro-DUR Committee's activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

J. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.

K. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.

L. It is the intent of the General Assembly that the use of the new atypical medications to treat seriously mentally ill Medicaid recipients should be supported by the formularies used to reimburse claims under the Medicaid fee-for-service and managed care plans.

M.1. The Department of Medical Assistance Services shall have the authority to seek federal approval of changes to its MEDALLION waiver and its Medallion II waiver.

2. In order to conform the state regulations to the federally approved changes and to implement the provisions of this act, the Department shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. The Department shall implement these necessary regulatory changes to be consistent with federal approval of the

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waiver changes.

N.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Comprehensive Services Act program, Department of Education, Department of Juvenile Justice, Department of Mental Health, Mental Retardation and Substance Abuse Services, Virginia Department for the Aging, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries.

2. The Department shall track revenues and submit a status report on the successful implementation of any strategies to the Department of Planning and Budget by October 15 in each year of the biennium. The report shall include revenues generated for both the department and other agencies.

3. Whenever feasible the affected agency shall either (i) administratively transfer to the Department the general fund appropriation needed to implement the proposed savings initiative and the estimated general fund savings related to the initiative or (ii) the Department of Medical Assistance Services reimbursement to the affected agency shall be limited to the federal share of the Medicaid reimbursement, with the affected agency responsible for providing the state share; the affected agency shall still be responsible for transferring to the Department the estimated savings related to the initiative. In cases where the above options are not feasible, the Medicaid savings paid by the identified service providers pursuant to these strategies shall be recovered and deposited into the state treasury as nongeneral fund revenue or as an expenditure refund. Any revenues generated through these activities shall be deposited into the Virginia Health Care Fund to be used for the purposes specified in this Item.

O. The Department of Medical Assistance Services shall retain the savings necessary to reimburse a vendor for its efforts resulting from the Department's Request for Proposals, issued on August 30, 2001, and titled Maximizing Federal Reimbursement. However, prior to reimbursement, the Department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.

P. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Comprehensive Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster

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care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The Department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan. The Department shall report annually, by June 30, to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget on the results of the training program. The report shall include the number of local team representatives attending formal training programs offered by the Department; the number of technical assistance requests responded to by the Department; and the type and amounts of training materials made available to the local teams.

Q. The Department of Medical Assistance Services shall discontinue efforts to seek approval for a Research and Demonstration 1115 Waiver for the management of chronic care conditions of elderly and disabled persons through the Virginia Area Agencies on Aging using funds previously allocated for elderly case management under the department of Medical Assistance Services' State Plan. The department shall amend the State Plan for Medical Assistance Services to restore elderly case management services as a state plan service. The department shall promulgate emergency regulations to become effective within 280 days or less from the enactment date of this act. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

R. Contingent upon approval by the Centers for Medicare and Medicaid Services to implement a new Independence Plus Home and Community Based Services Waiver, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment date of this act. The department shall implement these necessary regulatory changes to be consistent with federal approval of the waiver application developed by the department and stakeholders. In the event a recipient of a waiver slot under the Independence Plus Home and Community Based Services Waiver exits the program, funding for the slot shall revert to the waiver program from which the recipient came.

S.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development

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and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population. Physicians on the Committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the Committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the Department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least quarterly and may meet at other times at the discretion of the Chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the Committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and

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timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.

5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.

6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Mental Health, Mental Retardation, and Substance Abuse Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.

7. The Department of Medical Assistance Services shall exempt antidepressant and antianxiety medications used for the treatment of mental illness from the Medicaid Preferred Drug List program.

8. The department shall provide to the Governor; the House Committees on Appropriations, and Health, Welfare and Institutions; the Senate Committees on Finance, and Education and Health; and the Joint Commission on Health Care a report on the Preferred Drug List (PDL) Program no later than November 1 of each year. The report shall include the direct savings attributed to the PDL for the prior fiscal year, an estimated savings of the program for the next fiscal year, and the cost to administer the PDL. The report shall also include an analysis of the impact of the program on patient health including, but not limited to, hospitalizations and emergency outpatient visits.

T. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.

U. Contingent upon approval by the Centers for Medicare and Medicaid Services, the Department of Medical Assistance Services shall implement coverage for an additional level of Residential Treatment for Children and Adolescents. The state match will be obtained from Comprehensive Services Act funds. The Department shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. The Department shall implement these necessary regulatory changes to be consistent with federal approval of the State Plan amendment.

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V. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the Department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The Department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

W. Out of this appropriation, $100,000 the first year and $500,000 the second year from the general fund and $100,000 the first year and $500,000 the second year from nongeneral funds is provided for the Alzheimer's/Dementia Assisted Living Waiver. The Department of Medical Assistance Services shall develop, in conjunction with affected constituents, a waiver pursuant to §1915(c) of the Social Security Act (42 U.S.C. 1396n) from the Centers for Medicaid and Medicare Services to establish a home and community-based care waiver for persons with Alzheimer's disease and related dementias ("Alzheimer's/Dementia Assisted Living Waiver"). The Alzheimer's/Dementia Assisted Living Waiver shall be for those individuals who meet the functional criteria for admission to a nursing facility, who have a diagnosis of Alzheimer's disease or a related dementia, and who are eligible to receive an Auxiliary Grant. Within the limits of this appropriation, waiver enrollment in the program shall be limited to 200 individuals who choose to move to an assisted living facility. The agency shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act.

X. Within the limits of this appropriation, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to implement a Medicaid Buy-in Program on January 1, 2007. The program shall be designed to include cost sharing provisions. At the time of enrollment in the program, the individual must either be a current Medicaid recipient or meet the income, asset and eligibility requirements for the Medicaid-covered group for individuals age 65 or older, blind or disabled who have incomes that do not exceed 80 percent of the federal poverty income guidelines. The agency shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act.

Y.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to modify the reimbursement methodology used to reimburse for generic drug products. The new methodology shall reimburse for the product cost based on a Maximum Allowable Cost list to be established by

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the department. Such amendments shall be effective within 280 days or less from the enactment of this act.

2. In developing the maximum allowable cost (MAC) reimbursement rate for generic pharmaceuticals, the department shall: (i) publish the factors used to set state MAC rates, including the identity of the reference product used to set the MAC rate; the GCN number of the reference product; the factor by which the MAC rate exceeds the reference product price, which shall be not less than 110 percent of the lowest-published wholesale acquisition cost for products widely available for purchase in the state, and included in national pricing compendia; and the identity and date of the published compendia used to determine the reference product and set the MAC rate; (ii) identify three different suppliers that are able to supply the product and from whom pharmacies are able to purchase sufficient quantities of the drug. The drugs considered must be listed as therapeutically and pharmaceutically equivalent in the FDA's most recent version of the "Orange Book"; (iii) identify that the use of a MAC rate is lower than the Federal Upper Limit (FUL) for the drug, or the development of a MAC rate that does not have a FUL will not result in the use of higher-cost innovator brand name or single source drugs in the Medicaid program; and (iv) distribute the list of state MAC rates to pharmacy providers in a timely manner prior to the implementation of MAC rates and subsequent modifications.

3. The department shall: (i) review and update the list of MAC rates at least quarterly; (ii) implement and maintain a procedure to eliminate products from the list, or modify MAC rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow a dispensing provider to contest a listed MAC rate.

4. The department shall report on savings achieved through the implementation of the Maximum Allowable Cost rates for generic pharmacy products in the Medicaid pharmacy program to the Chairmen of the House Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and the Department of Planning and Budget by January 1 of each year.

5. The Department shall conduct an analysis of the fiscal impact of the implementation of "Average Manufacturer Price" (AMP), as required by the federal Deficit Reduction Act of 2005, Public Law 109-171. By November 15, 2007, the Department shall report to the Governor and the chairmen of the Senate Finance and House Appropriations Committees the amount of savings anticipated in the November 2007 Medicaid Forecast as a result of this change in federal law. In the event that anticipated pharmacy savings exceed the amount of savings assumed in the 2006 Medicaid Forecast, the department shall make recommendations regarding the adjustment of pharmacy dispensing fees based on the impact of changes in local pharmacy reimbursements.

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Z.*1.* Out of this appropriation, the dedicated special fund appropriation for Medical Assistance Services includes $288,141,334 the first year and ~~$291,435,759~~292,061,809 the second year from the Virginia Health Care Fund.

*2. Notwithstanding any other provision of law, the State Comptroller shall deposit 50 percent of the Commonwealth's allocation of the Strategic Contribution Fund payment pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Health Care Fund.*

AA. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.

BB. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement, shall identify and initiate third party recovery actions where there is a medical support order requiring a noncustodial parent to contribute to the medical cost of a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs.

CC. In developing a long-term disease state management program, the Department of Medical Assistance Services shall consider including initiatives which positively impact health care costs in children and adults with asthma and other chronic diseases.

DD.1. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance Services governing Medicaid reimbursement for nursing facilities effective July 1, 2006. The provision to increase the ceilings by $3 per day shall be deleted. In its place, the department shall amend the State Plan to eliminate administrator salary limits, medical director salary limits and management fee limits, except when the administrator, medical director or contracted management firm is a related party, and set the indirect care ceiling at 106.13 percent of the day weighted median of base year cost. In addition, $3 per resident day, adjusted for inflation from FY 2006, multiplied times Medicaid utilization and allocated proportionately between direct and indirect cost, shall be added to facility specific cost per day used to set prospective rates to the extent those facility specific costs are from a cost reporting period that includes any days before July 1, 2005. This amendment to the State Plan shall become effective within 280 days from enactment of this act.

2. In addition to the changes in paragraph DD.1. in this Item, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services governing Medicaid reimbursement for nursing

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facilities to set the direct care ceiling at 117 percent and the indirect care ceiling at 107 percent of the day weighted median of base year cost, effective July 1, 2006. Out of this appropriation, $3,904,150 from the general fund and $3,904,150 from nongeneral funds the first year and $4,036,891 from the general fund and $4,036,891 from nongeneral funds in the second year is provided to increase the ceilings. This amendment to the State Plan shall become effective within 280 days from enactment of this act.

3. The Department of Medical Assistance Services shall implement the reimbursement change in paragraph DD.2. in this item on July 1, 2006, or on the date of this enactment, whichever is later. The Department shall have authority to implement this reimbursement change prior to the completion of any regulatory process undertaken in order to effect such change.

EE. To maintain the funding levels for indigent care, the Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance to increase payments to physicians who are faculty affiliated with Type I hospitals or related universities. The amount of the total payment shall be up to the upper payment limit for these services as permitted by federal Medicaid law and regulation. Contingent upon federal approval, the Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

FF.1. Within the limits of this appropriation, the Department of Medical Assistance Services shall work with its contracted managed care organizations and fee-for-service health care providers to: (i) raise awareness among the providers who serve the Medicaid population about the health risks of chronic kidney disease; (ii) establish effective means of identifying patients with this condition; and (iii) develop strategies for improving the health status of these patients. The Department shall work with the National Kidney Foundation to prepare and disseminate information for physicians and other health care providers regarding generally accepted standards of clinical care and the benefits of early identification of individuals at highest risk of chronic kidney disease.

2. Effective July 1, 2006, the Department shall request any clinical laboratory performing a serum creatinine test on a Medicaid recipient over the age of 18 years to calculate and report to the physician the estimated glomerular filtration rate (eGFR) of the patient and shall report it as a percent of kidney function remaining. The Department shall provide a status report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by January 1, 2007 on its efforts to increase reporting of the eGFR rate to physicians and, to the extent feasible, that clinical laboratories are complying with the requested reporting.

GG.1. The Director of the Department of Planning and

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Budget is authorized to transfer amounts, as needed, from Medicaid Program Services (program 45600) to Administrative and Support Services (program 49900) to fund administrative expenditures associated with contracts between the Department of Medical Assistance Services and companies providing disease state and chronic care management programs services for Medicaid recipients. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

2. The department shall report on its efforts to contract for and implement disease state management programs in the Medicaid program by November 1 of each year of the biennium, to the Chairmen of the Senate Finance and House Appropriations Committees and the Department of Planning and Budget. The report shall include estimates of savings that may result from such programs.

HH.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director of the Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the Director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request, the decision is deemed to be in favor of the provider. An appeal of the Director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. Once a final agency case decision has been made, the Director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

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II. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.

JJ.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.

2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.

3. In the event that the Department of Medical Assistance Services contracts with a vendor, the Department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The Department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

4. The department shall: (i) review, update and publish the list of authorized specialty drugs, utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing provider to contest the listed specialty drugs and rates.

5. The department shall report on savings and quality improvements achieved through the implementation measures for the specialty drug program to the Chairmen of the House Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and the Department of Planning and Budget by November 1 of each year.

6. The department shall have authority to enact

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emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

KK. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services to increase the physician/practitioner reimbursement fees in the following manner: evaluation and management procedures, as defined by the American Medical Association's annual publication of the Current Procedural Terminology manual, excluding hospital emergency department visits, provided to children under the age of twenty-one shall be increased by five percent effective July 1, 2006, and by ten percent effective July 1, 2007; reimbursement fees for obstetrical/gynecological services which were increased on September 1, 2004, shall not be increased; all other physician rates shall be increased five percent effective July 1, 2007. For fees effective on or after July 1, 2007, the annual RBRVS update to evaluation and management services provided to children shall be applied separately to preventive services and to the remaining evaluation and management services. The Department of Medical Assistance Services shall implement these reimbursement changes on July 1, 2006, or on the date of this enactment, whichever is later. The Department shall have authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such change.

LL. The Department of Medical Assistance Services shall amend the Medicaid Mental Retardation Waiver, and any related state regulations, to add 110 new slots which will be reserved for children under the age of 6. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

MM. The Department of Medical Assistance Services shall amend all §1915(c) home and community-based care waivers, excluding the AIDS Waiver, and any related state regulations to set patient pay requirements at 165 percent of Supplemental Security Income for individuals enrolled in the waivers. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

NN. The Department of Medical Assistance Services has the authority to implement cost-based reimbursement for special education health services furnished by school division providers effective July 1, 2006. School division providers shall file annual cost reports for these services and the department shall settle reimbursement to actual costs. Reimbursement to school divisions shall continue to be subject to the provisions of § 32.1-326.3(A)(1) of the Code of Virginia that only the federal share shall be reimbursed for special education health services and that local governments fund the state match for special education health services provided by school divisions. The Department shall have the authority to enact emergency

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regulations under § 2.2-4011 of the Administrative Process Act to effect this provision.

OO. The Department of Medical Assistance Services shall increase adult day health care reimbursement rates provided under Medicaid home and community based waiver programs by five percent effective January 1, 2007.

PP.1. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services governing Medicaid reimbursements for hospitals to set the adjustment factor for Type 2 hospitals equal to 78 percent, effective July 1, 2006.

2. The Department of Medical Assistance Services shall implement this reimbursement change on July 1, 2006, or on the date of this enactment, whichever is later. The Department shall have authority to implement this reimbursement change prior to the completion of any regulatory process undertaken in order to effect such change.

QQ. The Department of Medical Assistance Services shall work with representatives of the nursing home provider associations to develop a revised cost-reporting methodology which improves the timeliness and efficiency of the current process. A specific goal of such an enhanced process would be to decrease by one year the look-back period used within the biennial cost ceiling rebase determination. The department shall report its findings and recommendations to the Governor and the Chairman of the House Appropriations and Senate Finance Committees by September 1, 2006.

RR. The Department of Medical Assistance Services shall amend the Day Support Home- and Community-based Waiver to include supported employment as a service option.

SS. The Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance Services to implement modifications to the Medicaid program to comply with the mandated provisions of the federal Deficit Reduction Omnibus Reconciliation Act of 2005. This authorization shall apply only to those provisions the states are required to implement within 280 days of enactment of this Appropriation Act. The Department shall have the authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect this provision. The Department shall notify the Chairmen of the House Appropriations and Senate Finance Committees no less than 30 days prior to the submission of amendments to the State Plan of Medical Assistance Services.

TT. The Department of Medical Assistance Services, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Virginia Association of Community Services Boards, the ARC of Virginia, and other stakeholders, shall jointly review the current Medicaid home- and

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community-based waiver for persons with mental retardation to determine how the waiver program can be improved to provide a person-centered, individualized support focus. In conducting the review, the Department shall assess the need to upgrade availability of therapeutic behavioral consultation, skilled nursing, medical and other specialized supports for individuals who are served through the waiver. Also, the Department shall review successful models of waiver-funded community supports used by other states to serve individuals with mental retardation for potential application to Virginia. The Department shall report on its review of the waiver program including recommendations for changes and cost implications by December 1, 2006, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees.

UU. Effective July 1, 2006, the Department of Medical Assistance Services shall amend the home- and community-based care waivers for mental retardation services and developmental disabilities to ensure that applied behavioral analysis for individuals with autism or autistic spectrum disorders and positive behavioral supports for individuals with severe behavioral difficulties are covered under therapeutic consultation services. Out of the amounts appropriated in this item, $84,000 from the general fund and $84,000 from nongeneral funds the first year and $84,000 from the general fund and $84,000 from nongeneral funds the second year is provided for these services through the waiver program.

VV. Out of this appropriation, $2,570,823 the second year from the general fund and $2,570,823 the second year from nongeneral funds shall be used to increase personal care reimbursement rates provided under community-based Medicaid waiver programs by three percent, effective July 1, 2007.

WW. Out of this appropriation, $722,177 the first year and $765,507 the second year from the general fund and $722,177 the first year and $765,507 the second year from nongeneral funds shall be used to increase reimbursement rates for skilled nursing services provided through the Medicaid technology assisted home- and community-based waiver program and the HIV/AIDS Home and Community-based Care Waiver program by five percent, effective July 1, 2006.

XX. Out of this appropriation, $17,355,007 the first year and $17,355,007 the second year from the general fund and $17,355,007 the first year and $17,355,007 the second year from nongeneral funds shall be used to increase reimbursement rates paid to providers delivering unique services provided through the Mental Retardation, Individual and Family Developmental Disabilities Support or Day Support Home and Community-based Waiver Programs (but not provided in other waiver programs) by five percent effective July 1, 2006. Reimbursement rates paid to providers of congregate residential group home services for individuals in the Mental Retardation Home and Community-based Waiver Program shall be increased

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by 10 percent, effective July 1, 2006. The increase does not apply to personal care and related services, nursing services or services that are either fixed price or determined through individual consideration.

YY. Out of this appropriation, $656,209 the first year and $2,343,328 the second year from the general fund and $656,209 the first year and $2,343,328 the second year from nongeneral funds is provided for additional slots in the Medicaid Individual and Family Developmental Disabilities (DD) Support Waiver.

ZZ.1. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall develop a long-range blueprint for the development and implementation of an integrated acute and long-term care system. This plan shall: (i) explain how the various community and state level stakeholders will be involved in the development and implementation of the new program model(s); (ii) describe the various steps for development and implementation of the program model(s), including a review of other states' models, funding, populations served, services provided, education of clients and providers, and location of programs; (iii) describe how the existing system is funded and how integration will impact funding; and (iv) describe the evaluation methods that will be used to ensure that the program provides access, quality, and consumer satisfaction.

2. The Department of Medical Assistance Services shall report on its plan for integrating acute and long-term care services to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 15, 2006.

AAA. The Department of Medical Assistance Services shall implement one or more Program for All Inclusive Care for the Elderly (PACE) programs by July 2007. Out of this appropriation, $1,500,000 the first year ~~and $250,000 the second year~~ from the general fund is provided to make grants of up to $250,000 per site for start-up funds for potential PACE programs. The second year funding shall be used to develop a site in Northern Virginia. The grant funds may be used for staffing, development of business plans, and other start-up activities. To be eligible for grant funding, organizations must submit the following documentation to the Department of Medical Assistance Services no later than September 1, 2006: (i) completion of a market assessment that demonstrates sufficient potential PACE participants to develop a PACE program; (ii) demonstration of partnerships with acute care hospitals, nursing facilities, and other potential partners; (iii) designation of an adult day health care center from which to operate a PACE program; and (iv) identification of funding partners to sustain a PACE project.

BBB. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance Services to develop and implement a regional model for the integration of acute and long-term care services no later than July 2007. This model would be offered to

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elderly and disabled clients on a voluntary basis. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

CCC.1. The Director of the Department of Medical Assistance Services shall seek the necessary waiver from the United States Centers for Medicare and Medicaid Services to expand eligibility for Medicaid coverage of family planning services to individuals with a family income up to 133 percent of the federal poverty level. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

2. The Department of Medical Assistance Services shall, if feasible and consistent with federal requirements, seek the necessary waiver from the Centers for Medicare and Medicaid Services to expand eligibility for Medicaid coverage of family planning services to individuals with a family income above 133 percent of the federal poverty level up to an eligibility level that will not compromise federal budget neutrality for the waiver, but not to exceed 200 percent of the federal poverty level. The effective date of any such change shall not occur on or before June 30, 2008.

DDD. The Department of Medical Assistance Services shall increase the rates for care coordination services for high-risk pregnant women and children to $4.05 a day, effective July 1, 2007. Out of this appropriation, $493,899 from the general fund and $493,899 from nongeneral funds the second year is provided for this purpose. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

EEE. The Department of Medical Assistance Services shall modify reimbursement for pediatric hearing aids to reimburse the actual cost of the device within the limits set by the Department, plus provide a fixed rate dispensing fee and fitting fee. These rate changes shall take effect January 1, 2008.

FFF. The Department of Medical Assistance Services shall seek any necessary federal approval and amend its disease state management contract to include coverage of Chronic Obstructive Pulmonary Disease. Out of this appropriation, $57,250 from the general fund and $57,250 in nongeneral funds in the second year is provided for this purpose. The Department of Medical Assistance Services shall promulgate any necessary emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

GGG. The Department of Medical Assistance Services may seek any necessary federal approval and amend its

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disease state management program to include an incentive program for healthy behaviors, known as Enhanced Benefit Accounts. The effective date of any such change to the program shall not occur on or before June 30, 2008. The Department may submit a request for funding in the 2008-2010 biennial budget to fund the implementation of Enhanced Benefit Accounts. The Department of Medical Assistance Services may promulgate any necessary emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

HHH.Contingent upon approval by the Centers for Medicare and Medicaid Services as part of the Money Follows the Person demonstration grant, the Department of Medical Assistance Services shall seek federal approval for necessary changes to home and community-based 1915(c) waivers to allow individuals transitioning from institutions to receive care in the community. The Department of Medical Assistance Services shall promulgate any necessary emergency regulations within 280 days or less from the enactment date of this act. The department may submit this proposal, with recommended options and funding amounts, as a request in the 2008-10 biennial budget.

III. The Department of Medical Assistance Services shall develop a pay-for-performance proposal for Medicaid nursing homes. The proposal shall include the types of information that will be used to measure quality, the structure of the per diem reimbursement plan (including the quality indicators that will be used and any payment levels based on performance). To the extent feasible, the proposal should also explain how any quality indicators and measures may be adjusted to account for differences between nursing homes, the types of residents served, and improvement over time. The department shall submit this proposal, with recommended options and amounts of funding, as a request for the 2008-10 biennial budget.

JJJ.1. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services governing Medicaid reimbursements for hospitals to set the adjustment factor for inpatient psychiatric services performed by acute care Type 2 hospitals equal to 84 percent with an equivalent change to the Type 1 hospital adjustment factor for psychiatric services, effective July 1, 2007.

2. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services governing Medicaid reimbursements for freestanding psychiatric hospitals, licensed as hospitals, to exclude the rates from hospital rebasing. The Department will continue to use the 1998 base year rate inflated forward. The Department of Medical Assistance Services shall implement this reimbursement change on July 1, 2007.

3. The Department of Medical Assistance Services shall promulgate emergency regulations to implement these amendments within 280 days or less from the enactment date of this act.

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KKK. The Department of Medical Assistance Services shall have the authority to amend the managed care waiver to allow the department to enroll adoption assistance recipients into managed care organizations as defined in 12 VAC 30-120-360 through 12 VA 30-120-420. In addition, the department shall have the authority to amend the State Plans for Titles XIX (Medical Assistance) and XXI (Family Access to Medical Insurance Security Plan - FAMIS) of the Social Security Act, as required by applicable statute and regulations to provide managed care services to adoption assistance recipients. The Department of Medical Assistance Services shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

LLL. Out of this appropriation $7,573,274 from the general fund and $7,573,274 from nongeneral funds the second year is provided to add 330 new slots in the Mental Retardation Home and Community-based Waiver Program for individuals living in the community.

MMM. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services related to capital reimbursement of children's ICFs/MR having 50 or more beds, to provide that allowable square feet per bed shall be up to 750 square feet per bed. This amendment shall be effective July 1, 2007. The Department of Medical Assistance Services shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

NNN. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance and any related state regulations to increase the personal needs allowance for institutionalized individuals from $30 to $40. Out of this appropriation, $925,235 the second year from the general fund and $925,235 from nongeneral funds is provided for this purpose. The department shall have authority to implement this change prior to the completion of any regulatory process undertaken in order to effect such change.

OOO. The Department of Medical Assistance Services shall be authorized, in collaboration with the Virginia Commonwealth University Health System (VCUHS), to seek a waiver from the Centers for Medicare and Medicaid Services (CMS) to permit use of Disproportionate Share Hospital (DSH) funds to allow the VCUHS (Hospital and Physician Practice) to continue the existing partnership with community physicians and with any community hospitals who are providing less costly health care services to eligible indigent patients for VCUHS. As part of the waiver application process the parties shall develop estimates of the cost of the program to the state and federal governments, and shall report the findings to the Governor and to the Chairman of the House Appropriations and the Senate Finance Committees. If the Director, Department of Planning and Budget, determines that the waiver program would not require

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| | additional state funds, the program shall be implemented upon receiving CMS approval. If additional state funding is needed, the program shall not be implemented until such funding is authorized through the budget process. | | | | |
| | PPP. The State Board for Medical Assistance Services shall develop amendments to the State Plan for Medical Assistance to provide coverage of substance abuse treatment services for children and adults including emergency services; evaluation and assessment; outpatient services, including intensive outpatient services; targeted case management; and day treatment effective July 1, 2007. The State Board shall seek approval from the Centers for Medicare and Medicaid to implement the State Plan amendments. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act. | | | | |
| | QQQ. Out of this appropriation, $5,297,138 the second year from the general fund and $5,297,138 the second year from nongeneral funds shall be used to implement a 15 percent rate differential for Medicaid home- and community-based mental retardation, developmentally disabled and day support waiver services provided in Northern Virginia. | | | | |
| | RRR. The Department of Medical Assistance Services shall amend the State Plan of Medical Assistance Services governing Medicaid reimbursement for hospitals to eliminate the rural wage index category used to adjust the labor portion of the statewide operating rate per case for acute care payments and the statewide operating rate per day for rehabilitation and psychiatric payments. Affected hospitals will have their labor share of costs adjusted using the nearest metropolitan wage area or their effective Medicare wage index, whichever is higher. | | | | |
| 303. | Not set out. | | | | |
| 304. | Not set out. | | | | |
| 305. | Not set out. | | | | |
| 306. | Medical Assistance Services for Low Income Children (46600) | | | $65,504,509 | ~~$74,146,205~~ *$76,599,103* |
| | Reimbursements for Medical Services Provided to Low-Income Children (46601) | $65,504,509 | ~~$74,146,205~~ *$76,599,103* | | |
| | Fund Sources: General | $22,926,578 | ~~$25,948,070~~ *$26,809,686* | | |
| | Federal Trust | $42,577,931 | ~~$48,198,135~~ *$49,789,417* | | |
| | Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-87, as amended, Title XIX, Social Security Act, Federal Code. | | | | |
| 307. | Not set out. | | | | |

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|---|---|---|---|---|---|
| Total for Department of Medical Assistance Services..... | | | | **$5,320,510,865** | ~~**$5,759,976,809**~~ ***$5,662,663,577*** |
| General Fund Positions..... | | 161.52 | 162.02 | | |
| Nongeneral Fund Positions..... | | 186.48 | 186.98 | | |
| Position Level ..... | | 348.00 | 349.00 | | |
| Fund Sources: General..... | | $2,408,455,441 | ~~$2,633,127,039~~ *$2,567,180,009* | | |
| Special..... | | $7,850,000 | $7,850,000 | | |
| Dedicated Special Revenue..... | | $302,206,961 | ~~$305,531,206~~ *$318,787,155* | | |
| Federal Trust..... | | $2,601,998,463 | ~~$2,813,468,564~~ *$2,768,846,413* | | |

**§ 1-33. DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES (720)**

308. Not set out.

309. Not set out.

310. Not set out.

311. Not set out.

312. Not set out.

**Mental Health Treatment Centers (792)**

313. Not set out.

314. Not set out.

315. Not set out.

316. Not set out.

317. Not set out.

318. The appropriations for the Mental Health Treatment Centers include the following approximate amounts. These amounts may vary dependent on facility or Department of Mental Health, Mental Retardation and Substance Abuse Services needs identified throughout the year:

**FY 2007**

| | Facility | Position Level | General | Special | Federal Trust | Total |
|---|---|---|---|---|---|---|
| 724 | Catawba | 342.00 | $9,342,252 | $9,667,466 | $0 | $19,009,718 |
| 703 | Central State | 832.00 | $48,259,756 | $560,690 | $12,000 | $48,832,446 |
| 708 | Commonwealth Center | 140.00 | $6,956,007 | $1,651,712 | $68,000 | $8,675,719 |
| 704 | Eastern State | 1,220.00 | $41,690,335 | $24,647,930 | $1,500 | $66,339,765 |
| 748 | Hiram W. Davis | 200.00 | $25,401,255 | $11,543,330 | $0 | $36,944,585 |
| 728 | Northern Virginia | 364.00 | $24,510,745 | $1,258,863 | $0 | $25,769,608 |
| 729 | Piedmont | 350.00 | $2,900,196 | $17,037,117 | $0 | $19,937,313 |
| 739 | Southern Virginia | 175.00 | $9,244,956 | $1,487,189 | $0 | $10,732,145 |
| 705 | Southwestern Virginia | 529.00 | $22,979,956 | $8,407,031 | $21,650 | $31,408,637 |
| 706 | Western State | 810.00 | $45,587,459 | $3,385,271 | $3,000 | $48,975,730 |
| | **Total** | **4,962.00** | **$236,872,917** | **$79,646,599** | **$106,150** | **$316,625,666** |

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|---|---|---|---|---|---|---|
| | | | **FY 2008** | | | |
| | **Facility** | **Position Level** | **General** | **Special** | **Federal Trust** | **Total** |
| 724 | Catawba | 342.00 | $9,366,554 | $9,667,466 | $0 | $19,034,020 |
| 703 | Central State Commonwealth | 832.00 | $48,354,228 | $560,690, | $12,000 | $48,926,918 |
| 708 | Center | 140.00 | $6,960,781 | $1,651,712 | $68,000 | $8,680,493 |
| 704 | Eastern State | 1,200.00 | $39,985,212 | $24,647,930 | $1,500 | $64,634,642 |
| 748 | Hiram W. Davis | 200.00 | $27,328,573 | $11,543,330 | $0 | $38,871,903 |
| 728 | Northern Virginia | 364.00 | $24,558,368 | $1,258,863 | $0 | $25,817,231 |
| 729 | Piedmont | 350.00 | $2,931,362 | $17,037,117 | $0 | $19,968,479 |
| 739 | Southern Virginia | 175.00 | $9,268,979 | $1,487,189 | $0 | $10,756,168 |
| 705 | Southwestern Virginia | 529.00 | $23,077,119 | $8,407,031 | $21,650 | $31,505,800 |
| 706 | Western State | 775.00 | $45,061,723 | $3,385,271 | $3,000 | $48,449,994 |
| | **Total** | **4,907.00** | **$236,892,889** | **$79,646,599** | **$106,150** | **$316,645,648** |

| | | | | | |
|---|---|---|---|---|---|
| Total for Mental Health Treatment Centers | | | | **$316,625,666** | **$316,645,648** |
| General Fund Positions | 4,206.00 | 4,151.00 | | | |
| Nongeneral Fund Positions | 756.00 | 756.00 | | | |
| Position Level | 4,962.00 | 4,907.00 | | | |
| Fund Sources: General | $236,872,917 | $236,892,899 | | | |
| Special | $79,646,599 | $79,646,599 | | | |
| Federal Trust | $106,150 | $106,150 | | | |

**Mental Retardation Training Centers (793)**

319. Not set out.

320. Not set out.

| | | | | | |
|---|---|---|---|---|---|
| 321. State Health Services (43000) | | | | $149,096,370 | ~~$147,992,912~~ *$153,292,912* |
| Inpatient Medical Services (43007) | $18,291,129 | $18,291,129 | | | |
| State Mental Retardation Training Center Services (43010) | $130,805,241 | ~~$129,701,783~~ *$135,001,783* | | | |
| Fund Sources: General | $16,611,371 | $17,011,371 | | | |
| Special | $132,484,999 | ~~$130,981,541~~ *$136,281,541* | | | |

Authority: Title 37.1, Chapters 1 and 2, Code of Virginia.

A. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund shall be used to support two Regional Community Support Centers located at the Southwest Virginia Training Center and the Central Virginia Training Center.

B. The department shall take necessary step to develop an employee transition assistance plan for positions at Central Virginia Training Center and Southeastern Virginia Training Center reduced due to the replacement of these facilities.

C. Out of this appropriation, $400,000 from the general

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fund the second year shall be used to establish Regional Community Support Centers at Southside and Southeastern Virginia Training Centers.

322. Not set out.

323. The appropriations for the Mental Retardation Training Centers include the following approximate amounts. These amounts may vary dependent on facility or Department of Mental Health, Mental Retardation and Substance Abuse Services needs identified throughout the year:

**FY2007**

| | Facility | Position Level | General | Special | Federal Trust | Total |
|---|---|---|---|---|---|---|
| 707 | Central Virginia | 1,584.00 | $9,984,664 | $66,886,670 | $0 | $76,871,334 |
| 725 | Northern Virginia | 547.00 | $5,191,919 | $31,278,968 | $0 | $36,470,884 |
| 726 | Southside Virginia | 1,476.00 | $13,904,314 | $64,362,570 | $62,000 | $78,328,885 |
| 723 | Southeastern Virginia | 448.00 | $2,621,442 | $18,025,702 | $0 | $20,647,144 |
| 738 | Southwestern Virginia | 469.00 | $2,457,429 | $20,969,787 | $0 | $23,427,216 |
| | **Total** | **4,524.00** | **$34,159,768** | **$201,523,697** | **$62,000** | **$235,745,465** |

**FY2008**

| | Facility | Position Level | General | Special | Federal Trust | Total |
|---|---|---|---|---|---|---|
| 707 | Central Virginia | 1,450.00 | $9,984,664 | $63,230,881 | $0 | $73,215,545 |
| 725 | Northern Virginia | 547.00 | $5,191,919 | $31,855,840 | $0 | $37,047,759 |
| 726 | Southside Virginia | 1,476.00 | $14,104,314 | $65,550,797 | $62,000 | $79,717,111 |
| 723 | Southeastern Virginia | 448.00 | $2,821,442 | $18,025,702 | $0 | $20,847,144 |
| 738 | Southwestern Virginia | 469.00 | $2,457,429 | $21,357,019 | $0 | $23,814,448 |
| | **Total** | **4,390.00** | **$34,559,768** | **$200,020,239** | **$62,000** | **$234,642,007** |

| | | | | |
|---|---|---|---|---|
| Total for Mental Retardation Training Centers | | | **$235,745,465** | **~~$234,642,007~~** ***$239,942,007*** |
| General Fund Positions | 2,541.00 | 2,541.00 | | |
| Nongeneral Fund Positions | 1,983.00 | 1,849.00 | | |
| Position Level | 4,524.00 | 4,390.00 | | |
| Fund Sources: General | $34,159,768 | $34,559,768 | | |
| Special | $201,523,697 | ~~$200,020,239~~ *$205,320,239* | | |
| Federal Trust | $62,000 | $62,000 | | |

324. Not set out.

325. Not set out.

326. Not set out.

| | | | | |
|---|---|---|---|---|
| Grand Total for Department of Mental Health, Mental Retardation and Substance Abuse Services | | | **$870,211,354** | **~~$889,924,678~~** ***$895,224,678*** |
| General Fund Positions | 7,140.85 | 7,086.85 | | |
| Nongeneral Fund Positions | 2,751.15 | 2,617.15 | | |
| Position Level | 9,892.00 | 9,704.00 | | |
| Fund Sources: General | $519,215,031 | $535,733,680 | | |
| Special | $282,036,293 | ~~$285,230,968~~ | | |

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|---|---|---|---|---|---|
| | | | *$290,530,968* | | |
| | Federal Trust | $68,960,030 | $68,960,030 | | |
| 327. | Not set out. | | | | |
| 328. | Not set out. | | | | |
| 329. | Not set out. | | | | |
| 330. | Not set out. | | | | |
| 331. | Not set out. | | | | |
| 332. | Not set out. | | | | |
| | **§ 1-34. DEPARTMENT OF SOCIAL SERVICES (765)** | | | | |
| 333. | Not set out. | | | | |
| 334. | Financial Assistance for Self-Sufficiency Programs and Services (45200) | | | $339,951,890 | ~~$366,162,216~~ *$372,162,216* |
| | Income Benefits (45201) | $118,740,810 | $118,173,314 | | |
| | Child Support Supplement (45211) | $7,800,000 | $7,800,000 | | |
| | Tanf Employment Services (45212) | $55,971,477 | $63,238,972 | | |
| | Non-Tanf Employment Services (45213) | $2,064,925 | $2,064,925 | | |
| | Tanf Day Care (45214) | $54,978,994 | $73,739,321 | | |
| | Non-Tanf Day Care (45215) | $100,395,684 | ~~$101,145,684~~ *$107,145,684* | | |
| | Fund Sources: General | $123,704,239 | $129,542,830 | | |
| | Federal Trust | $216,247,651 | ~~$236,619,386~~ *$242,619,386* | | |

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. To the extent permitted by federal law, the State Plan for Temporary Assistance for Needy Families (TANF) shall provide that the eligibility for assistance of an alien who is qualified alien (as defined in § 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law Number 104-193) shall be determined without regard to alienage.

B. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are

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eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

C. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

D.1. The Department of Social Services shall be authorized to make necessary changes in the State Plan for the Temporary Assistance for Needy Families (TANF) Program to meet the federal TANF requirements, pursuant to federal Deficit Reduction Omnibus Reconciliation Act of 2005, and to minimize the Commonwealth's exposure to federal financial penalties, provided it does so in the most efficient and least costly manner.

2. No less than 30 days prior to submitting amendments to the federal government on the State Plan for the Temporary Assistance for Needy Families Program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees with written documentation of the proposed policy changes, including an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

E. Out of this appropriation, $7,800,000 the first year and $7,800,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be used by the Department of Social Services to provide recipients of Temporary Assistance for Needy Families (TANF) cash assistance a monthly TANF supplement up to the current child support collected by the Division of Child Support Enforcement for each such recipient, less any disregard passed through to such recipient pursuant to any other provision of law. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph.

F. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Employment, Not Welfare

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|---|---|---|---|---|

(VIEW) program. The Department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

G. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

H. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, §1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.

I. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for these wraparound services.

J. It is the intent of the General Assembly that the Department of Social Services automate day care assistance programs. The Department shall report to the Governor and the General Assembly by October 15 of each year regarding the status of such automation, system adequacy, and needed action.

K. Omitted.

L. Omitted.

M. Out of the total appropriation for day care,

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$11,540,911 from the general fund and $51,015,773 from federal funds the first year and $11,540,911 from the general fund and $51,015,773 from federal funds the second year will support state day care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for day care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall report on the sliding fee scale and eligibility criteria adopted by the Board of Social Services by December 15 of each year. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with day care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.

N. Notwithstanding § 4-1.03 of this act, general fund and nongeneral fund appropriations for the Child Day Care Fee System At-risk and At-risk Pass-thru programs shall not be transferred to support other child day care programs or for any other purpose.

O. Included in this Item is funding in the amount of $600,000 the first year and $600,000 the second year from nongeneral funds for scholarships for students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education. Also included in this Item is funding in the amount of $505,000 the first year and $505,000 the second year from nongeneral funds for training of individuals in the field of early childhood education.

P. Out of appropriations in this Item shall be provided $300,000 the first year and $300,000 the second year from nongeneral funds for child care assistance provided to children in homeless and domestic violence shelters.

Q. Out of this appropriation shall be provided $350,000 the first year and $350,000 the second year from the Child Care Development Fund to contract with a network of child care resource and referral agencies to provide assistance to working parents in locating and identifying child care programs and to collect, maintain and disseminate information about child care in accordance with the 2002/2003 Child Care Development Fund Plan for Virginia.

R. Omitted.

S. Out of this appropriation, $4,910,128 the first year and $4,910,128 the second year from the federal Temporary Assistance to Needy Families (TANF) grant shall be transferred to the Department of Housing and

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| | Community Development for a continuum of housing services for low-income families. | | | | |
| | T. Out of this appropriation, $750,000 the second year from the general fund shall be used to create an automated child care management and payment system. The Department of Social Services shall provide an annual report on the system's progress by July 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Health and Human Resources and the Department of Planning and Budget. | | | | |
| 335. | Financial Assistance for Local Social Services Staff (46000) | | | $316,733,934 | $316,843,934 |
| | Eligibility Determination for Benefit Programs (46003) | $156,869,291 | $156,979,291 | | |
| | Social Worker Services (46006) | $159,864,643 | $159,864,643 | | |
| | Fund Sources: General | $71,313,823 | ~~$76,057,517~~ *$80,002,703* | | |
| | Dedicated Special Revenue | $1,500,000 | $1,500,000 | | |
| | Federal Trust | $243,920,111 | ~~$239,286,417~~ *$235,341,231* | | |
| | Authority: Title 63.2, Chapters 1, 6, 6.2, 6.5, 13 and 14, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended. | | | | |
| | A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended. | | | | |
| | B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account. | | | | |
| | C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families; Food Stamps; and Medicaid. | | | | |
| | D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services. | | | | |
| | E. Out of the federal fund appropriation for Benefit Programs Administration, amounts estimated at $15,000,000 the first year and $15,000,000 the second year shall be set aside for allowable local salary costs | | | | |

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| | | which exceed available general fund reimbursement and amounts estimated at $10,000,000 the first year and $10,000,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs. | | | | |
| | | F. Out of this appropriation, $9,300,000 the first year and $5,300,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant and $4,000,000 from the general fund the second year shall be allocated for foster care and adoption workers in local Department of Social Services offices. | | | | |
| | | G. In the event that the City of Suffolk or the City of Portsmouth begins construction of a new human services building to be jointly occupied by local health and human services agencies, the Commissioner of Social Services may request that the Governor include funding for the state's share of the local social services department's cost of leasing space in the facility during the development of the next budget. When preparing the budget, the Governor may consider the Commissioner's request for funding the state share of lease costs for the space occupied by the Suffolk or Portsmouth local social services department in the newly constructed facility. | | | | |
| | 336. | Not set out. | | | | |
| | 337. | Adult Programs and Services (46800) | | | $44,360,491 | $47,304,949 |
| | | Auxiliary Grants for the Aged, Blind, and Disabled (46801) | $24,438,998 | $27,183,456 | | |
| | | Adult Protective and Supportive Services (46802) | $11,734,495 | $11,934,495 | | |
| | | Domestic Violence Services (46803) | $8,186,998 | $8,186,998 | | |
| | | Fund Sources: General | $24,822,420 | $28,956,878 | | |
| | | Federal Trust | $19,538,071 | $18,348,071 | | |
| | | Authority: Title 51.2, Chapter 1.1 and Title 63.2, Chapters 1 and 6, Code of Virginia; Title XVI, federal Social Security Act, as amended. | | | | |
| | | A. 1. Effective July 1, 2007, the Department of Social Services is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of $1,061 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The Department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight. | | | | |
| | | 2. The monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be $70 per month the first year and $75 per month the second year, unless modified as indicated below. | | | | |
| | | 3. The Department of Social Services is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or | | | | |

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Social Security rates or at any other time that the Department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with an explanation of the reasons for the increase.

B. Out of this nongeneral fund appropriation, $6,501,894 the first year and $6,501,894 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. Out of this appropriation, $500,000 the first year and $700,000 the second year from the general fund is provided for the Virginia Caregivers Grant Program.

D. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the Department to receive complaints of adult abuse and neglect.

E. Out of this appropriation, $125,000 the first year and $1,187,500 the second year from the general fund and $1,062,500 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

F. Out of this appropriation, $650,000 the first year and $650,000 the second year from the general fund shall be provided for services to victims of domestic violence pursuant to Chapter 375 of the Acts of the Assembly of 2004.

G. Out of this appropriation, $75,000 from the general fund and $400,000 from nongeneral funds the first year and $75,000 from the general fund and $400,000 from nongeneral funds the second year shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

H. Notwithstanding the emergency regulations set forth in 22 VAC 40-71-10 et seq. Standards and Regulations for Licensed Assisted Living Facilities, the Department of Social Services shall (i) define a department-approved course for managers of licensed facilities with 19 or fewer residents, pursuant to 22 VAC 40-71-60 L.3 e (4), as a course that does not exceed 40 hours and is available and accessible in multiple regions within the Commonwealth; (ii) reinstate an exception to the requirement that at least

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| | | one staff member be awake and on duty during the night in buildings that house 19 or fewer residents provided that none of the residents require a staff member to be awake and on duty at night, pursuant to 22 VAC 40-71-130; and (iii) eliminate requirements set forth in the emergency regulations, pursuant to 22 VAC 40-71-485, guiding intervention for high risk behavior. | | | | |
| | | I. Out of this appropriation, $127,500 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant and $127,500 the second year from the general fund shall be provided for a domestic violence awareness campaign. | | | | |
| | 338. | Child Welfare Services (46900) | | | $154,624,479 | $162,169,437 |
| | | Foster Care (46901) | $82,269,905 | $83,318,860 | | |
| | | Child Protection Services (46902) | $10,437,340 | $10,237,340 | | |
| | | Adoption (46903) | $60,951,655 | $68,613,237 | | |
| | | Other Child Welfare Services (46904) | $965,579 | $0 | | |
| | | Fund Sources: General | $82,833,803 | $95,005,944 | | |
| | | Special | $946,277 | $948,245 | | |
| | | Federal Trust | $70,844,399 | $66,215,248 | | |
| | | Authority: Title 63.2, Chapters 3, 10, 10.1, 10.2, 11.1, 11.2, 12.1, and 18, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, as amended, Federal Code. | | | | |
| | | A. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in §63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services. | | | | |
| | | B. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The Commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage. | | | | |
| | | C. This appropriation includes $180,200 from the general fund and $99,800 from nongeneral funds the first year and $180,200 from the general fund and $99,800 from nongeneral funds the second year to continue respite care for foster parents. | | | | |
| | | D. The Commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees. | | | | |
| | | E. Out of this appropriation shall be provided $100,000 the first year from nongeneral funds and $100,000 the second year from nongeneral funds for Volunteer Emergency Families for Children to expand its shelter | | | | |

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care network for abused, neglected, runaway, homeless, and at-risk children throughout Virginia.

F. The Department of Social Services shall develop additional performance measures for the adoption subsidy program to measure, over a fiscal year, the percentage of foster care children with a goal of adoption who are placed in adoptive homes and, of those, the average number of months since the termination of parental rights and the average number of months since the goal of adoption was established.

G. The Department of Social Services shall develop and maintain a Memorandum of Understanding with the Comprehensive Health Investment Project (CHIP) of Virginia to pilot the use of foster care prevention funding in Southwest Virginia. Additional funding which may be available through this effort to Southwest Virginia CHIP projects cannot be used to supplant existing resources for those projects.

H. Out of this appropriation, $1,332,959 from the general fund and $4,139,820 from the federal Temporary Assistance for Needy Families (TANF) grant the first year and $5,472,779 from the general fund the second year shall be provided to Healthy Families Virginia. These funds shall be used at the discretion of local sites for obtaining matching Title IV-E nongeneral funds when available. The Department of Social Services shall continue to allocate funds from this item to the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Healthy Families Virginia program.

I. Out of this appropriation, $100,000 the first year and $100,000 the second year from nongeneral funds is provided for the Child Abuse Prevention Play administered by Theatre IV of Richmond.

J. Out of this appropriation, $50,000 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant and $50,000 the second year from the general fund shall be provided to the Bristol-Washington County Children's Advocacy Center for services to TANF-eligible populations.

K. Out of this appropriation, $50,000 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant and $50,000 the second year from the general fund shall be provided to the Lenowisco Planning District Children's Advocacy Center for services to TANF-eligible populations.

L. The Commissioner of Social Services shall work with the Virginia Baptist Home for Children to serve children and youth in need of services, to assist the Commonwealth in meeting state and federal child welfare services to foster care children, and to explore opportunities to restructure their child placing facility.

M.1. The Commissioner of Social Services, in consultation with the Virginia League of Social Services Executives and local departments of social

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services, shall develop a plan to implement and finance federally required foster care services improvements in localities through a Child and Family Services Review Performance Improvement Plan.

2. The initial plan and subsequent status reports on its implementation shall be reported to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by January 1 of each year.

N. Out of this appropriation, $3,604,908 from the general fund and $1,046,341 from nongeneral funds the first year and $3,604,908 from the general fund and $1,046,341 from nongeneral funds the second year shall be used to enhance the provision of child welfare services pursuant to the federal Performance Improvement Plan. Funds appropriated under this item shall be provided to local departments of social services for the direct provision of child and family services. Local departments of social services may use funds appropriated under this item for the purchase of child and family services. The allocation of this appropriation under this item shall be jointly determined by the Department of Social Services and the Virginia League of Social Services Executives.

O.1. The Department of Social Services, in collaboration with the Virginia League of Social Services Executives and the executive director of the Office of Comprehensive Services shall perform a comprehensive study of the policies and procedures related to the management of the special needs adoptions subsidy program and make recommendations. The study shall examine the relationship of the special needs adoption program to the federal Child and Family Services review Performance Improvement Plan requirements. The study's focus will be to examine the causes of recent expenditure growth and make recommendations on changes to moderate expenditure growth while continuing to meet the needs of the affected children.

2. In making its recommendations, the Department shall also examine the services provided under the adoption program and whether the appropriate levels of ancillary adoptive services and funding options are available to local departments of social services in developing a service plan for an adopted child and the adoptive family. The study shall make recommendations on (i) the establishment of a list of allowable ancillary adoption services for reimbursement and (ii) policy guidance on the use of alternative funding sources for providing adoption services.

3. Measures to be studied shall include, but not be limited to, setting income guidelines for prospective adoptive parents, utilizing available federal sources such as Medicaid, and setting rates for children's residential facilities.

4. Neither the Commissioner nor the State Board of Social Services shall make programmatic changes related to adoption services without approval of the General Assembly and shall administer such program

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| | within the provisions of existing law, regulations and budget constraints. | | | | |
| | 5. The Department shall provide a report to the Governor, Chairmen of the House Appropriations and Senate Finance Committees, and the Department of Planning and Budget on or before June 1, 2007. | | | | |
| | P.1. The Commissioner shall continue reviewing the Commonwealth's current policies on adoptions and foster care and recommend mechanisms to expedite the adoption of children from foster care as well as children not in the state's care. The Commissioner shall recruit a national expert on the adoption of children to co-chair the task force. The task force shall include the Commissioner, a national expert, local department of social services staff, adoptive parents, and other interested stakeholders. The task force shall report its findings and policy recommendations to the Commission on Youth and the Chairmen of the Senate Finance and House Appropriations Committees no later than June 30, 2007. | | | | |
| | 2. Unexpended general fund appropriations in Item 354 of Chapter 2, 2006 Special Session I Acts of Assembly for this purpose shall be reappropriated for expenditure in this item for task force activities during the 2006-08 biennium. | | | | |
| | Q. No later than January 1, 2008, the Department of Social Services, in collaboration with the Virginia League of Social Services Executives and other state and local partners, shall develop and disseminate clearly defined policies that encourage the use of non-custodial placement agreements, when appropriate, in order to improve access to mental health services to children who are otherwise at-risk of placement in the state's custody. The department shall also disseminate "best practices" information on such agreements and provide training to facilitate the use of non-custodial placement agreements, when appropriate, by local departments of social services. | | | | |
| 339. | Not set out. | | | | |
| 340. | Financial Assistance to Community Human Services Organizations (49200) | | | $34,476,286 | $33,797,536 |
| | Community Action Grants (49201) | $19,519,068 | $19,819,068 | | |
| | Volunteer Services (49202) | $1,866,340 | $1,866,340 | | |
| | Other Payments to Human Services Organizations (49203) | $13,090,878 | $12,112,128 | | |
| | Fund Sources: General | $5,647,845 | $9,170,204 | | |
| | Federal Trust | $28,828,441 | $24,627,332 | | |
| | Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 and 6, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code. | | | | |
| | A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the | | | | |

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Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, $2,664,786 the first year and $6,312,645 the second year from the general fund and $3,397,859 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided for community action agencies to promote self-sufficiency.

3. Out of this appropriation, $230,000 the first year and $230,000 the second year shall be provided to the Virginia Community Action Partnership to support the Virginia Earned Income Tax Coalition and provide grants to local organizations to provide outreach, education and tax preparation services to citizens who may be eligible for the federal Earned Income Tax Credit. The Virginia Community Action Partnership shall report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of the federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Legislative Audit and Review Commission by December 1 each year.

B. The Department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-540 et seq.

C. Out of this appropriation, $50,000 the first year and $100,000 the second year from the general fund shall be provided to the Tri-County Community Action Agency, Inc. to ensure funding parity for Charlotte and Mecklenburg Counties.

D.1. Out of the appropriation, $1,000,000 the first year and $1,500,000 the second year from the general fund shall be provided to establish the Virginia Early Childhood Foundation. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided. Funds shall be awarded to proposals that seed and foster community programs that enhance the health, safety and well-being of Virginia's youth. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the Foundation shall submit to the Governor and the Chairmen of the

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House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the Foundation.

E. The Department of Social Services Office of Community Partnerships and the Virginia Faith-Based and Community Liaison shall make every effort to optimize federal funding currently available or that which will become available through the federal Second Chance Act of 2005 for faith-based and community organizations to partner with public agencies to provide prisoner reentry services.

F. Out of this appropriation, $637,500 the first year from the federal Temporary Assistance for Needy Families block grant and $637,500 the second year from the general fund shall be provided to Centers for Employment and Training.

G. Out of this appropriation, $85,000 the first year from the federal Temporary Assistance for Needy Families block grant and $85,000 the second year from the general fund shall be provided to St. Paul's College Project.

H. Out of this appropriation, $42,500 the first year from the federal Temporary Assistance for Needy Families block grant and $42,500 the second year from the general fund shall be provided to People Inc.

I. Out of this appropriation, $38,250 the first year from the federal Temporary Assistance for Needy Families block grant and $38,250 the second year from the general fund shall be provided to United Ministries.

J. Out of this appropriation, $21,250 the first year from the federal Temporary Assistance for Needy Families block grant and $21,250 the second year from the general fund shall be provided to Craig County for the provision of child care services.

K. Out of this appropriation, $200,000 the first year from the federal Temporary Assistance for Needy Families block grant and $200,000 the second year from the general fund shall be provided to Child Advocacy Centers.

L. The Department of Social Services shall work in coordination with the Virginia Community Action Partnership to review areas of the Commonwealth that are not currently served by a community action agency and make recommendations concerning the appropriate level and location of additional services to be provided through either expanding the service area of existing community action agencies or encouraging the creation of new community action agencies. The department shall also examine the potential costs associated with providing service in unserved areas and recommend a timetable for phasing in additional services where appropriate and needed. In addition, the department shall assess the most appropriate method of providing community action services for unserved areas that may exist. The department shall report its findings no later than October 1, 2007 to the Chairmen of the Senate

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| | | Finance Committee and House Appropriations Committee, the Chairmen of the Senate Education and Health Committee and House Health, Welfare and Institutions Committee, the Secretary of Health and Human Resources, and the Department of Planning and Budget. | | | | |
| | | M. Out of this appropriation, $1,700,000 the first year from the general fund shall be provided to renovate the Arlington Assisted Living Residence. | | | | |
| | 341. | Not set out. | | | | |
| | 342. | Not set out. | | | | |
| | 343. | Not set out. | | | | |
| | 344. | Not set out. | | | | |
| | 345. | Not set out. | | | | |
| | | Total for Department of Social Services ..... | | | **$1,739,026,354** | **~~$1,807,902,251~~** ***$1,813,902,251*** |
| | | General Fund Positions..... | 270.61 | 309.11 | | |
| | | Nongeneral Fund Positions..... | 1,403.89 | 1,374.39 | | |
| | | Position Level ..... | 1,674.50 | 1,683.50 | | |
| | | Fund Sources: General..... | $362,182,791 | ~~$399,358,480~~ *$403,303,666* | | |
| | | Special..... | $631,632,488 | $661,396,577 | | |
| | | Dedicated Special Revenue..... | $1,500,000 | $1,500,000 | | |
| | | Federal Trust..... | $743,711,075 | ~~$745,647,194~~ *$747,702,008* | | |
| | 346. | Not set out. | | | | |
| | 347. | Not set out. | | | | |
| | 348. | Not set out. | | | | |
| | 349. | Not set out. | | | | |
| | 350. | Not set out. | | | | |
| | 351. | Not set out. | | | | |
| | 352. | Not set out. | | | | |
| | 353. | Not set out. | | | | |
| | 354. | Not set out. | | | | |
| | 355. | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES..... | | | **$9,008,735,378** | **~~$9,582,453,189~~** ***$9,550,717,061*** |
| | | General Fund Positions..... | 9,595.05 | 9,590.55 | | |
| | | Nongeneral Fund Positions..... | 7,598.45 | 7,440.95 | | |
| | | Position Level ..... | 17,193.50 | 17,031.50 | | |

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| Fund Sources: General | $3,731,626,657 | ~~$4,043,584,452~~ *$4,035,859,712* | | |
| Special | $1,077,883,533 | ~~$1,126,420,959~~ *$1,131,720,959* | | |
| Enterprise | $20,689,794 | $20,689,794 | | |
| Trust and Agency | $126,500 | $126,500 | | |
| Dedicated Special Revenue | $420,659,164 | ~~$424,792,522~~ *$438,048,471* | | |
| Federal Trust | $3,757,749,730 | ~~$3,966,838,962~~ *$3,924,271,625* | | |

| ITEM 356. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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| | **OFFICE OF NATURAL RESOURCES** | | | | |
| 356. | Not set out. | | | | |
| 357. | Not set out. | | | | |
| | **§ 1-35. DEPARTMENT OF CONSERVATION AND RECREATION (199)** | | | | |
| 358. | Land and Resource Management (50300) | | | $32,348,948 | $29,503,223 |
| | Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements (50301) | $20,439,695 | $15,825,593 | | |
| | Dam Inventory, Evaluation and Classification and Flood Plain Management (50314) | $1,322,031 | $2,290,408 | | |
| | Natural Heritage Preservation and Management (50317) | $3,396,238 | $3,396,238 | | |
| | Financial Assistance to Soil and Water Conservation Districts (50320) | $6,318,440 | $7,118,440 | | |
| | Technical and Financial Assistance for Land Management (50322) | $872,544 | $872,544 | | |
| | Fund Sources: General | $19,342,450 | $16,520,827 | | |
| | Special | $2,247,720 | $2,450,618 | | |
| | Dedicated Special Revenue | $3,289,903 | $3,062,903 | | |
| | Federal Trust | $7,468,875 | $7,468,875 | | |
| | Authority: Title 10.1, Chapters 1, 5, 6, 7, and 21.1, Code of Virginia. | | | | |
| | A. The funds provided in this Item for the Soil and Water Conservation Districts shall be distributed to the greatest extent possible to the districts in accordance with program, financial and resource allocation policies established by the Soil and Water Conservation Board. The June 30, 2007 and June 30, 2008, unexpended general fund balances in Financial Assistance to Soil and Water Conservation Districts are hereby reappropriated. | | | | |
| | B. Included in the amount for Statewide Agricultural and Urban Non-Point Source Water Quality Improvements, are $685,473 the first year, and $685,473 the second year from the general fund as the Commonwealth's statewide match for participation in the federal Conservation Reserve Program. Any unexpended general fund balance designated for Virginia's Conservation Reserve Enhancement Program remaining on June 30, 2007, and June 30, 2008, shall be reappropriated. | | | | |
| | C. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to § 10.1-2129, Code of Virginia. | | | | |
| | D.1. If the Rappahannock River Basin Commission elects as its chairman a member of the General Assembly, the Division of Legislative Services is hereby authorized to provide reasonable staff and technical assistance to the Commission. The Commission shall report to the Secretary of Natural Resources and the Chairmen of the Senate Finance and House Appropriations Committees on the Commission's | | | | |

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activities and accomplishments by November 5 of each year.

2. Included in this Item is $10,000 the second year from the general fund to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.

E. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to, and for use of district-owned conservation equipment used by, landowners within the district. Such recoveries shall not exceed the amounts expended by a District on these services and equipment.

F. The Department of Conservation and Recreation is authorized to develop, through regulatory action, a cost recovery system, the funds from which shall be used to support the direct costs of providing inspections, plan review, administrative review, and certifications of non-Soil and Water Conservation District dams. The system shall employ a sliding scale, if practical, and shall be based on factors that directly relate to the costs of the dam inspection program. Total costs recovered from the new system shall not exceed 90 percent of the actual program cost.

G. The Soil and Water Conservation Board shall prepare annual statistics, by District, that include the number of farmers, the number of acres in farms and in agricultural production (by product type), the number of farmers participating in District programs by program, the number of acres by product under each type of agricultural best management practice, the budgeted and expended funds for each agricultural best management practice, and other information needed by the Department of Conservation and Recreation to evaluate the quantitative impact of Soil and Water Conservation District practices and funding on Virginia's water quality and land conservation goals.

H. Included in the amount for Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements is $2,000,000 in the first year and $2,000,000 in the second year from the general fund to be distributed to the Soil and Water Conservation Districts for direct delivery of nonpoint source pollution control activities. The funding will be used to provide for the employment of district conservation specialists in the Chesapeake Bay and Southern Rivers watersheds and shall be distributed with priority given to those districts in the Chesapeake Bay watershed who rank highest in base and priority agricultural best management practice workload, and to the districts in the Southern Rivers watershed with the greatest number and extent of water bodies designated as impaired under Section 303(d) of the United States Clean Water Act and attributed to agricultural nonpoint source pollution.

I. Out of the amounts appropriated for Statewide Agricultural and Urban Nonpoint Source Water Quality

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Improvements, $75,000 the first year and $75,000 the second year from the general fund is provided to add one position for the inspection of erosion and sediment control plans developed by private sector wetland and stream bank restoration companies, pursuant to Chapter 466 of the Acts of Assembly of 2006.

J. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, $350,000 each year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Fund, established pursuant to Chapter 648 of the 2006 Acts of Assembly. The funding provided in this paragraph shall be used for the provision of either grants or loans to localities owning dams in need of renovation and repair or for the provision of loans to private owners of dams in need of renovation and repair.

K.1. Out of the amounts in this Item, $3,800,000 the first year from the general fund is to be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount, $199,605 shall be transferred to the Virginia Water Quality Improvement Fund Reserve established pursuant to Item 356 of this act.

2. This appropriation, together with the amounts included in Item 364 of this act, meets the mandatory deposit requirements associated with FY 2006 excess general fund revenue collections and discretionary year-end general fund balances.

L. Out of the amounts appropriated in this item, $173,000 the second year in nongeneral funds is appropriated for the Department to work with the agricultural community on the application of biosolids on farm and pasture lands. This appropriation is contingent upon passage of House Bill 2802 and Senate Bill 1339 of the 2007 Session of the General Assembly.

M. Notwithstanding any other provision of state law, the Department of Conservation and Recreation is authorized to use up to $65,000 in the second year from interest accrued from the Water Quality Improvement Fund apportioned to the nonpoint source program to replace obsolete water quality monitoring equipment for the Friends of the Shenandoah River.

N. Notwithstanding any other provision of state law, the Department of Conservation and Recreation is authorized to use up to $500,000 in the second year from interest accrued from the Water Quality Improvement Fund apportioned to the nonpoint source program to modernize, simplify, and improve the computerized system utilized by the soil and water conservation districts to administer and report on implementation of state agricultural cost share practices. The funds may be used to conduct an independent analysis of the Department's existing agricultural BMP tracking system and for improvements to or replacement of the current system.

O. Out of the appropriation for Land and Resource

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| | | Management, $362,102 the first year from special funds derived from the sale of "Friend of the Chesapeake" license tags is allocated to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee. | | | | |
| 359. | | Leisure and Recreation Services (50400) | | | $43,909,217 | $41,743,216 |
| | | Preservation of Open Space Lands (50401) | $9,274,029 | $5,724,989 | | |
| | | Financial Assistance for Recreational Development (50402) | $2,412,241 | $2,312,241 | | |
| | | Design and Construction of Outdoor Recreational Facilities (50403) | $1,037,300 | $1,037,300 | | |
| | | State Park Management and Operations (50404) | $30,460,437 | $31,943,476 | | |
| | | Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406) | $725,210 | $725,210 | | |
| | | Fund Sources: General | $31,259,031 | $28,743,990 | | |
| | | Special | $10,314,446 | $10,663,486 | | |
| | | Debt Service | $17,107 | $17,107 | | |
| | | Dedicated Special Revenue | $300,000 | $300,000 | | |
| | | Federal Trust | $2,018,633 | $2,018,633 | | |
| | | Authority: Title 10.1, Chapters 1, 2, , 3, 4, 4.1, and 17, Code of Virginia. | | | | |
| | | A.1. Out of the amount for Financial Assistance for Recreational Development shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed $225,000 the first year and $225,000 the second year from the general fund. | | | | |
| | | 2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director of the Department of Conservation and Recreation, and the Director of the Department of Planning and Budget. | | | | |
| | | 3. Out of the amounts appropriated for Financial Assistance for Recreational Development, $150,000 the first year and $100,000 the second year from the general fund shall be provided to the Breaks Interstate Park to refurbish an existing 50,000 gallon water tank at the park and assist in the construction of a new 100,000 gallon water tank. | | | | |
| | | B. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the Conservation and Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the Department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The Department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters. | | | | |
| | | C. The Department of Conservation and Recreation, in cooperation with the Department of Corrections, shall, to the extent possible, use inmate labor for routine | | | | |

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work projects in state parks and natural areas.

D. Included in the amount for Preservation of Open-Space Lands is $2,250,000 the first year and $1,300,000 the second year from the general fund for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

E. Included in the amount for Preservation of Open Space Lands is $3,000,000 the first year and $3,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia.

F. Out of the amounts collected pursuant to Item 435 C of this act, on or before June 30, 2007, and June 30, 2008, the Comptroller shall transfer all funds in excess of $6,000,000 collected in each fiscal year to the Virginia Land Conservation Fund to be distributed pursuant to § 10.1-1020, Code of Virginia, for the preservation of open-space lands. There is hereby established a sum sufficient appropriation in the Department of Conservation and Recreation, not to exceed the amount of funds in excess of $6,000,000 per year collected pursuant to Item 435 C.

G. No funds shall be expended or authorized by the Department of Conservation and Recreation for the development of a state park on the property transferred from the Beaumont Juvenile Correctional Center until completion of the park master plan, which shall include adequate opportunity for public participation in the planning process. Nothing in this Item shall preclude the Department from making necessary arrangements to secure the property in accordance with the terms of transfer from the Department of Juvenile Justice or from undertaking alterations necessary for public safety. The Department shall notify the Chairmen of the House Appropriations and Senate Finance Committees 60 days prior to any alterations to the property that are pursuant to development of a state park.

H. Out of the amount for State Park Management and Operations, $650,000 from the general fund is appropriated in the first year and $650,000 in the second year for repair of dams in state parks. Priority should be given to repairs that are necessary to protect life and safety.

I. Out of the amount for Financial Assistance for Recreational Development, $200,000 from the general fund in the first year is provided for acquisition of right-way of abandoned rail bed to further development of the Tobacco Heritage Trail, also known as the Southside Rails-to-Trails project.

J. The Director of the Department of Conservation and Recreation, at his discretion, is authorized to accept on behalf of the Commonwealth a gift of property known as Grand Caverns Park from the Upper Valley Regional Park Authority. This property is to be developed into a state park and the existing facilities are to be demolished or upgraded to the Division of State Parks' standards when a source of funding has been identified

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for these purposes. The Director is authorized to make the necessary upgrades to the park facilities to meet Division of State Parks' standards, as funding is available.

K.1. This Item includes funding for components of a land conservation initiative to increase the acres of land in Virginia that are protected from development. Conserving land improves water quality, recreation, and quality of life, and preserves the natural, cultural, and historic resources of the Commonwealth.

2. Included in paragraph E of this Item is $500,000 in the first year and $500,000 the second year from the general fund for matching grants from the Virginia Land Conservation Fund to promote natural area protection, open spaces and parks, farmlands and forest preservation, and historic area preservation.

3. Included in paragraph D of this Item is $950,000 in the first year from the general fund for operating support for the Virginia Outdoors Foundation to provide assistance to landowners with placing property under conservation easements.

4. This Item includes $99,040 and two positions in the first year from the general fund and in the second year $99,040 and one position from the general fund and $99,040 and one position from nongeneral funds to support the Department of Conservation and Recreation's promotion and administration of land conservation programs. The nongeneral fund appropriation shall be supported by fee revenue from the Land Preservation Tax Program, according to the provisions of Chapters 4 and 5, 2006 Special Session.

5. Out of the amounts for Preservation of Open Space Lands shall be provided $151,920 and two positions in the second year from the general fund to the Department of Historic Resources for administration of the Historic Easement Program.

6. Out of the amounts for Preservation of Open Space Lands shall be provided $3,550,000 in the first year and $700,000 the second year from the general fund to the Department of Agriculture and Consumer Services for the establishment of a state fund to match local government purchase of development rights program funds for the preservation of working farms and forest lands.

L. Out of the amounts appropriated for State Park Management and Operations, $35,000 the second year from the general fund is appropriated for the Wild Spanish Mustangs Fund, which is to be established pursuant to House Bill 2012 of the 2007 Session of the General Assembly. Expenditures from the fund are to be made for the installation and maintenance of fencing at False Cape State Park along the border between Virginia and North Carolina to prevent the migration of wild horses from North Carolina into the state park, to provide for the return transport of these wild horses to North Carolina, and to provide funding for other measures to protect these wild horses. Any fencing that

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| | may be established is permitted to extend into the Atlantic Ocean. | | | | |
| | M. Out of the amounts appropriated for Leisure and Recreation Services, $75,000 the second year from the general fund is provided to the Middle Peninsula Planning District Commission for use by the Middle Peninsula Chesapeake Bay Public Access Authority established pursuant to § 15.2-6600, Code of Virginia, to increase public access to the Chesapeake Bay as recommended in the Virginia Outdoors Plan. | | | | |
| | N. Out of the amounts appropriated for Leisure and Recreation Services, $75,000 the second year from the general fund is provided to the Northern Neck Planning District Commission for use by the Northern Neck Chesapeake Bay Public Access Authority to increase public access to the Chesapeake Bay as recommended in the Virginia Outdoors Plan. | | | | |
| 360. | Not set out. | | | | |
| | **Total for Department of Conservation and Recreation** | | | **$81,680,637** | **$76,688,574** |
| | General Fund Positions | 448.00 | 459.00 | | |
| | Nongeneral Fund Positions | 74.00 | 77.00 | | |
| | Position Level | 522.00 | 536.00 | | |
| | Fund Sources: General | $55,618,556 | $50,301,555 | | |
| | Special | $12,967,563 | $13,519,501 | | |
| | Debt Service | $17,107 | $17,107 | | |
| | Dedicated Special Revenue | $3,589,903 | $3,362,903 | | |
| | Federal Trust | $9,487,508 | $9,487,508 | | |
| | **§ 1-36. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)** | | | | |
| 361. | Not set out. | | | | |
| 362. | Water Protection (51200) | | | $42,056,871 | $44,307,430 |
| | Water Protection Permitting (51225) | $8,675,349 | $8,823,201 | | |
| | Water Protection Compliance and Enforcement (51226) | $15,877,900 | $17,092,207 | | |
| | Water Protection Outreach (51227) | $2,224,811 | $3,120,598 | | |
| | Water Protection Planning and Policy (51228) | $6,311,156 | $6,542,245 | | |
| | Water Protection Monitoring and Assessment (51229) | $8,967,655 | $8,729,179 | | |
| | Fund Sources: General | $19,864,580 | $20,991,843 | | |
| | Special | $152,336 | $987,305 | | |
| | Trust and Agency | $8,704,649 | $8,704,649 | | |
| | Dedicated Special Revenue | $4,182,298 | $4,045,822 | | |
| | Federal Trust | $9,153,008 | $9,577,811 | | |
| | Authority: Title 5.1, Chapter 1; Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia. | | | | |
| | A. The Department of Environmental Quality is authorized to commit resources necessary to qualify for in-kind match for the U.S. Army Corps of Engineers for the John H. Kerr Dam and Reservoir, Virginia and North Carolina Feasibility Study, to be conducted in accordance with § 216 of the River and Harbors Flood Control Act of 1970. | | | | |
| | B. Notwithstanding the provisions of Title 10.1, | | | | |

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| | | Chapter 25, Code of Virginia, the Department is authorized to expend up to $226,476 the first year and $90,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to enhance water quality monitoring in the Elizabeth and Shenandoah Rivers. | | | | |
| | | C. Out of the amounts for this Item shall be provided $170,000 the first year from the general fund and $100,000 the second year from the Virginia Environmental Emergency Response Fund to investigate the potential factors resulting in fish lesions and mortality in the Shenandoah River. | | | | |
| | | D. The appropriation includes annual membership dues for the Interstate Commission on the Potomac River Basin, $150,000 the first year and $150,000 the second year, from the general fund. | | | | |
| | | E. The appropriation includes annual membership dues for the Ohio River Valley Water Sanitation Commission, $44,900 the first year and $44,900 the second year, from the general fund. | | | | |
| | | F. Out of the amounts for this Item shall be paid $50,000 the first year and $50,000 the second year from the general fund to the Chesapeake Bay Foundation to support Chesapeake Bay education field studies. | | | | |
| | | G. Out of the amounts appropriated in this item, $730,000 the second year in nongeneral funds is provided for the Department to site, permit, enforce and monitor the application of biosolids on farm and pasture lands. This appropriation is contingent upon passage of House Bill 2802 and Senate Bill 1339 of the 2007 Session of the General Assembly. | | | | |
| 363. | | Not set out. | | | | |
| 364. | | Environmental Financial Assistance (51500) | | | $287,032,113 | $92,593,508 |
| | | Financial Assistance for Environmental Resources Management (51502) | $8,245,940 | $10,220,940 | | |
| | | Virginia Water Facilities Revolving Fund Loans and Grants (51503) | $23,233,405 | $25,433,500 | | |
| | | Financial Assistance for Coastal Resources Management (51507) | $2,082,588 | $2,082,588 | | |
| | | Litter Control and Recycling Grants (51509) | $1,710,000 | $1,710,000 | | |
| | | Virginia Water Quality Improvement Fund (51510) | $224,313,700 | $25,700,000 | | |
| | | Petroleum Tank Reimbursement (51511) | $27,446,480 | $27,446,480 | | |
| | | Fund Sources: General | $220,434,705 | $30,196,100 | | |
| | | Trust and Agency | $27,446,480 | $27,446,480 | | |
| | | Dedicated Special Revenue | $15,005,590 | $10,805,590 | | |
| | | Federal Trust | $24,145,338 | $24,145,338 | | |
| | | Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia. | | | | |
| | | A. Out of the amounts provided for the Virginia Water Facilities Revolving Fund, the Department of Environmental Quality may transfer $12,500 the first year and $10,000 the second year to the Town of | | | | |

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Tangier for a comprehensive plan to clean up waste and ash piles found on the island and implement systems to assure compliance with state environmental protection requirements.

B.1.a.Out of the amounts for Environmental Financial Assistance, $200,000,000 the first year from the general fund shall be deposited in four equal quarterly installments to the Virginia Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia. Any unexpended balances on June 30, 2007 and June 30, 2008 from the amount appropriated in this subparagraph shall not revert to the general fund but shall be carried forward and reappropriated.

b. Included in this item is $20,000,000 the second year from the general fund to be deposited to the Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia. Any unappropriated balances on June 30, 2008, from the amount appropriated in this subparagraph shall not revert to the general fund but shall be carried forward and reappropriated.

2. The amounts appropriated in subparagraphs B.1.a. and b. shall be used solely to finance the costs of design and installation of biological nutrient removal facilities or other nutrient removal technology at publicly owned treatment works designated as significant dischargers for compliance with the effluent limitations for total nitrogen and total phosphorus, as required by the tributary strategy plans or applicable regulatory requirements. The Director of the Department of Environmental Quality is also authorized to make grants from the Virginia Water Quality Improvement Fund to private sewage treatment plants that are licensed by the State Corporation Commission as a public service corporation and that serve residential areas in the Shenandoah-Potomac River Basin with a design capacity greater than 4.0 million gallons per day.

C.1. Out of the amounts for Environmental Financial Assistance, the Director of the Department of Planning and Budget shall transfer $17,000,000 from the Water Quality Improvement Fund to the Department of Housing and Community Development for grants to local governments that are outside the Chesapeake Bay watershed.

2.a. Out of the amounts for Environmental Financial Assistance, $12,800,000 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Virginia Water Quality Improvement Act of 1997.

b. Out of the amounts in this Item, $1,613,700 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Virginia Water Quality Improvement Act of 1997. Of this amount, $85,545 shall be deposited to the Virginia Water Quality Improvement Fund Reserve pursuant to Item 356 of this act.

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| | c. The appropriations in subparagraphs C.2.a. and C.2.b., together the amount included in Item 358 of this act, meet the mandatory deposit requirements associated with FY 2006 excess general fund revenue collections and discretionary year-end general fund balances. | | | | |
| | 3. Notwithstanding the provisions of § 10.1-2128, Code of Virginia, the Director of the Department of Environmental Quality is authorized to use $4,200,000 the first year from interest earned on the point source portion of the Water Quality Improvement Fund as grants to local governments that are located outside the Chesapeake Bay watershed. | | | | |
| | D. Out of the amounts for Environmental Financial Assistance, $3,750,000 the first year and $6,100,000 the second year from the general fund shall be deposited to the Combined Sewer Overflow Matching Fund pursuant to § 62.1-241.12, Code of Virginia. From this Fund, the City of Richmond shall receive $3,750,000 in the first year and $3,050,000 in the second year and the City of Lynchburg shall receive $3,050,000 in the second year. | | | | |
| | E. Out of the amounts appropriated for Environmental Financial Assistance, the Department of Environmental Quality shall provide $20,000 the first year and $20,000 the second year from the general fund to the Tri-County Lake Administrative Commission for water quality monitoring and analysis at Smith Mountain Lake. | | | | |
| | F. Out of the amounts appropriated for Environmental Financial Assistance, the Department of Environmental Quality shall provide $375,000 the first year from the general fund to the W.E. Skelton 4-H Educational Conference Center located in Franklin County. The funds shall be used to match federal dollars to upgrade the Center's wastewater treatment facility. As a condition for this assistance, the Center shall agree to assume the ongoing annual operating cost of the upgraded facility. | | | | |
| 365. | Administrative and Support Services (59900)..... | | | $24,859,933 | $23,874,420 |
| | General Management and Direction (59901)..... | $17,812,057 | $18,010,044 | | |
| | Information Technology Services (59902)..... | $7,047,876 | $5,864,376 | | |
| | Fund Sources: General..... | $10,228,336 | $10,480,823 | | |
| | Special..... | $5,062,314 | $5,062,314 | | |
| | Enterprise..... | $3,360,912 | $3,360,912 | | |
| | Trust and Agency..... | $1,239,744 | $1,239,744 | | |
| | Dedicated Special Revenue..... | $2,931,210 | $1,693,210 | | |
| | Federal Trust..... | $2,037,417 | $2,037,417 | | |
| | Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia. | | | | |
| | A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management and water programs. | | | | |

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| | B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend up to $600,000 the first year and $600,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services. | | | | |
| | C. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the Department is authorized to expend up to ~~$1,238,000~~ ~~the~~ ~~first~~ ~~year~~ *$722,413 the second year* from the balances in the Virginia Environmental Emergency Response Fund to develop and implement an enterprise content management system to provide a scalable, efficient means of storing, accessing, and managing agency mission critical documents. | | | | |
| | Total for Department of Environmental Quality ..... | | | **$382,881,478** | **$189,640,074** |
| | General Fund Positions ..... | 465.48 | 471.48 | | |
| | Nongeneral Fund Positions ..... | 465.52 | 485.52 | | |
| | Position Level ..... | 931.00 | 957.00 | | |
| | Fund Sources: General ..... | $256,697,223 | $67,770,523 | | |
| | Special ..... | $5,877,457 | $6,712,426 | | |
| | Enterprise ..... | $10,808,736 | $10,808,736 | | |
| | Trust and Agency ..... | $37,390,873 | $37,390,873 | | |
| | Dedicated Special Revenue ..... | $29,958,974 | $24,384,498 | | |
| | Federal Trust ..... | $42,148,215 | $42,573,018 | | |
| | **§ 1-37. DEPARTMENT OF GAME AND INLAND FISHERIES (403)** | | | | |
| 366. | Not set out. | | | | |
| 367. | Not set out. | | | | |
| 368. | Not set out. | | | | |
| 369. | A. Pursuant to Chapter 322 of the 1994 Acts of Assembly, and Chapter 320 of the 1998 Acts of Assembly, deposits to the Game Protection Fund (§ 29.1-101, Code of Virginia) include an estimated $16,942,698 the first year and ~~$19,035,320~~*$17,735,320* the second year from revenue originating from the general fund. | | | | |
| | B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Game and Inland Fisheries from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01, subparagraph O., of this act. | | | | |
| | C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K., of this act, $881,753 the first year from the Game Protection Fund and $881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access. | | | | |
| | Total for Department of Game and Inland Fisheries ..... | | | **$49,679,502** | **$49,169,502** |

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| | Nongeneral Fund Positions | 493.00 | 496.00 | | |
| | Position Level | 493.00 | 496.00 | | |
| | Fund Sources: Dedicated Special Revenue | $38,903,364 | $38,408,364 | | |
| | Federal Trust | $10,776,138 | $10,761,138 | | |
| | **§ 1-38. DEPARTMENT OF HISTORIC RESOURCES (423)** | | | | |
| 370. | Historic and Commemorative Attraction Management (50200) | | | $5,283,844 | $4,765,172 |
| | Financial Assistance for Historic Preservation (50204) | $73,800 | $188,318 | | |
| | Historic Resource Management (50205) | $5,210,044 | $4,576,854 | | |
| | Fund Sources: General | $3,876,979 | $3,358,307 | | |
| | Special | $571,869 | $571,869 | | |
| | Commonwealth Transportation | $100,000 | $100,000 | | |
| | Federal Trust | $734,996 | $734,996 | | |

Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.

A. General fund appropriations for historic and commemorative attractions not identified in § 10.1-2211 or § 10.1-2211.1, Code of Virginia, shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the Department.

B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C.1. Out of the amounts for Financial Assistance for Historic Preservation shall be paid from the general fund grants to the following organization for the purposes prescribed in § 10.1-2211, Code of Virginia:

| ORGANIZATION | FY2007 | FY2008 |
|---|---|---|
| United Daughters of the Confederacy | $73,800 | $73,800 |

Notwithstanding the cited Code section, the United Daughters of the Confederacy shall make disbursements to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy for the purposes stated in that section. By November 1 of each year, the United Daughters of the Confederacy shall submit to the Director of the Department of Historic Resources a report documenting the disbursement of these funds for their specified purpose.

2. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to $10,560 each year shall be distributed to the Stonewall Confederate Memorial Association.

3. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to

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$7,500 the second year shall be distributed to the Ladies Memorial Association of Petersburg.

D. Any June 30, 2007 and June 30, 2008 unexpended balances for Financial Assistance for Historic Preservation grants and for the Survey and Planning Cost Share Program within Historic Resource Management are hereby reappropriated if the following conditions are met:

1. The organization awarded the grant shall have obtained the required matching funds.

2. The organization shall have a written plan to complete the project within one more year, in accordance with policy established by the Department of Historic Resources, and the plan shall have been approved by the Department.

3. The unexpended balances for a grant shall be reappropriated once only, unless the General Assembly authorizes an additional reappropriation.

E. Included in this appropriation is $100,000 the first year and $100,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

F. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of options, the department determines that the property should be sold or leased to a different public or private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, the department is further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.

G. Notwithstanding the requirements of § 10.1-2213.1, Code of Virginia, $458,278 in the first year and $ 400,937 in the second year from the general fund is provided as a matching grant for charitable contributions received by the Montpelier Foundation on or after July 1, 2003, that were actually spent in the material restoration of Montpelier between July 1, 2003, and September 30, 2006.

H. Out of the amounts appropriated for Financial Assistance for Historic Preservation, $500,000 the first year and $200,000 the second year from the general fund is provided to the Department for the purpose of creating a Civil War Historic Site Preservation Fund from which the Department shall make grants to private non-profit organizations to match federal and other monies for preservation of any endangered Virginia Civil War historic site listed in the report "Report on the Nation's Civil War Battlefields," issued in 1993 by the National Parks Service's congressionally endorsed

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| | | Civil War Sites Advisory Commission. . Eligibility for these grants shall require recipient non-profit organizations to provide at least $2 in matching funds for each $1 received from the Civil War Historic Site Preservation Fund. Sites identified within the Commonwealth by the Civil War Sites Advisory Commission that are eligible for funding through this program include, but are not limited to: Appomattox in Appomattox County, Brandy Station in Culpeper County, Chancellorsville in Spotsylvania County, Cold Harbor in Hanover County, Fredericksburg in the City of Fredericksburg and Spotsylvania County, Glendale in Henrico County, New Market in Shenandoah County, and Petersburg in the City of Petersburg and Dinwiddie County. | | | | |
| | | I. Included in this appropriation is $250,000 in the first year from the general fund for the Virginia Indian Heritage Program, a continuation of the Virginia Indian Heritage Trail funded by the 2005 General Assembly. The funds will be used to develop a database containing accessible information from research on Virginia Indian sites from the past and present, K-12 teacher institutes and comparable summits for higher education facilities, and a grant program for public sites with interpretive content on Virginia's Indians. Prior to the funding being disbursed, the Secretary of Natural Resources shall approve a spending plan outlining how the appropriation will be utilized. | | | | |
| | | J. Out of the appropriations for this Item, the Department shall reimburse the Virginia Society of the Sons of the American Revolution for one additional grave site in New Providence Presbyterian Church in Rockbridge County. | | | | |
| | 371. | Not set out. | | | | |
| | | Total for Department of Historic Resources..... | | | **$6,182,681** | **$5,664,251** |
| | | General Fund Positions..... | 32.50 | 33.50 | | |
| | | Nongeneral Fund Positions..... | 18.50 | 18.50 | | |
| | | Position Level ..... | 51.00 | 52.00 | | |
| | | Fund Sources: General..... | $4,595,683 | $4,077,253 | | |
| | | Special..... | $603,869 | $603,869 | | |
| | | Commonwealth Transportation..... | $100,000 | $100,000 | | |
| | | Federal Trust..... | $883,129 | $883,129 | | |
| | 372. | Not set out. | | | | |
| | 373. | Not set out. | | | | |
| | 374. | Not set out. | | | | |
| | 375. | Not set out. | | | | |
| | 376. | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF NATURAL RESOURCES .... | | | **$542,595,936** | **$345,049,048** |
| | | General Fund Positions..... | 1,130.98 | 1,151.48 | | |
| | | Nongeneral Fund Positions..... | 1,076.02 | 1,109.52 | | |
| | | Position Level ..... | 2,207.00 | 2,261.00 | | |

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| Fund Sources: | General | $331,475,464 | $136,862,458 | | |
| | Special | $24,591,161 | $26,343,952 | | |
| | Commonwealth Transportation | $388,158 | $388,158 | | |
| | Enterprise | $10,808,736 | $10,808,736 | | |
| | Trust and Agency | $37,390,873 | $37,390,873 | | |
| | Debt Service | $17,107 | $17,107 | | |
| | Dedicated Special Revenue | $72,834,447 | $67,037,971 | | |
| | Federal Trust | $65,089,990 | $66,199,793 | | |

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| | **OFFICE OF PUBLIC SAFETY** | | | | |
| 377. | Not set out. | | | | |
| 378. | Not set out. | | | | |
| 379. | Not set out. | | | | |
| 380. | Not set out. | | | | |
| 381. | Not set out. | | | | |
| 382. | Not set out. | | | | |
| | **§ 1-39. DEPARTMENT OF CORRECTIONS (799)** | | | | |
| 383. | Supervision of Offenders and Re-Entry Services (35100) | | | $78,062,630 | $82,999,180 |
| | Probation and Parole Services (35106) | $70,199,283 | $75,135,833 | | |
| | Day Reporting Centers (35107) | $4,511,507 | $4,511,507 | | |
| | Community Residential Programs (35108) | $1,115,107 | $1,115,107 | | |
| | Administrative Services (35109) | $2,236,733 | $2,236,733 | | |
| | Fund Sources: General | $76,763,166 | $81,699,716 | | |
| | Special | $115,000 | $115,000 | | |
| | Dedicated Special Revenue | $1,184,464 | $1,184,464 | | |
| | Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia. | | | | |
| | A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the Chairmen of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Senate Courts of Justice; Rehabilitation and Social Services; and Finance Committees. | | | | |
| | B. Included within this appropriation is $20,000 the first year and $20,000 the second year from the general fund to contract with Offender Aid and Restoration of Fairfax for social services, vocational and employment counseling, and client emergency assistance for probation and parole technical violators in the Fairfax County Day Reporting Center Program. | | | | |
| | C.1. Included within this appropriation is $1,458,000 the first year and $4,146,000 the second year from the general fund to implement expanded monitoring of sex offenders using global positioning system (GPS) or other similar tracking devices as required by Chapters 853, 857 and 914 of the Acts of Assembly of 2006. | | | | |
| | 2. The Department is also authorized to use up to $690,830 the first year and $690,830 the second year from the general fund which is included in this item for sex offender containment programs to implement the provisions of Chapters 853, 857, and 914 of the Acts of Assembly of 2006. | | | | |
| | 3. For offenders under the Department's post-release supervision who are required to register with the | | | | |

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| | | Department of State Police sex offender registry, the Department of Corrections' probation and parole officers shall physically verify the sex offender registry registration information within the timeframes required. The Department shall coordinate these activities with the Superintendent of State Police to ensure all requirements of the legislation are met. | | | | |
| | | 4. The Secretary of Public Safety, in conjunction with the Director of the Department of Corrections and Superintendent of State Police, shall report on the implementation of the monitoring of offenders. The report shall address at a minimum: (1) the number of sex offender registry verifications conducted; (2) the number of violations by type; (3) the status of coordination with other state and local law enforcement organizations' activities regarding the sex offender registry requirements; and (4) a review of Department staffing requirements to meet the provisions of the legislation. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2006. | | | | |
| | 384. | Not set out. | | | | |
| | 385. | Not set out. | | | | |
| | 386. | Operation of Secure Correctional Facilities (39800)..... | | | $795,727,389 | ~~$857,045,953~~ *$858,137,923* |
| | | Supervision and Management of Inmates (39802)..... | $413,368,857 | ~~$439,781,774~~ *$440,873,744* | | |
| | | Rehabilitation and Treatment Services - Prisons (39803) ..... | $28,210,097 | $31,013,187 | | |
| | | Prison Management (39805)..... | $66,025,151 | $72,085,530 | | |
| | | Food Services - Prisons (39807)..... | $38,107,914 | $42,783,361 | | |
| | | Medical and Clinical Services - Prisons (39810)..... | $120,006,084 | $135,131,275 | | |
| | | Agribusiness (39811) ..... | $7,655,423 | $7,655,423 | | |
| | | Correctional Enterprises (39812)..... | $53,251,726 | $54,251,726 | | |
| | | Physical Plant Services - Prisons (39815)..... | $69,102,137 | $74,343,677 | | |
| | | Fund Sources: General..... | $740,265,663 | ~~$800,584,227~~ *$801,676,197* | | |
| | | Special..... | $55,461,726 | $56,461,726 | | |
| | | Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia. | | | | |
| | | A. Included in this appropriation is $725,000 in the first year and $725,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations: | | | | |
| | | 1. $150,000 the first year and $150,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other ancillary services to family members; | | | | |
| | | 2. $600,000 the first year and $600,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and | | | | |
| | | 3. $75,000 the first year and $75,000 the second year | | | | |

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for the Save Our Shelters "Pen Pals" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the Department.

2.. The State Comptroller shall continue the Contract Prisoners Special Revenue Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to effect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 60 of this act.

D. To the extent that the Department of Corrections privatizes food services, the Department shall also seek to maximize agribusiness operations.

E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.

F. The Department of Corrections shall administer a STATIC-99 screening to all potential sexually violent predators eligible for civil commitment pursuant to § 37.2-900 et. seq., Code of Virginia, within six months of their admission to the custody of the department. The results of such screenings shall be provided monthly to the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

G. Included in the appropriation for this Item is $7,388,675 from the general fund the second year for a plan providing additional compensation for correctional officers and supervisors. The plan shall include a $1,200 increase in the salary of each correctional officer and a $600 increase in the salary of each correctional supervisor, effective November 25, 2007. The plan shall also include salary increases related to geographic location, salary increases for long-term officers and supervisors in order to address salary compression issues, and additional compensation for officers serving in special roles that benefit their facilities. This appropriation is contingent upon the Department of Corrections officially adopting a compensation plan incorporating these principles and submitting the plan to the Department of Human Resources Management for review and to the Secretaries of Public Safety and Finance for final approval. Copies of the approved plan shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees.

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| | | H. The Department of Corrections shall review the population and labor force projections for those jurisdictions in Virginia in which correctional facilities are currently located or may potentially be located in the future. The department's review shall include consideration of manpower development strategies that may be required to ensure an adequate labor supply for current and future correctional facilities. The Department shall consult with the Department of Human Resources Management, the Virginia Employment Commission, and the Weldon Cooper Center for Public Service at the University of Virginia in preparation for this review. An interim report shall be provided to the Secretary of Public Safety and to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2007, with a final report to be provided by June 30, 2008. | | | | |
| 387. | | Administrative and Support Services (39900) | | | $63,685,262 | $65,552,214 |
| | | General Management and Direction (39901) | $13,980,740 | $15,119,932 | | |
| | | Information Technology Services (39902) | $9,115,746 | $14,528,479 | | |
| | | Accounting and Budgeting Services (39903) | $3,300,675 | $3,300,675 | | |
| | | Architectural and Engineering Services (39904) | $11,872,703 | $7,155,609 | | |
| | | Human Resources Services (39914) | $2,476,957 | $2,476,957 | | |
| | | Planning and Evaluation Services (39916) | $341,282 | $341,282 | | |
| | | Procurement and Distribution Services (39918) | $7,994,764 | $7,994,764 | | |
| | | Training Academy (39929) | $5,780,134 | $5,780,134 | | |
| | | Offender Classification and Time Computation Services (39930) | $8,822,261 | $8,854,382 | | |
| | | Fund Sources: General | $59,585,262 | $60,952,214 | | |
| | | Special | $4,100,000 | $4,600,000 | | |
| | | Authority: §§ 53.1-1 and 53.1-10, Code of Virginia. | | | | |
| | | A. 1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism. | | | | |
| | | 2. The appropriation in this Item includes $500,000 the first year and $1,000,000 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of developing the offender management system. In addition to any general fund appropriations and any federal grant funds available from the Department of Criminal Justice Services, the Department of Corrections may, subject to the authorization of the Director, Department of Planning and Budget, utilize additional revenue deposited in the Contract Prisoners Special Revenue Fund to support the development of the offender management system. | | | | |
| | | 3. Included in the appropriation for this Item is $250,000 the second year from the general fund for the department to begin development of a medical records component for the offender management system. Allotment of this appropriation shall be contingent upon the department collaborating with the Secretary of Technology to pursue a multi-source procurement. This procurement will ensure | | | | |

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interoperability and be consistent with federal standards for the electronic exchange of health information.

B. Included in this appropriation is $600,000 the first year and $600,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is $3,000,000 the first year and $3,000,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. All residential staff housing properties owned by the Commonwealth and in the possession of the Department of Corrections are authorized to be sold as surplus property pursuant to § 2.2-1156, Code of Virginia. Notwithstanding the provisions of § 2.2-1156 D, Code of Virginia, all net proceeds from the sale of such property after provision is made for any bonds outstanding on such property, as appropriate, shall be deposited into the general fund. Prior to the sale of these properties the Department of General Services shall obtain an appraisal of the fair market value of such properties. Current employees of the Department of Corrections who are currently residing in such residential staff housing shall be granted the first right of refusal to purchase these residences at fair market value.

E. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the director of the Department of Corrections shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and the Secretary of Administration on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

F. Included in this appropriation is $3,541,345 the first year from the general fund for the estimated net increase in the operating costs of adult correctional facilities resulting from the enactment of House Bills 102, 775, 984, 1141, 1333, 1339, and 1341, and Senate Bill 559, of the 2006 Session of the General Assembly.

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This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

G. The Department of Corrections shall provide a planning report on alternatives for developing a satellite training facility in Southwest Virginia. The report shall consider the potential for cost savings through the provision of training services on a regional basis. Copies of an interim report, including a scope statement and work plan, shall be provided by October 16, 2006, and a final report by June 1, 2007, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees.

H. The Department of Corrections shall provide a planning report on alternatives for developing additional medical, mental health and geriatric facilities. The report shall consider the potential for cost savings through the expansion or replacement of the medical unit at Powhatan Correctional Center, the optimum mix of services and facilities at other facilities, the use of contract services, requirements for mental health services, requirements for geriatric services for older inmates, and financing options. Copies of an interim report, including a scope statement and work plan, shall be provided by October 16, 2006, and a final report by June 1, 2007, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees.

I. Included in this appropriation is $1,500,000 the first year for the Department of Corrections to continue moving forward towards final identification, selection and acquisition of a site in the Mount Rogers Planning District for a medium security correctional facility, including moving to Phase 2 of the PPEA process as envisioned in Item 410.H.2 of Chapter 951, Acts of Assembly 2006, and entering into an Interim Agreement. The Department shall provide a report on the status of this project to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.

J. The Department of Corrections shall report on the feasibility of developing a therapeutic incarceration program for criminal defendants who otherwise would have been sentenced to a fixed term of incarceration of three years or longer for a felony conviction and who the court determines require treatment for drug or alcohol substance abuse issues. The Department shall provide copies of its report to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.

K.1. Included within this appropriation is $1,000,000 the first year from the general fund for the initial portion of the Commonwealth's estimated 56 percent share of the cost of constructing a wastewater treatment plant by the Town of Craigsville. No payment shall be made to the town unless the Department of Corrections enters into a new contract with the town of Craigsville,

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| which, along with other appropriate terms, shall provide that all charges paid for all future wastewater treatment for the Augusta Correctional Center shall be based only upon the correctional center's actual metered usages and that the Augusta Correctional Center shall be charged at a rate no higher than the lowest rate charged to any other customer of Craigsville's wastewater treatment system. After such contract between the department and the town has been entered into, the funds shall be paid to the town in quarterly installments after a construction contract for the facility has been entered into by the town. | | | | |
| 2. Also included within this appropriation is $120,000 the second year from the general fund, as the initial annual payment on a 20-year, zero-interest loan from the Department of Environmental Quality for this project. | | | | |
| 3. The Department of Corrections shall assist the Town of Craigsville, the County of Augusta, and the Central Shenandoah Planning District Commission in applying for a Water Quality Improvement Fund grant for an estimated amount of $750,000, which represents the 50 percent share of the portion of the cost of this project which is attributable to nutrient reduction, pursuant to Senate Bill 644 of the 2006 General Assembly. The Department shall provide a report on the status of this project, the status of all federal and state grants and loans applicable to the project, and the total estimated construction cost of the project. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006. | | | | |
| L. Included in the appropriation for this Item is $371,635 the second year from the general fund for five transition specialist positions to support the pilot local re-entry councils established by the Virginia Re-entry Policy Academy. | | | | |
| M. Included in this appropriation is $4,251 the second year from the general fund for the estimated net increase in the operating costs of adult correctional facilities resulting from the enactment of House Bill 2524 of the 2007 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia. | | | | |
| N. Included in this appropriation is $1,200,000 the second year for the Department of Corrections to move forward toward the identification, selection, and acquisition of a site in Charlotte County for a medium security correctional facility, as envisioned in subparagraph I.2. of Item 410 of Chapter 951 of the Acts of Assembly of 2005, including moving forward through the use of the Public-Private Education and Infrastructure Act or such other means as shall be appropriate to meet projected bedspace requirements through fiscal year 2011. | | | | |
| Total for Department of Corrections..... | | | **$956,957,693** | **~~$1,025,079,759~~** ***$1,026,171,729*** |

| ITEM 387. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | General Fund Positions | 13,487.00 | 13,507.00 | | |
| | Nongeneral Fund Positions | 252.50 | 252.50 | | |
| | Position Level | 13,739.50 | 13,759.50 | | |
| | Fund Sources: General | $893,996,503 | ~~$960,618,569~~ *$961,710,539* | | |
| | Special | $61,776,726 | $63,276,726 | | |
| | Dedicated Special Revenue | $1,184,464 | $1,184,464 | | |
| | **§ 1-40. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)** | | | | |
| 388. | Not set out. | | | | |
| 389. | Not set out. | | | | |
| 390. | Not set out. | | | | |
| 391. | Financial Assistance for Administration of Justice Services (39000) | | | $75,351,270 | $79,701,207 |
| | Financial Assistance for Administration of Justice Services (39001) | $75,351,270 | $79,701,207 | | |
| | Fund Sources: General | $29,976,739 | $34,428,676 | | |
| | Special | $100,000 | $100,000 | | |
| | Trust and Agency | $10,000,000 | $10,000,000 | | |
| | Dedicated Special Revenue | $9,963,464 | $9,963,464 | | |
| | Federal Trust | $25,311,067 | $25,209,067 | | |

Authority: Title 9.1, Chapter 1, Code of Virginia.

A. This appropriation includes an estimated $12,000,000 the first year and an estimated $12,000,000 the second year in federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, nine percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is $829,930 the first year and $829,930 the second year from the general fund for the required matching funds for state agencies.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, $1,188,970 the first year and $1,188,970 the second year from the general fund and an estimated $1,500,000 the first year and an estimated $1,500,000 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and

| ITEM 391. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

§ 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2006, through June 30, 2008, except that the Board may approve a new academy for Roanoke County, to be supported with local funds, consistent with the Agreement dated February 5, 2007, by and between the Board of Supervisors of Roanoke County, the Sheriff of Roanoke County, and the Cardinal Criminal Justice Academy.

2. Virginia Crime Victim-Witness Fund, $5,124,059 the first year and $5,124,059 the second year from dedicated special revenue, and $3,100,000 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006.

3.a. Court Appointed Special Advocate (CASA) programs, $1,075,000 the first year and $1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

C.1. Out of this appropriation, $21,608,828 the first year and $21,908,828 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§ 53.1-182.1, Code of Virginia) and the Pretrial Services Act (§ 19.2-152.4, Code of Virginia). Out of these amounts, the Director of the Department of Criminal Justice Services is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the Department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

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E. Subject to the conditions stated in this Item and with the prior written approval of the Director, Department of Planning and Budget, there is hereby re-appropriated the unexpended balances remaining in the appropriations made in the Financial Assistance for Administration of Justice Services program on June 30, 2006 and June 30, 2007. These reappropriations shall be used only for the purposes of the original appropriation for grants made by the Criminal Justice Services Board. This provision shall apply to funds obligated to and in the possession of state agency subgrantees and the Department of Criminal Justice Services.

F. From such federal funds as may be available, the Department shall provide a grant of up to $500,000 each year to the Department of Juvenile Justice for regional and statewide training and technical assistance to localities in the development and evaluation of programs established under the Virginia Juvenile Community Crime Control Act.

G.1. Out of this appropriation, $1,490,000 the first year and $1,490,000 the second year from the general fund and $1,710,000 the first year and $1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9-171.1, Code of Virginia. Localities shall match these funds based on the composite index of local ability-to-pay. The Department shall give priority to localities requesting school resource officers in high schools.

2. The Director of the Department of Criminal Justice Services is authorized to expend $357,285 the first year and $357,285 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

H. The Department of Criminal Justice Services shall provide a grant of $75,000 the first year and $75,000 second year to the County of Fairfax for the Fairfax Partnership on Youth.

I. Out of this appropriation, $100,000 the first year from such federal funds as are available is included for the Youth Court pilot project and evaluation. Based on the findings of this evaluation, the department may seek appropriate funding for this program.

J. Included within this appropriation is $150,000 the first year from the general fund for the New River Valley Crisis Intervention Team. The department shall provide an interim report on the feasibility and requirements for utilizing the specialized training program developed by the New River Valley CIT program in selected additional jurisdictions in other regions of Virginia. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committee by October 16, 2006. A final report, including an evaluation of the New River CIT Program, shall be provided by October 1,

| ITEM 391. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | 2007. | | | | |
| | | K. Included in the amounts appropriated for Financial Assistance for Administration of Justice Services is $100,000 the second year from the general fund to support the dual diagnosis day reporting program operated by Chesterfield County Community Corrections. | | | | |
| | 392. | Not set out. | | | | |
| | 393. | Financial Assistance to Localities - General (72800) ..... | | | $206,339,291 | $215,791,448 |
| | | Financial Assistance to Localities Operating Police Departments (72813)..... | $206,339,291 | $215,791,448 | | |
| | | Fund Sources: General..... | $206,339,291 | $215,791,448 | | |
| | | Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia. | | | | |
| | | A. 1. Funds in this item are appropriated pursuant to the provisions of Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599) and shall be distributed to localities with qualifying police departments. | | | | |
| | | 2. Out of the appropriation for this Item, the department shall allocate $67,467 the second year from the general fund for the town of Windsor. | | | | |
| | | 3. Out of this appropriation, an additional $1,116,050 the second year from the general fund is provided for local law enforcement agencies which are eligible to receive financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia. It is the intent of the General Assembly that these additional funds be allocated only to those local law enforcement agencies that would otherwise lose funding as a result of updated input data in the current House Bill 599 formula, and that any funding received by these local law enforcement agencies through this additional appropriation be used entirely for local law enforcement activities that respond to or reduce the incidence of violent crime. | | | | |
| | | *4. As part of the implementation of the budget reductions directed by the Governor on October 1, 2007, in the second year the agency shall reduce the amount calculated according to the provisions of this Item for distribution to each locality by five percent.* | | | | |
| | | B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599). | | | | |
| | | C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services. | | | | |

| ITEM 393. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| 2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such date as determined by the Department. The Department shall provide this information to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days following the submission of the local certifications. | | | | |
| D. Out of this appropriation, an additional $3,460,129 the first year from the general fund is provided for local law enforcement agencies which are eligible to receive financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia. The Department shall distribute this additional amount using a methodology based on the incidence of violent crimes as reported to the Virginia Department of State Police. It is the intent of the General Assembly that these additional funds be allocated only to those local law enforcement agencies that would otherwise lose funding as a result of updated input data in the current House Bill 599 formula, and that any funding received by these local law enforcement agencies through this additional appropriation be used entirely for local law enforcement activities that respond to or reduce the incidence of violent crime. Prior to the distribution of these additional funds, the Secretary of Public Safety shall provide the Chairmen of the House Appropriations and Senate Finance Committees with a report on the proposed distribution methodology and the amount proposed for each eligible law enforcement agency. | | | | |
| E. The Secretaries of Public Safety and Finance shall review the current methodology for the distribution of state aid to localities with police departments (HB 599 of 1979) to determine whether or not the enabling legislation and funding formula warrant modification. Copies of this review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by October 16, 2006. | | | | |
| F. Effective July 1, 2007, the director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld. | | | | |
| 394. Not set out. | | | | |
| Total for Department of Criminal Justice Services..... | | | **$293,458,928** | **$307,350,196** |

| ITEM 394. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | General Fund Positions | 62.50 | 62.50 | | |
| | Nongeneral Fund Positions | 71.50 | 71.50 | | |
| | Position Level | 134.00 | 134.00 | | |
| | Fund Sources: General | $239,912,579 | $253,919,403 | | |
| | Special | $8,271,818 | $8,258,262 | | |
| | Trust and Agency | $10,000,000 | $10,000,000 | | |
| | Dedicated Special Revenue | $9,963,464 | $9,963,464 | | |
| | Federal Trust | $25,311,067 | $25,209,067 | | |
| | **§ 1-41. DEPARTMENT OF EMERGENCY MANAGEMENT (127)** | | | | |
| 395. | Emergency Preparedness (77500) | | | $35,625,349 | $38,971,189 |
| | Financial Assistance for Emergency Management and Response (77501) | $27,557,461 | $27,557,461 | | |
| | Emergency Planning, Training and Exercises (77502) | $8,067,888 | $11,413,728 | | |
| | Fund Sources: General | $967,733 | $4,313,573 | | |
| | Special | $1,431,904 | $1,431,904 | | |
| | Commonwealth Transportation | $30,000 | $30,000 | | |
| | Federal Trust | $33,195,712 | $33,195,712 | | |
| | Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia. | | | | |
| | A. Out of the amount for Disaster Operations shall be paid to the Civil Air Patrol from the general fund $100,000 the first year and $100,000 the second year. The provisions of § 2.2-1505, Code of Virginia, and § 4-5.07 of this act shall not apply to the Civil Air Patrol. | | | | |
| | B. Included within this appropriation is $2,500,000 from the general fund the second year for the Department of Emergency Management to establish an Evacuation Facility Grant Program. The intent of this program is to ensure adequate facilities are available to house individuals forced to leave their homes due to an emergency. The department shall develop grant criteria that shall be reviewed and approved by the Secretary of Public Safety prior to the grant solicitations. | | | | |
| | C. Included within this appropriation is $320,000 from the general fund the second year for the Department of Emergency Management to support Old Dominion University's Hampton Roads Flood Evacuation Simulation and establish traffic video monitoring capabilities at the Virginia Emergency Operations Center. | | | | |
| | D. Included within this appropriation is $232,000 from the general fund the second year for the Department of Emergency Management to upgrade the Commonwealth's Disaster Mobile Command Center vehicle. | | | | |
| | *E. Included within this appropriation is $160,810 the second year from the Fire Programs Fund to support the Department's hazardous materials training program.* | | | | |
| 396. | Not set out. | | | | |

| ITEM 396. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| 397. | | Virginia Emergency Operations Center (77800) | | | $3,162,954 | $4,552,356 |
| | | Virginia Emergency Operations Center (Veoc) and Communications (77801) | $3,162,954 | $4,552,356 | | |
| | | Fund Sources: General | $2,079,905 | $3,469,307 | | |
| | | Special | $818,791 | $818,791 | | |
| | | Federal Trust | $264,258 | $264,258 | | |
| | | Authority: Title 44 and §52-47, Code of Virginia. | | | | |
| | | A. Included within this appropriation is $1,050,000 from the general fund the second year to expand: 1) the citizen alert network to assure all citizens are alerted of possible emergency situations; 2) EMNet for Tidewater and central Virginia local governments to target dense populations; and 3) support for the ongoing development of continuity of operations (COOP) efforts to ensure continuation of state/local governments and delivery of services. | | | | |
| | | B. Included within this appropriation is $200,000 from the general fund the second year to support equipment replacement for the Integrated Flood Observing and Warning System (IFLOWS). | | | | |
| 398. | | Not set out. | | | | |
| 399. | | Not set out. | | | | |
| | | Total for Department of Emergency Management | | | **$44,517,136** | **$48,070,304** |
| | | General Fund Positions | 37.75 | 48.75 | | |
| | | Nongeneral Fund Positions | 75.25 | 75.25 | | |
| | | Position Level | 113.00 | 124.00 | | |
| | | Fund Sources: General | $6,299,188 | $9,849,652 | | |
| | | Special | $2,916,091 | $2,916,394 | | |
| | | Commonwealth Transportation | $930,850 | $933,251 | | |
| | | Federal Trust | $34,371,007 | $34,371,007 | | |
| 400. | | Not set out. | | | | |
| 401. | | Not set out. | | | | |
| | | **§ 1-42. DEPARTMENT OF FORENSIC SCIENCE (778)** | | | | |
| 402. | | Law Enforcement Scientific Support Services (30900) | | | $32,369,979 | ~~$33,861,990~~ *$34,080,633* |
| | | Biological Analysis Services (30901) | $10,570,705 | $10,285,115 | | |
| | | Chemical Analysis Services (30902) | $6,994,181 | $6,994,181 | | |
| | | Physical Evidence Services (30904) | $8,267,727 | $8,267,727 | | |
| | | Training and Standards Services (30905) | $573,005 | $573,005 | | |
| | | Administrative Services (30906) | $5,964,361 | ~~$7,741,962~~ *$7,960,605* | | |
| | | Fund Sources: General | $32,369,979 | ~~$33,861,990~~ *$34,080,633* | | |
| | | Authority: Title 9.1, Chapter 1, Articles 1 and 2, and §§ 9.1-117 and 9.1-122. | | | | |
| | | A. Out of this appropriation, $1,600,000 the first year and $1,600,000 the second year from the general fund shall be used to fund operating costs of the Norfolk | | | | |

| ITEM 402. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| Public Health Building. Of this amount, $200,000 in the first year and $200,000 in the second year has been transferred from the Department of Health as its portion of the ongoing operating costs of this facility | | | | |
| B.1. Included in this appropriation is a maximum of $900,000 the first year and $900,000 the second year from the general fund for the Virginia Institute of Forensic Science and Medicine to cover the costs of training scientists for the Department of Forensic Science. | | | | |
| 2. The Department of Forensic Science and the Virginia Institute of Forensic Science and Medicine will annually review the memorandum of understanding (MOU) outlining the terms and conditions for support services provided by the department for the Institute, services to be provided by the Institute for the department, and the number of student fellows that will be financed by the funds provided by the department to the Institute. Copies of this MOU shall be provided to the Secretary of Public Safety. | | | | |
| 3. The Department of Forensic Science shall require the development and use of an employment contract to specify that student fellows receiving stipends pursuant to this item shall agree to work for the Department of Forensic Science for at least two years following the completion of their certification program. The department shall consult with the Office of the Attorney General in the development of this contract. | | | | |
| C. Any incumbent of a position who is performing duties predominately for the Department of Forensic Science shall be transferred with their position from the Department of Criminal Justice Services to the Department of Forensic Science. Other positions will be transferred and subject to competitive recruitment. The Departments of Criminal Justice Services and Forensic Science shall consult with the Department of Human Resource Management to ensure that appropriate documentation exists to support any employee and position transfer. | | | | |
| D. Included within this appropriation is $400,000 from the general fund the second year for the Department of Forensic Science to continue funding the Forensic Science Pay Plan salary increases. The plan was approved by the Department of Human Resources Management and implemented by the department in July 2005. | | | | |
| Total for Department of Forensic Science..... | | | **$32,369,979** | **~~$33,861,990~~** ***$34,080,633*** |
| General Fund Positions..... | 310.00 | 317.00 | | |
| Position Level ..... | 310.00 | 317.00 | | |
| Fund Sources: General..... | $32,369,979 | ~~$33,861,990~~ *$34,080,633* | | |

| ITEM 403. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **§ 1-43. DEPARTMENT OF JUVENILE JUSTICE (777)** | | | | |
| 403. | Operation of Community Residential and Nonresidential Services (35000) | | | $5,630,466 | $6,367,966 |
| | Community Residential and Non-Residential Custody and Treatment Services (35008) | $5,630,466 | $6,367,966 | | |
| | Fund Sources: General | $5,608,039 | $6,345,539 | | |
| | Federal Trust | $22,427 | $22,427 | | |
| | Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia. | | | | |
| | A. Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles. | | | | |
| | B. Included within this appropriation is $300,000 from the general fund the second year for the Department of Juvenile Justice to continue the operation of four day and evening reporting programs that are currently supported by expiring grant funding. Each of these local programs participates in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). | | | | |
| 404. | Not set out. | | | | |
| 405. | Financial Assistance to Local Governments for Juvenile Justice Services (36000) | | | $53,274,170 | $51,764,528 |
| | Financial Assistance for Juvenile Confinement in Local Facilities (36001) | $34,949,080 | $34,058,181 | | |
| | Financial Assistance for Probation and Parole - Local Grants (36002) | $2,315,531 | $2,315,531 | | |
| | Financial Assistance for Community Based Alternative Treatment Services (36003) | $16,009,559 | $15,390,816 | | |
| | Fund Sources: General | $51,364,491 | $49,854,849 | | |
| | Federal Trust | $1,909,679 | $1,909,679 | | |
| | Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia. | | | | |
| | A. From July 1, 2006 to June 30, 2008, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The Board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety is required. Any emergency projects must also comply with Board of Juvenile Justice standards. | | | | |
| | B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General | | | | |

| ITEM 405. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of $50 per day for housing juveniles who have been committed to the Department, for each day after the Department has received a valid commitment order and other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of §16.1-322.1 of the Code of Virginia, the Department shall apportion to localities the amounts appropriated in this item.

E. Subject to the conditions stated in this paragraph and with the prior written approval of the Director of the Department of Planning and Budget, there is hereby re-appropriated the unexpended balances remaining at the close of business on June 30, 2006, and June 30, 2007, in the appropriation for Financial Assistance for Juvenile Confinement in Local Facilities. The reappropriations shall be applicable only for payments owing for physical plant projects for local detention which have been approved by the Governor and for which contracts are in effect June 30, 2006, and June 30, 2007, respectively.

F.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes $14,506,010 the first year and $14,506,010 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The Department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

G. The Department shall provide annual reports to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of Virginia Juvenile Community Crime Control Act programs. The annual report shall address the requirements of § 16.1-309.3, Code of Virginia, as well as identifying the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities, pursuant to §§ 16.1-309.2 through 16.1-309.10, Code of Virginia.

H. Notwithstanding the provisions of § 16.1-309.7 B of the Code of Virginia, or any other provision of law, any funds unexpended by the localities at the close of each fiscal year shall be returned to the state treasury.

| ITEM 405. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
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| | | I. Out of this appropriation, $528,743 the first year is provided for reimbursement of up to 50 percent of the approved costs for the construction of the Crossroads Community Youth Home, and an additional $90,000 the first year is provided for reimbursement of up to 50 percent of the approved costs for the land lease agreement for the facility. | | | | |
| 406. | | Operation of Secure Correctional Facilities (39800)..... | | | $83,888,654 | $86,597,186 |
| | | Juvenile Corrections Center Management (39801) ..... | $8,199,342 | $8,200,430 | | |
| | | Food Services - Prisons (39807)..... | $5,638,710 | $5,649,664 | | |
| | | Medical and Clinical Services - Prisons (39810)..... | $9,033,309 | $9,033,309 | | |
| | | Physical Plant Services - Prisons (39815)..... | $6,823,885 | $6,533,523 | | |
| | | Offender Classification and Time Computation Services (39830) ..... | $1,201,413 | $1,201,413 | | |
| | | Juvenile Supervision and Management Services (39831) ..... | $42,239,244 | $44,308,512 | | |
| | | Juvenile Rehabilitation and Treatment Services (39832).. | $10,499,986 | $11,417,570 | | |
| | | Minimum Security Services (39833) ..... | $252,765 | $252,765 | | |
| | | Fund Sources: General..... | $80,895,059 | $83,552,503 | | |
| | | Special..... | $1,313,862 | $1,364,950 | | |
| | | Dedicated Special Revenue..... | $25,000 | $25,000 | | |
| | | Federal Trust..... | $1,654,733 | $1,654,733 | | |
| | | Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of Virginia. | | | | |
| | | A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care and treatment of said children. | | | | |
| | | B. The Department of Juvenile Justice shall update its October 2004 "Juvenile Correctional Center Utilization Report" to incorporate the results of the revised 2006 state and local juvenile offender population forecast that will be presented by October 15, 2006 to the Governor by the Secretary of Public Safety. The updated report prepared by the department shall address its plans for the utilization of the state's juvenile correctional centers. Such report shall first be based upon funding and staffing levels included in this act, and may include alternative plans, including utilization of excess local detention home capacity. The report shall also address the status of storm damage repair on affected facilities and property at Hanover Juvenile Correctional Center. The Director of the Department of Juvenile Justice shall provide the report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2006. | | | | |
| | | C. Included in the appropriation for this Item is $838,696 from the general fund the second year for a plan providing additional compensation for juvenile correctional officers and supervisors. The plan shall include a $1,200 increase in the salary of each juvenile correctional officer and a $600 increase in the salary of each juvenile correctional supervisor, effective November 25, 2007. The plan shall also include salary increases related to geographic location, salary increases for long-term officers and supervisors in order to address salary compression issues, and additional compensation for officers serving in special roles that | | | | |

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| | benefit their facilities. This appropriation is contingent upon the Department of Juvenile Justice officially adopting a compensation plan incorporating these principles and submitting the plan to the Department of Human Resources Management for review and the Secretaries of Public Safety and Finance for final approval. | | | | |
| | D. Included within this appropriation is $930,267 from the general fund the second year for the Department of Juvenile Justice to hire the remaining 22 security positions needed to fully staff the Culpeper and Hanover Correctional Centers. | | | | |
| | E. Included within this appropriation is $834,673 from the general fund and $50,000 from nongeneral funds the second year for the Department of Juvenile Justice to contract for the operation of two cottages at Beaumont Juvenile Correctional Center that have been converted into transitional housing space. | | | | |
| | F. Beginning with the effective date of any agreement whereby Culpeper County becomes a member of a detention home commission, or signs an agreement with a local detention home, to house juveniles in detention as provided in § 16.1-248.1 or § 16.1-284.1, Code of Virginia, the existing memorandum of agreement between Culpeper County and the Department of Juvenile Justice, under which the Department currently houses Culpeper juveniles who are detained, shall be terminated. Culpeper County shall satisfy any amount owed the Department for any days during which it housed such juveniles on behalf of the County, but shall be forgiven any outstanding amount for guaranteed bed space which it did not utilize. The amount to be forgiven shall be certified by the Department, and the County shall apply an equal amount to the cost of joining a detention commission, or for providing alternative programs to detention, or both, over the five-year period following termination of the agreement with the Department. The County shall submit an audited statement to the department demonstrating the appropriate expenditure of such funds no later than June 30, 2012. | | | | |
| 407. | Not set out. | | | | |
| | **Total for Department of Juvenile Justice** | | | **$211,829,544** | **$213,631,912** |
| | General Fund Positions | 2,486.00 | 2,486.00 | | |
| | Nongeneral Fund Positions | 16.00 | 16.00 | | |
| | Position Level | 2,502.00 | 2,502.00 | | |
| | Fund Sources: General | $206,384,977 | $208,137,345 | | |
| | Special | $1,479,950 | $1,529,950 | | |
| | Dedicated Special Revenue | $25,000 | $25,000 | | |
| | Federal Trust | $3,939,617 | $3,939,617 | | |
| 408. | Not set out. | | | | |
| 409. | Not set out. | | | | |

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| 410. | Not set out. | | | | |
| 411. | Not set out. | | | | |
| 412. | Not set out. | | | | |
| | **§ 1-44. DEPARTMENT OF STATE POLICE (156)** | | | | |
| 413. | Not set out. | | | | |
| 414. | Law Enforcement and Highway Safety Services (31000) | | | $208,098,482 | ~~$211,846,172~~ *$214,222,172* |
| | Aviation Operations (31001) | $5,983,749 | $5,983,749 | | |
| | Commercial Vehicle Enforcement (31002) | $4,290,045 | $4,290,045 | | |
| | Counter-Terrorism (31003) | $5,557,346 | $5,557,346 | | |
| | Help Eliminate Auto Theft (Heat) (31004) | $2,215,006 | $2,215,006 | | |
| | Drug Enforcement (31005) | $15,364,725 | $15,364,725 | | |
| | Crime Investigation and Intelligence Services (31006) | $26,290,176 | $24,949,476 | | |
| | Uniform Patrol Services (Highway Patrol) (31007) | $121,892,936 | ~~$126,197,645~~ *$128,573,645* | | |
| | Motorists Assistance Program (31008) | $1,474,842 | $1,474,842 | | |
| | Insurance Fraud Program (31009) | $6,415,958 | $7,208,439 | | |
| | Vehicle Safety Inspections (31010) | $18,613,699 | $18,604,899 | | |
| | Fund Sources: General | $155,168,247 | ~~$157,552,670~~ *$159,928,670* | | |
| | Special | $30,160,340 | $31,523,607 | | |
| | Commonwealth Transportation | $7,958,454 | $7,958,454 | | |
| | Trust and Agency | $20,000 | $20,000 | | |
| | Federal Trust | $14,791,441 | $14,791,441 | | |

Authority: §§ 27-56, 33.1-292, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. The Department shall provide a report on the utilization and performance of the positions provided in this and previous biennia for violent crime strike forces and for the state/local anti-crime partnership to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year.

B. Included in this appropriation is $810,687 the first year and $810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to the I-95/395/495 Interchange Improvement Project. Commonwealth Transportation Funds to support these positions will remain available only until the completion of this project. This appropriation will be funded as part of State Highway Project No. 0095-029-F20 and Federal Project No. NH-95-2(410).

C. Included in this appropriation is $414,768 the first year and $414,768 the second year from the Commonwealth Transportation Fund to support 17 positions, all of which shall be Commercial Vehicle Enforcement Officers, that will be required to support operations at weigh stations statewide. The Department of Planning and Budget shall allot these funds on the basis of a plan submitted by the Department of State

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Police regarding operating hours of weigh stations statewide.

D. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to Chapter 600 of the Acts of Assembly of 2000, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.

E. Included within this appropriation is $1,045,375 the first year and $1,045,375 the second year from the Rescue Squad Assistance Fund to support the Department's aviation (med-flight) operations.

F. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

G. Included in this appropriation is $110,000 the first year and $110,000 the second year from the general fund to increase traffic enforcement on Interstate 81. These funds shall be used to enhance existing efforts by providing overtime payments for extended and additional work shifts so as not to reduce the current level of State Police patrols on this and other public highways in the Commonwealth.

H.1. Out of this appropriation, $5,070,350 the first year and $3,729,650 the second year from the general fund is provided for the monitoring of offenders required to comply with the Sex Offender Registry requirements. The State Police shall designate an appropriate number of personnel across its divisional offices to oversee and administer each division's activities related to the requirements of the Sex Offender Registry as stipulated in Chapters 847 and 814 of the Acts of Assembly of 2006. The Department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.

2. The Secretary of Public Safety, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted by division; (2) the number of investigations of violations by division; (3) the status of coordination with other state

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| | and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's July 2005, "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by January 1, 2007. | | | | |
| | I. Included within this appropriation is $200,000 from nongeneral funds the second year to be used by the Department of State Police to record revenue related to overtime work performed by troopers at the end of a fiscal year and for which reimbursement was not received by the department until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue. | | | | |
| | J. Included within this appropriation is $100,000 from the general fund the second year for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities. The Department of State Police shall provide a report on its efforts to increase minority recruitment, hiring, and promotion, including: (i) trends over time based on available data, and (ii) an assessment to determine those strategies which have proven most successful in the past and which may be recommended in the future, including but not limited to marketing and advertising programs. Copies of this report shall be provided to the Governor and the General Assembly by October 1, 2007. | | | | |
| | K. Included within this appropriation is $2,340,000 from the general fund the second year and $533,000 from nongeneral funds the second year for the additional employer contributions that the department will need to pay into the Virginia Retirement System as a result of the increase in the multiplier for the State Police Officers' Retirement System provided in Item 473 of this act. | | | | |
| 415. | Not set out. | | | | |
| 416. | Not set out. | | | | |
| | Total for Department of State Police | | | **$263,914,912** | **~~$268,401,597~~** ***$270,777,597*** |
| | General Fund Positions | 2,421.00 | 2,423.00 | | |
| | Nongeneral Fund Positions | 354.00 | 359.00 | | |
| | Position Level | 2,775.00 | 2,782.00 | | |
| | Fund Sources: General | $202,077,931 | ~~$205,201,349~~ *$207,577,349* | | |
| | Special | $34,151,027 | $35,514,294 | | |
| | Commonwealth Transportation | $7,958,454 | $7,958,454 | | |
| | Trust and Agency | $20,000 | $20,000 | | |
| | Dedicated Special Revenue | $3,725,000 | $3,725,000 | | |
| | Federal Trust | $15,982,500 | $15,982,500 | | |

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| | | **§ 1-45. DEPARTMENT OF VETERANS SERVICES (912)** | | | | |
| | 416.10. | Not set out. | | | | |
| | 416.20. | State Health Services (43000) | | | $15,626,998 | $26,470,237 |
| | | Veterans Care Center Operations (43013) | $15,626,998 | $26,470,237 | | |
| | | Fund Sources: Special | $15,626,998 | $24,570,237 | | |
| | | Federal Trust | $0 | $1,900,000 | | |
| | | Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia. | | | | |
| | | The State Comptroller is authorized to approve an anticipatory loan for up to ~~$787,100~~*$2,200,000* with no interest for operational costs for the Sitter-Barfoot Veterans Care Center. This loan is to be paid back by ~~December~~ ~~2008~~ *June 2009* from nongeneral funds received for services rendered. | | | | |
| | 416.30. | Not set out. | | | | |
| | 416.40. | Not set out. | | | | |
| | 416.50. | Not set out. | | | | |
| | | Total for Department of Veterans Services | | | **$22,189,709** | **$33,579,562** |
| | | General Fund Positions | 79.00 | 96.00 | | |
| | | Nongeneral Fund Positions | 323.00 | 506.00 | | |
| | | Position Level | 402.00 | 602.00 | | |
| | | Fund Sources: General | $4,489,637 | $5,764,721 | | |
| | | Special | $17,072,213 | $25,043,342 | | |
| | | Federal Trust | $627,859 | $2,771,499 | | |
| | 417. | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF PUBLIC SAFETY | | | **$2,424,578,134** | **~~$2,535,976,246~~ *$2,539,662,859*** |
| | | General Fund Positions | 19,715.77 | 19,804.77 | | |
| | | Nongeneral Fund Positions | 2,471.78 | 2,659.78 | | |
| | | Position Level | 22,187.55 | 22,464.55 | | |
| | | Fund Sources: General | $1,650,755,153 | ~~$1,748,208,990~~ *$1,751,895,603* | | |
| | | Special | $153,844,131 | $164,833,577 | | |
| | | Commonwealth Transportation | $8,889,304 | $8,891,705 | | |
| | | Enterprise | $476,139,677 | $475,506,465 | | |
| | | Trust and Agency | $10,020,000 | $10,020,000 | | |
| | | Dedicated Special Revenue | $15,247,928 | $15,247,928 | | |
| | | Federal Trust | $109,681,941 | $113,267,581 | | |

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| | | **OFFICE OF TECHNOLOGY** | | | | |
| 418. | Not set out. | | | | | |
| 419. | Not set out. | | | | | |
| 420. | Not set out. | | | | | |
| 421. | Not set out. | | | | | |
| 422. | Not set out. | | | | | |
| 423. | Not set out. | | | | | |
| 424. | Not set out. | | | | | |
| 425. | Not set out. | | | | | |
| 426. | Not set out. | | | | | |
| | TOTAL FOR OFFICE OF TECHNOLOGY..... | | | | **$66,443,976** | **$62,771,936** |
| | General Fund Positions..... | | 30.00 | 30.00 | | |
| | Nongeneral Fund Positions..... | | 400.00 | 375.00 | | |
| | Position Level ..... | | 430.00 | 405.00 | | |
| | Fund Sources: General..... | | $9,205,588 | $4,386,548 | | |
| | Special..... | | $3,015,586 | $3,162,586 | | |
| | Dedicated Special Revenue..... | | $54,222,802 | $55,222,802 | | |

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| | **OFFICE OF TRANSPORTATION** | | | | |
| | **§ 1-46. SECRETARY OF TRANSPORTATION (186)** | | | | |
| 427. | Administrative and Support Services (79900)..... | | | $685,500 | $685,500 |
| | General Management and Direction (79901)..... | $685,500 | $685,500 | | |
| | Fund Sources: Commonwealth Transportation..... | $685,500 | $685,500 | | |
| | Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia. | | | | |
| | A. The transportation policy goals enumerated in this Act shall be implemented by the Secretary of Transportation, including the Secretary acting as Chairman of the Commonwealth Transportation Board. | | | | |
| | 1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction. | | | | |
| | 2. The efficient and cost-effective movement of people and goods will consider the needs in, and connectivity of, all modes of transportation, including bicycling, walking, public transportation, highways, freight and passenger rail, ports, and airports. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal. | | | | |
| | 3. Stewardship of the environment will be a priority in the allocation of resources and the planning and evaluation of projects and activities by transportation agencies. | | | | |
| | 4. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes. The Secretary is hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such funds are authorized under P.L. 109-59 of the 109th Congress, or any successor or related federal transportation legislation. | | | | |
| | B.1. New or increased revenues designated by the General Assembly as regional or local transportation dollars shall be used exclusively for transportation projects and services within that region or localities. The Commonwealth shall not use the revenues for any other purpose. | | | | |
| | 2. Those localities receiving increased local revenues from actions taken by the General Assembly in calendar year 2006 shall not have reductions of state funding provided for maintenance, construction or transit below the amounts provided in fiscal year 2006. | | | | |

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C.1. The Secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in this act. Furthermore, the Secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues. By June 1 of each year, the Secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

2. Federal funds included in the highway funds distributed pursuant to §33.1-23.1 B, Code of Virginia, will be distributed to the greatest extent possible to the primary system of state highways and then to the other highway systems taking into consideration the federal eligibility requirements in order to maximize the benefit of the federal funds to the Commonwealth. Such distribution will not change the total amount of funds available to be provided pursuant to §33.1-23.1.

3. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the Board. Such funds shall be federally obligated within 24 months of their allocation by the Board and expended within 48 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the Board shall use such federal funds for any other project eligible under 23 USC 149.

4. Funds apportioned under federal law for the Surface Transportation Program shall be distributed and administered in accordance with federal requirements, including that seven percent that is required to be allocated for public transportation purposes.

5. Funds apportioned under federal law for the Equity Bonus program shall be allocated as required by federal law, including that thirteen percent that is required to be allocated for public transportation purposes. Funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the public transportation's portion of federal Equity Bonus program funds.

6. Notwithstanding paragraph B of this Item, the required matching funds for enhancement projects in addition to Congressionally-designated projects included in any federal appropriation bill are to be provided by the mode, system or recipient of the federal-aid funding.

7.a. Federal funds provided to the National Highway System, Surface Transportation Program, Equity Bonus Program and Congestion Mitigation and Air Quality categories as well as the required State matching funds

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may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate to local and regional public transit operators, for operating and/or capital purposes, state revenues designated by formula for primary, urban, and secondary highways.

b. Federal funds apportioned as the Highway Bridge Program shall be allocated and obligated as required by federal law to eligible projects across the Commonwealth. The Commonwealth Transportation Board shall consider the sufficiency and deficiency ratings of such eligible projects in making their allocations.

8. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.

9. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.

D.1. The Secretary may ensure that appropriate action is taken to maintain a minimum cash balance and/or cash reserve in the Highway Maintenance and Operating fund.

2. Out of the amounts provided to the Priority Transportation Fund pursuant to § 33.1-23:03:8, Code of Virginia, related to fiscal year 2006, amounts equaling the formula share of the Transportation Trust Fund revenue reductions identified in the November 2006 official forecast related to the Department of Transportation and the Department of Rail and Public Transportation will be provided to the respective agencies in the first year.

E.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

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2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

F.1. The Virginia Department of Transportation, with the approval of the Governor and in a form approved by the Attorney General, is hereby authorized to exchange five acres, more or less, of the property commonly known as the Fulton Bottom property, including all buildings, structures, and appurtenances attached thereto, on the north side of Route 5 in Henrico County, to the Lehigh Cement Company, in exchange for a parcel of land estimated at two acres, more or less, on the south side of Route 5 in the City of Richmond, to be used as a trail head facility for the Virginia Capital Trail.

2. The appropriate offices of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the exchange.

3. Included in this effort shall be a review of potential environmental and other liability issues. Prior to the conveyance of the properties, the Commonwealth shall prepare a plan to address any potential liability issues associated with the property owned by Lehigh Cement Company.

G. The Virginia Department of Transportation, with the approval of the Governor and in a form approved by the Attorney General, is hereby authorized to transfer surplus property owned by the Department of Transportation on Route 604 in New Kent County to the County for its purposes.

H. The Secretary of Transportation shall initiate a study to determine the interest of affected states in the construction of a new Interstate highway (I-99) with terminus points in Wilmington, Delaware and Charleston, South Carolina, and traversing the Delmarva Peninsula, and the eastern portions of the Commonwealth of Virginia and the states of North Carolina and South Carolina. The Secretary shall report his findings by November 30, 2006, to the Chairmen of the Senate Committees on Transportation and Finance and to the Chairmen of the House Committees on Transportation and Appropriations.

I.1. The Intermodal Office shall coordinate the efforts of the Departments of Transportation, and Rail and Public Transportation to work with local governments to develop specific performance measures and criteria by which to measure the success of transportation projects funded with any revenues derived from legislation enacted by the General Assembly to provide local governments or regional authorities with dedicated transportation revenues. Such criteria shall measure performance, including but not limited to, improvements related to safety, connectivity, economic development, improved air quality, and traffic

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| | | mitigation. | | | | |
| | | 2. As part of this effort, the Intermodal Office shall work with the relevant state agencies and representatives of local government to develop a standard cost/ benefit methodology to analyze projects. | | | | |
| | | *J. Revenues generated pursuant to the provisions of § 58.1-3221.2, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.2, Code of Virginia.* | | | | |
| | | Total for Secretary of Transportation..... | | | **$685,500** | **$685,500** |
| | | Nongeneral Fund Positions..... | 6.00 | 6.00 | | |
| | | Position Level ..... | 6.00 | 6.00 | | |
| | | Fund Sources: Commonwealth Transportation ..... | $685,500 | $685,500 | | |
| | 428. | Not set out. | | | | |
| | 429. | Not set out. | | | | |
| | 430. | Not set out. | | | | |
| | 431. | Not set out. | | | | |
| | 432. | Not set out. | | | | |
| | 433. | Not set out. | | | | |
| | 434. | Not set out. | | | | |
| | 435. | Not set out. | | | | |
| | | **§ 1-47. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)** | | | | |
| | 436. | Ground Transportation Planning and Research (60200) ... | | | $2,674,196 | ~~$2,831,457~~ *$2,860,165* |
| | | Rail and Public Transportation Planning, Regulation, and Safety (60203)..... | $2,674,196 | ~~$2,831,457~~ *$2,860,165* | | |
| | | Fund Sources: Commonwealth Transportation ..... | $2,674,196 | ~~$2,831,457~~ *$2,860,165* | | |
| | | Authority: Titles 33.1 and 58.1, Code of Virginia. | | | | |
| | | A. Omitted. | | | | |
| | | B. Out of the amounts identified in this Item, $231,600 the first year and $261,200 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission | | | | |
| | 437. | Financial Assistance for Public Transportation (60900) ... | | | $159,785,391 | ~~$163,780,515~~ *$190,900,405* |
| | | Public Transportation Programs (60901) ..... | $149,743,028 | ~~$152,532,790~~ *$180,672,255* | | |
| | | Commuter Assistance Programs (60902)..... | $5,344,000 | $5,344,000 | | |
| | | Human Service Transportation Programs (60903) ..... | $4,698,363 | ~~$5,903,725~~ *$4,884,150* | | |

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| Fund Sources: Special | $615,503 | ~~$649,886~~ *$651,266* | | |
| Commonwealth Transportation | $159,169,888 | ~~$163,130,629~~ *$190,249,139* | | |

Authority: Titles 33.1 and 58.1, Code of Virginia.

A.1. The Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided in § 58.1-638, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is $132,111,311 the first year and $134,905,155 the second year from the Transportation Trust Fund.

2. Included in Human Service Transportation is $800,000 the first year and $800,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects for the elderly and disabled.

3. In accordance with paragraph A.1., $96,513,815 the first year and $98,567,289 the second year is the estimated allocation to statewide Formula Assistance as provided in §58.1-638, Code of Virginia. The allocation of Formula Assistance to each recipient shall be limited to the recipient's maximum eligibility as defined in §58.1-638, Code of Virginia. When the initial allocation to a recipient is greater than the recipient's eligibility to receive Formula Assistance, the Commonwealth Transportation Board may transfer the surplus funds to the statewide Capital Assistance program for distribution under that program. The Commonwealth Transportation Board may hold harmless from a reduction in state formula assistance any transit system that maintains service levels from the previous year.

4. In accordance with Paragraph A.1., $32,827,828 the first year and $33,526,289 the second year from the Commonwealth Mass Transit Fund is the estimated allocation to statewide Capital Assistance.

5. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, $1,969,670 the first year and $2,011,577 the second year is the estimated allocation to statewide Special Programs as provided in § 58.1-638, Code of Virginia.

6. Not included in this appropriation is an amount estimated at $27,440,643 the first year and $22,726,687 the second year allocated to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.

B. The Commonwealth Transportation Board shall operate a program entitled the Transportation Efficiency Improvement Fund (TEIF). The purpose of the TEIF program is to reduce traffic congestion by supporting transportation demand management programs designed to reduce the use of single occupant vehicles. Using transportation revenues generally available to the Board, funds shall be apportioned as determined by the Board to designated transportation projects in addition to funds allocated pursuant to § 33.1-23.1, Code of Virginia. Total TEIF program funding shall not exceed

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| | $4,000,000 the first year and $4,000,000 the second year. Eligible applicants for grants shall include state and local governing bodies, transportation district commissions, planning district commissions, metropolitan planning organizations, public service corporations, and transportation management associations whose applications are approved by an eligible public recipient or whose Board includes elected representatives from member jurisdictions. The department shall develop model guidelines to promote teleworking in Virginia in the first year. These guidelines shall include model policies that could be adopted by private sector firms across the Commonwealth, a listing of the types of job functions that do and do not lend themselves to teleworking, and model personnel policies setting out agreements companies may enter into with employees who propose to telework on either a full- or part-time basis. The department shall work in conjunction with the Secretary of Technology and his staff to develop these guidelines and disseminate them to state agencies and to private-sector companies in the Commonwealth with 100 or more employees. Dissemination of the model guidelines shall be conducted on an electronic basis. | | | | |
| | C. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro Rail from payments authorized and allocated in this program and pursuant to § 58.1-1720, Code of Virginia. | | | | |
| | D. Funds appropriated to the Department of Rail and Public Transportation and allocated to the Northern Virginia Transportation Commission to be allocated to its member jurisdictions are held in trust by the Commission for those jurisdictions until released by specific authorization from the governing bodies of the jurisdictions for the purpose for which funds were appropriated. | | | | |
| | E. The unutilized appropriation of $10,000,000 from the general fund in Item 482 B.1. of Chapter 951 of the Acts of Assembly of 2005, for a bus rapid transit system in Virginia Beach shall be used to supplement the Mass Transit Trust Fund Capital Assistance program in the first year. Up to $6,100,000 shall be provided for the purchase by Hampton Roads Transit of hybrid-electric buses to serve the City of Norfolk. The remainder shall be disbursed in accordance with § 58.1-638 A. 4. f., Code of Virginia. | | | | |
| | F. The Director of the Department of Rail and Public Transportation shall work with local transit systems to implement by June 30, 2008, a streamlined universal access system for riders eligible for Para-Transit services. | | | | |
| 438. | Financial Assistance for Rail Programs (61000)..... | | | $27,400,000 | ~~$28,422,719~~ *$36,865,447* |
| | Rail Preservation Programs (61002) ..... | $3,000,000 | ~~$3,000,000~~ *$4,014,668* | | |
| | Rail Enhancement Programs (61003)..... | $24,400,000 | ~~$25,422,719~~ *$32,850,779* | | |

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| | | Fund Sources: Commonwealth Transportation ..... | $27,400,000 | ~~$28,422,719~~ *$36,865,447* | | |
| | | Authority: Title 33.1, Code of Virginia. | | | | |
| | | A. The Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development Program in accordance with §33.1-221.1:1.2, Code of Virginia. Using transportation revenues generally available to the Board, funds shall be appropriated as determined by the Board to designated transportation projects in addition to funds allocated pursuant to § 33.1-23.1, Code of Virginia. Total funding for the Shortline Railway Preservation and Development Fund shall not exceed $3,000,000 the first year and $3,000,000 the second year. | | | | |
| | | B. The Department shall report to the Chairmen of the Senate Finance and House Appropriations Committees on the transportation project authorized under the Virginia Transportation Act of 2000 to provide passenger rail service between the Cities of Bristol and Richmond, and Washington, D.C. In addition to the project's status, the Department shall include revised information on capital and operating costs, potential revenue of such passenger service, and the project's potential benefits to alleviate congestion on the state's Interstate and highway system of roads. The report shall be submitted by January 2, 2007. | | | | |
| | | C. The Department shall inform the Senate Committees on Transportation and Finance and the House Committees on Transportation and Appropriations on the agency's efforts to ensure that the selection of an intermodal rail facility or facilities for the Heartland Corridor Project takes into consideration the interest of all affected parties, advances state transportation objectives, and will be both cost-effective and cost-efficient in terms of saving time in the transport of goods from the Ports of Hampton Roads to the mid-West and in keeping the Commonwealth economically competitive. | | | | |
| | | D. Prior to the release of any Rail Enhancement Funds to CSX for I-95 Rail Corridor Improvements, the Department and CSX shall execute an operating agreement that will provide for improved and reliable passenger and freight rail operations in the corridor. This agreement must include provisions for managing heat restrictions, including strategies for maintaining or enhancing the reliability of passenger rail services during heat restriction purposes. | | | | |
| | 439. | Not set out. | | | | |
| | 440. | Administrative and Support Services (69900) ..... | | | $4,474,859 | ~~$4,609,105~~ *$4,824,505* |
| | | General Management and Direction (69901)..... | $4,474,859 | ~~$4,609,105~~ *$4,824,505* | | |
| | | Fund Sources: Commonwealth Transportation ..... | $4,474,859 | ~~$4,609,105~~ *$4,824,505* | | |

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| | Authority: Titles 33.1 and 58.1, Code of Virginia. | | | | |
| | The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds. | | | | |
| | Total for Department of Rail and Public Transportation.. | | | **$360,488,770** | ~~**$459,148,120**~~ ***$494,954,846*** |
| | Nongeneral Fund Positions..... | 55.00 | 55.00 | | |
| | Position Level ..... | 55.00 | 55.00 | | |
| | Fund Sources: Special..... | $65,865,503 | ~~$159,249,886~~ *$159,251,266* | | |
| | Commonwealth Transportation..... | $294,623,267 | ~~$299,898,234~~ *$335,703,580* | | |
| | **§ 1-48. DEPARTMENT OF TRANSPORTATION (501)** | | | | |
| 441. | Environmental Monitoring and Evaluation (51400)..... | | | $16,900,812 | ~~$13,942,681~~ *$14,146,740* |
| | Environmental Monitoring and Compliance for Highway Projects (51408)..... | $13,855,392 | ~~$10,940,764~~ *$11,093,988* | | |
| | Environmental Monitoring Program Management and Direction (51409)..... | $3,045,420 | ~~$3,001,917~~ *$3,052,752* | | |
| | Fund Sources: Commonwealth Transportation..... | $16,900,812 | ~~$13,942,681~~ *$14,146,740* | | |
| | Authority: Title 33.1, Code of Virginia. | | | | |
| 442. | Ground Transportation Planning and Research (60200)... | | | $54,718,480 | ~~$46,461,633~~ *$50,886,484* |
| | Ground Transportation System Planning (60201)..... | $48,583,819 | ~~$40,825,556~~ *$44,535,045* | | |
| | Ground Transportation System Research (60202)..... | $1,933,987 | ~~$1,468,221~~ *$2,133,221* | | |
| | Ground Transportation Program Management and Direction (60204)..... | $4,200,674 | ~~$4,167,856~~ *$4,218,218* | | |
| | Fund Sources: Commonwealth Transportation..... | $54,718,480 | ~~$46,461,633~~ *$50,886,484* | | |
| | Authority: Title 33.1, Code of Virginia. | | | | |
| | A.1. Included in the amount for ground transportation system planning and research is no less than $4,000,000 the first year and no less than $4,000,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs. | | | | |
| | 2. In addition, the Commonwealth Transportation Board may approve the expenditures of up to $2,000,000 the first year and $1,000,000 the second year from the highway share of the Transportation Trust Fund for the following activities: | | | | |
| | a. In the first year, $1,000,000 for the study of freight | | | | |

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and the movement of goods throughout the Commonwealth. The study, as outlined in the April 2005 VTrans 2025 Action Plan, shall review and assess the Commonwealth's freight infrastructure and needs. The study will be federally funded to the maximum extent possible. Such study shall include development of a feasibility plan to define the conditions that would be necessary to divert the maximum amount feasible of the long-haul, through-truck freight traffic to intermodal rail in the Interstate Route 81 Corridor.

b. No less than $1,000,000 the first year and $1,000,000 the second year for the completion of advance activities, prior to the initiation of an individual project's design along existing highway corridors, to determine short-term and long-term improvements to the corridor. Such activities shall consider safety, access management, alternative modes, operations, and infrastructure improvements. Such funds shall be used, but are not limited to, the completion of activities prior to the initiation of an individual project's design or to benefit identification of needs throughout the state or the prioritization of those needs. For federally eligible activities, the activity or item shall be included in the Commonwealth Transportation Board's annual update of the Six-Year Improvement program so that (i) appropriate federal funds may be allocated and reimbursed for the activities and (ii) all requirements of the federal Statewide Transportation Improvement Program can be achieved.

3.a. The Office of Multimodalism shall recommend to the Commonwealth Transportation Board all allocations of such funds in this paragraph. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

b. The Office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled.

c. For allocation of funds under Paragraph A.1., the Office may give a higher priority for planning grants to those local governments that complete a build-out analysis of their comprehensive plans and zoning. Such build-out analyses shall be shared with the regional planning district commission or metropolitan planning organization and the Department.

B. The Commissioner shall be responsible for implementing the provisions of Chapter 527 (2006 Session) concerning the development of traffic impact analyses. If resources are needed in addition to the appropriations included in this act, the Commissioner shall develop and submit a budget request for the 2007 Session to the Secretary of Transportation and the Chairmen of the Senate Finance and House

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| | | Appropriations Committees. The Director, Department of Planning and Budget, is authorized to increase the appropriation as needed and as supported by the anticipated collection of associated fees. | | | | |
| | | C. From funding appropriated in this item for the Virginia Transportation Research Council (VTRC), the VTRC, in conjunction with the Virginia Tech Transportation Institute, shall design and implement a highway noise reduction experiment at the Virginia Tech Transportation Institute facilities in Blacksburg which utilizes dense conifers as the noise barrier and privacy screen portion of the experiment. Additionally, a short section of test roadway will be paved with new reduced noise asphalt to determine its efficacy and utility in reducing roadway noise. The Virginia Tech Forestry and Engineering Departments will provide assistance where appropriate. | | | | |
| | 443. | Highway System Acquisition and Construction (60300).. | | | $1,498,284,593 | ~~$1,273,329,421~~ *$1,552,114,187* |
| | | Dedicated and Statewide Construction (60302)..... | $324,704,303 | ~~$432,265,101~~ *$463,699,175* | | |
| | | Interstate Construction (60303)..... | $403,192,171 | ~~$322,754,595~~ *$340,443,155* | | |
| | | Primary Construction (60304)..... | $326,826,543 | ~~$204,168,808~~ *$294,417,485* | | |
| | | Secondary Construction (60306)..... | $185,447,506 | ~~$139,928,084~~ *$200,389,344* | | |
| | | Urban Construction (60307)..... | $216,328,688 | ~~$134,186,339~~ *$212,408,644* | | |
| | | Highway Construction Program Management (60315)..... | $41,785,382 | ~~$40,026,494~~ *$40,756,384* | | |
| | | Fund Sources: Commonwealth Transportation..... | $1,492,846,349 | ~~$1,118,924,722~~ *$1,328,317,172* | | |
| | | Trust and Agency..... | $5,438,244 | ~~$154,404,699~~ *$223,797,015* | | |
| | | Authority: Title 33.1, Chapter 1; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II | | | | |
| | | A. Notwithstanding the amounts specified in § 33.1-75.1 C and D of the Code of Virginia, $15,000,000 the first year and $15,000,000 the second year from the Commonwealth Transportation Fund shall be allocated to localities for secondary road revenue sharing. | | | | |
| | | B. Notwithstanding § 33.1-23.1 of the Code of Virginia, the net proceeds from the lease or sale of surplus and residue property purchased under this program shall be applied to the system and locality where the residue property is located. This funding shall be provided as an adjustment to the allocations distributed to the systems and localities according to § 33.1-23.1 of the Code of Virginia. | | | | |
| | | C. The Department is authorized to use any unexpended funds from the Harrisonburg Bypass project for preliminary engineering for improvements to Port Republic Road and Stone Spring Road in Rockingham County. Expenditures under this | | | | |

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appropriation shall not diminish current or future secondary road allocations for Rockingham County.

D. The Department shall develop a report detailing the status of the Coalfields Expressway and the Coalfields Connector that includes a financial plan for completing each phase of the project and for identifying the cost of each phase and the source of revenue to pay for said costs, separately and together. In addition, the report shall include the schedules for each phase of the project, including any environmental impact studies required under NEPA because of changes to the Expressway's route. The Department shall submit the report by November 30, 2006, to the Secretary of Transportation and to the Chairmen of the Senate Committees on Transportation and Finance and to the Chairmen of the House Committees on Transportation and Appropriations.

E. The department shall report to the Chairmen of the Senate Finance and House Appropriations Committees by December 1, 2006, on the feasibility of the Commonwealth matching dollars generated by local transportation referendum provided that such funds not be used for debt service and that projects included in the transportation referendum meet state standards and are in the Six-Year Improvement Program. The department shall base the match on one state dollar for every two local dollars.

F. Under the direction of the Commonwealth Transportation Board, the department shall develop a legislative proposal for the 2007 Session of the General Assembly to establish a comprehensive limited access management program. The proposal shall include the goals of such a program and the process for developing and amending a comprehensive access management plan, including the review of requests by localities or regional authorities to alter the level of service for any transportation facility constructed under the Primary Construction Program beginning July 1, 2007.

G. The Director, Department of Planning and Budget, is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds.

H. Included in the amounts for dedicated and statewide construction is the reappropriation of $219,280,000 the second year for anticipated expenditure of amounts collected in prior years from bond proceeds or dedicated special revenues. The amounts will be provided from balances in the Federal Highway Reimbursement Anticipation Notes Fund, Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to FY 2007 and FY 2008 estimated revenues.

I. Out of the amounts provided for Highway System Acquisition and Construction in the second year, such amounts as may be required to match all

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| | federally-designated funding available for Interstate Route 73 shall be provided from Commonwealth Transportation Funds. | | | | |
| | *J. Notwithstanding any other provision of law, a project being developed and procured through adopted state, local or regional design-build provisions, other than those required by § 33.1-12:2(b), Code of Virginia, may be considered for funding from the Transportation Partnership Opportunity Fund. In addition, an application requesting funding from the fund shall be limited to requesting only one form of assistance and the limitations included in § 33.1-221.1:8(E), Code of Virginia.* | | | | |
| 444. | Highway System Maintenance (60400) | | | $1,185,715,470 | ~~$1,250,449,363~~ *$1,257,562,302* |
| | Interstate Maintenance (60401) | $240,674,208 | ~~$269,102,667~~ *$273,696,089* | | |
| | Primary Maintenance (60402) | $443,988,423 | ~~$460,828,326~~ *$361,791,491* | | |
| | Secondary Maintenance (60403) | $291,812,745 | ~~$302,880,822~~ *$371,065,213* | | |
| | Transportation Operations Services (60404) | $107,299,447 | ~~$111,830,425~~ *$149,335,371* | | |
| | Highway Maintenance Program Management and Direction (60405) | $101,940,647 | ~~$105,807,123~~ *$101,674,138* | | |
| | Fund Sources: Commonwealth Transportation | $1,185,715,470 | ~~$1,250,449,363~~ *$1,257,562,302* | | |
| | Authority: Title 33.1, Chapter 1, Code of Virginia. | | | | |
| | A. 1. The Interstate, Primary and Secondary Maintenance service areas preserve the public's investment through the delivery of an effective and efficient statewide maintenance program to protect and enhance the transportation infrastructure and the safety of the traveling public. | | | | |
| | 2. The Transportation Operations Services service area improves mobility, safety, travel time reliability, and security on the transportation system through the deployment of a variety of operational strategies including regional smart traffic centers, emergency services, traveler services, congestion management and traffic signalization optimization. | | | | |
| | 3. The Highway Maintenance Program Management and Direction service area provides management, direction, and administration to support the program's activities. | | | | |
| | 4. The Department shall develop an asset management methodology for the review by the General Assembly in the 2007 Session. As part of the methodology, the Department shall develop and include performance targets to monitor and evaluate the effectiveness of maintenance activities. The methodology shall, in accordance with generally accepted engineering principles and business practices, identify and prioritize statewide and district maintenance and operations needs. These needs include, but are not limited to, | | | | |

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pavement, structures and bridges, pipes and drainage, roadside operations and statewide programs such as snow removal and equipment replacement. The Commonwealth Transportation Board shall review the proposed methodology before submission to the General Assembly. The Department shall report to the General Assembly by December 31, 2006, on progress made and future plans to incorporate principles of asset management into its maintenance and operations practices.

5. Prior to adoption, the Department shall develop and submit to the General Assembly a six-year maintenance and operations program no later than July 1, 2007, to provide greater transparency, predictability and equity of funding, and stability of investment over time. This program shall equitably distribute maintenance funds to districts based on objectively identified needs, define the base needs for each district and include future adjustments based on additional funding in district budgets to address differences in need across them. The Commonwealth Transportation Board shall review and approve the six-year maintenance and operations program and the annual updates.

B. By November 30 of each year, the Department shall submit to the Governor, General Assembly, and the Commonwealth Transportation Board a report on the condition of existing transportation infrastructure and proposed measures to improve the operations of the transportation system and the service areas listed in paragraph A. Such report shall include:

1) An assessment of the department's efforts to develop systematic mechanisms to evaluate its efforts as outlined in paragraph A.4. of this Item;

2) A report on all actions, accomplishments, achievements, and initiatives of the Virginia Department of Transportation, in the preceding fiscal year that involved outsourcing, privatization, and downsizing, as required pursuant to Chapter 420, Acts of Assembly of 2006;

3) An enumeration of the status of major bridge maintenance and replacement projects and the availability of federal highway bridge rehabilitation and replacement apportionments; and

4) In conjunction with the Department of Rail and Public Transportation, a report on the number of rail crossings in the metropolitan areas of Hampton Roads, Richmond and Northern Virginia. The report shall take into consideration the impediments to safety, mobility and economic development caused by the rail crossings as measured by the number of trains and frequency of train traffic; the vehicular traffic volumes at the crossings; and the lack of nearby rail and road alternatives. The report shall include an estimate of the costs to remove, relocate or remediate those rail crossings that have the greatest impacts on communities, including environmental.

C. Out of the funds provided in this program,

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| | $101,350,500 the first year and $105,432,600 the second year in federal funds shall be used to address the maintenance of pavements and bridges and the operations of the transportation system. These funds shall be matched by other funds appropriated to this Item. | | | | |
| | D. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions. | | | | |
| | E. VDOT shall erect brown supplemental guide signs marked, "American Shakespeare Center, Blackfriars Playhouse" at the westbound Interstate 64 and Interstate 81 interchange and on Interstate 81, both northbound and southbound at the Route 250 exit subject to federal approval of such placement. The Department may request that the Center provide payment for the costs of the signage. | | | | |
| | F. Should federal law be changed to permit privatization of rest area operations, the Department is hereby authorized to accept or solicit proposals for their development and/or operation under the Public Private Transportation Act. | | | | |
| | G. The Department shall seek replacement property for land used as a maintenance facility known as Short Pump Area Headquarters in Western Henrico County due to the decreased utility of the site and due to the value of the land having exceeded the current operations as the highest and best use of the property. The department may also include the properties used as maintenance facilities known as the Atlee Area Headquarters and the Basie Area Headquarters and a surplus parcel of property in the vicinity of Rt. 288 and Patterson Avenue in this transaction. The Department shall report to the Chairmen of the Senate Finance and House Appropriations Committees by December 6, 2006, on efforts, including the solicitation of proposals under the Public-Private Transportation Act or the Public-Private Education Facilities and Infrastructure Act of 2002, to relocate this facility or consolidate these facilities and to make this land available for the highest and best use. | | | | |
| 445. | Commonwealth Toll Facilities (60600) | | | $134,813,051 | ~~$109,251,037~~ *$115,036,267* |
| | Toll Facility Acquisition and Construction (60601) | $39,927,400 | ~~$41,695,700~~ *$43,700,146* | | |
| | Toll Facility Debt Service (60602) | $21,384,100 | ~~$20,969,169~~ *$19,944,169* | | |
| | Toll Facility Maintenance and Operation (60603) | $27,524,614 | ~~$28,479,568~~ *$29,336,952* | | |
| | Toll Facilities Revolving Fund (60604) | $45,976,937 | ~~$18,106,600~~ *$22,055,000* | | |
| | Fund Sources: Commonwealth Transportation | $45,976,937 | ~~$18,106,600~~ *$22,055,000* | | |
| | Trust and Agency | $6,548,060 | ~~$6,834,695~~ *$7,069,234* | | |
| | Debt Service | $82,288,054 | ~~$84,309,742~~ | | |

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| | | | *$85,912,033* | | |
| | Authority: §§ 33.1-23.03:1 and 33.1-267 through 33.1-295, Code of Virginia. | | | | |
| | A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System. | | | | |
| | B. Funds as appropriated are provided for other toll facility initiatives as needed during the biennium including but not limited to funding activities to advance projects pursuant to the Public-Private Transportation Act. | | | | |
| | *C. Funds as appropriated may be used for a one-time final grant payment to the appropriate entity for maintenance of a publicly operated toll facility not owned and operated by the Commonwealth that has received in fiscal year 2007 financial assistance for maintenance or that under agreement the Department provided maintenance services in order for such facility to begin paying all of its maintenance expenses from sources other than Commonwealth Transportation Funds no later than July 1, 2009.* | | | | |
| 446. | Financial Assistance to Localities for Ground Transportation (60700)..... | | | $328,578,364 | ~~$339,211,785~~ *$339,117,939* |
| | Financial Assistance for City Road Maintenance (60701) ..... | $271,684,185 | ~~$282,551,552~~ *$283,071,165* | | |
| | Financial Assistance for County Road Maintenance (60702) ..... | $40,883,000 | ~~$42,518,320~~ *$42,620,528* | | |
| | Financial Assistance for Planning, Access Roads, and Special Projects (60704)..... | $16,011,179 | ~~$14,141,913~~ *$13,426,246* | | |
| | Fund Sources: Commonwealth Transportation ..... | $328,578,364 | ~~$339,211,785~~ *$339,117,939* | | |
| | Authority: Title 33.1, Chapter 1, Code of Virginia. | | | | |
| | A. Notwithstanding §§ 33.1-23.5:1 and 33.1-41.1, Code of Virginia, the Department of Transportation shall adjust for inflation the payments made as part of Financial Assistance to Localities distributions and report such inflation adjustment to the Commonwealth Transportation Board. | | | | |
| | B. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, $7,000,000 the first year and $7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.1-221, 33.1-221.1:1, and 33.1-223, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be $1,500,000 the first year and $1,500,000 the second year. | | | | |
| | C. Out of the amounts for Financial Assistance for Planning, Access Roads, and Special Projects, $50,000 the first year and $50,000 the second year from the | | | | |

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| | Commonwealth Transportation Fund shall be provided to support the transportation planning activities of the Northern Virginia Transportation Authority. The Authority shall comply with all applicable federal and state regulations to receive the funds. | | | | |
| | D. For any city or town that assumes responsibility for its construction program as outlined in § 33.1-23.3 D, Code of Virginia, the two percent matching highway fund requirement shall be waived for all new projects approved on or after July 1, 2005. | | | | |
| 447. | Non-Toll Supported Transportation Debt Service (61200) | | | $213,973,632 | ~~$222,546,664~~ *$223,729,052* |
| | Highway Transportation Improvement District Debt Service (61201) | $7,529,845 | $7,524,883 | | |
| | Designated Highway Corridor Debt Service (61202) | $62,768,735 | ~~$62,724,969~~ *$61,457,357* | | |
| | Federal Highway Revenue Anticipation Notes Debt Service (61203) | $143,675,052 | $152,296,812 | | |
| | *Commonwealth Transportation Capital Projects Bond Act Debt Service (61204)* | *$0* | *$2,450,000* | | |
| | Fund Sources: General | $142,700,000 | $149,800,000 | | |
| | Trust and Agency | $71,273,632 | ~~$72,746,664~~ *$73,929,052* | | |
| | Authority: Titles 15, 33, and 58 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; and Chapter 799, Acts of Assembly of 2002. | | | | |
| | A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002 (the "District Contract"). | | | | |
| | 2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission. | | | | |

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3. The contract payments may be supplemented from primary funds allocated to the highway construction district in which the project financed is located, or from the secondary system construction allocation to the county or counties in which the project financed is located, and from any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series 2002 Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series 2002 Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts for Designated Highway Corridor Construction, $40,000,000 the first year and $40,000,000 the second year shall be paid from the general fund to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 58.1-815, Code of Virginia. This payment shall be in lieu of the deposit of state recordation taxes to the Fund, as specified in the cited Code section and shall be made no later than July 15 of each year. Said recordation taxes which would otherwise be deposited to the Fund shall be retained by the general fund. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at $12,000,000 the first year and $12,000,000 the second year, shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

3. The Commissioner shall report on or before July 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the cash balances in the Route 58 Corridor Development Fund. In addition, the report shall include the following: (i) allocations and expenditures from the Fund for the preceding fiscal year by project and district; (ii) a comparison of actual spending to allocations by projects and district; and (iii) a six-year plan for planned future expenditures from the Fund by project and district.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 58.1-815.1, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts transferred from Item 260 of this act to this Item.

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b. An amount estimated at $12,000,000 the first year and $12,000,000 the second year, which shall be transferred from the highway share of the Transportation Trust Fund.

c. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 58.1-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at $4,900,000 the first year and $4,800,000 the second year.

d. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be $816,000 the first year and $816,000 the second year.

2. The Fund shall support the issuance of bonds at a total authorized level of $500,200,000 for the purposes provided in the "Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.

3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

4. Should the actual distribution of recordation taxes to the localities set forth in § 58.1-815.1, Code of Virginia, exceed the amount required for debt service on the bonds issued pursuant to the above act, such excess amount shall be transferred to the Northern Virginia Transportation District Fund in furtherance of the program described in § 33.1-221.1:3, Code of Virginia.

5. Should the actual distribution of recordation taxes to said localities be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.

D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall include funds transferred from

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Item 260 of this act to this Item, and an amount estimated at $1,000,000 the first year and $1,500,000 the second year received from the City of Chesapeake pursuant to a contract or other alternative mechanism for the purpose provided in the "Oak Grove Connector, City of Chesapeake Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994," Chapters 233 and 662, Acts of Assembly of 1994 (hereafter referred to as the "Oak Grove Connector Act").

2. The amounts shown in paragraph E of this Item shall be available from the City of Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant to the Oak Grove Connector Act.

3. Should the actual distribution of recordation taxes and such local revenues from the City of Chesapeake as may be received pursuant to a contract or other alternative mechanism to the City of Chesapeake account of the Set-aside Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of the Oak Grove Connector Act.

E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:

| | FY 2007 | FY 2008 |
|---|---|---|
| Transportation Contract Revenue Refund Bonds, Series 2002 (Route 28) | $7,529,845 | $7,524,883 |
| | | |
| Commonwealth of Virginia Transportation Revenue Bonds: | | |
| U.S. Route 58 Corridor Development Program: | | |
| Series 1996B | $4,235,155 | $4,236,750 |
| Series 1997C (Refunding) | $4,879,944 | $4,879,194 |
| Series 1999B | $ 8,179,660 | $8,176,438 |
| Series 2001B | $5,591,613 | $5,591,688 |
| Series 2002 B (Refunding) | $7,233,288 | $7,235,438 |
| Series 2003A (Refunding) | $9,914,875 | $9,916,075 |
| Series 2004B | $11,563,050 | $11,563,050 |
| | | |
| Northern Virginia Transportation District Program: | | |
| Series 1996A | $2,709,540 | $2,709,000 |
| Series 1997B (Refunding) | $2,333,612 | $2,333,769 |
| Series 1999A | $1,328,863 | $1,327,988 |
| Series 2001A | $3,210,013 | $3,211,163 |
| Series 2002A | $14,935,019 | $14,951,219 |
| Series 2004A | $4,102,000 | $4,102,000 |
| | | |
| Transportation Program Revenue Bonds: | | |
| Series 1997A (Oak Grove Connector, City of Chesapeake) | $2,328,870 | $2,326,620 |

F.1. Out of the amounts provided for this Item, an estimated $152,275,052 the first year and $152,296,812 the second year shall be provided from federal highway and highway assistance reimbursements for the debt service payments on the Federal Highway Reimbursement Anticipation Notes.

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| | 2. Notwithstanding Enactment 6 of Chapters 1019 and 1044, Acts of Assembly of 2000, this act, or any other provision of law, any additional amounts needed to offset the debt service payment requirements on the Transportation Trust Fund attributable to the issuance of Federal Highway Reimbursement Anticipation Notes shall be provided from the Priority Transportation Fund to the extent available and then from the portion of the Transportation Trust Fund available for highway construction purposes prior to making the allocations required by § 33.1-23.1 B of the Code of Virginia. | | | | |
| | 3. Out of this appropriation, $102,700,000 the first year and $109,800,000 the second year from the general fund shall be deposited into the Priority Transportation Fund. These amounts represent the share of insurance premium tax revenues derived from automobile insurance premiums. | | | | |
| 448. | Administrative and Support Services (69900)..... | | | $250,545,478 | ~~$231,463,705~~ *$259,584,291* |
| | General Management and Direction (69901)..... | $161,130,367 | ~~$143,061,206~~ *$170,767,442* | | |
| | Information Technology Services (69902)..... | $66,276,835 | ~~$65,516,938~~ *$65,682,993* | | |
| | Facilities and Grounds Management Services (69915)..... | $11,555,230 | ~~$11,245,020~~ *$11,369,507* | | |
| | Employee Training and Development (69924)..... | $11,583,046 | ~~$11,640,541~~ *$11,764,349* | | |
| | Fund Sources: Commonwealth Transportation..... | $250,545,478 | ~~$231,463,705~~ *$259,584,291* | | |
| | Authority: Title 33.1, Code of Virginia. | | | | |
| | A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction. | | | | |
| | B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects. | | | | |
| | C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Transportation Trust Fund. | | | | |
| | D. Notwithstanding any other provision of law, the Department may assess and collect the costs of providing services to other entities, public and private. The Department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service. | | | | |
| | E. Each year, as part of the six-year financial planning process, the Commissioner shall implement a long-term | | | | |

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business strategy that considers appropriate staffing levels for the department. In addition, the Commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the Commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities. The Commissioner shall include annually in the update of the six-year plan a report on the department's evaluations of outsourcing and devolution opportunities, and the outcome of those evaluations. Such report shall include an analysis of the costs of the services provided by the Commonwealth compared to costs associated with outsourcing those same services.

F. Any action to modernize and integrate the automated systems of the Department of Transportation shall be based on a plan that includes developing the integrated system in phases, or modules. When such plan is approved and to minimize the financial impact, the Department may incrementally budget for the modernization.

G. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

H. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

I. Out of the amounts for General Management and Direction, allocations shall be provided to support the capital lease agreement pursuant to Item C-319 of this act. An amount estimated at $3,500,000 the first year and $8,000,000 the second year shall be provided from Commonwealth Transportation Funds.

J. The Virginia Department of Transportation, with the approval of the Governor and in a form approved by the Attorney General, is hereby authorized and directed to convey, in fee simple, a parcel of property consisting of 10.4 acres, more or less, adjacent to Route 31 (Jamestown Road) and bound by the James River on the south, Route 359 on the north, and Jamestown Road on the west, to the Jamestown-Yorktown Foundation, at no cost to the Foundation, on or before September 1, 2006.

*K. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.*

449. Not set out.

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| 449.10. | 2007 Transportation Initiative (61700) ..... | | | $500,000,000 | $0 |
| | Fund Sources: General ..... | $500,000,000 | $0 | | |
| | Included in this item is $500,000,000 the first year from the general fund to be used to implement the following transportation initiatives: | | | | |
| | 1. $305,000,000 shall be transferred *as necessary to meet required expenditures* to the Transportation Partnership Opportunity Fund to advance acquisition and construction of the following projects, pursuant to § 33.1-12 or § 56-556 et seq, Code of Virginia: Capital Beltway HOT lanes, Hillsville Bypass, I-64/I-264 interchange, Rt. 50 widening in Loudoun and Fairfax Counties, an updated Environmental Impact Statement for Route 37 Eastern Bypass in Frederick County, ~~and~~ right-of-way owned by the Norfolk Southern Corporation and located between Newtown Road and the Oceanfront, *and the Interstate 295/Meadowville Interchange*. Notwithstanding the limitations contained in § 33.1-221.1:8 E, Code of Virginia, the Governor shall provide sufficient grants and loans from this amount to advance acquisition and construction of the projects listed above. | | | | |
| | 2. $65,000,000 shall be transferred *as necessary to meet required expenditures* to the Rail Enhancement Fund to complete funding for the six I-95 rail corridor improvements underway and the travel-time improvements for passenger rail service between Main Street and Staples Mill Stations. Any remaining funds are to be used to address Phase I of the I-81 Rail Corridor improvements, as identified by the Department of Rail and Public Transportation in the 2003 Northeast-Southeast-Midwest Corridor Marketing Study. | | | | |
| | 3. $45,000,000 shall be transferred *as necessary to meet required expenditures* to the Commonwealth Transit Capital Fund to be used to support rolling stock acquisition by the Washington Metropolitan Area Transit Authority ($20,000,000) and the Virginia Railway Express ($15,000,000), and for the Hampton Roads Transit Light Rail project ($10,000,000). An additional $15,000,000 shall be transferred *as necessary to meet required expenditures* to the Mass Transit Capital Assistance Program. | | | | |
| | 4. $50,000,000 shall be transferred *as necessary to meet required expenditures* to the Commonwealth Port Fund to be used for port-related improvements in the Hampton Roads area. Of this amount, up to $40,000,000 may be used to support the Route 164 median rail relocation project. Any remaining funds shall be used to initiate planning for the Craney Island eastward expansion project. | | | | |
| | 5. $20,000,000 shall be *transferred as necessary* ~~used~~ to supplement the Local Road Revenue Sharing Program. | | | | |
| | Total for Department of Transportation..... | | | **$4,183,529,880** | **~~$3,486,656,289~~** ***$3,812,177,262*** |

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| | | Nongeneral Fund Positions | 9,822.00 | 9,823.00 | | |
| | | Position Level | 9,822.00 | 9,823.00 | | |
| | | Fund Sources: General | $642,700,000 | $149,800,000 | | |
| | | Commonwealth Transportation | $3,375,281,890 | ~~$3,018,560,489~~ *$3,271,669,928* | | |
| | | Trust and Agency | $83,259,936 | ~~$233,986,058~~ *$304,795,301* | | |
| | | Debt Service | $82,288,054 | ~~$84,309,742~~ *$85,912,033* | | |
| 450. | | Not set out. | | | | |
| 451. | | Not set out. | | | | |
| | | **§ 1-49. VIRGINIA PORT AUTHORITY (407)** | | | | |
| 452. | | Not set out. | | | | |
| 453. | | Port Facilities Planning, Maintenance, Acquisition, and Construction (62600) | | | $56,626,635 | ~~$57,180,143~~ *$57,430,143* |
| | | Maintenance and Operations of Ports and Facilities (62601) | $4,000,000 | $4,000,000 | | |
| | | Port Facilities Planning (62606) | $647,827 | $680,218 | | |
| | | Debt Service for Port Facilities (62607) | $51,978,808 | ~~$52,499,925~~ *$52,749,925* | | |
| | | Fund Sources: Special | $23,318,549 | ~~$24,186,991~~ *$24,436,991* | | |
| | | Commonwealth Transportation | $33,308,086 | $32,993,152 | | |

Authority: Title 62.1, Chapter 10; Title 33.1, Chapter 1, Code of Virginia.

A.1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued bonds on October 22, 1996, in the amount of $38,300,000 for the purposes of completing the Phase II Expansion at Norfolk International Terminals and replacing and improving equipment at other port facilities. The Director of the Department of Planning and Budget is authorized to adjust the fund sources for Capital Project 407-14271 for the cited bonds, provided that the total appropriations for the project does not exceed the $75,482,880 previously authorized. It is also hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued bonds on April 2, 1998, in the amount of $71,015,000 for the purposes of refunding the outstanding series 1988 Bonds. Debt service on bonds referenced in this paragraph is estimated to be $13,978,055 in the first year and $13,973,733 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on July 11, 2002, in the amount of $135,000,000 to reconstruct the Norfolk International Terminal (South), Capital Project 407-16644, Phase I. The project also includes the replacement of equipment, the purchase of

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the Physical Oceanographic Real-Time System, and other equipment required to enhance the security and protection of the port properties. Debt service on bonds referenced in this paragraph is estimated to be $10,205,818 the first year, and $10,203,143 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on April 14, 2005, in the amount of $60,000,000, for the purpose of regrading and reconstruction of Norfolk International Terminals (South), Phase III, land acquisition, and other improvements, Capital Project 407-16644. The debt service on bonds referenced in this paragraph is estimated to be $4,248,106 the first year and $4,279,356 the second year, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

4. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds; Series 1996, Series 2002, Series 2005, or refunding Series 1998; bonds authorized by paragraphs A. 1., A. 2., and A. 3.; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A. 1., A. 2., and A. 3. is estimated at $28,431,979 the first year and $28,456,232 the second year.

5. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed $265,000,000.

B.1. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has issued Port Facilities Revenue Bonds, Series 1997, in the amount of $98,065,000 to finance the cost of capital projects for the Virginia Port Authority marine and intermodal terminals. Total debt service on the bonds referenced in this paragraph is estimated at $6,857,257 the first year and $6,854,057 the second year from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The Virginia Port Authority is authorized to transfer to the Virginia International Terminals Inc. (VIT), from the revenues of the Authority's port facilities, funds that are available for the purpose under the Authority's applicable Bond Resolution.

2. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on June 18, 2003, issued additional Port Facilities Revenue bonds in the amount of $55,155,000 to regrade and reconstruct the Norfolk International Terminal (South) backlands (Phase II, capital outlay project 407-16644), and to construct

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security related facilities at Norfolk International Terminals (North) and Portsmouth Marine Terminal (capital outlay project 407-16961). Total debt service on these bonds referenced in this paragraph is estimated at $3,484,900 the first year and $3,484,150 the second year from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount of up to $90,000,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals, and other improvements to port facilities (capital outlay project 407-17252). The debt service on these bonds, estimated to be $6,600,000 the first year and $6,600,000 the second year, will be paid from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

4. Prior to this biennium, the Virginia Port Authority purchased, through their master equipment lease program, equipment at a total cost of $47,663,170 (capital outlay projects 407-16962 and 407-16989). Total debt service on the equipment leases referenced in this paragraph is estimated at $5,728,566 the first year and $5,728,566 the second year from special funds, and such lease purchases may be refunded by the Authority.

5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total estimated cost of $12,500,000 (capital outlay project 407-16962). Total debt service referenced in this paragraph is estimated at $840,000 the second year from special funds, and such lease purchases may be refunded by the Authority.

*6. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount of up to $93,000,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals (NIT), reconstruction and expansion of Portsmouth Marine Terminal (PMT), land acquisitions adjacent to NIT and PMT, and other improvements to port facilities (capital outlay project 407-16644). The debt service on these bonds, estimated to be $250,000 the second year, will be paid from special funds, and such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.*

C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain an appropriate account with a qualified public depository. As implementation occurs, these systems and related procedures shall be subject to review and approval by

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| | | the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System. | | | | |
| | | *D. Any additional revenues collected by the Authority during the biennium and not appropriated shall also be used to meet the cost and cash flow for the projects included in paragraph B 6 of this Item and those included in paragraph 4 of Item 449.10 of this Act.* | | | | |
| | 454. | Financial Assistance for Port Activities (62800)..... | | | $1,800,000 | $2,850,000 |
| | | Aid to Localities (62801) ..... | $800,000 | $800,000 | | |
| | | Payment in Lieu of Taxes (62802) ..... | $1,000,000 | $2,050,000 | | |
| | | Fund Sources: General..... | $0 | $1,000,000 | | |
| | | Special..... | $1,000,000 | $1,050,000 | | |
| | | Commonwealth Transportation ..... | $800,000 | $800,000 | | |
| | | Authority: Title 62.1, Chapter 10, Code of Virginia. | | | | |
| | | Of the amounts in this Item, $1,000,000 the second year from the general fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate. The funds shall be transferred to Item 444 of this act for distribution by the Commonwealth Transportation Board for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities and shall be treated as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units. | | | | |
| | 455. | Not set out. | | | | |
| | | Total for Virginia Port Authority..... | | | **$77,947,316** | **~~$80,774,946~~** ***$81,024,946*** |
| | | Nongeneral Fund Positions..... | 167.00 | 167.00 | | |
| | | Position Level ..... | 167.00 | 167.00 | | |
| | | Fund Sources: General..... | $0 | $1,000,000 | | |
| | | Special..... | $42,665,230 | ~~$44,807,794~~ *$45,057,794* | | |
| | | Commonwealth Transportation ..... | $35,282,086 | $34,967,152 | | |
| | 455.10. | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF TRANSPORTATION ..... | | | **$4,918,301,505** | **~~$4,344,074,234~~** ***$4,705,651,933*** |
| | | Nongeneral Fund Positions..... | 12,051.00 | 12,204.00 | | |
| | | Position Level ..... | 12,051.00 | 12,204.00 | | |
| | | Fund Sources: General..... | $642,744,067 | $150,844,067 | | |
| | | Special..... | $110,818,322 | ~~$206,426,194~~ | | |

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|---|---|---|---|---|---|
| | | | *$206,677,574* | | |
| | Commonwealth Transportation | $3,915,156,873 | ~~$3,581,497,220~~ | | |
| | | | *$3,870,412,005* | | |
| | Trust and Agency | $134,346,536 | ~~$288,272,658~~ | | |
| | | | *$359,081,901* | | |
| | Debt Service | $82,288,054 | ~~$84,309,742~~ | | |
| | | | *$85,912,033* | | |
| | Federal Trust | $32,947,653 | $32,724,353 | | |

| ITEM 455.20. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **CENTRAL APPROPRIATIONS** | | | | |
| | **§ 1-50. CENTRAL APPROPRIATIONS (995)** | | | | |
| 455.20. | Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100) | | | $0 | ~~$12,700,000~~ *$16,678,402* |
| | Interest Earned on Educational and General Programs Revenue (11106) | $0 | ~~$12,700,000~~ *$16,678,402* | | |
| | Fund Sources: General | $0 | ~~$12,700,000~~ *$16,678,402* | | |
| | Authority: Discretionary Inclusion. | | | | |
| | A The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.02 of this act, as approved by the General Assembly. | | | | |
| | B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.02 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee. | | | | |
| | C. In accordance with § 2.2-5004 and 5005, Code of Virginia, this Item provides ~~$11,000,000~~ *$15,066,217* from the general fund the second year for the estimated total payment to individual institutions of higher education of the interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education of Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program. | | | | |
| | D. This Item also includes ~~$1,700,000~~ *$1,612,185* from the general fund the second year for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the State Commonwealth on credit card purchases not exceeding $5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution using a methodology that equates a pro rata share based upon the total transactions of $5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of $5,000 or less using said approved credit card. By August 15, or as soon | | | | |

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|---|---|---|---|---|---|---|
| | | thereafter as deemed appropriate, following the year of certification, the Comptroller shall reimburse each institution its estimated pro rata share. | | | | |
| | | E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data. | | | | |
| | *455.30.* | *Miscellaneous Reversion Clearing Account (22600).....* | | | *$0* | *($285,364,163)* |
| | | *Designated Reversions From Agency Appropriations (22601) .....* | *$0* | *($285,364,163)* | | |
| | | *Fund Sources: General.....* | *$0* | *($285,364,163)* | | |
| | | *Authority: Discretionary Inclusion.* | | | | |
| | | *A.1. To accomplish general fund savings estimated at $271,964,163, the appropriations of the following agencies shall be reduced in the second year of the biennium.* | | | | |

| ***Agency Name*** | ***Amount*** |
|---|---|
| *Office of the Governor and Cabinet Offices* | *779,280* |
| *Office of the Attorney General and Department of Law* | *870,319* |
| *Department of Human Resource Management* | *260,550* |
| *State Board of Elections* | *546,431* |
| *Compensation Board* | *3,223,604* |
| *Human Rights Council* | *19,629* |
| *Department of Charitable Gaming* | *133,541* |
| *Department of General Services* | *1,120,993* |
| *Department of Minority Business Enterprise* | *37,491* |
| *Department of Employment Dispute Resolution* | *53,789* |
| *Department of Agriculture and Consumer Services* | *1,381,079* |
| *Department of Forestry* | *853,184* |
| *Department of Housing and Community Development* | *1,205,939* |
| *Department of Labor and Industry* | *256,000* |
| *Virginia Employment Commission* | *82,167* |
| *Virginia Economic Development Partnership* | *802,396* |
| *Virginia Tourism Authority* | *867,513* |
| *Department of Business Assistance* | *515,352* |
| *Department of Mines, Minerals and Energy* | *185,936* |
| *The Science Museum of Virginia* | *165,014* |
| *Virginia Commission For the Arts* | *191,220* |
| *Direct Aid to Public Education* | *8,815,595* |
| *Department Of Education, Central Office Operations* | *978,060* |
| *The Library of Virginia* | *1,244,481* |
| *The College of William and Mary in Virginia* | *3,032,163* |
| *University of Virginia* | *9,557,710* |
| *Virginia Polytechnic Institute and State University* | *10,699,993* |
| *Virginia Military Institute* | *981,362* |
| *Virginia State University* | *1,243,355* |
| *Norfolk State University* | *2,027,454* |
| *Longwood University* | *1,669,511* |
| *University of Mary Washington* | *1,463,234* |

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|---|---|---|---|---|
| *James Madison University* | | *4,781,540* | | |
| *Radford University* | | *2,433,385* | | |
| *Virginia School For the Deaf and the Blind At Staunton* | | *48,000* | | |
| *Virginia School for the Deaf, Blind and Multi-Disabled at Hampton* | | *158,974* | | |
| *Old Dominion University* | | *5,649,366* | | |
| *VPI Cooperative Extension and Agricultural Experiment Station* | | *2,437,555* | | |
| *VSU Cooperative Extension and Agricultural Research Services* | | *23,563* | | |
| *Virginia Commonwealth University* | | *9,673,450* | | |
| *Virginia Museum of Fine Arts* | | *363,735* | | |
| *Frontier Culture Museum of Virginia* | | *51,612* | | |
| *Richard Bland College* | | *291,936* | | |
| *Christopher Newport University* | | *1,369,720* | | |
| *State Council of Higher Education For Virginia* | | *157,730* | | |
| *University of Virginia's College at Wise* | | *950,325* | | |
| *George Mason University* | | *6,957,313* | | |
| *Virginia Community College System* | | *19,097,478* | | |
| *Virginia Institute of Marine Science* | | *1,012,743* | | |
| *Eastern Virginia Medical School* | | *616,010* | | |
| *Jamestown 2007* | | *20,272* | | |
| *Gunston Hall* | | *22,068* | | |
| *Jamestown-Yorktown Foundation* | | *410,040* | | |
| *Institute for Advanced Learning and Research* | | *311,083* | | |
| *Roanoke Higher Education Authority* | | *38,610* | | |
| *Jefferson Science Associates, LLC* | | *79,112* | | |
| *Southern Virginia Higher Education Center* | | *43,004* | | |
| *New College Institute* | | *37,500* | | |
| *Southwest Virginia Higher Education Center* | | *60,475* | | |
| *Higher Education Research Initiative* | | *159,000* | | |
| *Department of Planning and Budget* | | *410,042* | | |
| *Department of Accounts* | | *201,957* | | |
| *Department of the Treasury* | | *442,000* | | |
| *Department of Taxation* | | *4,396,322* | | |
| *Department for the Aging* | | *709,441* | | |
| *Comprehensive Services For At-Risk Youth and Families* | | *478,911* | | |
| *Woodrow Wilson Rehabilitation Center* | | *334,978* | | |
| *Department of Rehabilitative Services* | | *1,319,543* | | |
| *Department of Health* | | *6,346,784* | | |
| *Department of Medical Assistance Services* | | *60,610,769* | | |
| *Virginia Board for People with Disabilities* | | *16,320* | | |
| *Department For the Blind and Vision Impaired* | | *346,875* | | |
| *Department of Mental Health, Mental Retardation and Substance Abuse Services* | | *561,018* | | |
| *Department for the Deaf and Hard-of-Hearing* | | *68,927* | | |
| *Department of Social Services* | | *8,318,308* | | |
| *Mental Health Treatment Centers* | | *11,592,350* | | |
| *Mental Retardation Training Centers* | | *3,310,694* | | |
| *Virginia Center for Behavioral Rehabilitation* | | *1,398,185* | | |
| *Department of Conservation and Recreation* | | *2,248,750* | | |
| *Marine Resources Commission* | | *753,722* | | |
| *Department of Historic Resources* | | *70,005* | | |
| *Department of Environmental Quality* | | *17,237,487* | | |
| *Department of Military Affairs* | | *413,000* | | |
| *Department of Emergency Management* | | *462,000* | | |
| *Department of Criminal Justice Services* | | *11,476,485* | | |
| *Department of State Police* | | *5,037,900* | | |
| *Department of Correctional Education* | | *1,900,000* | | |
| *Department of Juvenile Justice* | | *6,297,899* | | |
| *Department of Forensic Science* | | *1,693,100* | | |
| *Department of Corrections* | | *18,930,000* | | |
| *Department of Veterans Services* | | *288,236* | | |
| *Commonwealth's Attorneys' Services Council* | | *35,000* | | |
| *Virginia Information Technologies Agency* | | *127,065* | | |
| *Innovative Technology Authority* | | *312,000* | | |
| *Virginia Port Authority* | | *50,000* | | |
| *Department of Aviation* | | *2,203* | | |

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|---|---|---|---|---|
| *Central Appropriations* | | *50,000* | | |
| *State Grants To Nonstate Entities* | | *1,260,443* | | |
| *Central Capital Outlay* | | *3,335,500* | | |
| ***Total*** | | *$285,364,163* | | |

*2. The Director, Department of Planning and Budget shall transfer the savings resulting from such withheld appropriations to this iem.*

*B. The provisions of paragraph J of Item 66, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"J. Out of this appropriation $118,110 the first year and $105,492 the second year from the general fund is designated for executive management, lawful employment practices, and new deputy and jail management training for constitutional officers, their employees, and regional jail superintendents."*

*C. The provisions of paragraph G of Item 98, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"G. A total of $1,100,493 the first year and $1,145,140 the second year from the general fund is provided for the Reforestation of Timberlands Program. This appropriation is deemed sufficient to meet the provisions of Titles 10.1 and 58.1 Code of Virginia."*

*D. The provisions of paragraph B of Item 102, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"B.1. Out of the amounts for Economic Development Services shall be provided $148,700 the first year and $141,235 the second year from the general fund to the Virginia-Israel Advisory Board.*

*2. The Virginia-Israel Advisory Board shall report by January 15 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the Board's activities and expenditure of state funds."*

*E. The provisions of paragraph C of Item 104, of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"C. Out of the amounts for Community Development Services shall be paid from the general fund in four equal quarterly installments each year:*

*1. To the Lenowisco Planning District Commission, $128,610 the first year and $122,180 the second year, which includes $38,610 the first year and $38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.*

*2. To the Cumberland Plateau Planning District Commission, $132,390 the first year and $125,771 the second year, which includes $42,390 the first year and $42,390 the second year for responsibilities originally*

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|---|---|---|---|---|

*undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.*

*3. To the Mount Rogers Planning District Commission, $90,000 the first year and $85,500 the second year.*

*4. To the New River Valley Planning District Commission, $90,000 the first year and $85,500 the second year.*

*5. To the Roanoke Valley-Alleghany Regional Commission, $90,000 the first year and $85,500 the second year.*

*6. To the Central Shenandoah Planning District Commission, $90,000 the first year and $85,500 the second year.*

*7. To the Northern Shenandoah Valley Regional Commission, $90,000 the first year and $85,500 the second year.*

*8. To the Northern Virginia Regional Commission, $303,499 the first year and $288,324 the second year.*

*9. To the Rappahannock-Rapidan Regional Commission, $90,000 the first year and $85,500 the second year.*

*10. To the Thomas Jefferson Planning District Commission, $90,000 the first year and $85,500 the second year.*

*11. To the Region 2000 Regional Commission, $90,000 the first year and $85,500 the second year.*

*12. To the West Piedmont Planning District Commission, $90,000 the first year and $85,500 the second year.*

*13. To the Southside Planning District Commission, $90,000 the first year and $85,500 the second year.*

*14. To the Piedmont Planning District Commission, $90,000 the first year and $85,500 the second year.*

*15. To the Richmond Regional Planning District Commission, $165,277 the first year and $157,013 the second year.*

*16. To the RADCO Planning District Commission, $90,000 the first year and $85,500 the second year.*

*17. To the Northern Neck Planning District Commission, $90,000 the first year and $85,500 the second year.*

*18. To the Middle Peninsula Planning District Commission, $90,000 the first year and $85,500 the second year.*

*19. To the Crater Planning District Commission, $90,000 the first year and $85,500 the second year.*

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*20. To the Accomack-Northampton Planning District Commission, $90,000 the first year and $85,500 the second year.*

*21. To the Hampton Roads Planning District Commission $293,995 the first year, and $279,295 the second year."*

*F. The provisions of paragraph D of Item 104, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D. Out of the amounts provided to the Department shall be provided $2,463,112 the first year and $1,484,956 the second year from the general fund for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The Department shall disburse the total payment each year in twelve equal monthly installments. Of these amounts, at least $900,000 the first year shall be used for indoor plumbing rehabilitation."*

*G. The provisions of paragraph G of Item 104, of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"G.1. Out of the amounts in this iem shall be provided $100,000 the first year and $95,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the Center.*

*2. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing rural economic development problems. Any unexpended balance for the Center for Rural Virginia at the close of business on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward and reappropriated."*

*H. The provisions of paragraph M of Item 104, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"M. Out of the amounts for Community Development Services shall be provided $75,000 the first year and $71,250 the second year from the general fund to support The Crooked Road: Virginia's Heritage Music Trail."*

*I. The provisions of paragraph N of Item 104, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"N. Out of the amounts for Community Development Services shall be provided $660,000 the first year and*

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*$580,000 the second year from the general fund to support the creation of industry-focused regional research and development centers. Funds shall be used to provide grants to two communities, which may include but are not limited to Hopewell and Lynchburg, which will partner with a higher education institution in the development of the regional research and development centers. These centers will support existing industry clusters by providing research on product and process development and enhancements. The Department shall submit a report to the Chairmen of the Senate Finance and House Appropriations Committees by December 31, 2007, on the benefits and costs of the two regional research and development centers, including but not limited to the number of jobs created or retained by participating industries, investments made by participating institutions of higher education, and number of joint higher education-private sector projects."*

*J. The provisions of paragraph S of Item 104, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"S. A total of $2,400,000 the first year and $2,214,155 the second year from the general fund shall be provided to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts. The Department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the item for this purpose on June 30, 2007, and June 30, 2008, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted."*

*K. The provisions of paragraph K of Item 119, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"K. Out of the amounts for Economic Development Services shall be provided $100,000 the first year and $95,000 the second year from the general fund to the Virginia Commercial Space Flight Authority."*

*L. The provisions of paragraph M of Item 119, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"M. Out of the amounts for Economic Development Services shall be provided $125,000 the first year and $75,000 the second year from the general fund to attract motor sports-related businesses to Virginia."*

*M. The provisions of paragraph P of Item 119, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"P.1. Out of the amounts for Economic Development Services shall be provided $510,000 the first year and $484,500 the second year from the general fund for operations of the Virginia National Defense Industrial Authority.*

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*2. Employees of the Authority shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law."*

*N. The provisions of paragraph E of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E. Out of the amounts for Tourist Promotion shall be provided $100,000 the first year and $95,000 the second year from the general fund to the Virginia Foundation for the Humanities and Public Policy to develop African-American heritage trails in Virginia programs. Funds may be used to support research positions and to develop such programs, as well as to promote and market the programs."*

*O. The provisions of paragraph F of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"F. Out of the amounts for Tourist Promotion shall be provided $225,000 the first year and $213,750 the second year from the general fund for the Tredegar National Civil War Center, a national comprehensive museum and education center in the City of Richmond."*

*P. The provisions of paragraph G of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"G. Out of the amounts for Tourist Promotion shall be provided $2,500,000 the first year and $770,555 the second year from the general fund to advertise and market the Jamestown 2007 commemoration and for a partnership leveraging program."*

*Q. The provisions of paragraph I of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. Out of the amounts provided for Tourist Promotion, $250,000 the first year and $237,500 the second year from the general fund shall be provided to "See Virginia First," a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism. The Virginia Association of Broadcasters shall provide a total of at least $750,000 in advertising value to promote tourism in Virginia in each fiscal year."*

*R. The provisions of paragraph J of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"J. Out of the amounts provided for Tourist Promotion, $110,000 the first year and $104,500 the second year from the general fund shall be provided to support the "See Virginia First" cooperative advertising program operated by the Outdoor Advertising Association of Virginia. The Outdoor Advertising Association of*

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|---|---|---|---|---|

*Virginia shall provide a total of at least $330,000 in advertising value to promote tourism in Virginia in each fiscal year."*

*S. The provisions of paragraph P of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"P. The Virginia Tourism Authority is authorized to accept on behalf of the Commonwealth the conveyance, by deed in a form satisfactory to the Attorney General, of the Potomac Gateway Welcome Center located at 3540 James Madison Parkway in King George County. A Memorandum of Agreement shall be executed to delineate the responsibilities of each party with regard to the operation and maintenance of the Center. To assist in the transition of the Center to ownership by the Commonwealth $80,000 from the general fund the first year and $195,335 the second year shall be provided to cover the Center's operating costs."*

*T. The provisions of paragraph R of Item 125, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"R. Out of the amounts for this item, $115,000 the second year from the general fund shall be appropriated to support the operations of the Danville Welcome Center."*

*U. The provisions of paragraph G of Item 127, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"G. Out of this appropriation, $469,071 the first year and $189,000the second year from the general fund is designated to support the state's portion of the contract for the turnaround specialist credential program. Included in the amount for Item 135 of this act is $613,439 the first year and $613,439 the second year from the general fund for salary incentives for 10 principals each year for a period of three years."*

*V. The provisions of paragraph I 2 of Item 145, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I.2. A total of $750,000 in the first year and $720,000 in the second year from the general fund is provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty."*

*W. The provisions of paragraph I 3 of Item 145, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I.3. A total of $750,000 in the first year and $720,000 in the second year from the general fund is provided to the University of Virginia to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of*

| ITEM 455.30. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

*nursing faculty."*

*X. The provisions of paragraph C of Item 178, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"C. Out of this appropriation $4,726,361 and 41.88 positions the first year from the general fund and $1,440,000 and 12.62 positions the first year from nongeneral funds and $4,631,718 and 41.88 positions the second year from the general fund and $1,440,000 and 12.62 positions the second year from nongeneral funds is designated for the TELETECHNET program at 22 community college sites."*

*Y. The provisions of paragraph B 1 of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"B.1. A total of $5,978,735 first year and $5,932,772 the second year from the general fund is provided for the operation of the Family Practice Residency Program."*

*Z. The provisions of paragraph D 1 of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D.1. A total of $387,500 first year and $368,125 the second year from the general fund is designated for the Virginia Center on Aging. This includes $205,000 the first year and $194,750 the second year for the Alzheimer's and Related Diseases Research Award."*

*AA. The provisions of paragraph D 2 of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D.2. A total of $375,000 from the general fund and $375,000 from nongeneral funds first year and $356,250 from the general fund and $375,000 from nongeneral funds the second year is provided for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program."*

*BB. The provisions of paragraph I of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. A total of $300,000 first year and $285,000 the second year from the general fund is designated for support of the Council on Economic Education."*

*CC. The provisions of paragraph J of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"J. A total of $48,500 first year and $46,075 the second year from the general fund is designated for support of the Education Policy Institute."*

*DD. The provisions of paragraph M of Item 203, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

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*"M. A total of $250,000 the first year and $285,000 the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership."*

*EE. The provisions of paragraph A of Item 222, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A. A total of $7,525,000 from the general fund and $15,000,000 from nongeneral funds in the first year and $6,977,250 from the general fund and $15,000,000 from nongeneral funds in the second year are designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology. "*

*FF. The provisions of paragraph D of Item 242, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D. A total of $92,000 the first year from the general fund is designated to support the Eastern Virginia Area Health Education Center."*

*GG. The provisions of paragraph E 1 of Item 263 of Chapter 847, 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E.1. Out of this appropriation, $1,182,500 the first year and $1,062,500 the second year from the general fund is provided to support the continuation of the school efficiency reviews program. Any school division undergoing an efficiency review shall provide a report to the Department of Planning and Budget indicating what action has been taken on each recommendation identified in the efficiency review along with any budget savings realized for each recommendation. The report shall also include a schedule for implementation of the remaining recommendations not implemented to date. The Department of Planning and Budget shall forward copies of the reports to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees within 30 days of receiving such reports. The first report shall be made within six months following the receipt of the final efficiency review, and subsequent follow-up reports shall be submitted annually by June 30th until 100 percent of the recommendations have been implemented or rationale reported that explain and address the division's lack of such implementation. The Department of Planning and Budget shall provide the format for such report that shall include budget savings realized for each recommendation implemented."*

*HH. The provisions of paragraph I of Item 279, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. A total of $965,579 the first year from the Temporary Assistance for Needy Families (TANF) block grant and $486,668 from the general fund and $478,911 from the TANF grant the second year shall be designated for the "Community Services Trust Fund for Youth and Families." The Department of Social*

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*Services shall assist the Office of Comprehensive Services in developing procedures to support these activities."*

*II. The provisions of paragraphs A through K of Item 280, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.1. Out of this appropriation, $564,964 the first year and $536,716 the second year shall be provided from the general fund to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.*

*2. Out of this appropriation, $391,691 the first year and $320,334 the second year from the general fund shall be transferred to the Virginia Respite Care Grant Fund authorized by §2.2-716, Code of Virginia, to provide grants to community respite care organizations.*

*B.1. Out of this appropriation, $923,000 the first year and $923,000 the second year shall be provided from the general fund to support local programs of the Virginia Public Guardian and Conservator Program. Up to $5,000 of this appropriation each year may be used for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.*

*2. Out of this appropriation, $79,000 the first year and $75,050 the second year shall be provided from the general fund for the administration of the public guardianship programs and for no other purpose.*

*3. Out of this appropriation, $132,000 the first year and $132,000 the second year from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or mental retardation who are 18 years of age and older.*

*C. Out of this appropriation, $148,014 the first year and $140,613 the second year shall be provided from the general fund to support adult day care services at the Oxbow Center in Wise County.*

*D. Out of this appropriation, $53,605 the first year and $50,925 the second year shall be provided from the general fund for the Norfolk Senior Center.*

*E. Out of this appropriation, $20,002 the first year and $19,002 the second year shall be provided from the general fund for the Korean Intergenerational and Multi-purpose Senior Center.*

*F. Out of this appropriation, $98,009 the first year and $93,109 the second year shall be provided from the general fund for the Jewish Family Service of Tidewater.*

*G. Out of this appropriation, $80,008 the first year and $76,008 the second year shall be provided from the general fund for a companion care program to be*

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*administered by Mountain Empire Older Citizens, Inc.*

*H. Out of this appropriation, $364,809 the first year and $346,569 the second year shall be provided from the general fund for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.*

*I. Out of this appropriation, $22,224 the first year and $21,113 the second year shall be provided from the general fund for the development of adult day care services to be managed by Mountain Empire Older Citizens, Inc. and the Junction Center for Independent Living, Inc.*

*J. Out of this appropriation, $250,000 the first year and $237,500 the second year shall be provided from the general fund to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.*

*K. Out of this appropriation, $390,000 the first year and $370,500 the second year from the general fund shall be provided to Bay Aging. Of these amounts, $90,000 the first year and $85,500 the second year shall be used to address unmet local needs and $300,000 the first year and $285,000 $285,000 the second year from the general fund shall be used to supplement private donations and other resources for Adult Day Break Services provided by Bay Aging in partnership with local churches."*

*JJ. The provisions of paragraph D. of Item 286, of Chapter 847, of the 2007 Acts of Assembly, are repealed.*

*KK. The provisions of paragraph E 1 of Item 289, Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E.1 Out of this appropriation, $300,000 the first year and $285,000 the second year shall be provided to establish a state pharmaceutical assistance program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries."*

*LL. The provisions of paragraph B 1 of Item 291, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"B.1. Out of this appropriation, $176,800 the first year and $88,400 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant and $88,400 the second year from the general fund shall be designated for the Resource Mothers Sibling program."*

*MM. The provisions of paragraph C of Item 291, of Chapter 847, of the 2007 Acts of Assembly, are*

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*repealed and reenacted as follows:*

*"C. Out of this appropriation, $765,000 the first year and $426,250 the second year from the federal Temporary Assistance to Needy Families (TANF) block and $426,250 the second year from the general fund shall be designated for the Partners in Prevention Program."*

*NN. The provisions of paragraph D of Item 291, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D. Out of this appropriation, $910,000 the first year and $498,750 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant and $498,750 the second year from the general fund shall be designated for the operation of the teenage pregnancy prevention programs."*

*OO. The provisions of paragraph H of Item 291, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. Out of this appropriation, $100,000 from the general fund the second year shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program."*

*PP. The provisions of paragraph E of Item 292, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E. Out of this appropriation, $75,000 the second year from the general fund shall be used to match available special funds for the development and implementation of an electronic medical records system for local health departments. Release of this appropriation shall be contingent upon the Virginia Department of Health collaborating with the Secretary of Technology to pursue a multi-source procurement. This procurement will ensure interoperability and be consistent with federal standards for the electronic exchange of health information."*

*QQ. The provisions of paragraph A 1 of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.1. Out of this appropriation, $571,000 the first year and $1,070,945 the second year from the general fund is provided to the Comprehensive Health Investment Project (CHIP) of Virginia."*

*RR. The provisions of paragraph A 2 of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.2. The Department of Social Services shall provide*

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*$2,141,890 the first year and $1,070,945 the second year from the federal Temporary Assistance for Needy Families (TANF) grant to the CHIP of Virginia."*

*SS. The provisions of paragraph B of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"B. Out of this appropriation shall be provided $95,625 the first year and $90,844 the second year from the general fund for the Alexandria Neighborhood Health Services, Inc. The organization shall pursue raising funds and in-kind contributions from the local community."*

*TT. The provisions of paragraph C of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"C. Out of this appropriation shall be provided $11,250 the first year and $11,250 the second year from the general fund for the Louisa County Resource Council. The Council shall continue to pursue raising funds and in-kind contributions from the local community."*

*UU. The provisions of paragraph H of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. Out of this appropriation, $295,920 the first year and $281,124 the second year from the general fund are provided to support the development of the Southwest Virginia Graduate Medical Education Consortium to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia."*

*VV. The provisions of paragraph I of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. Out of this appropriation, $605,000 the first year and $574,750 the second year from the general fund are provided to support the regional AIDS resource and consultation centers and one local early intervention and treatment center."*

*WW. The provisions of paragraph J of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"J. Out of this appropriation, $114,750 the first year and $109,012 the second year is provided from the general fund to support the Arthur Ashe Center in Richmond."*

*XX. The provisions of paragraph L 1 of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"L.1. Out of this appropriation, $3,630,571 the first year and $3,876,542 the second year from the general fund and $200,000 the first year from federal funds shall be paid to the Virginia Health Care Foundation.*

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*These funds shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The Foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The Foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on Foundation initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30."*

*YY. The provisions of paragraph M of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"M. Out of this appropriation, $26,775 the first year and $25,436 the second year from the general shall be provided to the Chesapeake Adult General Medical Clinic."*

*ZZ. The provisions of paragraph N of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"N. Out of this appropriation, $306,271 the first year and $290,957 the second year from the general is provided to support the administration of the patient level data base, including outpatient data reporting system."*

*AAA. The provisions of paragraph O of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"O. Out of this appropriation, $100,000 the first year and $95,000 the second year from the general shall be provided to the St. Mary's Health Wagon."*

*BBB. The provisions of paragraph P 1 a of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"P.1.a. Out of this appropriation, $900,000 the first year and $350,000 the second year from the general shall be provided to encourage the adoption of electronic health records throughout the Commonwealth."*

*CCC. The provisions of paragraph P 2 of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed.*

*DDD. The provisions of paragraph P 3 of Item 293, of*

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*Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"P.3. Out of this appropriation, $750,000 the first year and $350,000 the second year shall be used to issue grants to providers for the acquisition of electronic health records."*

*EEE. The provisions of paragraph Q of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"Q. Out of this appropriation, $100,000 the first year and $95,000 the second year shall be used to continue the pilot project connecting public health providers to Carilion Health System's electronic health records system. The clinical sites shall be local health departments. The Department shall be responsible, in collaboration with the Carilion Health System, for designing, implementing, administering, and evaluating the pilot program. The amount allocated to each clinical site by the Department of Health shall be used to pay for operational support, infrastructure, software licensing, and connectivity."*

*FFF. The provisions of paragraph U of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"U. This appropriation includes $333,072 the first year and $316,418 the second year from the general fund for the health planning fund in accordance with § 32.1-122.06, Code of Virginia."*

*GGG. The provisions of paragraph V of Item 293, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"V. Out of this appropriation, $50,000 from the general fund the second year is for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The department shall develop criteria for distributing these funds including specific goals and outcome measures. Beginning June 30, 2008 and each year thereafter, a report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees detailing program outcomes."*

*HHH. The distributions included for mental health treatment centers in Item 318 of Chapter 847, of the 2007 Acts of Assembly, shall be adjusted to reflect reductions in the second year included in Paragraph A of this item.*

*III. The distributions included for mental retardation training centers in Item 323 of Chapter 847, of the 2007 Acts of Assembly, shall be adjusted to reflect reductions in the second year included in Paragraph A of this item.*

*JJJ. The provisions of paragraph C. of Item 337, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

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*"C. A total of $500,000 the first year and $500,000 the second year from the general fund is provided for the Virginia Caregivers Grant Program."*

*KKK. The provisions of paragraph E of Item 337, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E. A total of $125,000 the first year and $475,789 the second year from the general fund and $1,062,500 the first year and $711,711 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority. "*

*LLL. The provisions of paragraph I of Item 337, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. A total of $127,500 the first year and $63,750 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant and $63,750 the second year from the general fund shall be provided for a domestic violence awareness campaign."*

*MMM. The provisions of paragraph H of Item 338, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. A total of $1,332,959 from the general fund and $4,139,820 from the federal Temporary Assistance for Needy Families (TANF) grant the first year and $3,402,869 from the general fund and $2,069,910 from the TANF grant the second year shall be provided to Healthy Families Virginia. These funds shall be used at the discretion of local sites for obtaining matching Title IV-E nongeneral funds when available. The Department of Social Services shall continue to allocate funds from this item to the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Healthy Families Virginia program."*

*NNN. The provisions of paragraph A 2 of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.2. A total of $2,664,786 the first year and $4,613,715 the second year from the general fund and $3,397,859 the first year and $1,698,930 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided for community action agencies to promote self-sufficiency."*

*OOO. The provisions of paragraph A 3 of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.3. Out of this appropriation, $230,000 the first year and $218,500 the second year shall be provided to the*

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*Virginia Community Action Partnership to support the Virginia Earned Income Tax Coalition and provide grants to local organizations to provide outreach, education and tax preparation services to citizens who may be eligible for the federal Earned Income Tax Credit. The Virginia Community Action Partnership shall report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of the federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Legislative Audit and Review Commission by December 1 each year."*

*PPP. The provisions of paragraph D 1 of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D.1. Out of this appropriation, $1,000,000 the first year and $1,425,000 the second year from the general fund shall be provided to establish the Virginia Early Childhood Foundation. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided. Funds shall be awarded to proposals that seed and foster community programs that enhance the health, safety and well-being of Virginia's youth. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30."*

*QQQ. The provisions of paragraph F of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"F. A total of $637,500 the first year and $318,750 the second year from the federal Temporary Assistance for Needy Families block grant and $318,750 the second year from the general fund shall be provided to Centers for Employment and Training."*

*RRR. The provisions of paragraph G of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"G. A total of $85,000 the first year and $42,500 the second year from the federal Temporary Assistance for Needy Families block grant and $42,500 the second year from the general fund shall be provided to St. Paul's College Project."*

*PPP. The provisions of paragraph H of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. A total of $42,500 the first year and $21,250 the*

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*second year from the federal Temporary Assistance for Needy Families block grant and $21,250 the second year from the general fund shall be provided to People Inc."*

*SSS. The provisions of paragraph I of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"I. A total of $38,250 the first year and $19,125 the second year from the federal Temporary Assistance for Needy Families block grant and $19,125 the second year from the general fund shall be provided to United Ministries."*

*TTT. The provisions of paragraph J of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"J. A total of $21,250 the first year and $10,625 the second year from the federal Temporary Assistance for Needy Families block grant and $10,625 the second year from the general fund shall be provided to Craig County for the provision of child care services."*

*UUU. The provisions of paragraph K of Item 340, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"K. A total of $200,000 the first year and $100,000 the second year from the federal Temporary Assistance for Needy Families block grant and $100,000 the second year from the general fund shall be provided to Child Advocacy Centers."*

*VVV. The provisions of paragraph D 2 of Item 358 of Chapter 847, 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"D.2. Included in this item is $9,000 the second year from the general fund to support the Rappahannock River basin Commission. The funds shall be matched by the participating localities and planning district commissions."*

*WWW. The provisions of paragraph L of Item 359 of Chapter 847, 2007 Acts of Assembly, are repealed.*

*XXX. The provisions of paragraph A 1 of Item 359 of Chapter 847, 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A.1 Out of the amount for financial assistance for Recreational Development shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed $225,000 the first year and $213,750 the second year from the general fund."*

*YYY. The provisions of paragraph H of Item 359 of Chapter 847, 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. Out of the amount for State Park Management and Operations, $650,000 from the general fund is*

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*appropriated in the first year and $650,000 from the Small Watershed Loan Fund in the second year for the repair of dams in state parks. Priority should be given to repairs that are necessary to protect life and safety."*

*ZZZ. The provisions of paragraph F of Item 362 of Chapter 847, 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"F. Out of the amounts for this item shall be paid $50,000 the first year and $47,500 the second year from the general fund to the Chesapeake Bay Foundation to support Chesapeake Bay education field studies."*

*AAAA. The provisions of paragraph G of Item 370 of Chapter 847 or the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"G. Notwithstanding the requirements of §10.1-2213.1, Code of Virginia, $458,278 in the first year and $380,890 in the second year from the general fund is provided as a matching grant for charitable contributions received by the Montpelier Foundation on or after July 1, 2003, that were actually spent in the material restoration of Montpelier between July 1, 2003 and September 30, 2006."*

*BBBB. The provisions of paragraph H of Item 370 of Chapter 847 or the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"H. Out of the amounts appropriated for Financial Assistance for Historic Preservation, $500,000 the first year and $190,000 the second year from the general fund is provided to the Department for the purpose of creating a Civil War Historic Site Preservation Fund from which the Department shall make grants to private nonprofit organizations to match federal and other monies for preservation of any endangered Virginia Civil War historic sites listed in the report "Report on the Nation's Civil War Battlefields," issued in 1993 by the National Parks Service's congressionally endorsed Civil War Sites Advisory Commission. Eligibility for these grants shall require recipient nonprofit organizations to provide at least $2 in matching funds for each $1 received from the Civil War Historic Site Preservation Fund. Sites identified within the Commonwealth by the Civil War Sites Advisory Commission that are eligible for funding through this program include, but are not limited to: Appomattox in Appomattox County, Brandy Station in Culpeper County, Chancellorsville in Spotsylvania County, Cold Harbor in Hanover County, Fredericksburg in the City of Fredericksburg and Spotsylvania County, Glendale in Henrico County, New Market in Shenandoah County, and Petersburg in the City of Petersburg and Dinwiddie County."*

*CCCC. The provisions of paragraph C 1 of Item 383 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"C.1. Included within this appropriation, is $1,458,000*

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*the first year and $2,608,583 the second year from the general fund to implement the expanded monitoring of sex offenders using global positioning system (GPS) or other tracking devices as required by Chapters 853, 857, and 914 of the 2006 Acts of Assembly."*

*DDDD. The provisions of paragraph A 2 of Item 387 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"A.2. The appropriation in this item includes $500,000 the first year and $4,966,207 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of developing the offender management system and, in the second year, also to defray a portion of the general costs of operating correctional facilities."*

*EEEE. The provisions of paragraph N of Item 387 of Chapter 847, 2007 Acts of Assembly are repealed.*

*FFFF The provisions of paragraph B 1 a of Item 391 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"B.1.a. Regional training academies for criminal justice training, $1,188,970 the first year and $1,101,101 the second year from the general fund and an estimated $1,500,000 the first year and an estimated $1,500,000 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies."*

*GGGG. The provisions of paragraph B of Item 395 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"B. Included within this appropriation is $2,375,000 from the general fund the second year for the Department of Emergency Management to establish an Evacuation Facility Grant Program. The intent of this program is to ensure adequate facilities are available to house individuals forced to leave their homes due to an emergency. The department shall develop grant criteria that shall be reviewed and approved by the Secretary of Public Safety prior to the grant solicitations."*

*HHHH. The provisions of paragraph A of Item 397, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"A. Included within this appropriation is $942,000 from the general fund the second year to expand: 1) the citizen alert network to assure all citizens are alerted of possible emergency situations; 2) EMNet for Tidewater and central Virginia local governments to target dense populations; and 3) support for the ongoing development of continuity of operations (COOP) efforts to ensure continuation of state/local governments and delivery of services."*

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*IIII. The provisions of paragraph B 1 of Item 402 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"B.1. Included in this appropriation is a maximum of $900,000 the first year and $205,062 the second year from the general fund for the Virginia Institute of Forensic Science and Medicine to cover the costs of training scientists for the Department of Forensic Science."*

*JJJJ. The provisions of paragraph B of Item 403, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"B. Included within this appropriation is $150,000 from the general fund the second year for the Department of Juvenile Justice to continue the operation of four day and evening reporting programs that are currently supported by expiring grant funding. Each of these local programs participates in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI)."*

*KKKK. The provisions of paragraph F 1 of Item 405 of Chapter 847, 2007 Acts of Assembly are repealed and reenacted as follows:*

*"F.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes $14,506,010 the first year and $14,143,360 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia."*

*LLLL. The provisions of paragraph E of Item 406, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"E. Included within this appropriation is $450,073 from the general fund and $50,000 from nongeneral funds the second year for the Department of Juvenile Justice to contract for the operation of two cottages at Beaumont Juvenile Correctional Center that have been converted into transitional housing space."*

*MMMM. The provisions of Item 454, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"Of the amounts in this item, $950,000 the second year from the general fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate. The funds shall be transferred to Item 444 of this act for distribution by the Commonwealth Transportation Board for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities and shall be treated as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance.*

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*These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units."*

*NNNN. The provisions of Item 456, of Chapter 847, of the 2007 Acts of Assembly, are repealed and reenacted as follows:*

*"Out of this appropriation $3,250,000 the first year and $950,000 the second year from the general fund is provided to support comprehensive reengineering efforts aimed at increasing state government productivity and efficiency. This funding will support efforts to: 1) reengineer processes performed by multiple agencies and examine opportunities for enhanced collaboration or consolidation (e.g. licensure) on an enterprise-wide basis, 2) reengineer multiple and complex services within a large agency setting to improve the organization and effectiveness of service delivery, and 3) establish results teams, which will include, government, private sector, and consultant support to identify new productivity projects and to improve the use of performance measurement in the Commonwealth. The Director, Department of Planning and Budget will provide semiannual reports on these efforts to the Governor and the Chairmen of Senate Finance and House Appropriations as well as the Council on Virginia's Future. Any unexpended balance remaining in this item on June 30, 2007, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the biennium."*

*OOOO.1. The distributions included in paragraph G, Item 481, of Chapter 847, of the 2007 Acts of Assembly, shall be adjusted to reflect reductions in the second year included in paragraph A. of this item for State Grants to Nonstate Entities.*

*2. Any additional reduction amounts collected from the organizations and entities listed in Item 481 of Chapter 847, of the 2007 Acts of Assembly, shall be transferred to this item.*

*PPPP. The distributions included for Central Maintenance Reserve in Item C-325 of this Act shall be adjusted to reflect reductions in the second year included in Paragraph A of this item.*

*QQQQ. The provisions of paragraph B 1 b of Item 364 of Chapter 847 of the Acts of Assembly of 2007 are repealed and renacted as follows:*

*"b. Included in this item is $5,000,000 the second year from the general fund to be deposited to the Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia."*

*455.40. A. To accomplish general fund savings estimated at $14,000,000, the Director, Department of Planning and*

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*Budget, shall unallot in the second year amounts from the following agencies which reflect agency balances carried forward from fiscal year 2007. If there are insufficient balances in the agencies enumerated in this paragraph, the Director of the Department of Planning and Budget is authorized to revert other fiscal year 2007 or 2008 balances in the amount necessary to generate $14,000,000 in total savings.*

| ***Agency*** | ***Amount*** |
|---|---|
| *Attorney General (OAG)* | *$210,000* |
| *Secretary of the Commonwealth* | *5,000* |
| *Office of Commonwealth Preparedness* | *76,000* |
| *Minority Business Enterprise* | *126,000* |
| *Employment Dispute Resolution* | *76,800* |
| *Office of Commerce & Trade* | *15,000* |
| *Department of Business Assistance* | *225,000* |
| *Office of Education* | *108,488* |
| *Department of Education* | *910,067* |
| *School f/t Deaf & Blind at Staunton* | *140,000* |
| *School f/t Deaf, Blind & Multi-Disabled at Hampton* | *50,000* |
| *Community College System* | *9,179,615* |
| *Planning & Budget* | *250,000* |
| *Treasury* | *751,461* |
| *Taxation* | *106,603* |
| *Comprehensive Services (CSA)* | *259,523* |
| *Medical Assistance* | *1,170,443* |
| *Mental Health (Central Office)* | *40,000* |
| *Social Services* | *150,000* |
| *Criminal Justice Services* | *150,000* |
| ***TOTAL*** | ***$14,000,000*** |

*B. The Director, Department of Planning and Budget, shall unallot in the second year $1,154,000 from the Higher Education Research Initiative (989), Item 250 of Chapter 847 of the Acts of Assembly of 2007, which reflect unused balances in the Commonwealth Technology Research Fund after grant awards have been made in fiscal year 2008.*

*C. The Director, Department of Planning and Budget, shall unallot and revert to the general fund from the Department of Corrections an amount equal to $1,000,000, representing the unspent appropriation from paragraph K.1. of Item 387 of Chapter 847 of the Acts of Assembly of 2007.*

*D. The Director, Department of Planning and Budget, shall unallot in the second year $600,000 from the Virginia Department of Health (601), Item 289 of Chapter 847 of the Acts of Assembly of 2007, which reflects unused balances in the Immunization Program.*

*E. The Director, Department of Planning and Budget shall unallot in the second year $1,000,000 from the Department of Social Service (765), Item 337 of Chapter 847 of the Acts of Assembly of 2007, which reflects unused balances in the Auxiliary Grants for the Aged, Blind, and Disabled program.*

*455.50. A. On or before June 30, 2008, the Committee on Joint Rules shall authorize the reversion to the general fund*

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| | | *of $2,758,883, representing savings generated by legislative agencies in the second year.* | | | | |
| | | *B. The Director of the Department of Planning and Budget shall, on or before June 30, 2008, unallot $5,000,000 in general funds from Item 25 and transfer this amount to the general fund.* | | | | |
| | 456. | Planning, Budgeting, and Evaluation Services (71500) .... | | | $3,250,000 | $1,000,000 |
| | | Program Evaluation Service (71506) ..... | $3,250,000 | $1,000,000 | | |
| | | Fund Sources: General ..... | $3,250,000 | $1,000,000 | | |
| | | Authority: Discretionary Inclusion. | | | | |
| | | Out of this appropriation $3,250,000 the first year and $1,000,000 the second year from the general fund is provided to support comprehensive reengineering efforts aimed at increasing state government productivity and efficiency. This funding will support efforts to: 1) reengineer processes performed by multiple agencies and examine opportunities for enhanced collaboration or consolidation (e.g. licensure) on an enterprise-wide basis, 2) reengineer multiple and complex services within a large agency setting to improve the organization and effectiveness of service delivery, and 3) establish results teams, which will include, government, private sector, and consultant support to identify new productivity projects and to improve the use of performance measurement in the Commonwealth. The Director, Department of Planning and Budget will provide semiannual reports on these efforts to the Governor and the Chairmen of Senate Finance and House Appropriations as well as the Council on Virginia's Future. Any unexpended balance remaining in this Item on June 30, 2007, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the biennium. | | | | |
| | 457. | Not set out. | | | | |
| | 458. | Not set out. | | | | |
| | 459. | Not set out. | | | | |
| | 460. | Not set out. | | | | |
| | 461. | Not set out. | | | | |
| | 462. | Payments for Special or Unanticipated Expenditures (75800) ..... | | | $55,857,985 | ~~$54,445,884~~ *$67,287,406* |
| | | Miscellaneous Contingency Reserve Account (75801) ..... | $4,600,000 | ~~$3,472,069~~ *$15,563,591* | | |
| | | Governor's Opportunity Fund (75803) ..... | $15,100,000 | ~~$0~~ *$750,000* | | |
| | | Economic Development Assistance (75804)..... | $23,657,985 | $38,473,815 | | |
| | | Base Realignment and Closure Assistance (75805)..... | $12,500,000 | $12,500,000 | | |
| | | Fund Sources: General ..... | $55,857,985 | ~~$54,445,884~~ *$67,287,406* | | |
| | | Authority: Discretionary Inclusion. | | | | |

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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 E 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

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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 the Miscellaneous Contingency Reserve Account is included $3,000,000 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 in the first year and $1,000,000 in 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 455.20 of this Act, up to a maximum of $1,000,000, in the event that amounts appropriated for that purpose are insufficient.

E. Included in this appropriation is $100,000 the first year and $300,000 the second year 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 48, 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 48, Paragraph B of this act.

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F. Any unexpended balance remaining in this Item on June 30, 2007, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the second year of the current biennium. Any unexpended balance remaining in this Item on June 30, 2008, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium.

G.1. Out of the amounts in this item, $15,100,000 the first year *and $750,000 the second year* from the general fund shall be deposited to the Governor's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects to locate or expand in Virginia.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law. In accordance with Chapters 1019 and 1044 of the Acts of Assembly of 2000, the project list is amended to include state road improvements for the APM terminal to address costs beyond the funding capability of existing programs. In accordance with Chapter 655 of the Acts of Assembly of 2005, the Commonwealth Transportation Board is authorized to provide funding for state road improvements for the State Fair of Virginia to address costs beyond the funding capability of existing programs and private contributions.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

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5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Governor's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund.

H. 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.

I. Out of the appropriation for Economic Development Assistance $3,720,000 the first year and $3,720,000 the second year from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Fund to be used to pay semiconductor memory or logic wafer manufacturing performance grants in accordance with § 59.1-284.14, Code of Virginia.

J. Out of the appropriation for Economic Development Assistance $10,500,000 the first year and $19,250,000 the second year from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Fund II to be used to pay semiconductor manufacturing performance grants in accordance with §§ 59.1-284.15 and 59.1-284.15:1, Code of Virginia.

K. Out of the appropriation for Economic Development Assistance $425,000 the first year and $1,145,000 the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

L. Out of the appropriation for Economic Development Assistance $3,000,000 the first year from the general fund shall be provided to Virginia Commonwealth University's School of Engineering in support of the Infineon Technologies major expansion. The funds may be used for scholarships, endowed professorships in microelectronics, curriculum development, and other related needs of the microelectronics industry.

M. Out of the appropriation for Economic Development Assistance $2,000,000 the second year from the general fund shall be provided for semiconductor manufacturing education in support of the Micron Technology, Inc. major expansion. Of the $2,000,000, $1,000,000 shall be used to establish a Northern Virginia Community College training program and $1,000,000 shall be provided to the Virginia Microelectronics Consortium.

N. Out of the appropriation for Economic Development

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Assistance, $1,250,000 the first year from the general fund shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

O.1. Out of the appropriation for Economic Development Assistance $3,120,485 the first year and from the general fund is provided for the update of Virginia's aerial photography for the purpose of producing a new statewide imagery base that will be distributed to state and local governments allowing them to update and ensure the viability of their critical geospatial products and services.

2. Out of the appropriation for Economic Development Assistance, $542,500 the first year from the general fund is provided for the Virginia Information Technologies Agency to contract with a private sector firm to assess the quality of the process for updating the agency's high resolution digital orthophotographic images of Virginia prior to the distribution of a database of those images to state and local government agencies.

3. Out of the appropriation for this item, $258,815 the second year from the general fund is provided to state agencies for costs incurred from new geospatial rates introduced by the Virginia Information Technologies Agency for ongoing support of the Commonwealth's base mapping and digital centerline files.

P.1. Out of the appropriation for Base Realignment and Closure Assistance is included $12,500,000 in the first year and $12,500,000 the second year from the general fund to assist impacted localities in funding needs associated with the implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC) which were subsequently agreed to by the President and the United States' Congress. Grants allocated from this appropriation shall be aimed at fostering collaborative efforts among state agencies, local governments and regional entities to address quantifiable costs or impacts resulting from specific actions to implement the recommendations of the BRAC or to protect the Commonwealth's strategic, homeland security, and economic interests in response to such implementation and similar actions. Individual grants may be for either operating or capital expenses but shall be matched by either cash or in-kind contributions. Moreover, no grant shall be used to supplant funding currently provided by other levels of government or by private sources.

2. The Governor shall approve all grants from this appropriation based on a written evaluation of the proposals received. The evaluation shall be prepared by staff from the Office of Commonwealth Preparedness, the Office of the Secretary of Commerce and Trade, the Office of the Secretary of Finance and the Virginia National Defense Industrial Authority, and among other factors, shall consider the significance of the impact being addressed, the likelihood that the proposal will

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achieve its intended objective, and the amount and type of commitment to match state funds. In allocating state funds, priority shall be given to proposals which have regional impact. The Governor shall notify the chairmen of the House Appropriations Committee and the Senate Finance Committee of the recipient and the purpose of each approved grant at least 15 days prior to the actual distribution of funds.

Q. Out of the appropriation for Economic Development Assistance $1,000,000 the first year from the general fund shall be provided to the Russell County Industrial Development Authority for construction of the Southwest Virginia Technology Development Center.

R. Out of the appropriation for Economic Development Assistance, the Governor is authorized to expend $12,000,000 the second year from the general fund to provide an incentive for the location of a research-related entity along the Interstate 81 corridor.

S. Out of the appropriation for this item, $1,800,000 the first year from the general fund shall be available for additional security and other costs associated with the Jamestown 2007 commemoration. Any balances available on June 30, 2007 shall not revert to the general fund, but shall be carried forward on the books of the Comptroller for these purposes. The balances shall remain available until June 30, 2008, at which time any unspent funds shall revert to the general fund.

T. It is acknowledged that HB 2749 and SB 1071, passed during the 2007 Session of the General Assembly, have a fiscal impact of $1,672,069. Included in the appropriation for this Item is $472,069 in the second year from the general fund. This amount includes $433,600 in the second year from the general fund for the Department of State Police to address the impact on that agency from the implementation of the legislation and $38,469 in the second year from the general fund to address a portion of the impact attributable to an increase in the cost of operating state prisons. This latter amount, along with the $1,200,000 identified in paragraph N of Item 387, shall constitute the appropriation required by § 30-19.4:1, Code of Virginia, and the total shall be transferred to the Corrections Special Reserve Fund, to be used for planning and site acquisition of a new prison in Charlotte County.

*U.1. Out of the appropriation for this Item, $4,659,522 the second year from the general fund is provided to state agencies for costs incurred as the result of new decentralized 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 new decentralized rates approved by the Joint Legislative Audit and Review Commission. Transfers may be made*

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| | | *if current funding exceeds actual charges.* | | | | |
| | | *2. This amount reflects and was reduced by the general fund portion of an operational efficiencies based rebate from the Virginia Information Technologies Agency. For second year, the agency shall absorb a total of $1,250,000, all funds, for this rebate resulting from savings achieved by the agency's continued efforts to reduce its overhead and indirect costs. The general fund portion of the rebate is $368,577 and the remainder reflects nongeneral fund and federally funded savings. Agencies receiving a nongeneral fund rebate may retain that funding to offset any increased costs of decentralized rates.* | | | | |
| | | *V. The amounts provided in this Item include funding to the Virginia Information Technologies Agency. The Director, Department of Planning and Budget, is authorized to distribute $4,932,000 the second year from the general fund to the agency to protect it against the loss of unattainable savings required in Item 422 of Chapter 857, 2007 Acts of Assembly. The savings are factored into the public-private agreement with Northrop Grumman, Inc., thus the agency no longer has control over these savings, the ability to track them, nor the right to claim them.* | | | | |
| | | *W. Out of the appropriation for this item, $2,500,000 the second year from the general fund is provided to cover the costs associated with the 2008 presidential primary. Out of this amount, up to $2,280,000 may be used by the State Board of Elections to reimburse localities for their presidential primary expenditures and up to $220,000 may be used to cover costs incurred directly by the State Board of Elections.* | | | | |
| | 463. | Not set out. | | | | |
| | 463.10. | Not set out. | | | | |
| | ~~463.20.~~ | ~~Two Year College Transfer Grant (11500)~~ ..... | | | ~~$0~~ | ~~$1,800,000~~ |
| | | ~~Fund Sources: General~~ ..... | ~~$0~~ | ~~$1,800,000~~ | | |
| | | ~~A. Contingent upon passage of House Bill 1681 and Senate Bill 749, the Director, Department of Planning and Budget shall transfer $1,800,000 from this item to Item 143 for the purpose of providing start-up funding for the Two-Year College Transfer Grant.~~ | | | | |
| | | ~~B. Once such funds are transferred, the State Council of Higher Education for Virginia shall promulgate regulations for the implementation of the Two-Year College Transfer Grant Program and disburse funds consistent with the provisions of House Bill 1681 and Senate Bill 749.~~ | | | | |
| | | Total for Central Appropriations ..... | | | **$1,185,952,726** | **~~$1,370,609,838~~** ***$1,100,265,599*** |
| | | Fund Sources: General ..... | $1,146,193,264 | ~~$1,324,296,745~~ *$1,053,952,506* | | |
| | | Trust and Agency ..... | $39,759,462 | $46,313,093 | | |

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| TOTAL FOR CENTRAL APPROPRIATIONS | | | **$1,185,952,726** | **~~$1,370,609,838~~** |
| | | | | ***$1,100,265,599*** |
| Fund Sources: General | $1,146,193,264 | ~~$1,324,296,745~~ | | |
| | | *$1,053,952,506* | | |
| Trust and Agency | $39,759,462 | $46,313,093 | | |
| TOTAL FOR EXECUTIVE DEPARTMENT | | | **$34,300,354,774** | **~~$35,142,741,438~~** |
| | | | | ***$35,165,761,198*** |
| General Fund Positions | 52,231.05 | ~~52,445.71~~ | | |
| | | *52,449.71* | | |
| Nongeneral Fund Positions | 58,661.68 | 59,255.70 | | |
| Position Level | 110,892.73 | ~~111,701.41~~ | | |
| | | *111,705.41* | | |
| Fund Sources: General | $16,588,966,485 | ~~$16,878,774,708~~ | | |
| | | *$16,491,763,608* | | |
| Special | $1,504,128,504 | ~~$1,668,577,582~~ | | |
| | | *$1,674,128,962* | | |
| Higher Education Operating | $4,852,782,478 | $5,147,267,776 | | |
| Commonwealth Transportation | $3,928,509,209 | ~~$3,594,855,388~~ | | |
| | | *$3,883,770,173* | | |
| Enterprise | $682,107,800 | $695,183,036 | | |
| Trust and Agency | $1,039,461,029 | ~~$1,228,264,311~~ | | |
| | | *$1,307,879,149* | | |
| Debt Service | $234,399,302 | ~~$242,095,228~~ | | |
| | | *$243,697,519* | | |
| Dedicated Special Revenue | $602,953,360 | ~~$604,359,882~~ | | |
| | | *$681,274,785* | | |
| Federal Trust | $4,867,046,607 | ~~$5,083,363,527~~ | | |
| | | *$5,040,796,190* | | |

| ITEM 464. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **INDEPENDENT AGENCIES** | | | | |
| 464. | Not set out. | | | | |
| 465. | Not set out. | | | | |
| 466. | Not set out. | | | | |
| 467. | Not set out. | | | | |
| 468. | Not set out. | | | | |
| 469. | Not set out. | | | | |
| 470. | Not set out. | | | | |
| 471. | Not set out. | | | | |
| 472. | Not set out. | | | | |
| 473. | Not set out. | | | | |
| 474. | Not set out. | | | | |
| 475. | Not set out. | | | | |
| 476. | Not set out. | | | | |
| 477. | Not set out. | | | | |
| 478. | Not set out. | | | | |
| 479. | Not set out. | | | | |
| 480. | Not set out. | | | | |
| | TOTAL FOR INDEPENDENT AGENCIES..... | | | **$324,689,832** | **$337,922,050** |
| | General Fund Positions..... | 1.88 | 1.88 | | |
| | Nongeneral Fund Positions..... | 1,552.12 | 1,554.12 | | |
| | Position Level ..... | 1,554.00 | 1,556.00 | | |
| | Fund Sources: General..... | $306,785 | $306,785 | | |
| | Special..... | $84,395,906 | $73,173,961 | | |
| | Enterprise ..... | $168,029,036 | $184,108,273 | | |
| | Trust and Agency ..... | $43,668,876 | $51,999,948 | | |
| | Dedicated Special Revenue..... | $24,741,776 | $24,785,630 | | |
| | Federal Trust..... | $3,547,453 | $3,547,453 | | |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **STATE GRANTS TO NONSTATE ENTITIES** | | | | |
| | **§ 1-51. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)** | | | | |
| 481. | Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)..... | | | $36,714,770 | $26,713,850 |
| | Financial Assistance to the Arts (14302)..... | $36,714,770 | $26,713,850 | | |
| | Fund Sources: General..... | $36,714,770 | $26,713,850 | | |
| | Authority: Discretionary Inclusion. | | | | |
| | A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this item shall be administered under the provisions of § 4-5.05 of this act. | | | | |
| | B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts. | | | | |
| | C. Any balances not drawn down by recipient organizations on June 30, 2008, from appropriations in this item shall not revert to the general fund, but shall be carried forward on the books of the Comptroller. These balances shall remain available for distribution to affected organizations until June 30, 2009, at which time any undistributed balances shall revert to the general fund, except that, in the case of organizations which have not filed an application to receive their appropriations by December 1, 2007, the Governor may direct that the undistributed balances be reverted to the general fund on that date. The Governor shall report amounts reverted and the affected organizations in the 2008 Budget Bill. | | | | |
| | D. The appropriation to those entities in this item that are marked with an asterisk (*) shall not be subject to the matching requirements of § 4-5.05 of this act. | | | | |
| | E. The distribution of a grant originally appropriated to Merchants Hope Church within Chapter 951 of the Acts of Assembly of 2005 shall not be contingent upon the organization providing any source of matching funds as is normally required by §§ 2.2-1505 and 10.1-2213, Code of Virginia, or §4-5.05 of this act. | | | | |
| | F. Of the amounts appropriated to the Patrick County | | | | |

| ITEM 481. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

Music Association, up to $25,000 shall not be subject to the matching requirements of § 4-5.05 of this act if used by the organization to pay for a study to locate a permanent home for the organization. Such study costs shall include site location and the development of cost estimates for the construction of a new facility or the renovation of an existing structure.

G. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., C. and D. of this item:

| | Year 1 | Year 2 |
|---|---|---|
| 4-H Education Centers | $300,000 | $0 |
| AARP of Virginia | $0 | $75,000 |
| Academy of Music | $3,500 | $0 |
| African American Adoptions, Inc. | $0 | $17,500 |
| Air Force Memorial Foundation | $350,000 | $0 |
| Airfield 4-H Educational Center - Wakefield | $0 | $50,000 |
| Alcoholic Counseling Service of Danville, Inc. | $0 | $10,000 |
| Alliance for Families & Children of Central Virginia | $0 | $50,000 |
| Alliance to Conserve Old Richmond Neighborhoods (ACORN) | $12,500 | $5,000 |
| Alzheimer's Family Day Center | $0 | $25,000 |
| American Frontier Culture Foundation* | $500,000 | $0 |
| American Horticultural Society | $10,000 | $0 |
| American Legion Post 74 Inc. | $6,000 | $0 |
| American Shakespeare Center | $25,000 | $50,000 |
| American Shakespeare Theatre - Globe Planning | $50,000 | $200,000 |
| Amherst County Museum & Historical Society* | $0 | $25,000 |
| An Achievable Dream, Inc. | $400,000 | $300,000 |
| Apple Ridge Farm | $0 | $20,000 |
| Archareum at Historic Jamestowne, to the Association for the Preservation of Virginia Antiquities for | $350,000 | $0 |
| Arlington Arts Center | $50,000 | $0 |
| Arlington County Historic Preservation | $0 | $12,500 |
| Arlington Food Assistance Center | $0 | $25,000 |
| Arlington Signature Theatre, Inc. | $75,000 | $150,000 |
| Army Historical Foundation | $0 | $50,000 |
| Art Museum of Western Virginia | $1,750,000 | $375,000 |
| Artisans Center of Virginia, Inc | $25,000 | $0 |
| Arts Enters Cape Charles, Inc. | $12,500 | $0 |
| Attic Productions | $300,000 | $0 |
| Augusta Military Academy Alumni Association for the Alumni House Museum | $0 | $10,000 |
| Autism Center of Virginia | $12,500 | $0 |
| Autism Education & Staff Development, to the Faison School for | $0 | $100,000 |
| AVOCA Museum and Historical Society | $5,000 | $8,000 |
| Barksdale Theater at Hanover Tavern | $30,000 | $20,000 |
| Barns of Rose Hill | $0 | $50,000 |
| Barter Foundation, Inc. | $200,000 | $200,000 |
| Battersea, Incorporated | $0 | $37,500 |
| Bay School Cultural Arts Center | $10,000 | $0 |
| Beaverdam Heritage Days Foundation | $0 | $25,000 |
| Bedford City | $100,000 | $0 |
| Bedford City / County Museum | $0 | $25,000 |
| Bedford Hospice House | $0 | $100,000 |
| Bedford Ride* | $60,000 | $80,000 |
| Belle Grove Plantation | $50,000 | $25,000 |
| Belmont Bay Science Foundation | $0 | $200,000 |
| Benedictine Aid and Relief for Neighbors (BARN) Homeless Shelter | $30,000 | $5,000 |
| Benjamin Lomond House, to Prince William County for | $37,500 | $22,500 |
| Best Buddies International | $0 | $25,000 |
| Beverly Mill | $12,500 | $5,000 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Birmingham Green Adult Care Residence | | $600,000 | | $100,000 |
| 2 | Birthplace of County Music Alliance | | $600,000 | | $50,000 |
| 3 | Black History Museum & Cultural Center of Virginia | | $50,000 | | $30,000 |
| 4 | Black Women United for Action | | $50,000 | | $50,000 |
| 5 | Bloxom Volunteer Fire Department | | $12,500 | | $0 |
| 6 | Blue Ridge Foundation | | $15,000 | | $0 |
| 7 | Blue Ridge Thunder Project, to Bedford County for | | $0 | | $100,000 |
| 8 | Blue Ridge Zoological Society of Virginia, Inc. | | $40,000 | | $0 |
| 9 | Bolling Haxall House Foundation | | $0 | | $12,500 |
| 10 | Boys and Girls Clubs of Fauquier, Inc. | | $0 | | $12,500 |
| 11 | Brain Foundation | | $0 | | $25,000 |
| 12 | Brandy Station Foundation | | $0 | | $15,000 |
| 13 | Brentsville Courthouse Historic Centre, to Prince William County | | | | |
| 14 | for | | $25,000 | | $25,000 |
| 15 | Bridging Boundaries International | | $25,000 | | $10,000 |
| 16 | Briery Branch Community Club | | $5,000 | | $0 |
| 17 | Bristoe Battlefield Heritage Park, to Prince William County for | | $25,000 | | $25,000 |
| 18 | Bristol Fire Museum | | $75,000 | | $0 |
| 19 | Buena Vista Colored School Historical Society, Inc. | | $5,000 | | $0 |
| 20 | Camp Baker* | | $0 | | $570,000 |
| 21 | Camp Roosevelt CCC Legacy Foundation | | $0 | | $100,000 |
| 22 | Camp Virginia Jaycee, Inc. | | $12,500 | | $25,000 |
| 23 | Cape Charles Historical Society | | $0 | | $6,000 |
| 24 | Capital Area Food Bank | | $0 | | $350,000 |
| 25 | Career & Technical Education - An Achievable Dream | | $0 | | $150,000 |
| 26 | Carver-Price Legacy Museum* | | $10,000 | | $0 |
| 27 | Celebrating Patsy Cline, Inc. | | $0 | | $10,000 |
| 28 | Celebrating Special Children | | $50,000 | | $50,000 |
| 29 | Chantilly Youth Association | | $7,500 | | $0 |
| 30 | Charlottesville Area Dental Access | | $25,000 | | $0 |
| 31 | Chatham Train Depot | | $0 | | $25,000 |
| 32 | Chesapeake and Ohio Historical Society | | $0 | | $275,000 |
| 33 | Chesapeake Arboretum | | $5,000 | | $10,000 |
| 34 | Chesterbrook Residences | | $0 | | $200,000 |
| 35 | Children’s Home Society of Virginia | | $0 | | $100,000 |
| 36 | Children’s Museum of Richmond | | $0 | | $25,000 |
| 37 | Children’s Museum of Virginia, to the City of Portsmouth for | | $300,000 | | $0 |
| 38 | Children’s Museum of Virginia, to the Portsmouth Museums | | | | |
| 39 | Foundation, Inc. for the | | $0 | | $600,000 |
| 40 | Chrysler Museum | | $500,000 | | $350,000 |
| 41 | City of Fredericksburg - Historic Circuit Courthouse | | 0 | | $350,000 |
| 42 | City of Manassas Museum Expansion | | $100,000 | | $0 |
| 43 | City of Petersburg - Historic Battersea | | $50,000 | | $0 |
| 44 | City of Petersburg for the Centre Hill Museum | | $0 | | $25,000 |
| 45 | City of Portsmouth - Lightship Portsmouth Museum | | $0 | | $17,500 |
| 46 | Civil War Site Preservation Fund | | $250,000 | | $200,000 |
| 47 | Claremont Town Hall Roof | | $17,500 | | $0 |
| 48 | Clarke County Historical Association | | $18,750 | | $17,500 |
| 49 | Clarksville Regional Museum | | $5,000 | | $2,500 |
| 50 | Clemyjontri Park, to Fairfax Park Foundation for the | | $0 | | $100,000 |
| 51 | Clermont Charitable Trust | | $0 | | $25,000 |
| 52 | Clover Community Center | | $25,000 | | $0 |
| 53 | Cold War Museum | | $100,000 | | $50,000 |
| 54 | Colonial Beach Historical Society | | $5,500 | | $0 |
| 55 | Colonial Theater Project | | $0 | | $37,500 |
| 56 | Colonial Williamsburg Foundation | | $125,000 | | $175,000 |
| 57 | Com. of Social Ministry of Portsmouth / Chesapeake | | $50,000 | | $115,000 |
| 58 | Community Builders Network, Inc. | | $12,500 | | $0 |
| 59 | Community Lodgings, Inc. | | $0 | | $75,000 |
| 60 | Computer Community Outreach and Education | | $0 | | $20,000 |
| 61 | Connor House | | $100,000 | | $0 |
| 62 | Contemporary Art Center of Virginia | | $175,000 | | $50,000 |
| 63 | Corrottoman Civic Center | | $20,000 | | $0 |
| 64 | Council for America’s First Freedom (First Freedom Center) | | $1,000,000 | | $175,000 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | County of Appomattox | | $10,000 | | $0 |
| 2 | Craig County Youth and Community Service Corp | | $0 | | $25,000 |
| 3 | Culpeper Calvary Museum | | $40,000 | | $0 |
| 4 | Danville Museum of Fine Arts and History | | $75,000 | | $5,000 |
| 5 | Deltaville Community Association & Deltaville Maritime Museum | | $0 | | $25,000 |
| 6 | Department of Education & National Energy Development for | | | | |
| 7 | Virginia Hydrogen Project | | $0 | | $50,000 |
| 8 | Discovery of Flight Foundation, Spirit of ’08 | | $25,000 | | $25,000 |
| 9 | Dismal Swamp Canal Trail, to the City of Chesapeake for | | $0 | | $50,000 |
| 10 | Domestic Violence Emergency Services (DOVES) | | $10,000 | | $0 |
| 11 | Doorways for Women and Families | | $137,500 | | $37,500 |
| 12 | Downing Gross Cultural Arts Center | | $12,500 | | $5,000 |
| 13 | Drakes Branch Volunteer Fire Department | | $15,000 | | $0 |
| 14 | Dunn’s Meadow, to the Town of Abingdon for | | $0 | | $25,000 |
| 15 | E.N.S. Foundation of America | | $15,000 | | $5,000 |
| 16 | Economic Development Authority of Gloucester County | | $0 | | $25,000 |
| 17 | Elegba Folklore Society, Inc. | | $12,500 | | $0 |
| 18 | Elizabeth House Project | | $0 | | $25,000 |
| 19 | Elk Hill | | $50,000 | | $0 |
| 20 | Emporia-Greensville Civic Center Foundation | | $0 | | $37,500 |
| 21 | Empowerment 2010, Inc. | | $100,000 | | $0 |
| 22 | Endview Plantation | | $50,000 | | $37,500 |
| 23 | Essex County Historical Society | | $0 | | $7,500 |
| 24 | Fairfax Community Health Services - INOVA | | $0 | | $100,000 |
| 25 | Fairfax Park Foundation - Historic Huntley | | $0 | | $25,000 |
| 26 | Fairfax Partnership for Youth, Inc. | | $25,000 | | $25,000 |
| 27 | Fairfax Symphony Orchestra | | $10,000 | | $0 |
| 28 | Fairfield Foundation | | $5,000 | | $0 |
| 29 | Fairview Community Center | | $25,000 | | $0 |
| 30 | Faison School for Autism | | $35,000 | | $0 |
| 31 | Falls Church Housing Corporation | | $75,000 | | $0 |
| 32 | Family Service of Roanoke Valley | | $0 | | $100,000 |
| 33 | FFA - FCCLA Center | | $25,000 | | $25,000 |
| 34 | Field of Dreams, Inc. | | $37,500 | | $0 |
| 35 | Fine Arts Center for the New River Valley | | $0 | | $25,000 |
| 36 | Fisher House Foundation | | $750,000 | | $0 |
| 37 | Flory Small Business Center | | $32,500 | | $0 |
| 38 | Floyd County Historical Preservation Trust | | $12,500 | | $37,500 |
| 39 | For Inspiration and Recognition of Science and Technology (FIRST) | | $75,000 | | $0 |
| 40 | ForKids, Inc. | | $0 | | $150,000 |
| 41 | Fort Lee Quartermaster Museum Foundation | | $100,000 | | $0 |
| 42 | Fort Ward Museum and Historic Site | | $18,500 | | $0 |
| 43 | Fort Wool, to the City of Hampton for | | $0 | | $50,000 |
| 44 | Foundation for Historic Christ Church, Inc. | | $50,000 | | $100,000 |
| 45 | Foundation of Virginia Recreation & Park Society - Senior Games | | $75,000 | | $100,000 |
| 46 | Franconia Museum | | $5,000 | | $5,000 |
| 47 | Fredericksburg Area Museum and Cultural Center | | $200,000 | | $200,000 |
| 48 | Fredericksburg Area War Memorial | | $25,000 | | $0 |
| 49 | Freedom Museum | | $100,000 | | $25,000 |
| 50 | Friends of the Portsmouth Public Library, Inc. | | $100,000 | | $150,000 |
| 51 | Friends of Wilderness Battlefield | | $12,500 | | $15,000 |
| 52 | Gadsby’s Tavern Museum | | $37,500 | | $18,750 |
| 53 | George C. Marshall Foundation | | $100,000 | | $30,000 |
| 54 | Girls Incorporated, for Operation SMART | | $5,000 | | $0 |
| 55 | Gloucester-Mathews Humane Society* | | $17,500 | | $50,000 |
| 56 | God’s Storehouse, Inc. | | $0 | | $10,000 |
| 57 | Grandma Moses House, to Augusta County for the | | $0 | | $10,000 |
| 58 | Great Bridge Battlefield & Waterways History Foundation | | $100,000 | | $100,000 |
| 59 | Great Dismal Swamp Interpretive Center, to the City of Suffolk for | | | | |
| 60 | the | | $25,000 | | $0 |
| 61 | Greater Reston Arts Center | | $75,000 | | $60,000 |
| 62 | Greater Richmond Association for Retarded Citizens | | $250,000 | | $175,000 |
| 63 | Greater Works Community Development Corporation | | $20,520 | | $0 |
| 64 | Greenway Court | | $0 | | $50,000 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Hampton Arts Foundation | | $0 | | $150,000 |
| 2 | Hampton Roads Arts Trust | | $100,000 | | $0 |
| 3 | Hampton Roads Proton Beam Therapy Institute Foundation | | $0 | | $500,000 |
| 4 | Hampton Roads Technology Council | | $0 | | $75,000 |
| 5 | Hampton University Museum Foundation | | $75,000 | | $25,000 |
| 6 | Hanover Community Center, Inc. (Arts & Activities) | | $5,000 | | $12,500 |
| 7 | Hanover Tavern Foundation | | $0 | | $12,500 |
| 8 | Harrison Museum of African American Culture | | $75,000 | | $0 |
| 9 | Healthy Families Fairfax | | $0 | | $50,000 |
| 10 | Heritage and History of Hanover County, Inc. | | $0 | | $12,500 |
| 11 | Highland Center | | $1,000 | | $0 |
| 12 | Hispanic College Fund | | $0 | | $200,000 |
| 13 | Historic Blenheim | | $0 | | $20,000 |
| 14 | Historic Bluff Point School, Bluff Point Community League | | $5,000 | | $0 |
| 15 | Historic Buckingham, Inc. | | $10,000 | | $0 |
| 16 | Historic Crab Orchard Museum & Pioneer Park | | $30,000 | | $30,000 |
| 17 | Historic Jamestowne, to the Association for the Preservation of | | | | |
| 18 | Virginia Antiquities (APVA) for | | $0 | | $200,000 |
| 19 | Historic Petersburg Foundation | | $0 | | $100,000 |
| 20 | Historic Pocahontas, Inc. | | $0 | | $60,000 |
| 21 | Historic Ratcliffe Cemetery, to the City of Fairfax for | | $5,000 | | $0 |
| 22 | Historic Smithfield Plantation | | $0 | | $12,500 |
| 23 | Historical Committee of Pleasant Hall, *to the City of Virginia Beach,* | | | | |
| 24 | *for the* | | $0 | | $75,000 |
| 25 | Historical Foundation of Aberdeen Gardens, Inc. | | $0 | | $10,000 |
| 26 | Historical Society of Western Virginia | | $25,000 | | $50,000 |
| 27 | History Museum of Western Virginia (Roanoke) | | $0 | | $100,000 |
| 28 | Hoffler Creek Wildlife Foundation, Inc. | | $75,000 | | $100,000 |
| 29 | Holiday House of Portsmouth, Inc. | | $50,000 | | $100,000 |
| 30 | Holiday Lake 4-H Educational Center-Appomattox | | $0 | | $100,000 |
| 31 | Homestretch | | $0 | | $50,000 |
| 32 | Hopewell Preservation, Inc. - Beacon Theatre | | $100,000 | | $50,000 |
| 33 | Housing Opportunities Made Equal of Virginia | | $0 | | $150,000 |
| 34 | Howland Chapel Futuristic Outreach, Inc. | | $0 | | $7,500 |
| 35 | Hunters for the Hungry | | $0 | | $5,000 |
| 36 | Hurrah Players, Inc.* | | $25,000 | | $100,000 |
| 37 | Independent Order of Oddfellows 1842 Charity Lodge No. 27 | | $5,000 | | $0 |
| 38 | Jack Kestner Natural Area, to the Nature Conservancy for the | | $20,000 | | $0 |
| 39 | James Madison Memorial Foundation | | $40,000 | | $25,000 |
| 40 | James Monroe Memorial Foundation | | $50,000 | | $10,000 |
| 41 | Jamestown 4-H Educational Center - Williamsburg | | $0 | | $50,000 |
| 42 | Jewish Community Center | | $100,000 | | $100,000 |
| 43 | Jewish Council for the Aging | | $70,000 | | $49,100 |
| 44 | Jewish Social Service Agency | | $100,000 | | $0 |
| 45 | Job Education Training Corps | | $0 | | $30,000 |
| 46 | John Marshall Foundation | | $12,500 | | $0 |
| 47 | John Singleton Mosby Museum Foundation | | $0 | | $12,500 |
| 48 | Jubal A. Early Preservation Trust | | $5,000 | | $15,000 |
| 49 | Julian Stanley Wise Foundation | | $12,500 | | $0 |
| 50 | Ker Place | | $12,500 | | $0 |
| 51 | Kinsale Foundation | | $15,000 | | $0 |
| 52 | Laurel Grove School Association | | $2,500 | | $2,500 |
| 53 | Lee Hall Depot | | $12,500 | | $0 |
| 54 | Lee Hall Mansion | | $12,500 | | $12,500 |
| 55 | Lee-Jackson Camp #1, The Sons of Confederate Veterans | | $7,500 | | $0 |
| 56 | Legacy Project, Inc. | | $0 | | $12,500 |
| 57 | Legal Information Center for Cancer | | $0 | | $25,000 |
| 58 | Let’s Talk it Out Not Act It Out Program, to the Town of Tazewell | | | | |
| 59 | for the | | $2,500 | | $0 |
| 60 | Lewis and Clark Exploratory Center | | $100,000 | | $0 |
| 61 | Lewis B. Puller Center | | $12,500 | | $0 |
| 62 | Lime Kiln Theater | | $1,000 | | $0 |
| 63 | Loudoun Archaeological Foundation, Inc. | | $0 | | $37,500 |
| 64 | Loudoun Cares | | $0 | | $87,500 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Loudoun Youth, Inc. | | $12,500 | | $0 |
| 2 | Louisa County Historical Society | | $12,500 | | $15,000 |
| 3 | Louisa Town Hall & Art Center, to the Town of Louisa and Louisa | | | | |
| 4 | Downtown Development Corp. for the | | $50,000 | | $35,000 |
| 5 | Lynnhaven House | | $75,000 | | $0 |
| 6 | Many Blessings Farm, Inc. | | $0 | | $25,000 |
| 7 | Marine Corps Heritage Foundation | | $750,000 | | $400,000 |
| 8 | Mary Ball Washington Museum and Library | | $25,000 | | $0 |
| 9 | Mary's Family | | $0 | | $25,000 |
| 10 | Maryview Foundation Healthcare Center | | $100,000 | | $0 |
| 11 | Mathews County Put-In-Creek Turning Basin* | | $0 | | $75,000 |
| 12 | Maymont Foundation | | $600,000 | | $0 |
| 13 | McLean Project for the Arts | | $25,000 | | $0 |
| 14 | Meadowbrook Museum | | $0 | | $7,500 |
| 15 | Menokin Foundation | | $20,000 | | $50,000 |
| 16 | Metropolitan Richmond Sports Backers | | $25,000 | | $20,000 |
| 17 | Middle Peninsula Chesapeake Bay Public Access | | $20,000 | | $0 |
| 18 | Mill Mountain Theatre | | $75,000 | | $0 |
| 19 | Mill Mountain Zoo | | $0 | | $5,000 |
| 20 | Mineral Historic Foundation | | $10,000 | | $0 |
| 21 | Mission of Mercy Dental Outreach Program | | $12,500 | | $0 |
| 22 | Montgomery Museum and Lewis Miller Regional Art Center | | $12,500 | | $7,500 |
| 23 | Montpelier Center for Arts and Education | | $37,500 | | $0 |
| 24 | Montpelier Foundation | | $200,000 | | $200,000 |
| 25 | Morattico Waterfront Museum | | $15,000 | | $0 |
| 26 | Moton Community House | | $5,000 | | $0 |
| 27 | Mountain Valley Charitable Foundation | | $20,000 | | $0 |
| 28 | Mt. Zion Church Preservation Association | | $25,000 | | $22,500 |
| 29 | Museum of Culpeper History | | $0 | | $15,000 |
| 30 | Museum of the Shenandoah Valley | | $350,000 | | $100,000 |
| 31 | Nansemond County Training School Heritage Center | | $0 | | $150,000 |
| 32 | National D-Day Memorial | | $600,000 | | $500,000 |
| 33 | National Museum of Americans at War | | $750,000 | | $200,000 |
| 34 | National Museum of the U.S. Army | | $500,000 | | $50,000 |
| 35 | National Rehabilitation & Rediscovery Foundation | | $75,000 | | $75,000 |
| 36 | Neediest Kids | | $12,500 | | $25,000 |
| 37 | Nelson County Rural Health Outreach Wellness Passport | | $12,500 | | $35,000 |
| 38 | New Market Library | | $25,000 | | $12,500 |
| 39 | New Point Lighthouse | | $50,000 | | $0 |
| 40 | Newport News Public Art Foundation | | $0 | | $25,000 |
| 41 | Newsome House Museum & Cultural Arts Center | | $25,000 | | $50,000 |
| 42 | Norfolk Botanical Garden | | $50,000 | | $100,000 |
| 43 | Northern Neck Farm Museum | | $10,000 | | $2,500 |
| 44 | Northern Neck of Virginia Historical Society | | $75,000 | | $50,000 |
| 45 | Northern Virginia 4-H Educational Center-Front Royal | | $0 | | $100,000 |
| 46 | Northern Virginia Dental Clinic | | $12,500 | | $0 |
| 47 | Northern Virginia Family Service* | | $400,000 | | $125,000 |
| 48 | Northern Virginia Regional Park Authority* | | $125,000 | | $0 |
| 49 | Northstar Academy | | $25,000 | | $0 |
| 50 | Northumberland County Community Center | | $0 | | $7,500 |
| 51 | Norview Middle School Boys and Girls Club | | $12,500 | | $0 |
| 52 | Oakland - The Nelson County Museum of History | | $0 | | $35,000 |
| 53 | Oatlands Plantation | | $25,000 | | $0 |
| 54 | Occupational Enterprises, Inc. | | $0 | | $25,000 |
| 55 | Ocean View Station Museum | | $5,000 | | $0 |
| 56 | Old Dominion Eye Foundation | | $50,000 | | $0 |
| 57 | Opera Roanoke | | $5,000 | | $0 |
| 58 | Our Health, Inc. | | $0 | | $40,000 |
| 59 | Our Military Kids Inc. | | $100,000 | | $75,000 |
| 60 | Oxbow Center | | $0 | | $25,000 |
| 61 | Pamplin Historical Park and the National Museum of the Civil War | | | | |
| 62 | Soldier | | $0 | | $25,000 |
| 63 | Paramount Theater of Charlottesville, Inc. | | $20,000 | | $0 |
| 64 | Parent Leadership Training Institute of Alexandria | | $0 | | $5,000 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Patient Advocate Foundation* | | $0 | | $250,000 |
| 2 | Patrick County Music Association | | $35,000 | | $0 |
| 3 | Patrick Henry Memorial - Brookneal | | $0 | | $2,500 |
| 4 | Paxton House Historical Society, Inc. | | $15,000 | | $0 |
| 5 | Peninsula Drug Rehabilitation Foundation (Youth Challenge, Inc.) | | $67,500 | | $0 |
| 6 | Peninsula Fine Arts Center | | $500,000 | | $50,000 |
| 7 | Pentagon Memorial Fund, Inc. | | $100,000 | | $0 |
| 8 | Piedmont Access to Health Services, Inc. | | $37,500 | | $0 |
| 9 | Piedmont Virginia Dental Health Foundation | | $25,000 | | $0 |
| 10 | Pleasant Grove House, to County of Fluvanna for | | $0 | | $25,000 |
| 11 | Pocahontas Train Station | | $5,000 | | $0 |
| 12 | Poquoson History Museum | | $87,500 | | $0 |
| 13 | Portsmouth Community Concerts* | | $25,000 | | $50,000 |
| 14 | Portsmouth Humane Society* | | $0 | | $50,000 |
| 15 | Portsmouth Scottish Rite Foundation, Inc.* | | $50,000 | | $100,000 |
| 16 | Positive Vibe Cafe´ | | $62,500 | | $0 |
| 17 | Prevent Blindness Virginia | | $0 | | $87,500 |
| 18 | Prince George Historical Society | | $0 | | $50,000 |
| 19 | Prince Hall and Accepted Masons* | | $12,500 | | $0 |
| 20 | Prince William Amphitheatre | | $5,000 | | $0 |
| 21 | Providence Place Behavior Modification* | | $50,000 | | $50,000 |
| 22 | Pulaski Theatre | | $50,000 | | $0 |
| 23 | Purcellville Teen Center | | $7,500 | | $0 |
| 24 | R.E. Lee Commission | | $1,000 | | $0 |
| 25 | Railroad Museum of Virginia, Inc.* | | $50,000 | | $125,000 |
| 26 | Ralph Stanley Museum and Traditional Music Center | | $50,000 | | $50,000 |
| 27 | Reading & Education for Adult Development, Inc. | | $25,000 | | $50,000 |
| 28 | Rebecca Vaughan House, to the Southampton County Historical | | | | |
| 29 | Society for | | $0 | | $50,000 |
| 30 | Recording for the Blind and Dyslexic | | $0 | | $25,000 |
| 31 | Red Hill, to the Patrick Henry Memorial Foundation | | $5,000 | | $0 |
| 32 | Reedville Fishermen’s Museum | | $100,000 | | $100,000 |
| 33 | Remote Area Medical / St. Mary’s Health Wagon | | $12,500 | | $0 |
| 34 | Reston Historic Trust | | $10,000 | | $7,500 |
| 35 | Rice’s Hotel / Hughlett’s Tavern Foundation, Inc. | | $5,000 | | $2,500 |
| 36 | Richmond Ballet - The State Ballet of Virginia | | $500,000 | | $350,000 |
| 37 | Richmond Boys Choir | | $5,000 | | $2,500 |
| 38 | Richmond County Museum | | $11,500 | | $0 |
| 39 | Richmond Symphony | | $0 | | $100,000 |
| 40 | Rippon Lodge | | $10,000 | | $5,000 |
| 41 | Rita Welsh Adult Literacy Program - Literacy for Life | | $0 | | $10,000 |
| 42 | Roanoke Symphony Orchestra | | $20,000 | | $50,000 |
| 43 | Rockingham County Fair Association, Inc. | | $10,000 | | $0 |
| 44 | Rosenwald School, to Citizens United to Preserve Greensville | | | | |
| 45 | County Training School for | | $50,000 | | $0 |
| 46 | Salem Museum and Historical Society | | $440,000 | | $50,000 |
| 47 | Sanders House Center, Graham Historical Society | | $5,000 | | $0 |
| 48 | Sandler Center for the Performing Arts | | $1,460,000 | | $150,000 |
| 49 | Sandy River Community Park | | $12,500 | | $0 |
| 50 | Schooner Virginia Project* | | $400,000 | | $500,000 |
| 51 | Science Museum of Western Virginia | | $500,000 | | $100,000 |
| 52 | Scrabble School Preservation Foundation | | $0 | | $12,500 |
| 53 | SERVE Homeless Shelter | | $20,000 | | $17,500 |
| 54 | Shenandoah Area Agency on Aging, Inc. | | $0 | | $25,000 |
| 55 | Shenandoah Arts Center Foundation | | $0 | | $17,500 |
| 56 | Shenandoah Valley Battlefield Foundation | | $100,000 | | $125,000 |
| 57 | Shenandoah Valley Discovery Museum | | $500,000 | | $200,000 |
| 58 | Six House, Inc. | | $5,000 | | $5,000 |
| 59 | Southeast Rural Community Assistance Project | | $15,000 | | $0 |
| 60 | Southeastern Virginia Arts Association | | $0 | | $25,000 |
| 61 | Southside Business Technology Center | | $0 | | $75,000 |
| 62 | Southwest Virginia 4-H Educational Center-Abingdon | | $0 | | $50,000 |
| 63 | Southwestern Virginia Second Harvest Food Bank | | $0 | | $50,000 |
| 64 | Southwestern Youth Association | | $25,000 | | $0 |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| 1 | Special Olympics Virginia | | $100,000 | | $125,000 |
| 2 | St. John's Church Foundation | | $15,000 | | $37,500 |
| 3 | St. Joseph's Villa, the Dooley School | | $50,000 | | $0 |
| 4 | St. Luke's Church (1632) | | $10,000 | | $0 |
| 5 | Star Achievers Academy, to the Peninsula YMCA for | | $0 | | $10,000 |
| 6 | State Theater Foundation, Inc. | | $0 | | $35,000 |
| 7 | Staunton Performing Arts Center | | $200,000 | | $150,000 |
| 8 | Steamboat Era Museum | | $50,000 | | $60,000 |
| 9 | Steele House, to the Stone House Foundation for | | $0 | | $25,000 |
| 10 | Stonewall Camp #380, Confederate Monument | | $5,000 | | $1,000 |
| 11 | Stratford Hall | | $50,000 | | $400,000 |
| 12 | Suffolk Center for Cultural Arts | | $125,000 | | $50,000 |
| 13 | Suffolk Museum of African American History | | $12,500 | | $0 |
| 14 | Swift Creek Mill Theatre, Inc. | | $75,000 | | $75,000 |
| 15 | Sycamore Rouge, Inc. | | $0 | | $10,000 |
| 16 | Tamerosa Maritime Foundation | | $5,000 | | $0 |
| 17 | Tangier Island Health Foundation LLC | | $0 | | $300,000 |
| 18 | The Haven | | $75,000 | | $60,000 |
| 19 | The Healing Place | | $0 | | $50,000 |
| 20 | Theatre IV | | $25,000 | | $25,000 |
| 21 | Therapeutic Riding Association Horse Show | | $3,000 | | $0 |
| 22 | Thomas Jefferson's Popular Forest | | $750,000 | | $750,000 |
| 23 | Timber Ridge School | | $0 | | $25,000 |
| 24 | TodiMusicFest, Inc. | | $25,000 | | $65,000 |
| 25 | Town of Clarksville | | $5,000 | | $0 |
| 26 | Town of Pulaski - Calfee Park | | $0 | | $25,000 |
| 27 | Trail of the Lonesome Pine | | $32,500 | | $0 |
| 28 | United States Biology Olympiad (USABO) | | $25,000 | | $50,000 |
| 29 | US Army Women's Foundation | | $0 | | $100,000 |
| 30 | US Slavery Museum | | $0 | | $125,000 |
| 31 | USS Monitor Center at the Marine Science Museum | | $750,000 | | $500,000 |
| 32 | Valentine Richmond History Center | | $50,000 | | $37,500 |
| 33 | Vienna Town Green | | $12,500 | | $0 |
| 34 | Village View Foundation | | $15,000 | | $7,500 |
| 35 | Vinton War Memorial | | $25,000 | | $125,000 |
| 36 | Virginia Air and Space Museum | | $1,000,000 | | $150,000 |
| 37 | Virginia Alliance of Boys and Girls Clubs | | $50,000 | | $25,000 |
| 38 | Virginia Aquarium and Marine Science Center | | $500,000 | | $500,000 |
| 39 | Virginia Arts Festival | | $400,000 | | $325,000 |
| 40 | Virginia Ballet Theatre | | $30,000 | | $15,000 |
| 41 | Virginia Beach Convention Center | | $125,000 | | $25,000 |
| 42 | Virginia Capital Trail Foundation | | $0 | | $50,000 |
| 43 | Virginia Center for Architecture Foundation | | $62,500 | | $37,500 |
| 44 | Virginia Center for the Creative Arts | | $150,000 | | $0 |
| 45 | Virginia Commonwealth Games | | $5,000 | | $0 |
| 46 | Virginia Council on Economic Education | | $37,500 | | $50,000 |
| 47 | Virginia Economic Bridge, Inc. | | $137,500 | | $37,500 |
| 48 | Virginia Foundation for Agriculture in the Classroom | | $25,000 | | $25,000 |
| 49 | Virginia Foundation for Housing Preservation | | $25,000 | | $0 |
| 50 | Virginia Historical Society | | $350,000 | | $300,000 |
| 51 | Virginia Holocaust Museum | | $0 | | $175,000 |
| 52 | Virginia Home for Boys and Girls | | $50,000 | | $0 |
| 53 | Virginia Horse Council | | $30,000 | | $28,500 |
| 54 | Virginia Living Museum | | $750,000 | | $375,000 |
| 55 | Virginia Maritime Heritage Foundation | | $37,500 | | $0 |
| 56 | Virginia Museum of Transportation | | $87,500 | | $150,000 |
| 57 | Virginia Opera | | $75,000 | | $50,000 |
| 58 | Virginia Quality Life | | $300,000 | | $0 |
| 59 | Virginia Recreational Facilities Authority Explore Park | | $200,000 | | $300,000 |
| 60 | Virginia Sports Hall of Fame | | $50,000 | | $125,000 |
| 61 | Virginia Stage Company | | $80,000 | | $60,000 |
| 62 | Virginia Symphony Orchestra | | $100,000 | | $50,000 |
| 63 | Virginia War Museum | | $500,000 | | $37,500 |
| 64 | Virginia YMCA | | $15,000 | | $7,500 |

| ITEM 481. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| Virginia Zoo | | $25,000 | | $0 |
| Visions of Truth Ministries | | $0 | | $250,000 |
| Visual Arts Center of Richmond | | $25,000 | | $50,000 |
| W.E. Skelton 4-H Educational Conf Center-Smith Mt. Lake | | $0 | | $50,000 |
| Wakefield Foundation Center for the Arts | | $0 | | $10,000 |
| Walter Reed Adult Daycare Center | | $0 | | $50,000 |
| Warren Coalition-Free Wheeling Handicapped Playground | | $25,000 | | $25,000 |
| Warwick Courthouse | | $12,500 | | $25,000 |
| Washington Area Housing Trust Fund | | $50,000 | | $75,000 |
| Washington Rochambeau Revolutionary Route | | $10,000 | | $0 |
| Washington's Ferry Farm | | $350,000 | | $300,000 |
| Watermen's Museum | | $150,000 | | $0 |
| Wayne Theatre Alliance | | $0 | | $200,000 |
| Waynesboro Heritage Foundation | | $25,000 | | $0 |
| Wayside Theatre | | $12,500 | | $5,000 |
| Western Virginia Foundation for the Arts & Sciences, Center in the Square | | $200,000 | | $200,000 |
| Westmoreland County Museum | | $100,000 | | $100,000 |
| Westmoreland Poor School Society* | | $15,000 | | $0 |
| Weston Manor, to the Historic Hopewell Preservation Foundation for | | $150,000 | | $0 |
| White House of the Confederacy, to the Confederate Memorial Literary Society for | | $50,000 | | $400,000 |
| William Atkinson Jones Memorial | | $5,000 | | $0 |
| William King Regional Arts Center | | $200,000 | | $200,000 |
| Williamsburg Area Performing Arts Center | | $12,500 | | $0 |
| Williamsburg-James City County for a 400th Anniversary Memorial Placard | | $5,000 | | $5,000 |
| Winchester-Frederick County Historical Society | | $20,000 | | $0 |
| Wolf Creek Indian Village and Museum | | $5,000 | | $0 |
| Wolf Trap Foundation for the Performing Arts | | $1,250,000 | | $750,000 |
| Woodlawn National Trust for Historic Preservation | | $0 | | $50,000 |
| Woodrow Wilson Presidential Library | | $2,000,000 | | $0 |
| Woodstock Museum of Shenandoah County | | $5,000 | | $0 |
| Working Watermen's Memorial | | $2,000 | | $0 |
| Wytheville Training School Cultural Center, Inc. | | $0 | | $50,000 |
| York County Historical Museum | | $0 | | $50,000 |
| Youth Corporation, Inc. | | $12,500 | | $0 |
| TOTAL | | $36,714,770 | | $26,713,850 |
| | | | | |
| *H. The allocation set forth in Item 481.G. of this act to the Virginia Recreational Facilities Authority Explore Park shall not be subject to the provisions as is normally required by § 4-5.05.b of this act nor the requirements set out by § 10.1-1618, Code of Virginia, to prevent the title of the property from transferring to the Commonwealth.* | | | | |
| Total for State Grants to Nonstate Entities-Nonstate Agencies | | | **$36,714,770** | **$26,713,850** |
| Fund Sources: General | $36,714,770 | $26,713,850 | | |
| TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES | | | **$36,714,770** | **$26,713,850** |
| Fund Sources: General | $36,714,770 | $26,713,850 | | |
| TOTAL FOR PART 1: OPERATING EXPENSES | | | **$35,094,639,443** | **~~$35,964,936,700~~ *$36,003,691,716*** |
| General Fund Positions | 55,916.14 | ~~56,186.80~~ *56,190.80* | | |

| ITEM 481. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| Nongeneral Fund Positions | | 60,343.30 | 60,939.32 | | |
| Position Level | | 116,259.44 | ~~117,126.12~~ *117,130.12* | | |
| Fund Sources: | General | $17,033,129,373 | ~~$17,333,144,324~~ *$16,960,328,480* | | |
| | Special | $1,602,604,828 | ~~$1,758,445,756~~ *$1,765,537,136* | | |
| | Higher Education Operating | $4,852,782,478 | $5,147,267,776 | | |
| | Commonwealth Transportation | $3,928,509,209 | ~~$3,594,855,388~~ *$3,883,770,173* | | |
| | Enterprise | $850,136,836 | $879,291,309 | | |
| | Trust and Agency | $1,083,260,443 | ~~$1,280,394,797~~ *$1,360,009,635* | | |
| | Debt Service | $234,399,302 | ~~$242,095,228~~ *$243,697,519* | | |
| | Dedicated Special Revenue | $638,249,533 | ~~$640,822,181~~ *$717,737,084* | | |
| | Federal Trust | $4,871,567,441 | ~~$5,088,619,941~~ *$5,046,052,604* | | |

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

## PART 2: CAPITAL PROJECT EXPENSES

### § 2-0. GENERAL CONDITIONS

A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the first year in accordance with § 4-1.03 a 5 of this act.

B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of capital project proposals must come from the affected agency's existing resources.

2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design choices.

E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant, and equipment as defined in §4-4.01c of this act to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient.

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|---|---|---|---|---|
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2. Institutions of higher education can expend up to $1,000,000 for a single repair or project through the maintenance reserve appropriation without a separate appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an institution of higher education has identified a potential project that exceeds this threshold, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

F. Conditions Applicable to Bond Projects

1. The General Assembly hereby authorizes the capital projects listed in §§ 2-50 and 2-51 for the indicated agencies and institutions of higher education and hereby appropriates and reappropriates therefore sums from the sources and in the amount indicated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-50 and 2-51 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-50 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in Item C-327 or C-328 shall be authorized pursuant to § 23-19, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-50 and 2-51 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-50 and 2-51 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-50 and 2-51 for such capital project.

5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term

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financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in Item C-327 of § 2-50 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of any project listed in Item C-328 under the authorization of § 2-51 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

G. There is hereby reappropriated:

1. The appropriations unexpended at the close of the previous biennium in the appropriations and reappropriations in Items C-194 through C-196.10 made by Chapter 951, Acts of Assembly of 2005, and

2. The appropriations unexpended at the close of the previous biennium of any amount transferred from Items C-194 through C-196.10 to any capital project established by authority of the Governor which conforms to the conditions in paragraph H below.

H. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.

2. Equipment purchases have been authorized by the Governor but not received.

3. Plans and specifications have been authorized by the Governor but not completed.

4. Obligations were outstanding at the end of the previous biennium.

I. The Department of Planning and Budget is hereby authorized to administratively appropriate any nongeneral fund component of any capital project authorized in Chapters 859/827 (2002), Chapters 884/854 (2002), or Chapters 887/855 (2002).

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

J. Conditions Applicable to Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

a. a description of the purpose to be achieved by the proposal;

b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;

c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;

d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and

e. a recommendation and planned course of action based on this analysis.

K. Conditions Applicable to Alternative Financing

1. The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked:

| Agency | Item | Appropriation Act |
|---|---|---|
| Department of General Services | C-145 | Chapter 943 |
| Department of General Services | C-150 | Chapter 943 |
| Department of Mental Health, Mental Retardation and Substance Abuse Services | Item C-139.10 | Chapter 951 |
| Department of Mental Health, Mental Retardation and Substance Abuse Services | Item C-137 | Chapter 951 |
| Department of Social Services | Item C-102 | Chapter 1042 |
| Science Museum of Virginia | Item C-96.10 | Chapter 1042 |

L. Conditions Applicable to Alternative Financing

1. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

a. A member of the agency or institution's governing body;

b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

influence on the approval of the alternative financing arrangement; or

c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

M. The budget bill submitted by the Governor shall include a synopsis of previous appropriations for capital projects from the General Assembly and authorizations by the Governor for such projects.

N. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

O. Any capital project that has received a supplemental appropriation due to cost overruns must be completed within the revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

P. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

~~O.~~ *Q.* The Governor shall provide the Chairmen of the Senate Finance and House Appropriations Committees an opportunity to review the six year capital improvement plan prior to the beginning of each new biennial budget cycle.

*R. On or before June 30, 2008, the State Comptroller shall revert to the general fund an amount estimated at $100,000,000 from the following capital projects listed in the table below by agency, fund code, and project code; provided, however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the Director shall subsequently verify an unpaid obligation which cannot be paid as a result of this reversion:*

| *Agency Code* | *Project Code* | *Fund Code* |
|---|---|---|
| *204* | *16784* | *0100* |
| *204* | *17278* | *0100* |
| *207* | *16528* | *0100* |
| *208* | *16758* | *0100* |
| *208* | *17291* | *0100* |
| *209* | *17155* | *0100* |
| *211* | *17304* | *0100* |
| *212* | *17305* | *0100* |

| | | | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|---|---|
| | | | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |
| | *215* | *16803* | | *0100* | | |
| | *215* | *16594* | | *0100* | | |
| | *216* | *16806 / 16807* | | *0100* | | |
| | *217* | *16814* | | *0100* | | |
| | *238* | *16495* | | *0100* | | |
| | *242* | *16828 / 17414* | | *0100* | | |
| | *247* | *16607* | | *0100* | | |
| | *247* | *16832* | | *0100* | | |
| | *247* | *17365* | | *0100* | | |
| | *247* | *16745* | | *0100* | | |
| | *247* | *17486* | | *0100* | | |
| | *247* | *16523* | | *0100* | | |
| | *260* | *16611* | | *0100* | | |
| | *260* | *16843* | | *0100* | | |
| | *260* | *16836* | | *0100* | | |
| | *260* | *16851* | | *0100* | | |
| | *260* | *16849* | | *0100* | | |
| | *260* | *17375* | | *0100* | | |
| | *260* | *17380* | | *0100* | | |
| | *260* | *17167* | | *0100* | | |
| | *777* | *16723* | | *0100* | | |
| | *799* | *16991* | | *0100* | | |
| | *799* | *17267* | | *0100* | | |

*S. On or before June 30, 2008, the State Comptroller shall revert to the general fund an amount estimated at $300,000,000 from the following capital projects listed in the table below by agency, fund code, and project code; provided, however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the Director shall subsequently verify an unpaid obligation which cannot be paid as a result of this reversion:*

| ***Agency Code*** | ***Project Code*** | ***Fund Code*** |
|---|---|---|
| *207* | *16283* | *0100* |
| *208* | *17120* | *0100* |
| *211* | *17303* | *0100* |
| *211* | *17304* | *0100* |
| *236* | *16721* | *0100* |
| *268* | *16522* | *0100* |
| *720* | *17456* | *0100* |
| *720* | *16973* | *0100* |
| *778* | *17459* | *0100* |
| *123* | *17245* | *0100* |
| *156* | *17250* | *0100* |
| *194* | *16967* | *0100* |
| *194* | *17182* | *0100* |
| *203* | *17229* | *0100* |
| *208* | *16714* | *0100* |
| *214* | *17448* | *0100* |
| *214* | *17449* | *0100* |
| *246* | *16830* | *0100* |
| *260* | *16836* | *0100* |
| *260* | *16848* | *0100* |
| *260* | *17117* | *0100* |
| *260* | *17377* | *0100* |
| *260* | *17378* | *0100* |
| *260* | *17379* | *0100* |
| *260* | *17383* | *0100* |
| *260* | *17384* | *0100* |
| *260* | *17386* | *0100* |

| ITEM C-1. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | *260* | *17387* | | *0100* | | |
| | *260* | *17375* | | *0100* | | |
| | *263* | *17230* | | *0100* | | |
| | *292* | *17453* | | *0100* | | |
| | *425* | *17455* | | *0100* | | |
| | *720* | *17227* | | *0100* | | |
| | *720* | *17228* | | *0100* | | |
| | *777* | *15203* | | *0100* | | |
| | *777* | *15204* | | *0100* | | |
| | *777* | *17254* | | *0100* | | |
| | *799* | *15755* | | *0100* | | |
| | *799* | *16732* | | *0100* | | |
| | *799* | *16990* | | *0100* | | |
| | *799* | *16993* | | *0100* | | |
| | *799* | *17263* | | *0100* | | |
| | *799* | *17264* | | *0100* | | |
| | *799* | *17265* | | *0100* | | |

*R. On or before June 30, 2008, the State Comptroller shall revert to the general fund an amount estimated at $448,219 from the following capital projects listed in the table below by agency, fund code, and project code; provided, however, that the Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the Director shall subsequently verify an unpaid obligation which cannot be paid as a result of this reversion:*

| ***Agency Code*** | ***Project Code*** | ***Fund Code*** |
|---|---|---|
| *194* | *10079* | *0100* |
| *202* | *17210* | *0100* |
| *204* | *16034* | *0100* |
| *213* | *15945* | *0100* |
| *213* | *16256* | *0100* |
| *213* | *16448* | *0100* |
| *214* | *16251* | *0100* |
| *218* | *16453* | *0100* |
| *219* | *16262* | *0100* |
| *236* | *16630* | *0100* |
| *247* | *17371* | *0100* |
| *301* | *16516* | *0100* |
| *425* | *16977* | *0100* |
| *799* | *16764* | *0100* |
| *799* | *15666* | *0100* |
| *799* | *16432* | *0100* |

## OFFICE OF ADMINISTRATION

### § 2-1. DEPARTMENT OF GENERAL SERVICES (194)

C-1. Not set out.

| | | | | | |
|---|---|---|---|---|---|
| C-2. | Improvements: Renovate Washington Building (16967) .. | | | $4,817,000 | ~~$3,000,000~~ *$14,000,000* |
| | Fund Sources: General ..... | $4,817,000 | $3,000,000 | | |
| | *Special* ..... | *$0* | *$11,000,000* | | |

*1.* Additional funds in this Item are for the equipment portion of a previously funded capital project

| ITEM C-2. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | authorized in 2004 (Chapter 943, 2003 Acts of the Assembly). Supplemental funds are also provided in this Item. The total cost of this project with the supplement and equipment funds is $23,576,000. | | | | |
| | *2. The Director, Department of Planning and Budget, and the State Comptroller shall authorize and approve an interest-free treasury loan in the amount of $11,000,000 to the Department of General Services for the ongoing renovation to the Washington Building to cover the increased costs of construction and administration caused by the alleged default of the previous Operator. This treasury loan must be repaid by December 31, 2008; however, if final judgment or settlement of the litigation arising from the alleged default has not occurred prior to this date, the repayment schedule will be modified and repayment shall occur by December 31 of the year final judgment or settlement of the litigation is completed. Any recoveries as a result of the litigation shall be used first to pay back the balance of the treasury loan at such time as any such recovery is received.* | | | | |
| | *There is hereby created on the books of the State Comptroller a special non-reverting fund known as the Washington Building Renovation and Litigation Fund. This fund shall account for the treasury loan and associated disbursements as well as the recoveries as a result of the litigation. Any dollars remaining in the fund at the end of the fiscal year shall remain in the fund and shall not revert to the general fund. The cash balances in this fund shall not earn interest.* | | | | |
| C-3. | Not set out. | | | | |
| C-4. | New Construction: Construct Educational Wing of Virginia War Memorial (17177) ..... | | | $2,500,000 | $0 |
| | Fund Sources: General ..... | $500,000 | $0 | | |
| | Special ..... | $2,000,000 | $0 | | |
| | ~~1. Authority is hereby granted to the Virginia War Memorial's Board of trustees to name the Education Wing as they deem most appropriate.~~ | | | | |
| | ~~2. That upon certification by the Secretary of Administration that $2.0 in private funds have been raised, are available, and will be used to support construction of an educational wing for the Virginia War Memorial, the State Treasurer shall advance a loan of $3.5 million to the Department of General Services for the state share of the construction in the form of a short-term treasury loan, with no interest.~~ | | | | |
| | *1. That upon certification by the Governor or his designee that $2.0 million in private funds have been raised, pledged or expended to support construction of an educational wing for the Virginia War Memorial and expand the Shrine of Memory to include Virginians killed in action in the War on Terror, the State Comptroller shall advance a loan of $5.97 million to the state agency specified by the Governor or his designee for the state share of the construction in the form of a short-term treasury loan, with no interest.* | | | | |

| ITEM C-4. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | *2. The State Comptroller shall advance $500,000 of the $5.97 million upon certification that $1 million in private funds have been raised, pledged or expended for the educational wing. This amount shall be used for the educational wing portion of the project.* | | | | |
| | C-5. | Improvements: Energy Efficiency Projects for the Capitol Complex (17232) | | | $1,690,000 | ~~$0~~ *$195,000* |
| | | Fund Sources: General | $1,690,000 | $0 | | |
| | | *Trust and Agency* | *$0* | *$195,000* | | |
| | C-6. | Not set out. | | | | |
| | C-7. | Not set out. | | | | |
| | C-7.10. | Not set out. | | | | |
| | C-7.20. | Not set out. | | | | |
| | C-7.30. | Not set out. | | | | |
| | C-7.40. | Not set out. | | | | |
| | *C-7.50.* | *Improvements: Complete Open Stair Between Jefferson Building and Hill Building (17550)* | | | *$0* | *$570,000* |
| | | *Fund Sources: Dedicated Special Revenue* | *$0* | *$570,000* | | |
| | | 1. *Out of this appropriation, $570,000 the second year is provided from excess proceeds of the Virginia Public Building Authority to complete the replacement of the open stair between the Jefferson Building and the Hill Building.* | | | | |
| | | 2. *The source of the funds for the debt service appropriation in this Item is excess proceeds from the bond defeasance and sale of the Main Street Station. The Governor shall authorize the use of such funds for this project upon certification to him by the Virginia Public Building Authority that an arbitrage rebate liability calculation has been completed, an affirmative opinion of bond counsel has been received, and excess bond proceeds of the Authority are available.* | | | | |
| | | Total for Department of General Services | | | **$18,901,000** | **~~$17,495,972~~ *$29,260,972*** |
| | | Fund Sources: General | $16,901,000 | $17,495,972 | | |
| | | Special | $2,000,000 | ~~$0~~ *$11,000,000* | | |
| | | *Trust and Agency* | *$0* | *$195,000* | | |
| | | *Dedicated Special Revenue* | *$0* | *$570,000* | | |
| | C-8. | Not set out. | | | | |
| | C-9. | Not set out. | | | | |
| | C-9.10. | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF ADMINISTRATION | | | **$18,901,000** | **~~$17,495,972~~ *$29,260,972*** |

| ITEM C-9.10. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | Fund Sources: General | $16,901,000 | $17,495,972 | | |
| | | Special | $2,000,000 | ~~$0~~ | | |
| | | | | *$11,000,000* | | |
| | | *Trust and Agency* | *$0* | *$195,000* | | |
| | | *Dedicated Special Revenue* | *$0* | *$570,000* | | |
| | | **OFFICE OF AGRICULTURE AND FORESTRY** | | | | |
| C-10. | | Not set out. | | | | |
| C-11. | | Not set out. | | | | |
| C-12. | | Not set out. | | | | |
| C-13. | | Not set out. | | | | |
| C-14. | | Not set out. | | | | |
| C-15. | | Not set out. | | | | |
| C-16. | | Not set out. | | | | |
| C-16.10. | | Not set out. | | | | |
| C-17. | | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY | | | **$5,332,000** | **$5,285,000** |
| | | Fund Sources: General | $2,734,000 | $0 | | |
| | | Special | $1,168,000 | $5,285,000 | | |
| | | Dedicated Special Revenue | $1,200,000 | $0 | | |
| | | Federal Trust | $230,000 | $0 | | |
| | | **OFFICE OF EDUCATION** | | | | |
| | | **§ 2-2. VIRGINIA SCHOOL FOR THE DEAF AND THE BLIND AT STAUNTON (218)** | | | | |
| C-17.50. | | New Construction: Consolidation of the Schools for the Deaf, Blind and Multi-Disabled (17435) | | | $2,500,000 | ~~$3,500,000~~ *$2,058,000* |
| | | Fund Sources: General | $2,500,000 | ~~$3,500,000~~ *$2,058,000* | | |
| | | 1. Notwithstanding other provisions of the Code of Virginia, the State Board of Education, assisted by the Department of General Services, shall enter into either 1) a conventional design contract and a construction manager at risk contract, or 2) an interim agreement under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq., Code of Virginia) to plan and design the consolidation of the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind and Multi-disabled at Hampton into a single campus and transfer the students, programs and services to a single campus at Staunton. Funding in this item is provided to plan for the necessary renovations, additions and new facility construction at the Staunton campus. The Department of General Services shall develop a plan for disposing of buildings and property no longer necessary for special education purposes. The Department of General Services shall work with the City of Staunton | | | | |

| ITEM C-17.50. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | and the Department of Historic Resources when considering proposals that may transfer ownership to or establish long-term leases with private entities. The properties shall be conveyed with appropriate historic easements at fair market value with the proceeds reverting to the general fund to offset the cost of construction of the new facility. | | | | |
| | | 2. The Department of Education shall assist with the coordination with appropriate local entities for the transition of services to a regional day program in the Hampton Roads area by no later than June 30, 2008. The Department of General Services, in conjunction with the Board of Education may, with the Governor's approval, convey the current Hampton campus to an existing nonprofit or public entity in Hampton Roads to facilitate these services. In addition, the Department of Education shall provide appropriate technical assistance to regional special education programs and school divisions statewide. The Department of General Services shall develop a plan for disposing of buildings and property no longer necessary for special education purposes in the City of Hampton. The Department of General Services shall work with the City of Hampton and the Department of Historic Resources when considering proposals that may transfer ownership to or establish long-term leases with private entities. The properties shall be conveyed with appropriate historic easements at fair market value. | | | | |
| | | 3. Out of this appropriation, ~~$3,500,000~~ *$2,058,000* the second year from the general fund is available to continue the process for achieving consolidation of the two schools at the Staunton Campus. Such funds may be used for, but are not limited to, expenditures to continue planning for consolidation at the Staunton campus and expenditures to facilitate the future use of the Hampton campus. | | | | |
| | | Total for Virginia School for the Deaf and the Blind at Staunton..... | | | **$2,500,000** | **~~$3,500,000~~ *$2,058,000*** |
| | | Fund Sources: General..... | $2,500,000 | ~~$3,500,000~~ *$2,058,000* | | |
| | C-18. | Not set out. | | | | |
| | C-19. | Not set out. | | | | |
| | C-20. | Not set out. | | | | |
| | C-21. | Not set out. | | | | |
| | C-22. | Not set out. | | | | |
| | C-22.05. | Not set out. | | | | |
| | C-22.10. | Not set out. | | | | |
| | C-23. | Not set out. | | | | |
| | C-24. | Not set out. | | | | |

| ITEM C-25. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| C-25. Not set out. | | | | |
| C-26. Not set out. | | | | |
| C-27. Not set out. | | | | |
| C-28. Not set out. | | | | |
| C-29. Not set out. | | | | |
| C-30. Not set out. | | | | |
| C-31. Not set out. | | | | |
| C-32. Not set out. | | | | |
| C-33. Not set out. | | | | |
| C-33.10. Not set out. | | | | |
| C-33.20. Not set out. | | | | |
| C-34. Not set out. | | | | |
| C-35. Not set out. | | | | |
| C-36. Not set out. | | | | |
| C-37. Not set out. | | | | |
| C-37.10. Not set out. | | | | |
| C-38. Not set out. | | | | |
| C-39. Not set out. | | | | |
| C-40. Not set out. | | | | |
| C-40.10. Not set out. | | | | |
| C-40.20. Not set out. | | | | |
| **§ 2-3. GEORGE MASON UNIVERSITY (247)** | | | | |
| C-41. Not set out. | | | | |
| C-42. Not set out. | | | | |
| C-43. Not set out. | | | | |
| C-44. Not set out. | | | | |
| C-45. Not set out. | | | | |
| C-46. Not set out. | | | | |
| C-47. Not set out. | | | | |
| C-48. Not set out. | | | | |
| C-49. Not set out. | | | | |
| C-50. Not set out. | | | | |

| ITEM C-51. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

C-51. Not set out.

C-52. New Construction: Construct Faculty and Staff Housing (17372) (PPEA)

~~1. In order to assist with the recruitment and retention of faculty and staff, George Mason University (GMU) is hereby granted the authority to construct affordable market-quality faculty and staff housing consisting of a mixture of up to 450 rental and for-sale apartments, town homes, duplexes, and single family homes either: (a) pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002 (§ 56-575.0 et seq., Code of Virginia), by entering into a comprehensive agreement with a private entity for the construction of such housing, or (b) for this housing project only, by entering into a construction agreement with a private entity, including a private entity that was competitively selected prior to the effective date of this act pursuant to the Code of Virginia, based on an alternative financing scenario, approved by the Governor, and pursuant to the following stipulations and conditions: (i) all post-General Assembly authorization review, approval, administrative, and policy and procedure functions performed by the Department of General Services, the Division of Engineering and Buildings, the Department of Planning and Budget and any other agency that supports the functions performed by these departments are hereby delegated to GMU; (ii) the GMU Board of Visitors shall develop and implement an appropriate system of policies, procedures, reviews and approvals for this project; (iii) the system so adopted shall provide for the review and approval of the project in order to ensure that the project otherwise complies with all requirements of the Code of Virginia regarding capital projects, excluding only the functions described in clause (i) above; (iv) GMU shall report to the Departments of Planning and Budget and General Services on the status of the project by December 31, 2006, and semiannually by June 30 and December 31 thereafter until its completion; and (v) GMU shall ensure that Building Officials and Code Administrators code and fire safety inspections of the project are conducted and that the project is inspected by the State Fire Marshal prior to certification for building occupancy by the GMU assistant state building official to whom such inspection responsibility has been delegated pursuant to § 36-98.1 A. Nothing in this section shall be deemed to relieve GMU of any reporting requirement pursuant to § 2.2-1513, Code of Virginia.~~

~~2. Authority is also granted to enter into, as needed, capital leases for any components of an agreement authorized by paragraph 1 of this Item that may qualify as capital lease agreements. GMU shall identify any components of such an agreement that qualify as capital leases, as defined by Generally Accepted Accounting Principles (GAAP), and report such leases to the Department of Accounts, the Department of the Treasury and the Department of Planning and Budget. Any such agreement is exempt from § 4-3.03 b.2. of this act. If any such agreement contemplates the lease of property in the possession or control of GMU, this~~

| ITEM C-52. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

~~Item shall constitute the approval required by subsection B of § 2.2-1155 of the Code of Virginia for the term of such lease to be in excess of 50 years, up to and including the useful life of the improvements to such property, provided that the Governor also approves such a term.~~

~~3. If such faculty and staff housing is constructed on land owned by or leased to a private university-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinances.~~

*A. In order to assist with the recruitment and retention of faculty and staff, George Mason University (GMU) is hereby granted the authority to construct affordable market-quality faculty and staff housing consisting of a mixture of up to 450 rental and for-sale apartments, town homes, duplexes, and single family homes either (a) pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002 (§ 56-575.0 et seq., Code of Virginia), by entering into a comprehensive agreement with a private entity for the construction of such housing; or (b) for this housing project only, by entering into a construction agreement with a private entity, including a private entity that was competitively selected prior to the effective date of this act pursuant to the Code of Virginia, based on an alternative financing scenario, approved by the Governor, and pursuant to the following stipulations and conditions: (i) all post-General Assembly authorization review, approval, administrative, and policy and procedure functions performed by the Department of General Services, the Division of Engineering and Buildings, the Department of Planning and Budget and any other agency that supports the functions performed by these departments are hereby delegated to GMU; (ii) the GMU Board of Visitors shall develop and implement an appropriate system of policies, procedures, reviews and approvals for this project; (iii) the system so adopted shall provide for the review and approval of the project in order to ensure that the project otherwise complies with all requirements of the Code of Virginia regarding capital projects, excluding only the functions described in clause (i) above; (iv) GMU shall report to the Departments of Planning and Budget and General Services on the status of the project by December 31, 2006, and semiannually by June 30 and December 31 thereafter until its completion; and (v) GMU shall ensure that Building Officials and Code Administrators code and fire safety inspections of the project are conducted and that the project is inspected by the State Fire Marshal prior to certification for building occupancy by the Department of General Services, Division of Engineering and Buildings.*

*B. Authority is also granted to enter into, as needed, capital leases for any components of an agreement authorized by paragraph 1 of this item that may qualify as capital lease agreements. GMU shall identify any components of such an agreement that qualify as capital leases, as defined by Generally Accepted Accounting Principles (GAAP), and report such leases*

| ITEM C-52. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | *to the Department of Accounts, the Department of the Treasury and the Department of Planning and Budget. Any such agreement is exempt from § 4-3.03 b.2. of this act. If any such agreement contemplates the lease of property in the possession or control of GMU, this item shall constitute the approval required by subsection B of § 2.2-1155, Code of Virginia, for the term of such lease to be in excess of 50 years, up to and including the useful life of the improvements to such property, provided that the Governor also approves such a term.* | | | | |
| | | *C. If such faculty and staff housing is constructed on land owned by or leased to a private university-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinances.* | | | | |
| | C-53. | Not set out. | | | | |
| | C-54. | Not set out. | | | | |
| | C-55. | Not set out. | | | | |
| | C-55.10. | Not set out. | | | | |
| | C-55.20. | Not set out. | | | | |
| | C-55.30. | New Construction: Supplement: Prince William Performing Arts (16745)..... | | | $4,000,000 | ~~$0~~ *$2,500,000* |
| | | Fund Sources: General..... | $4,000,000 | $0 | | |
| | | *Higher Education Operating*..... | *$0* | *$2,500,000* | | |
| | C-55.40. | Not set out. | | | | |
| | C-55.50. | Not set out. | | | | |
| | C-55.60. | New Construction: Renovate and Construct Addition to Student Union I (17485)..... | | | $0 | ~~$19,934,000~~ *$23,934,000* |
| | | Fund Sources: Bond Proceeds..... | $0 | ~~$19,934,000~~ *$23,934,000* | | |
| | C-55.65. | Not set out. | | | | |
| | C-55.70. | Not set out. | | | | |
| | C-55.80. | Not set out. | | | | |
| | C-55.85. | Not set out. | | | | |
| | C-55.86. | Not set out. | | | | |
| | C-55.87. | Not set out. | | | | |
| | C-55.90. | Not set out. | | | | |
| | C-55.95. | New Construction: Student Union II (17508)..... | | | $0 | $6,000,000 |
| | | Fund Sources: Bond Proceeds..... | $0 | $6,000,000 | | |
| | | *The appropriation for "Bond Proceeds" in this Item* | | | | |

| ITEM C-55.95. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | *may be transferred to supplement the funding for the construction of the Student Housing VII project contained in Item C-55.87 of Chapter 847, 2007 Acts of Assembly. The total cost of the Student Housing VII project with the supplement is $73,778,000.* | | | | |
| | Total for George Mason University | | | **$217,970,000** | **~~$110,169,000~~** ***$116,669,000*** |
| | Fund Sources: General | $44,328,000 | $1,500,000 | | |
| | Higher Education Operating | $41,922,000 | ~~$2,000,000~~ *$4,500,000* | | |
| | Bond Proceeds | $131,720,000 | ~~$106,669,000~~ *$110,669,000* | | |
| | **§ 2-4. JAMES MADISON UNIVERSITY (216)** | | | | |
| C-56. | Not set out. | | | | |
| C-57. | Not set out. | | | | |
| C-58. | Not set out. | | | | |
| C-59. | Not set out. | | | | |
| C-60. | Not set out. | | | | |
| C-61. | Improvements: Renovate and Expand Bridgeforth Stadium (17331) | | | $10,000,000 | ~~$0~~ *$40,000,000* |
| | Fund Sources: *Higher Education Operating* | *$0* | *$15,000,000* | | |
| | Bond Proceeds | $10,000,000 | ~~$0~~ *$25,000,000* | | |
| C-61.20. | Not set out. | | | | |
| C-61.30. | 1. Subject to the provisions of this act, the General Assembly authorizes James Madison University, ~~with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia. —~~ *to enter into a written agreement or agreements with James Madison University Real Estate Foundation, Inc. (JMUREF) to support student housing projects and/or operational related facilities through alternative financing agreements including public private partnerships.* | | | | |
| | 2. ~~The General Assembly authorizes~~ James Madison University is further authorized to enter into a written agreement with ~~a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.~~ | | | | |

| ITEM C-61.30. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

*JMUREF to support student housing facilities; the support may include agreements to (i) include student housing facilities in the university's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees if those students occupied university owned housing; (iii) assign students to the facilities in preference to other university-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the university's obligation under any other documents or other instruments constituting or securing bonds or other indebtedness of the university or Commonwealth of Virginia.*

3. The General Assembly further authorizes James Madison University to enter into a written agreement with ~~the~~ *a* public or private entity for ~~the support of such~~ parking, student housing, and/or operational related facilities. ~~by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.~~ *The facility or facilities may or may not be located on property owned by the Commonwealth. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenues bonds issued by or for JMUREF will provide construction and/or permanent financing. James Madison University is further authorized to convey parcels of land to the JMUREF, which will develop the land for the purpose of establishing parking, residential housing for students and/or faculty and staff office, retail and other commercial land uses in accordance with the university's approved master plan.*

C-61.40. Not set out.

C-61.50. Not set out.

C-61.60. Not set out.

C-61.70. Not set out.

C-61.80. Not set out.

C-61.90. Not set out.

C-61.95. Not set out.

| ITEM C-61.95. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| C-61.96. | New Construction: Softball and Baseball Complex (17505) | | | | $0 | ~~$5,000,000~~ *$7,000,000* |
| | Fund Sources: Bond Proceeds | | $0 | ~~$5,000,000~~ *$7,000,000* | | |
| | The Director of the Department of Planning and Budget may approve the use of nongeneral fund balances from auxiliary services for this acquisition to reduce the amount to be financed from 9(d) bonds. | | | | | |
| C-61.97. | Not set out. | | | | | |
| | Total for James Madison University | | | | **$79,392,232** | ~~**$36,044,000**~~ ***$78,044,000*** |
| | Fund Sources: General | | $16,869,232 | $22,044,000 | | |
| | | Higher Education Operating | $11,654,000 | ~~$0~~ *$15,000,000* | | |
| | | Bond Proceeds | $50,869,000 | ~~$14,000,000~~ *$41,000,000* | | |
| C-62. | Not set out. | | | | | |
| C-63. | Not set out. | | | | | |
| C-64. | Not set out. | | | | | |
| C-65. | Not set out. | | | | | |
| C-66. | Not set out. | | | | | |
| C-67. | Not set out. | | | | | |
| C-68. | Not set out. | | | | | |
| C-69. | Not set out. | | | | | |
| C-70. | Not set out. | | | | | |
| C-71. | Not set out. | | | | | |
| C-72. | Not set out. | | | | | |
| C-73. | Not set out. | | | | | |
| C-74. | Not set out. | | | | | |
| C-75. | Not set out. | | | | | |
| C-76. | Not set out. | | | | | |
| C-77. | Not set out. | | | | | |
| C-78. | Not set out. | | | | | |
| C-79. | Not set out. | | | | | |
| C-80. | Not set out. | | | | | |
| C-80.10. | Not set out. | | | | | |
| C-80.20. | Not set out. | | | | | |

| ITEM C-80.30. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| C-80.30. | Not set out. | | | | | |
| C-80.50. | Not set out. | | | | | |
| C-81. | Not set out. | | | | | |
| C-82. | Not set out. | | | | | |
| C-83. | Not set out. | | | | | |
| C-84. | Not set out. | | | | | |
| C-85. | Not set out. | | | | | |
| C-86. | Not set out. | | | | | |
| C-86.10. | Not set out. | | | | | |
| C-86.20. | Not set out. | | | | | |
| C-86.30. | Not set out. | | | | | |
| C-86.40. | Not set out. | | | | | |
| C-86.50. | Not set out. | | | | | |
| C-87. | Not set out. | | | | | |
| C-88. | Not set out. | | | | | |
| C-89. | Not set out. | | | | | |
| C-90. | Not set out. | | | | | |
| C-91. | Not set out. | | | | | |
| C-92. | Not set out. | | | | | |
| C-93. | Not set out. | | | | | |
| C-94. | Not set out. | | | | | |
| C-94.10. | Not set out. | | | | | |
| C-94.20. | Not set out. | | | | | |
| C-94.30. | Not set out. | | | | | |
| C-94.40. | Not set out. | | | | | |
| | | **§ 2-5. OLD DOMINION UNIVERSITY (221)** | | | | |
| C-95. | Not set out. | | | | | |
| C-97. | Not set out. | | | | | |
| C-98. | Not set out. | | | | | |
| C-98.10. | Not set out. | | | | | |
| C-99. | Not set out. | | | | | |
| C-100. | Not set out. | | | | | |

| ITEM C-101. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| C-101. | Not set out. | | | | | |
| C-102. | Not set out. | | | | | |
| C-103. | Not set out. | | | | | |
| C-104. | Not set out. | | | | | |
| C-105. | Not set out. | | | | | |
| C-106. | Not set out. | | | | | |
| C-107. | Not set out. | | | | | |
| C-108. | Not set out. | | | | | |
| C-109. | Not set out. | | | | | |
| C-110. | Not set out. | | | | | |
| C-110.05. | Not set out. | | | | | |
| C-110.10. | Not set out. | | | | | |
| C-110.20. | Not set out. | | | | | |
| C-110.30. | Not set out. | | | | | |
| C-110.40. | *Improvements: Webb University Center (17640)* ..... | | | | *$0* | *$8,658,683* |
| | Fund Sources: *Higher Education Operating*..... | | *$0* | *$8,658,683* | | |
| | Total for Old Dominion University ..... | | | | **$83,078,880** | **~~$50,328,000~~ *$58,986,683*** |
| | Fund Sources: General..... | | $6,302,880 | $0 | | |
| | | Higher Education Operating..... | $8,118,000 | ~~$0~~ *$8,658,683* | | |
| | | Bond Proceeds..... | $68,658,000 | $50,328,000 | | |
| C-111. | Not set out. | | | | | |
| C-112. | Not set out. | | | | | |
| C-113. | Not set out. | | | | | |
| C-114. | Not set out. | | | | | |
| C-115. | Not set out. | | | | | |
| C-116. | Not set out. | | | | | |
| C-117. | Not set out. | | | | | |
| C-117.10. | Not set out. | | | | | |
| C-118. | Not set out. | | | | | |
| C-119. | Not set out. | | | | | |
| C-120. | Not set out. | | | | | |
| C-121. | Not set out. | | | | | |

| ITEM C-122. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|
| C-122. Not set out. | | | | |
| C-123. Not set out. | | | | |
| C-124. Not set out. | | | | |
| C-125. Not set out. | | | | |
| C-126. Not set out. | | | | |
| C-127. Not set out. | | | | |
| C-127.10. Not set out. | | | | |
| C-127.20. Not set out. | | | | |
| C-127.30. Not set out. | | | | |
| C-127.40. Not set out. | | | | |
| C-127.50. Not set out. | | | | |
| C-127.60. Not set out. | | | | |
| C-127.70. Not set out. | | | | |
| C-127.80. Not set out. | | | | |
| C-127.90. Not set out. | | | | |
| C-127.91. Not set out. | | | | |
| C-127.96. Not set out. | | | | |
| C-127.97. Not set out. | | | | |
| C-127.98. Not set out. | | | | |
| C-127.99. Not set out. | | | | |
| C-128. Not set out. | | | | |
| C-129. Not set out. | | | | |
| C-130. Not set out. | | | | |
| C-131. Not set out. | | | | |
| C-132. Not set out. | | | | |
| C-133. Not set out. | | | | |
| C-134. Not set out. | | | | |
| C-135. Not set out. | | | | |
| C-135.10. Not set out. | | | | |
| C-135.20. Not set out. | | | | |
| C-136. Not set out. | | | | |
| C-137. Not set out. | | | | |

| ITEM C-138. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| C-138. | Not set out. | | | | |
| C-139. | Not set out. | | | | |
| C-140. | Not set out. | | | | |
| C-140.10. | Not set out. | | | | |
| C-140.20. | Not set out. | | | | |
| | **§ 2-6. VIRGINIA COMMONWEALTH UNIVERSITY (236)** | | | | |
| C-141. | Not set out. | | | | |
| C-142. | Not set out. | | | | |
| C-143. | Not set out. | | | | |
| C-144. | Not set out. | | | | |
| C-145. | Not set out. | | | | |
| C-146. | Not set out. | | | | |
| C-147. | Not set out. | | | | |
| C-148. | Not set out. | | | | |
| C-149. | Not set out. | | | | |
| C-150. | Not set out. | | | | |
| C-151. | Not set out. | | | | |
| C-152. | Not set out. | | | | |
| C-153. | Not set out. | | | | |
| C-154. | Not set out. | | | | |
| C-155. | Not set out. | | | | |
| C-155.10. | Not set out. | | | | |
| C-155.20. | Not set out. | | | | |
| C-155.30. | Acquisition: University Ad Center (17200)..... | | | $1,578,000 | $0 |
| | Fund Sources: Higher Education Operating..... | $1,578,000 | $0 | | |
| | A. This Item contains supplemental funding for renovation and construction of an addition to the Central Belting Building for the University's Ad Center. The project was originally authorized in 2005 (Chapter 951, 2005 Acts of Assembly). The supplemental funding represents an increase in the university's equity contribution. The total cost of the equity contribution including the supplement is $4,758,000. | | | | |
| | *B. Virginia Commonwealth University is also hereby granted approval to enter into one or more operating leases between the University, the VCU Real Estate* | | | | |

| ITEM C-155.30. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | *Foundation, and a related entity controlled by the VCU Real Estate Founding for renovations and construction of an addition to university Ad Center.* | | | | |
| | | Total for Virginia Commonwealth University..... | | | **$152,550,000** | **$3,425,000** |
| | | Fund Sources: General..... | $26,781,000 | $2,974,000 | | |
| | | Higher Education Operating..... | $25,585,000 | $451,000 | | |
| | | Bond Proceeds..... | $100,184,000 | $0 | | |
| C-156. | | Not set out. | | | | |
| C-157. | | Not set out. | | | | |
| C-158. | | Not set out. | | | | |
| C-159. | | Not set out. | | | | |
| C-160. | | Not set out. | | | | |
| C-161. | | Not set out. | | | | |
| C-162. | | Not set out. | | | | |
| C-163. | | Not set out. | | | | |
| C-164. | | Not set out. | | | | |
| C-165. | | Not set out. | | | | |
| C-166. | | Not set out. | | | | |
| C-167. | | Not set out. | | | | |
| C-168. | | Not set out. | | | | |
| C-169. | | Not set out. | | | | |
| C-170. | | Not set out. | | | | |
| C-171. | | Not set out. | | | | |
| C-172. | | Not set out. | | | | |
| C-173. | | Not set out. | | | | |
| C-174. | | Not set out. | | | | |
| C-175. | | Not set out. | | | | |
| C-176. | | Not set out. | | | | |
| C-177. | | Not set out. | | | | |
| C-178. | | Not set out. | | | | |
| C-179. | | Not set out. | | | | |
| C-180. | | Not set out. | | | | |
| C-181. | | Not set out. | | | | |
| C-182. | | Not set out. | | | | |

| ITEM C-183. | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|

C-183. Not set out.

C-184. Not set out.

C-185. Not set out.

C-186. Not set out.

C-187. Not set out.

C-188. Not set out.

C-189. Not set out.

C-190. Not set out.

C-191. Not set out.

C-192. Not set out.

C-193. Not set out.

C-194. Not set out.

C-195. Not set out.

C-196. Not set out.

C-197. Not set out.

C-198. Not set out.

C-198.10. Not set out.

C-198.20. Not set out.

C-198.30. Not set out.

C-198.40. Not set out.

C-198.55. Not set out.

C-198.65. Not set out.

C-198.70. Not set out.

C-198.75. Not set out.

C-198.80. Not set out.

C-198.85. Not set out.

C-198.90. Not set out.

| ITEM C-199. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | **§ 2-7. VIRGINIA MILITARY INSTITUTE (211)** | | | | |
| C-199. | | Not set out. | | | | |
| C-200. | | Not set out. | | | | |
| C-201. | | Not set out. | | | | |
| C-202. | | Not set out. | | | | |
| C-202.10. | | Not set out. | | | | |
| *C-202.15.* | | *Improvements: Renovate Commandant's Quarters Center (17629)* | | | *$0* | *$1,200,000* |
| | | *Fund Sources: Higher Education Operating* | *$0* | *$1,200,000* | | |
| | | Total for Virginia Military Institute | | | **$50,609,000** | **~~$125,000~~ *$1,325,000*** |
| | | Fund Sources: General | $50,609,000 | $125,000 | | |
| | | *Higher Education Operating* | *$0* | *$1,200,000* | | |
| C-203. | | Not set out. | | | | |
| C-204. | | Not set out. | | | | |
| C-205. | | Not set out. | | | | |
| C-206. | | Not set out. | | | | |
| C-207. | | Not set out. | | | | |
| C-208. | | Not set out. | | | | |
| C-209. | | Not set out. | | | | |
| C-210. | | Not set out. | | | | |
| C-211. | | Not set out. | | | | |
| C-212. | | Not set out. | | | | |
| C-213. | | Not set out. | | | | |
| C-214. | | Not set out. | | | | |
| C-215. | | Not set out. | | | | |
| C-216. | | Not set out. | | | | |
| C-217. | | Not set out. | | | | |
| C-218. | | Not set out. | | | | |
| C-218.10. | | Not set out. | | | | |
| C-218.20. | | Not set out. | | | | |
| C-218.30. | | Not set out. | | | | |
| C-218.40. | | Not set out. | | | | |
| C-218.50. | | Not set out. | | | | |

| ITEM C-219. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | **§ 2-8. VIRGINIA STATE UNIVERSITY (212)** | | | | |
| | C-219. | Not set out. | | | | |
| | C-220. | Not set out. | | | | |
| | C-221. | Not set out. | | | | |
| | C-222. | Not set out. | | | | |
| | C-223. | Improvements: Renovate Singleton Hall (17306) ..... | | | $7,959,000 | $0 |
| | | Fund Sources: General ..... | $7,959,000 | $0 | | |
| | | *Virginia State University is authorized to adjust the previously approved scope of the Singleton Hall renovation from 40,119 gross square feet to 43,287 gross square feet to allow for new construction. This change in the scope may occur provided that the cost of the project not increase beyond the amount previously appropriated.* | | | | |
| | C-224. | Not set out. | | | | |
| | C-225. | Not set out. | | | | |
| | C-226. | Not set out. | | | | |
| | C-227. | Not set out. | | | | |
| | C-228. | Not set out. | | | | |
| | C-229. | Not set out. | | | | |
| | C-230. | Not set out. | | | | |
| | C-231. | Not set out. | | | | |
| | C-232. | Not set out. | | | | |
| | C-232.10. | Not set out. | | | | |
| | C-232.20. | Not set out. | | | | |
| | C-232.30. | Not set out. | | | | |
| | C-232.55. | Not set out. | | | | |
| | C-232.60. | Not set out. | | | | |
| | C-232.65. | Not set out. | | | | |
| | C-232.70. | Not set out. | | | | |
| | C-232.80. | Not set out. | | | | |
| | C-232.90. | Not set out. | | | | |
| | C-232.95. | Not set out. | | | | |
| | C-232.96. | Not set out. | | | | |
| | | Total for Virginia State University ..... | | | **$96,183,000** | **$10,538,000** |

| ITEM C-232.96. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | | Fund Sources: General | $17,129,000 | $4,419,000 | | |
| | | Higher Education Operating | $14,079,000 | $6,119,000 | | |
| | | Bond Proceeds | $64,975,000 | $0 | | |
| C-233. | | Not set out. | | | | |
| C-234. | | Not set out. | | | | |
| C-235. | | Not set out. | | | | |
| C-236. | | Not set out. | | | | |
| C-237. | | Not set out. | | | | |
| C-238. | | Not set out. | | | | |
| | | **§ 2-9. JAMESTOWN-YORKTOWN FOUNDATION (425)** | | | | |
| C-239. | | Not set out. | | | | |
| C-240. | | Not set out. | | | | |
| C-240.10. | | Not set out. | | | | |
| *C-240.20.* | | *Planning: Construct Yorktown Museum (17626)* | | | *$0* | *$1,590,000* |
| | | *Fund Sources: Special* | *$0* | *$1,590,000* | | |
| | | Total for Jamestown-Yorktown Foundation | | | **$2,679,164** | **~~$0~~** ***$1,590,000*** |
| | | Fund Sources: General | $2,246,164 | $0 | | |
| | | Special | $433,000 | ~~$0~~ *$1,590,000* | | |
| C-241. | | Not set out. | | | | |
| C-241.10. | | Not set out. | | | | |
| C-241.20. | | Not set out. | | | | |
| C-242. | | Not set out. | | | | |
| C-243. | | Not set out. | | | | |
| C-244. | | Not set out. | | | | |
| C-244.05. | | Not set out. | | | | |
| C-244.10. | | Not set out. | | | | |
| | | TOTAL FOR OFFICE OF EDUCATION | | | **$1,777,808,977** | **~~$532,385,500~~** ***$590,892,183*** |
| | | Fund Sources: General | $494,463,977 | ~~$194,778,000~~ *$193,336,000* | | |
| | | Special | $433,000 | ~~$0~~ *$1,590,000* | | |
| | | Higher Education Operating | $407,883,000 | ~~$27,734,000~~ *$55,092,683* | | |
| | | Trust and Agency | $43,088,000 | $3,776,500 | | |
| | | Bond Proceeds | $831,941,000 | ~~$306,097,000~~ *$337,097,000* | | |

| ITEM C-245. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | **OFFICE OF FINANCE** | | | | |
| C-245. | Not set out. | | | | |
| | TOTAL FOR OFFICE OF FINANCE..... | | | **$0** | **$0** |
| | **OFFICE OF HEALTH AND HUMAN RESOURCES** | | | | |
| C-246. | Not set out. | | | | |
| C-247. | Not set out. | | | | |
| C-247.10. | Not set out. | | | | |
| C-247.20. | Not set out. | | | | |
| C-247.30. | Not set out. | | | | |
| C-247.40. | Not set out. | | | | |
| C-247.50. | Not set out. | | | | |
| C-247.55. | Not set out. | | | | |
| C-247.60. | Not set out. | | | | |
| C-248. | Not set out. | | | | |
| C-249. | Not set out. | | | | |
| C-250. | Not set out. | | | | |
| C-251. | Not set out. | | | | |
| C-251.10. | Not set out. | | | | |
| | TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES..... | | | **$115,523,000** | **$4,750,000** |
| | Fund Sources: General..... | $115,523,000 | $4,750,000 | | |
| | **OFFICE OF NATURAL RESOURCES** | | | | |
| C-252. | Not set out. | | | | |
| C-253. | Not set out. | | | | |
| C-254. | Not set out. | | | | |
| C-255. | Not set out. | | | | |
| C-255.10. | Not set out. | | | | |
| C-256. | Not set out. | | | | |
| C-257. | Not set out. | | | | |
| C-258. | Not set out. | | | | |
| C-259. | Not set out. | | | | |
| C-260. | Not set out. | | | | |

| ITEM C-261. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| C-261. | Not set out. | | | | | |
| C-262. | Not set out. | | | | | |
| C-263. | Not set out. | | | | | |
| | TOTAL FOR OFFICE OF NATURAL RESOURCES .... | | | | **$16,100,000** | **$6,000,000** |
| | Fund Sources: | General ..... | $0 | $6,000,000 | | |
| | | Dedicated Special Revenue ..... | $14,350,000 | $0 | | |
| | | Federal Trust ..... | $1,750,000 | $0 | | |
| | **OFFICE OF PUBLIC SAFETY** | | | | | |
| C-264. | Not set out. | | | | | |
| C-265. | Not set out. | | | | | |
| C-266. | Not set out. | | | | | |
| C-267. | Not set out. | | | | | |
| C-268. | Not set out. | | | | | |
| C-269. | Not set out. | | | | | |
| C-270. | Not set out. | | | | | |
| C-271. | Not set out. | | | | | |
| C-272. | Not set out. | | | | | |
| C-273. | Not set out. | | | | | |
| C-274. | Not set out. | | | | | |
| C-275. | Not set out. | | | | | |
| C-276. | Not set out. | | | | | |
| C-277. | Not set out. | | | | | |
| C-278. | Not set out. | | | | | |
| C-279. | Not set out. | | | | | |
| C-280. | Not set out. | | | | | |
| C-281. | Not set out. | | | | | |
| C-282. | Not set out. | | | | | |
| C-283. | Not set out. | | | | | |
| C-284. | Not set out. | | | | | |
| C-285. | Not set out. | | | | | |
| C-286. | Not set out. | | | | | |
| C-287. | Not set out. | | | | | |
| C-288. | Not set out. | | | | | |

| ITEM C-289. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| C-289. | Not set out. | | | | |
| C-290. | Not set out. | | | | |
| C-290.10. | Not set out. | | | | |
| C-290.20. | Not set out. | | | | |
| C-290.30. | Not set out. | | | | |
| C-290.40. | Not set out. | | | | |
| C-291. | Not set out. | | | | |
| C-292. | Not set out. | | | | |
| C-293. | Not set out. | | | | |
| C-294. | Not set out. | | | | |
| C-295. | Not set out. | | | | |
| C-296. | Not set out. | | | | |
| C-297. | Not set out. | | | | |
| C-298. | Not set out. | | | | |
| C-299. | Not set out. | | | | |
| C-300. | Not set out. | | | | |
| C-301. | Not set out. | | | | |
| C-302. | Not set out. | | | | |
| C-302.05. | Not set out. | | | | |
| C-302.10. | Not set out. | | | | |
| C-302.20. | Not set out. | | | | |
| C-302.30. | Not set out. | | | | |
| | TOTAL FOR OFFICE OF PUBLIC SAFETY ..... | | | **$116,009,000** | **$117,507,000** |
| | Fund Sources: General ..... | $101,564,000 | $18,107,000 | | |
| | Special ..... | $3,500,000 | $0 | | |
| | Enterprise ..... | $400,000 | $400,000 | | |
| | Federal Trust ..... | $10,545,000 | $0 | | |
| | Bond Proceeds ..... | $0 | $99,000,000 | | |
| | **OFFICE OF TRANSPORTATION** | | | | |
| C-303. | Not set out. | | | | |
| C-304. | Not set out. | | | | |
| C-305. | Not set out. | | | | |
| C-306. | Not set out. | | | | |
| C-307. | Not set out. | | | | |

| ITEM C-308. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| C-308. | Not set out. | | | | | |
| C-309. | Not set out. | | | | | |
| C-310. | Not set out. | | | | | |
| C-311. | Not set out. | | | | | |
| C-312. | Not set out. | | | | | |
| C-313. | Not set out. | | | | | |
| C-314. | Not set out. | | | | | |
| C-315. | Not set out. | | | | | |
| C-316. | Not set out. | | | | | |
| C-317. | Not set out. | | | | | |
| C-318. | Not set out. | | | | | |
| C-319. | Not set out. | | | | | |
| C-319.10. | Not set out. | | | | | |
| | **§ 2-10. VIRGINIA PORT AUTHORITY (407)** | | | | | |
| C-320. | Not set out. | | | | | |
| C-321. | Not set out. | | | | | |
| C-322. | Not set out. | | | | | |
| C-323. | Not set out. | | | | | |
| C-324. | Not set out. | | | | | |
| *C-324.10.* | *Improvements: Norfolk International Terminal - South, Land Acquisition, and other Improvements to Port Facilities (16644)* | | | | *$0* | *$93,000,000* |
| | *Fund Sources: Bond Proceeds* | | *$0* | *$93,000,000* | | |
| | *Included in this Item is funding for the reconstruction and expansion of Norfolk International Terminals (NIT), reconstruction and expansion of Portsmouth Marine Terminal (PMT), land acquisitions adjacent to NIT and PMT, and other improvements to port facilities as required. Bond debt service is provided for this project in Item 453 B.6.* | | | | | |
| | Total for Virginia Port Authority | | | | **$134,200,000** | ~~**$21,750,000**~~ ***$114,750,000*** |
| | Fund Sources: Special | | $42,450,000 | $20,000,000 | | |
| | Commonwealth Transportation | | $1,750,000 | $1,750,000 | | |
| | Bond Proceeds | | $90,000,000 | ~~$0~~ *$93,000,000* | | |
| | TOTAL FOR OFFICE OF TRANSPORTATION | | | | **$156,797,000** | ~~**$31,364,000**~~ ***$124,364,000*** |

| ITEM C-324.10. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | Fund Sources: Special | | $42,450,000 | $20,000,000 | | |
| | Commonwealth Transportation | | $24,347,000 | $11,364,000 | | |
| | Bond Proceeds | | $90,000,000 | ~~$0~~ *$93,000,000* | | |
| | **CENTRAL APPROPRIATIONS** | | | | | |
| | **§ 2-11. CENTRAL CAPITAL OUTLAY (949)** | | | | | |
| C-325. | Central Maintenance Reserve (15776) | | | | $67,010,000 | $67,010,000 |
| | Fund Sources: General | | $67,010,000 | $67,010,000 | | |

A. A total of $67,010,000 in the first year and $67,010,000 in the second year from the general fund is provided to state agencies and institutions for maintenance reserve subprojects. The Director, Department of Planning and Budget is hereby directed to transfer to agencies and institutions the following sums:

**2006-2008 Appropriations**

| Agency Name | Project Code | FY 2007 | FY 2008 |
|---|---|---|---|
| Department of General Services | 14260 | 2,773,958 | 2,773,958 |
| Department of Veterans Services | 17073 | 50,080 | 50,080 |
| Department of Agriculture and Consumer Services | 12253 | 372,438 | 372,438 |
| Department of Forestry | 13986 | 199,374 | 199,374 |
| Department of Mines, Minerals and Energy | 13096 | 67,049 | 67,049 |
| Virginia School for the Deaf, Blind and Multi-Disabled at Hampton | 12543 | 300,000 | 300,000 |
| Virginia School for the Deaf and the Blind at Staunton | 14082 | 300,000 | 300,000 |
| Christopher Newport University | 12719 | 604,955 | 604,955 |
| The College of William and Mary in Virginia | 12713 | 2,488,470 | 2,488,470 |
| Richard Bland College | 12716 | 79,677 | 79,677 |
| Virginia Institute of Marine Science | 12331 | 421,873 | 421,873 |
| George Mason University | 12712 | 3,316,603 | 3,316,603 |
| James Madison University | 12718 | 2,578,416 | 2,578,416 |
| Longwood University | 12722 | 1,375,983 | 1,375,983 |
| Old Dominion University | 12710 | 1,904,187 | 1,904,187 |
| Radford University | 12731 | 980,905 | 980,905 |
| University of Mary Washington | 12723 | 637,309 | 637,309 |
| University of Virginia | 12704 | 7,417,722 | 7,417,722 |
| University of Virginia's College at Wise | 12706 | 392,739 | 392,739 |
| Virginia Commonwealth University | 12708 | 5,097,743 | 5,097,743 |
| Virginia Community College System | 12611 | 7,259,898 | 7,259,898 |
| Virginia Military Institute | 12732 | 1,219,725 | 1,219,725 |
| Virginia Polytechnic Institute and State University | 12707 | 8,644,980 | 8,644,980 |
| Frontier Culture Museum of Virginia | 15045 | 110,933 | 110,933 |
| Gunston Hall | 12382 | 79,743 | 79,743 |
| Jamestown-Yorktown Foundation | 13605 | 540,559 | 540,559 |
| The Library of Virginia | 17423 | 2,675 | 2,675 |
| The Science Museum of Virginia | 13634 | 802,036 | 802,036 |
| Virginia Museum of Fine Arts | 13633 | 915,841 | 915,841 |
| Southwest Virginia Higher Education Center | 16499 | 66,812 | 66,812 |
| Department of Taxation | 15994 | 353,272 | 353,272 |
| Department of Mental Health, Mental Retardation and Substance Abuse Services | 10880 | 6,311,084 | 6,311,084 |
| Woodrow Wilson Rehabilitation Center | 10885 | 1,091,271 | 1,091,271 |
| Department for the Blind And Vision Impaired | 13942 | 231,594 | 231,594 |
| Department of Conservation And Recreation | 16646 | 640,137 | 640,137 |
| Marine Resources Commission | 16498 | 64,618 | 64,618 |
| Virginia Museum of Natural History | 14439 | 70,042 | 70,042 |
| Department of Corrections | 10887 | 4,549,112 | 4,549,112 |
| Department of Emergency Management | 15989 | 64,618 | 64,618 |

| ITEM C-325. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | Department of Forensic Science | 16320 | 72,543 | | 72,543 |
| | Department of Juvenile Justice | 15081 | 1,849,253 | | 1,849,253 |
| | Department of Military Affairs | 10893 | 481,036 | | 481,036 |
| | Department of State Police | 10886 | 228,737 | | 228,737 |
| | **Total** | | **$67,010,000** | | **$67,010,000** |

B. Agencies and institutions of higher education may use maintenance reserve funds in the first year to plan subprojects to be funded from allocations in the second year. Any agency or institution of higher education which has not expended or contractually obligated itself in a legally binding manner to expend 85 percent or more of its biennial general fund appropriation for maintenance reserve by June 30, 2008, shall revert to the general fund of the Commonwealth the amount related to the difference between its percentage actually expended or obligated and the 85 percent standard. For good cause the Director, Department of Planning and Budget may grant exceptions to this requirement.

C. Agencies and institutions of higher education may use maintenance reserve funds: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections, including asbestos abatement; to correct deficiencies in fire protection, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements or address minor deficiencies that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget.

D. Agencies may transfer amounts from maintenance reserve funds to the operating budget subject to the provisions of 4-4.01c of this act.

*E.1. Any balances remaining from the maintenance reserve allocation identified in this item for the Virginia Museum of Fine Arts shall not revert to the general fund on June 30, 2008, but shall be brought forward and made available for the purposes of this item in fiscal year 2009.*

*2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art works owned by the Museum.*

C-325.10. Not set out.

C-326. Not set out.

C-326.10. Not set out.

| | | | | | |
|---|---|---|---|---|---|
| *C-326.20.* | *Reversion Clearing Account: Capital Planning Reversion (17630)* ..... | | | *$0* | *($4,000,000)* |

| ITEM C-326.20. | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|
| | *Fund Sources: General* | *$0* | *($4,000,000)* | | |
| *C-326.30.* | *Reversion Clearing Account: Supplant Capital Projects (17631)* | | | *$0* | *$300,000,000* |
| | *Fund Sources: Bond Proceeds* | *$0* | *$300,000,000* | | |

*The Director, Department of Planning and Budget, shall restore from proceeds of bonds authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 of the Code of Virginia, or the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia, an amount estimated at $300,000,000 which represents general funds reverted from the following capital projects listed in the table below by agency, fund code, and project code:*

| *Agency Code* | *Project Code* | *Fund Code* |
|---|---|---|
| *207* | *16283* | *0100* |
| *208* | *17120* | *0100* |
| *211* | *17303* | *0100* |
| *211* | *17304* | *0100* |
| *236* | *16721* | *0100* |
| *268* | *16522* | *0100* |
| *720* | *17456* | *0100* |
| *720* | *16973* | *0100* |
| *778* | *17459* | *0100* |
| *123* | *17245* | *0100* |
| *156* | *17250* | *0100* |
| *194* | *16967* | *0100* |
| *194* | *17182* | *0100* |
| *203* | *17229* | *0100* |
| *208* | *16714* | *0100* |
| *214* | *17448* | *0100* |
| *214* | *17449* | *0100* |
| *246* | *16830* | *0100* |
| *260* | *16836* | *0100* |
| *260* | *16848* | *0100* |
| *260* | *17117* | *0100* |
| *260* | *17377* | *0100* |
| *260* | *17378* | *0100* |
| *260* | *17379* | *0100* |
| *260* | *17383* | *0100* |
| *260* | *17384* | *0100* |
| *260* | *17386* | *0100* |
| *260* | *17387* | *0100* |
| *260* | *17375* | *0100* |
| *263* | *17230* | *0100* |
| *292* | *17453* | *0100* |
| *425* | *17455* | *0100* |
| *720* | *17227* | *0100* |
| *720* | *17228* | *0100* |
| *777* | *15203* | *0100* |
| *777* | *15204* | *0100* |
| *777* | *17254* | *0100* |
| *799* | *15755* | *0100* |
| *799* | *16732* | *0100* |
| *799* | *16990* | *0100* |
| *799* | *16993* | *0100* |
| *799* | *17263* | *0100* |

| ITEM C-326.30. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| | *799* | *17264* | | *0100* | | |
| | *799* | *17265* | | *0100".* | | |
| | Total for Central Capital Outlay | | | | **$169,284,920** | ~~**$67,010,000**~~ ***$363,010,000*** |
| | Fund Sources: General | | $169,284,920 | ~~$67,010,000~~ *$63,010,000* | | |
| | *Bond Proceeds* | | *$0* | *$300,000,000* | | |

C-327. Not set out.

**§ 2-12. 9(D) REVENUE BONDS (951)**

C-328. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9 (d), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

3. The total amount listed in this Item includes $ $780,536,000 in bond proceeds and $ $73,631,000 in higher education operating funds.

| Agency Name/ Project Title | Item # | Project Code | Section 9(d)Bonds | Higher Education Operating | Total |
|---|---|---|---|---|---|
| **Christopher Newport University** | | | | | |
| Expand Freeman Center Gymnasium | C-20 | 17360 | $26,100,000 | $0 | $26,100,000 |
| Expand athletic facilities II | C-21 | 17361 | $8,300,000 | $0 | $8,300,000 |
| **College of William and Mary** | | | | | |
| Construct Integrated Science Center | C-23 | 16296 | $3,000,000 | $0 | $3,000,000 |
| Construct School of Business Building | C-24 | 16648 | $10,000,000 | $5,000,000 | $15,000,000 |
| Construct new dormitory | C-25 | 16691 | $2,000,000 | $0 | $2,000,000 |
| Williamsburg Community Hospital | C-28 | 17189 | $2,500,000 | $0 | $2,500,000 |
| Renovate power plant and make utility improvements | C-29 | 17278 | $5,364,000 | $0 | $5,364,000 |
| Residence Hall Fire Safety | C-33.10 | 17446 | $2,100,000 | $0 | $2,100,000 |
| Renovate and expand law library | C-33.20 | 16785 | $3,800,000 | $0 | $3,800,000 |
| **George Mason University** | | | | | |
| Construct Patriot Center addition, phase II | C-41 | 15812 | $13,451,000 | $1,000,000 | $14,451,000 |
| Construct addition to Krasnow Institute | C-43 | 16665 | $500,000 | $0 | $500,000 |
| Construct Fieldhouse addition | C-45 | 17143 | $5,415,000 | $0 | $5,415,000 |
| Construct academic VI and research II facility | C-46 | 17365 | $25,318,000 | $10,000,000 | $35,318,000 |
| Renovate student union building II | C-47 | 17366 | $4,009,000 | $0 | $4,009,000 |

| ITEM C-328. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| Construct housing VII and entrance road realignment | C-48 | 17367 | | $7,519,000 | $0 | $7,519,000 |
| Construct physical education addition, phase II | C-49 | 17368 | | $8,206,000 | $0 | $8,206,000 |
| Construct biocontainment laboratory | C-51 | 17371 | | $15,000,000 | $25,000,000 | $40,000,000 |
| Construct Fairfax Surge Space Fit Out Data Center | C-55.10 | 17142 | | $8,616,000 | $0 | $8,616,000 |
| Construct Addition to Field House | C-45 | 17143 | | $6,500,000 | $0 | $6,500,000 |
| Construct and Improve Softball Field Complex | C-50 | 17369 | | $2,109,000 | $0 | $2,109,000 |
| Renovate and Construct Addition to Student Union I | C-55.60 | 17485 | | $19,934,000 | $0 | $19,934,000 |
| Construct Academic II and parking | C-55.50 | 17056 | | $3,500,000 | $0 | $3,500,000 |
| Construct Conference Center | C-54 | 17374 | | $40,000,000 | $0 | $40,000,000 |
| Construct Parking Deck III | C-55.65 | 17049 | | $10,856,000 | $0 | $10,856,000 |
| Construct Student Union III | C-55.95 | 07508 | | $6,000,000 | $0 | $6,000,000 |
| **James Madison University** | | | | | | |
| Renovate and expand Bridgeforth Stadium | C-61 | 17331 | | ~~$10,000,000~~ *$35,000,000* | $0 | ~~$10,000,000~~ *$35,000,000* |
| Acquire Memorial Hall | C-61.90 | 17481 | | $11,600,000 | $0 | $11,600,000 |
| Construct Softball and Baseball Complex | C-61.96 | 17505 | | ~~$5,000,000~~ *$7,000,000* | $0 | ~~$5,000,000~~ *$7,000,000* |
| Acquire East Campus Property | C-61.95 | 17509 | | $9,000,000 | $0 | $9,000,000 |
| **Longwood University** | | | | | | |
| Construct Fitness center/Fieldhouse | C-63 | 16420 | | $3,981,000 | $0 | $3,981,000 |
| Modernize heating plant, phase II | C-67 | 17316 | | $815,000 | $0 | $815,000 |
| Construct lacrosse/field hockey complex | C-68 | 17018 | | $1,265,000 | $0 | $1,265,000 |
| Renovate Blackwell Hall and bookstore | C-69 | 17019 | | $963,000 | $0 | $963,000 |
| Construct addition to Willett Hall | C-71 | 17169 | | $413,000 | $0 | $413,000 |
| Construct addition and renovate Lankford Hall | C-73 | 17318 | | $11,475,000 | $13,031,000 | $11,475,000 |
| Renovate athletic offices and support facilities | C-77 | 17322 | | $11,961,000 | $0 | $11,961,000 |
| Upgrade heating plant, phase III | C-78 | 17323 | | $5,102,000 | $0 | $5,102,000 |
| Construct recreation facilities | C-79 | 17324 | | $1,829,000 | $0 | $1,829,000 |
| **Norfolk State University** | | | | | | |
| Renovate and expand Student Center Building | C-94.20 | 16873 | | $6,500,000 | $0 | $6,500,000 |
| **Old Dominion University** | | | | | | |
| Construct indoor tennis center | C-99 | 17031 | | $3,772,000 | $0 | $3,772,000 |
| Relocate and expand athletic facilities | C-100 | 17033 | | $1,500,000 | $0 | $1,500,000 |
| Renovate and construct an addition to the Health and Physical Education Building | C-101 | 17103 | | $9,030,000 | $0 | $9,030,000 |
| Construct a quad parking structure | C-107 | 17344 | | $8,816,000 | $0 | $8,816,000 |

| ITEM C-328. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| Construct parking facility on 49th Street | C-110 | 17347 | $14,609,000 | | $0 | $14,609,000 |
| Construct Powhatan Sports Complex | C-110.05 | 17483 | $28,793,000 | | $0 | $28,793,000 |
| **University of Mary Washington** | | | | | | |
| Construct Residence Halls | C-86.50 | 17507 | $35,000,000 | | $0 | $35,000,000 |
| Renovate Goolrick Field | C-86.40 | 17506 | $2,000,000 | | $0 | $2,000,000 |
| **University of Virginia** | | | | | | |
| Upgrade main heating plant for environmental compliance | C-119 | 16872 | $9,164,000 | | $0 | $9,164,000 |
| Rouss Hall Improvments | C-127.10 | 16282 | $6,900,000 | | $0 | $6,900,000 |
| Construct Printing and Copying Services Addition | C-127.97 | 17475 | $1,000,000 | | $1,600,000 | $2,600,000 |
| Acquire Research Facility | C-127.91 | 17500 | $35,100,000 | | $0 | $35,100,000 |
| **University of Virginia Medical Center** | | | | | | |
| Construct Children's Medical Center | C-128 | 17011 | $4,000,000 | | $0 | $4,000,000 |
| Construct or acquire medical office building | C-132 | 17299 | $20,000,000 | | $0 | $20,000,000 |
| Expand hospital beds | C-135 | 17302 | $60,000,000 | | $18,000,000 | $78,000,000 |
| Expand hospital | C-135.10 | 16392 | $9,600,000 | | $0 | $9,600,000 |
| **University of Virginia's College at Wise** | | | | | | |
| Construct student residence hall, phase III | C-138 | 17363 | $8,000,000 | | $0 | $8,000,000 |
| Construct new dining facility | C-139 | 17364 | $7,000,000 | | $0 | $7,000,000 |
| **Virginia Commonwealth University** | | | | | | |
| Construct Medical Sciences building, phase II | C-144 | 16721 | $5,359,000 | | $0 | $5,359,000 |
| Construct Monroe Park campus parking and housing facility | C-150 | 17109 | $19,429,000 | | $0 | $19,429,000 |
| Construct Monroe Park and MCV campus recreation facilities | C-155 | 17452 | $57,523,000 | | $0 | $57,523,000 |
| Expand School of Dentistry | C-155.10 | 17405 | $2,600,000 | | $0 | $2,600,000 |
| **Virginia Community College System** | | | | | | |
| Construct student center, Portsmouth campus, Tidewater | C-196 | 17397 | $14,090,000 | | $0 | $14,090,000 |
| **Virginia Polytechnic Institute and State University** | | | | | | |
| Improve Performing Arts Center | C-218.60 | 16758 | $13,000,000 | | $0 | $13,000,000 |
| Upgrade campus heating plant | C-207 | 17120 | $11,500,000 | | $0 | $11,500,000 |
| Construct Institute for Critical Technology and Applied Science, phase II | C-209 | 17291 | $17,500,000 | | $0 | $17,500,000 |
| Construct Administrative Services Building | C-210 | 17292 | $12,000,000 | | $0 | $12,000,000 |
| Construct new visitor and admissions center | C-211 | 17293 | $5,250,000 | | $0 | $5,250,000 |
| Construct additional recreation, counseling, and clinical space | C-213 | 17295 | $13,000,000 | | $0 | $13,000,000 |

| ITEM C-328. | | | Item Details($) First Year FY2007 | Item Details($) Second Year FY2008 | Appropriations($) First Year FY2007 | Appropriations($) Second Year FY2008 |
|---|---|---|---|---|---|---|
| Construct indoor athletic training facility | C-214 | 17296 | | $25,000,000 | $0 | $25,000,000 |
| **Total for Nongeneral Fund Obligation Bonds 9(d)** | | | | **$780,536,000** | **$73,631,000** | **$854,167,000** |

C-328.10. Not set out.

C-328.20. Not set out.

C-329. Not set out.

C-330. Not set out.

| | | | |
|---|---|---|---|
| Total for 9(D) Revenue Bonds | | | **$0** / **$0** |
| TOTAL FOR CENTRAL APPROPRIATIONS | | | **$169,284,920** / ~~**$67,010,000**~~ ***$363,010,000*** |
| Fund Sources: General | $169,284,920 | ~~$67,010,000~~ *$63,010,000* | |
| *Bond Proceeds* | *$0* | *$300,000,000* | |
| TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES | | | **$2,375,755,897** / ~~**$781,797,472**~~ ***$1,241,069,155*** |
| Fund Sources: General | $900,470,897 | ~~$308,140,972~~ *$302,698,972* | |
| Special | $49,551,000 | ~~$25,285,000~~ *$37,875,000* | |
| Higher Education Operating | $407,883,000 | ~~$27,734,000~~ *$55,092,683* | |
| Commonwealth Transportation | $24,347,000 | $11,364,000 | |
| Enterprise | $400,000 | $400,000 | |
| Trust and Agency | $43,088,000 | ~~$3,776,500~~ *$3,971,500* | |
| Dedicated Special Revenue | $15,550,000 | ~~$0~~ *$570,000* | |
| Federal Trust | $12,525,000 | $0 | |
| Bond Proceeds | $921,941,000 | ~~$405,097,000~~ *$829,097,000* | |

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

**PART 3: MISCELLANEOUS**

§ 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 2007** | **FY 2008** |
|---|---|---|
| 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) | $64,053,769 | $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) | | |
| For collection by Department of Taxation | $33,878 | $33,878 |
| 3. Peanut Fund (§ 3.1-662, Code of Virginia) | | |
| For collection by Department of Taxation | $969 | $969 |
| 4. Proceeds of the Tax on Motor Vehicle Fuels | | |
| For inspection of gasoline, diesel fuel and motor oils | $97,586 | $97,586 |
| 5. Virginia Retirement System (Trust and Agency) | | |
| For postage by the Department of the Treasury | $60,000 | $60,000 |
| 6. Department of Alcoholic Beverage Control (Enterprise) | | |
| For services by the: | | |
| 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) | | |
| For the Meat and Poultry Program | $112,000 | $112,000 |
| **TOTAL** | **$75,013,000** | **$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 $27,300,000 the first year and ~~$29,100,000~~ *$34,300,000* the second year. Distributions of net profits from the sale of alcoholic beverages to localities shall not exceed $4,150,000 the first year and $4,150,000 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 not exceed $4,350,000 the first year and $4,350,000 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 $6,300,008 the first year and ~~$6,397,275~~ *$6,243,878* 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 $2,966,522 the first year and ~~$3,021,374~~ *$2,938,583* the second year.

F. The State Comptroller shall transfer on or before June 30, 2007, and June 30, 2008, 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 2007 | FY 2008 |
|---|---|---|---|---|
| 912 | Department of Veterans Services | 0200 | $55,586 | $72,194 |
| 411 | Department of Forestry | 0200 | $41,217 | $43,657 |
| 411 | Department of Forestry | 0900 | $214 | $154 |
| 226 | Board of Accountancy | 0900 | $6,785 | $8,936 |
| 325 | Department of Business Assistance | 0200 | $800 | $3,971 |
| 325 | Department of Business Assistance | 0900 | $10,746 | $7,191 |
| 165 | Department Of Housing And Community Development | 0900 | $306 | $174 |
| 181 | Department of Labor and Industry | 0200 | $9,877 | $10,244 |
| 232 | Department of Minority Business Enterprise | 0200 | $1,382 | $1,382 |
| 232 | Department of Minority Business Enterprise | 0400 | $0 | $30,587 |
| 222 | Department of Professional and Occupational Regulation | 0200 | $3,702 | $3,702 |
| 222 | Department of Professional and Occupational Regulation | 0900 | $52,659 | $53,930 |
| 720 | Department of Mental Health, Mental Retardation and Substance Abuse Services | 0200 | $0 | $31,432 |
| 851 | Virginia Tobacco Indemnification and Community Revitalization Commission | 0900 | $147,085 | $202,919 |
| 239 | Frontier Culture Museum Of Virginia | 0200 | $6,962 | $0 |
| 417 | Gunston Hall | 0200 | $1,693 | $0 |
| 425 | Jamestown-Yorktown Foundation | 0200 | $11,057 | $11,057 |
| 146 | The Science Museum Of Virginia | 0200 | $46,081 | $0 |
| 238 | Virginia Museum of Fine Arts | 0200 | $23,021 | $15,562 |
| 218 | Virginia School For The Deaf And The Blind At Staunton | 0200 | $156 | $156 |
| 219 | Virginia School for the Deaf, Blind and Multi-Disabled at Hampton | 0200 | $2,231 | $490 |
| 751 | Department for the Deaf and Hard-of-Hearing | 0200 | $5,843 | $16,431 |
| 601 | Department of Health | 0900 | $67,430 | $78,436 |
| 223 | Department of Health Professions | 0900 | $21,001 | $21,001 |
| 262 | Department of Rehabilitative Services | 0200 | $45,160 | 35,873 |
| 262 | Department of Rehabilitative Services | 0900 | $26,917 | $32,483 |
| 852 | Virginia Tobacco Settlement Foundation | 0900 | $33,613 | $27,325 |
| 203 | Woodrow Wilson Rehabilitation Center | 0200 | $104,106 | $101,815 |
| 199 | Department Of Conservation And Recreation | 0200 | $89,184 | $62,503 |
| 199 | Department Of Conservation And Recreation | 0900 | $13,199 | $98,483 |
| 403 | Department of Game and Inland Fisheries | 0900 | $640,835 | $712,578 |
| 402 | Marine Resources Commission | 0200 | $13,283 | $22,110 |
| 402 | Marine Resources Commission | 0090 | $817 | $1,485 |
| 423 | Department of Historic Resources | 0400 | $0 | $1,805 |
| 942 | Virginia Museum of Natural History | 0200 | $1,745 | $1,745 |
| 957 | Commonwealth’s Attorneys’ Services Council | 0200 | $319 | $319 |
| 140 | Department of Criminal Justice Services | 0200 | $32,729 | $54,343 |
| 140 | Department of Criminal Justice Services | 0900 | $53,399 | $53,399 |
| 127 | Department of Emergency Management | 0400 | $2,079 | $0 |

| | | | | | |
|---|---|---|---|---|---|
| 960 | Department of Fire Programs | 0200 | $70,966 | $63,239 |
| 123 | Department Of Military Affairs | 0200 | $1,883 | $1,483 |
| 123 | Department Of Military Affairs | 0900 | $14,083 | $3,104 |
| 799 | Department of Corrections | 0200 | $21,630 | $137,397 |
| 136 | Virginia Information Technologies Agency | 0900 | $53,399 | $51,067 |
| 841 | Department of Aviation | 0400 | $59,290 | $77,536 |
| 154 | Department of Motor Vehicles | 0400 | $1,373,784 | $958,258 |
| 505 | Department of Rail and Public Transportation | 0477 | $193,435 | $183,898 |
| 501 | Department of Transportation | 0410 | $3,460,676 | $3,460,676 |
| 506 | Motor Vehicle Dealer Board | 0200 | $13,407 | $13,782 |
| 407 | Virginia Port Authority | 0200 | $44,777 | $70,239 |
| 407 | Virginia Port Authority | 0474 | $56,893 | $50,733 |
| 171 | State Corporation Commission | 0900 | $16,108 | $16,904 |
| 174 | Virginia College Savings Plan | 0500 | $146,176 | $10,108 |
| 175 | Virginia Office for Protection and Advocacy | 0200 | $1,280 | $1,280 |
| | **Total** | | **$7,101,006** | **$6,919,576** |

G. The Comptroller shall transfer to the Lottery Proceeds Fund an amount estimated at $406,331,308 the first year and ~~$405,400,000~~ *$462,180,128* the second year from the State Lottery Fund.

*a. For the first year,* ~~T~~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.

*b. For the second year, the Comptroller shall transfer to the Lottery Proceeds Fund, established pursuant to § 58.1-4022.1, the balance of the State Lottery Fund for the month preceding this bill's enactment date and thereafter the net profits transfer will be made on a monthly basis. Prior to June 22 of each year, the State Lottery Director shall estimate the amount of profits in the State Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 24. The Lottery Director shall inform the State Comptroller when the State Lottery Fund has cash equal to the transfer, except for the June 22 transfer. 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 adjust the next transfer from the State Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds 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 State Comptroller in preparing the Comprehensive Annual Financial Report shall report the Lottery Proceeds Fund pursuant to § 58.1-4022.1, 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 $3,500,000 the first year and ~~$3,500,000~~ *$5,500,000* 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 $100,000 the first year and $100,000 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 $6,307,378 the first year and ~~$8,400,000~~ *$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, 2007, and January 1, 2008, 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 | FY 2007 | FY 2008 |
|---|---|---|---|
| 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** | | **$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 $10,635,320 the first year and $10,635,320 the second year.

P.1. Notwithstanding any contrary provision of law, on or before June 30, 2007, the State Comptroller shall transfer amounts estimated at $5,206,380 to the general fund of the state treasury from the state agencies indicated.

| Agency Code | Agency Name | Fund Group Fund Detail | First Year | Second Year |
|---|---|---|---|---|
| 129 | Department of Human Resource Management | 0200 | $30,607 | $0 |
| 129 | Department of Human Resource Management | 0700 | $17,401 | $0 |
| 157 | Compensation Board | 0708 | $57,848 | $0 |
| 912 | Department of Veterans' Services | 0200 | $4,392 | $0 |
| 912 | Department of Veterans' Services | 0200 | $1,162 | $0 |
| 181 | Department of Labor and Industry | 0200 | $2,669 | $0 |
| 182 | Virginia Employment Commission | 0200 | $54,922 | $0 |
| 222 | Department of Professional and Occupational Regulation | 0900 | $27,075 | $0 |
| 226 | Board of Accountancy | 0900 | $3,296 | $0 |
| 325 | Department of Business Assistance | 0900 | $561 | $0 |
| 411 | Department of Forestry | 0200 | $22,597 | $0 |
| 201 | Department of Education, Central Office Operations | 0200 | $37,500 | $0 |
| 202 | The Library of Virginia | 0200 | $39,162 | $0 |
| 262 | Department of Rehabilitative Services | 0200 | $124,542 | $0 |
| 601 | Department of Health | 0200 | $15,625 | $0 |
| 601 | Department of Health | 0900 | $6,187 | $0 |
| 702 | Department for the Blind And Vision Impaired | 0200 | $9,393 | $0 |

| | | | | | |
|---|---|---|---|---|---|
| 765 | Department of Social Services | 0200 | $10,254 | $0 |
| 199 | Department of Conservation And Recreation | 0200 | $15,325 | $0 |
| 440 | Department of Environmental Quality | 0900 | 34,162 | $0 |
| 127 | Department of Emergency Management | 0400 | $19,059 | $0 |
| 127 | Department of Emergency Management | 0700 | $7,375 | $0 |
| 140 | Department of Criminal Justice Services | 0200 | $63,125 | $0 |
| 140 | Department of Criminal Justice Services | 0900 | $52,845 | $0 |
| 156 | Department of State Police | 0200 | $257,037 | $0 |
| 156 | Department of State Police | 0400 | $76,072 | $0 |
| 960 | Department of Fire Programs | 0200 | $351,275 | $0 |
| 136 | Virginia Information Technologies Agency | 0900 | $951,000 | $0 |
| 154 | Department of Motor Vehicles | 0400 | $1,441,219 | $0 |
| 154 | Department of Motor Vehicles | 0700 | $202,312 | $0 |
| 407 | Virginia Port Authority | 0200 | $71,437 | $0 |
| 506 | Motor Vehicle Dealer Board | 0200 | $42,726 | $0 |
| 841 | Department of Aviation | 0461 | $7,685 | $0 |
| **Total** | | | **$4,057,847** | **$0** |

2. Prior to such transfer, the Department of Planning and Budget is authorized to adjust the above-cited amounts between agencies and between fund/fund detail amounts, so as to increase or decrease the amounts for an agency or for a designated fund/fund detail code, provided, however, that such adjustments shall not increase the total transfers to amounts in excess of the sums cited above. The Department of Planning and Budget shall notify the State Comptroller of such adjustments.

Q.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 $223,506 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 $44,701 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

R. On or before June 30, 2007, the State Comptroller shall transfer to the general fund $3,991,720 from the Court Debt Collection Program Fund at the Department of Taxation. On or before June 30, 2008, the State Comptroller shall transfer to the general fund ~~$3,611,720~~ *$5,750,000* from the Court Debt Collection Program Fund at the Department of Taxation.

S. 1. The Department of Motor Vehicles shall retain $3,200,000 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.

2. On or before June 30, 2007 the Comptroller shall transfer $3,200,000 from the Department of Motor Vehicles' Uninsured Motorists Fund to the general fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

T. The State Comptroller shall transfer on or before June 30, 2007, an amount estimated at $5,500,000 and on or before June 30, 2008, an amount estimated at ~~$5,500,000~~ *$6,894,292* to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

U. On or before June 30, 2007, the State Comptroller shall transfer $1,322,000 to the general fund from the Alcoholic Beverage Control Fund, representing ongoing budget reduction, to be obtained through efficiencies at the Department of Alcoholic Beverage Control.

V. 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, 2007, and $861,440 on or before June 30, 2008, 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.

~~W. The State Comptroller shall transfer from agency and institution nongeneral fund accounts to the general fund an amount estimated at $3,356,000 on or before June 30, 2008, representing the nongeneral fund share of savings resulting from operational efficiencies of the Virginia Information Technologies Agency. The Director, Department of Planning and Budget, shall provide the State Comptroller with the amount to be transferred from each agency and institution of higher education.~~

X. 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, 2007, and \$18,000 on or before June 30, 2008, 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.

Y. *The State Comptroller shall transfer* ~~On~~ *on* or before June 30, 2007~~, the State Comptroller shall transfer~~ \$445,000*, and on or before June 30, 2008 \$890,000,* to the general fund from the \$2.00 increase in the vital records fee contained in Item 288 of this act.

Z. The following sums, or such portions thereof as may be required, shall be transferred from the balance of the general fund for repayment of the listed authorized deficits:

| Agency Code | Agency Title | Amount |
|---|---|---|
| 165 | Department of Housing and Community Development | \$2,076,000 |
| 180 | Secretary of Commerce and Trade | \$7,289,250 |
| 765 | Department of Social Services | \$14,943,953 |

AA. Notwithstanding the provisions of § 18.2-340.31C, Code of Virginia or any other provisions of law, on or before June 30, 2007, the State Comptroller shall transfer to the general fund an amount estimated at \$587,000 from the general account of the former Charitable Gaming Commission representing all assets of the commission held in the local government investment pool by the State Treasurer.

~~BB. 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 \$15,000,000, shall be deposited into the general fund no later than June 30, 2008.~~

CC. On or before June 30, 2007, the State Comptroller shall transfer \$3,500,000 in Special Funds from the Corrections Special Reserve Fund, pursuant to Section 30-19.1:4 of the Code of Virginia, to the capital project in Item C-281 of this Act (Project 17260).

DD. On or before June 30, 2007 and June 30, 2008, 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~~ *579*, Acts of Assembly of 2006.

EE. There is hereby acknowledged, that the following authorized deficit in the Virginia Department of Health of \$9,634,014 was transferred from the balance of the general fund per § 4-3.01 c. of this Act during the first year of the biennium.

FF. On or before June 30, 2007, the State Comptroller shall transfer \$918,164 from the Office of the Attorney General's 0280-Special Indirect Cost fund to the general fund. The amount represents the cost to the general fund for supporting federal grants.

*GG. On or before June 30, 2008, the State Comptroller shall transfer \$13,870 from the Department of the Treasury's 0901-Workforce Training Access Fund to the general fund.*

*HH. On or before June 30, 2008, the State Comptroller shall transfer from the Department of State Police, \$976,967 from fund detail 0280 Appropriated Indirect Cost Recoveries, and \$2,335,133 from fund detail 0261 the Safety Fund to the general fund of the state treasury.*

*II. On or before June 30, 2008, the State Comptroller shall transfer \$565,516 from fund detail 0246 Disaster Recovery Fund, \$14,215 from fund detail 0271 Central Garage Pool Vehicles, \$107,205 from fund detail 0290 Insurance Recovery, \$949 from fund detail 0287, Surplus Supplies and Equipment Sales, and \$14,216 from fund 0200 to the general fund of the state treasury from the Department of Juvenile Justice.*

*JJ. On or before June 30, 2008, the State Comptroller shall transfer from the Department of Criminal Justice Services, \$115,000 from fund detail 0221 Asset Forfeiture and Seizure Fund Management, and \$166,314 from fund detail 0200 special funds to the general fund of the state treasury.*

*KK. There is hereby acknowledged that the following authorized general fund deficit in the Department of Transportation of \$1,000,000 shall be repaid from proceeds of the Northern Virginia Transportation Authority Fund on or before June 30, 2008.*

*LL. There is hereby acknowledged that the following authorized general fund deficit in the Department of Transportation of \$1,000,000 shall be repaid from proceeds of the Hampton Roads Transportation Authority Fund on or before June 30, 2008.*

*MM. On or before June 30, 2008, the State Comptroller shall transfer from the Department of Motor Vehicles \$2,500,000 to the general fund of the state treasury.*

*NN. On or before June 30, 2008, the State Comptroller shall transfer an amount estimated at $2,000,000 from the Drug Assessment and Treatment Fund to the general fund.*

1.02. Not set out.

1.03. Not set out.

2.01. Not set out.

2.02. Not set out.

§ 3-2.03 LINES OF CREDIT

a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

| | |
|---|---|
| Administration of Health Insurance | $25,000,000 |
| Department of Alcoholic Beverage Control | $60,000,000 |
| Department of Corrections, for Virginia Correctional Enterprises | $1,000,000 |
| Department of Emergency Management | $150,000 |
| Department of Environmental Quality | $5,000,000 |
| Department of General Services, for the Real Estate Internal Service Fund | $2,100,000 |
| Department of Human Resource Management,for the Workers' Compensation Self Insurance Trust Fund | $10,000,000 |
| Department of Mental Health, Mental Retardation and Substance Abuse Services | $20,000,000 |
| Department of Motor Vehicles | $5,000,000 |
| Department of the Treasury, for the Unclaimed Property Trust Fund | $5,000,000 |
| Department of the Treasury, for the State Insurance Reserve Trust Fund | $25,000,000 |
| Department of the Treasury, for the Teacher Liability Insurance Program | $1,000,000 |
| State Lottery Department | ~~$25,000,000~~ *$40,000,000* |
| Virginia Information Technologies Agency | $20,000,000 |
| Virginia Tobacco Settlement Foundation | $3,000,000 |
| Department of Historic Resources | $600,000 |

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not apply to these lines of credit.

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed $1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

d. The State Comptroller is hereby authorized to provide lines of credit of up to $2,500,000 to the Department of Motor Vehicles and up to $2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

*e. The State Lottery Department is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the year and to provide cash to the State Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery Proceeds Fund in the month of June, as specified in provisions of § 3-1.01G. of this act. The State Lottery Department shall repay the line of credit as actual cash flows become available.*

*The Secretary of Finance is authorized to increase the line of credit to the State Lottery Department if necessary to meet operating needs.*

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

## § 3-3.00 GENERAL FUND DEPOSITS

§ 3-3.01 PAYMENT BY THE VIRGINIA PUBLIC SCHOOL AUTHORITY

The Virginia Public School Authority shall transfer to the general fund an amount estimated at $170,221 on or before June 30, 2007 and an amount estimated at $170,221 on or before June 30, 2008, to reimburse the Commonwealth for staff and other administrative services provided to the Authority by the Department of the Treasury. *The Virginia Public School Authority shall also transfer to the Literary Fund an amount estimated at $10,070,375 on or before June 30, 2008 from the release of the Virginia Public School Authority's 1991 Resolution Debt Service Reserve Income Account.*

3.02. Not set out.

3.03. Not set out.

§ 3-3.04 INTEREST EARNINGS

*Notwithstanding any other provision of law, the State Comptroller shall not allocate interest earnings to the following agencies and funds in the second year of the biennium. The estimated amount of interest earnings that shall remain in the general fund as a result of this provision is $5,000,000.*

| ***Agency Description*** | ***Agency*** | ***Fund Description*** | ***Fund*** |
|---|---|---|---|
| *Supreme Court* | *111* | *Court Technology Fund* | *0905* |
| *Department of Military Affairs* | *123* | *Armory Control Board Fund* | *0901* |
| *Virginia Information Technologies Agency* | *136* | *GIS Fund* | *0905* |
| *Virginia Information Technologies Agency* | *136* | *Wireless E-911 Fund* | *0928* |
| *Virginia Information Technologies Agency* | *136* | *Virginia Technology Infrastructure Fund* | *0931* |
| *Department of Criminal Justice Services* | *140* | *School Resource Officer Incentive Grants Fund* | *0903* |
| *Department of Criminal Justice Services* | *140* | *Virginia Domestic Violence Victim Fund* | *0912* |
| *Department of Criminal Justice Services* | *140* | *Virginia Crime Victim - Witness Fund* | *0930* |
| *Department of Criminal Justice Services* | *140* | *Intensified Drug Enforcement Jurisdictions Fund* | *0935* |
| *Department of Criminal Justice Services* | *140* | *Regional Criminal Justice Academy Training Fund* | *0940* |
| *Department of Accounts* | *151* | *Commonwealth Health Research Fund* | *0936* |
| *Department of Treasury* | *152* | *Workforce Training Access Fund* | *0901* |
| *Department of Motor Vehicles* | *154* | *State Asset Forfeiture Fund* | *0430* |
| *Department of State Police* | *156* | *State Asset Forfeiture Fund* | *0233* |
| *Department of State Police* | *156* | *Drug Investigation Trust Account-State* | *0253* |
| *Department of State Police* | *156* | *State Asset Forfeiture Fund* | *0733* |
| *Department of Accounts Transfer Payments* | *162* | *Edvantage Reserve Fund* | *0708* |
| *Department of Housing and Community Development* | *165* | *Virginia Manufactured Housing Transaction Recovery Fund* | *0925* |
| *Department of Housing and Community Development* | *165* | *Virginia Water Quality Improvement Fund* | *0934* |
| *Department of Housing and Community Development* | *165* | *Derelict Structure Fund* | *0916* |
| *State Corporation Commission* | *171* | *Underground Utility Damage Prevention Fund* | *0902* |
| *Charitable Gaming Commission* | *173* | *State Asset Forfeiture Fund* | *0233* |
| *Secretary of Commerce and Trade* | *192* | *Governor's Motion Picture Opportunity Fund* | *0902* |
| *Department of General Services* | *194* | *Main Street Station Property* | *0922* |
| *Department of Conservation and Recreation* | *199* | *Natural Area Preservation Fund* | *0215* |
| *Department of Conservation and Recreation* | *199* | *Chesapeake Bay Restoration Fund* | *0252* |
| *Department of Conservation and Recreation* | *199* | *Virginia Stormwater Management Fund* | *0902* |
| *Department of Conservation and Recreation* | *199* | *Flood Prevention and Protection Assistance Fund* | *0910* |
| *Department of Conservation and Recreation* | *199* | *Virginia Land Conservation Fund - Unrestricted* | *0918* |
| *Department of Conservation and Recreation* | *199* | *Soil/Water Conservation District Dam Maintenance Fund* | *0925* |
| *Department of Conservation and Recreation* | *199* | *Virginia Water Quality Improvement Fund* | *0934* |
| *Department of Conservation and Recreation* | *199* | *Virginia Water Quality Improvement Fund Reserve* | *0935* |

| | | | | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|---|---|---|
| | | | | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |
| 1 | *Department of Professional and Occupational* | | *Common Interest Community Management* | | | | |
| 2 | *Regulation* | *222* | *Information Fund* | | *0259* | | |
| 3 | *Department of Agriculture and Consumer* | | | | | | |
| 4 | *Services* | *301* | *Contested Pesticide Penalties* | | *0708* | | |
| 5 | *Department of Agriculture and Consumer* | | | | | | |
| 6 | *Services* | *301* | *Tobacco Loss Assistance Program Fund* | | *0710* | | |
| 7 | *Department of Agriculture and Consumer* | | | | | | |
| 8 | *Services* | *301* | *Virginia Farm Loan Revolving Account* | | *0716* | | |
| 9 | *Department of Agriculture and Consumer* | | *Certification of Agricultural Products Trust* | | | | |
| 10 | *Services* | *301* | *Fund* | | *0729* | | |
| 11 | *Virginia Agricultural Council* | *307* | *Dedicated Special Revenue* | | *0900* | | |
| 12 | *Chippokes Plantation Farm Foundation* | *319* | *Dedicated Special Revenue* | | *0900* | | |
| 13 | *Department of Business Assistance* | *325* | *Workforce Retraining Fund* | | *0909* | | |
| | | | *Small Business Environmental Compliance* | | | | |
| 14 | *Department of Business Assistance* | *325* | *Assistance Fund* | | *0930* | | |
| 15 | *Department of Business Assistance* | *325* | *Virginia Small Business Growth Fund* | | *0957* | | |
| 16 | *Marine Resources Commission* | *402* | *Forfeited Asset Sharing Program Fund* | | *0265* | | |
| | | | *Marine Habitat and Waterways Improvement* | | | | |
| 17 | *Marine Resources Commission* | *402* | *Fund* | | *0916* | | |
| | | | *Virginia Fish Passage Grant and Revolving* | | | | |
| 18 | *Department of Game and Inland Fisheries* | *403* | *Loan Fund* | | *0922* | | |
| 19 | *Department of Mines, Minerals and Energy* | *409* | *Exxon Oil Overcharge Fund* | | *0738* | | |
| 20 | *Department of Mines, Minerals and Energy* | *409* | *Coal Surface Mining Reclamation Fund* | | *0753* | | |
| 21 | *Department of Mines, Minerals and Energy* | *409* | *Gas and Oil Plugging and Restoration Fund* | | *0755* | | |
| 22 | *Department of Mines, Minerals and Energy* | *409* | *Orphaned Well Fund* | | *0952* | | |
| 23 | *Department of Forestry* | *411* | *Forfeited Asset Sharing Program Fund* | | *0265* | | |
| 24 | *Department of Forestry* | *411* | *State Forests System Fund* | | *0901* | | |
| 25 | *Department of Forestry* | *411* | *Virginia's Natural Resources Trust Fund* | | *0909* | | |
| 26 | *Department of Forestry* | *411* | *Virginia Forest Water Quality Fund* | | *0926* | | |
| 27 | *Department of Historic Resources* | *423* | *Historic Resources Fund* | | *0910* | | |
| 28 | *Department of Historic Resources* | *423* | *Preservation Easement Fund* | | *0927* | | |
| 29 | *Department of Environmental Quality* | *440* | *Operation Permits Program* | | *0510* | | |
| 30 | *Department of Environmental Quality* | *440* | *Underground Petroleum Storage Tank Fund* | | *0748* | | |
| 31 | *Department of Environmental Quality* | *440* | *Dupont Shenandoah River Mercury Monitoring* | | *0755* | | |
| 32 | *Department of Environmental Quality* | *440* | *Waste Tire Trust Fund* | | *0906* | | |
| | | | *Virginia Environmental Emergency Response* | | | | |
| 33 | *Department of Environmental Quality* | *440* | *Fund* | | *0907* | | |
| 34 | *Department of Environmental Quality* | *440* | *Air Pollution Permit Program* | | *0909* | | |
| | | | *Virginia Waste Management Board Permit* | | | | |
| 35 | *Department of Environmental Quality* | *440* | *Program Fund* | | *0911* | | |
| | | | *State Water Control Board Permit Program* | | | | |
| 36 | *Department of Environmental Quality* | *440* | *Fund* | | *0914* | | |
| | | | *Marine Habitat and Waterways Improvement* | | | | |
| 37 | *Department of Environmental Quality* | *440* | *Fund* | | *0916* | | |
| 38 | *Department of Environmental Quality* | *440* | *Vehicle Emissions Inspection Program Fund* | | *0919* | | |
| 39 | *Department of Environmental Quality* | *440* | *Litter Control and Recycling Fund* | | *0925* | | |
| | | | *Small Business Environmental Compliance* | | | | |
| 40 | *Department of Environmental Quality* | *440* | *Assistance Fund* | | *0930* | | |
| | | | *Virginia Water Quality Improvement Fund* | | | | |
| 41 | *Department of Environmental Quality* | *440* | *Reserve* | | *0935* | | |
| 42 | *Department of Environmental Quality* | *440* | *State Revolving Loan Fund* | | *0964* | | |
| 43 | *Motor Vehicle Dealer Board* | *506* | *Motor Vehicle Dealer Board Fund* | | *0212* | | |
| 44 | *Department of Health* | *601* | *Waterworks Technical Assistance Fund* | | *0248* | | |
| 45 | *Department of Health* | *601* | *Virginia Rescue Squads Assistance Fund* | | *0910* | | |
| 46 | *Department of Health* | *601* | *Water Supply Assistance Grant Fund* | | *0922* | | |
| 47 | *Department of Health* | *601* | *Nursing Scholarship and Loan Repayment Fund* | | *0932* | | |
| | | | *Medical and Physician Assistant Scholarship* | | | | |
| 48 | *Department of Health* | *601* | *and Loan Repayment Fund* | | *0934* | | |
| | | | *Nurse Practitioner Scholarship and Loan* | | | | |
| 49 | *Department of Health* | *601* | *Repayment Fund* | | *0936* | | |
| 50 | *Department of Health* | *601* | *Safe Drinking Water State Revolving Fund* | | *0945* | | |
| 51 | *Department of Corrections* | *767* | *Drug Offender Access Fund* | | *0953* | | |
| 52 | *Department of Corrections* | *799* | *Drug Offender Access Fund* | | *0953* | | |
| 53 | *Department of Fire Programs* | *960* | *Fire Programs Fund* | | *0218* | | |

| | | | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|---|---|
| | | | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |
| | *Department of Accounts - Statewide* | *997* | *Drug Offender Access Fund* | *0953* | | |
| | *Department of Corrections* | *795* | *Corrections Special Reserve Fund* | *0230* | | |
| | *Department of Corrections* | *799* | *DED Impact Funds Advanced Communications* | *0230* | | |
| | *Innovative Technology Authority* | *934* | *Advanced Communications Assistance Fund* | *0265* | | |
| | *Central Appropriations* | *995* | *Commonwealth Technology Research Fund* | *0951* | | |
| | *Department of Alcoholic Beverage Control* | *999* | *State Asset Forfeiture Fund* | *0533* | | |

4.01. Not set out.

5.01. Not set out.

5.02. Not set out.

5.03. Not set out.

5.04. Not set out.

5.05. Not set out.

5.06. Not set out.

5.07. Not set out.

6.01. Not set out.

6.02. Not set out.

| | | | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|---|---|
| | | | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |
| 1 | | **PART 4: GENERAL PROVISIONS** | | | | |
| 2 | .01. | Not set out. | | | | |
| 3 | 1.01. | Not set out. | | | | |
| 4 | 1.02. | Not set out. | | | | |
| 5 | 1.03. | Not set out. | | | | |
| 6 | 1.04. | Not set out. | | | | |
| 7 | 1.05. | Not set out. | | | | |
| 8 | 1.06. | Not set out. | | | | |
| 9 | 1.07. | Not set out. | | | | |
| 10 | 2.01. | Not set out. | | | | |
| 11 | 2.02. | Not set out. | | | | |
| 12 | 2.03. | Not set out. | | | | |
| 13 | 3.01. | Not set out. | | | | |
| 14 | 3.02. | Not set out. | | | | |
| 15 | 3.03. | Not set out. | | | | |
| 16 | 4.01. | Not set out. | | | | |
| 17 | 4.02. | Not set out. | | | | |
| 18 | 5.01. | Not set out. | | | | |
| 19 | 5.02. | Not set out. | | | | |
| 20 | 5.03. | Not set out. | | | | |
| 21 | 5.04. | Not set out. | | | | |
| 22 | 5.05. | Not set out. | | | | |
| 23 | 5.06. | Not set out. | | | | |
| 24 | 5.07. | Not set out. | | | | |
| 25 | 5.08. | Not set out. | | | | |
| 26 | 5.09. | Not set out. | | | | |
| 27 | 5.10. | Not set out. | | | | |
| 28 | 5.11. | Not set out. | | | | |
| 29 | 6.01. | Not set out. | | | | |
| 30 | 6.02. | Not set out. | | | | |
| 31 | 6.03. | Not set out. | | | | |
| 32 | 6.04. | Not set out. | | | | |

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

6.05. Not set out.

7.01. Not set out.

8.01. Not set out.

8.02. Not set out.

9.01. Not set out.

§ 4-9.02 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with § 23-9.6:1.01., Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Institutional performance on measures set forth in paragraph K of this section shall be evaluated year-to-date by the Secretaries of Finance, *Administration*, and ~~Administration~~*Technology*, as appropriate, and communicated to the State Council of Higher Education before June 1 of each year. By November 15, 2006, the State Council shall publish institutional performance benchmarks and targets for each education-related objective measure, which shall be established in cooperation with the respective institution.

Financial benefits provided to each institution in accordance with § 2.2-5005 will be evaluated in light of that institution's performance. The first certification will be completed and forwarded in writing to the General Assembly and Governor no later than June 1, 2007.

In general, institutions are expected to achieve their agreed upon targets and standards on all performance measures in order to be certified by SCHEV. However, the State Council, in working with each institution, shall establish a prescribed range of permitted variance from annual targets for each education-related measure, as appropriate.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures where they have already achieved high levels of performance in order that they may focus resources toward achieving similar levels of performance on other measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's overall performance.

The State Council ~~shall~~ *is authorized to* develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

A. Access

1. Institution meets its State Council-approved biennial projection of total in-state student enrollment within the prescribed range of permitted variance.

2. Institution increases the percentage of in-state undergraduate enrollment from under-represented populations. (Such populations should include low income, first-generation college status, geographic origin within Virginia, race, and ethnicity, or other populations as may be identified by the State Council.)

3. Institution annually meets at least 95 percent of its State Council-approved estimates of degrees awarded.

B. Affordability

4. With the intent of developing a clearly understandable measure of affordability no later than July 1, 2008, SCHEV shall report annually an institution's in-state undergraduate tuition and fees, both gross and net of need-based gift aid, as a percentage of the institution's median student family income. By October 1, 2008, each institution shall identify a "maintenance of effort" target for ensuring that the institution's financial commitment to need-based student aid shall increase commensurately with planned increases in in-state, undergraduate tuition and fees. The financial plan for these goals should be incorporated into the institution's 2009-2014 six-year plan as required under § 23-9.2:3.02., Code of Virginia.

5. Institution establishes mutually acceptable annual targets for need-based borrowing that reflect institutional commitment to limit the average borrowing of in-state students with established financial need, and the percentage of those students who borrow, to a level that maintains or increases access while not compromising affordability.

6. Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on applications, enrollment, and student indebtedness incurred for the payment of tuition and fees and provides the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plans. The institution

| | Item Details($) | | Appropriations($) | |
|---|---|---|---|---|
| | First Year FY2007 | Second Year FY2008 | First Year FY2007 | Second Year FY2008 |

shall also make a parent- and student-friendly version of this assessment widely available on the institution's website.

C. Breadth of Academics

7. Institution maintains acceptable progress towards an agreed upon target for the total number and percentage of graduates in high-need areas, as identified by the State Council of Higher Education.

D. Academic Standards

8. Institution reports on total programs reviewed under Southern Association of Colleges and Schools assessment of student learning outcomes criteria within the institution's established assessment cycle in which continuous improvement plans addressing recommended policy and program changes were implemented.

E. Student Retention and Timely Graduation

9. Institution demonstrates a commitment to ensuring that lower division undergraduates have access to required courses at the 100- and 200-level sufficient to ensure timely graduation by reporting annually to the State Council of Higher Education on the number of students denied enrollment in such courses for each fall and spring semesters. No later than July 1, 2008, to the extent the institution does not currently track student access and registration attempts at the course level, the institution shall, in consultation with the State Council of Higher Education, establish an appropriate quantitative method to identify the extent to which limited access to 100- and 200-level courses reduce progression, retention, and graduation rates. After July 1, 2008, each institution shall include in its annual report to the State Council its plan of action to increase such access and remediate the identified problems.

10. Institution maintains or increases the ratio of degrees conferred per full-time equivalent instructional faculty member, within the prescribed range of permitted variance.

11. Institution maintains or improves the average annual retention and progression rates of degree-seeking undergraduate students.

12. Within the prescribed range of permitted variance, the institution increases the ratio of total undergraduate degree awards to the number of annual full-time equivalent, degree-seeking undergraduate students except in those years when the institution is pursuing planned enrollment growth as demonstrated by their SCHEV-approved enrollment projections.

F. Articulation Agreements and Dual Enrollment

13. Institution increases the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College consistent with a target agreed to by the institution, the Virginia Community College System, and the State Council of Higher Education for Virginia.

14. Institution increases the total number of associate degree graduates enrolled as transfer students from Virginia's public two-year colleges with the expectation that the general education credits from those institutions apply toward general education baccalaureate degree requirements, as a percent of all undergraduate students enrolled, within the prescribed range of permitted variance.

15. Institution increases the number of students involved in dual enrollment programs consistent with a target agreed upon by the institution, the Department of Education and the State Council of Higher Education for Virginia.

G. Economic Development

16. In cooperation with the State Council, institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of local and regional leaders, and the economic development partners identified in its plans, regarding the success of its local and regional economic development plans.

H. Research, Patents, and Licenses

17. Institution maintains or increases the total expenditures in grants and contracts for research, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

18. Institution maintains or increases the annual number of new patent awards and licenses, within the prescribed range of

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permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

I. Elementary and Secondary Education

19. In cooperation with the State Council, institution develops a specific set of actions with schools or school district administrations with specific goals to improve student achievement, upgrade the knowledge and skills of teachers, or strengthen the leadership skills of school administrators. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of the superintendents, principals, and appropriate other parties.

The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

J. Six-Year Plan

20. Institution prepares six-year financial plan consistent with § 23-9.2:3.02.

K. Financial and Administrative Standards

21. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

a. An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b. No significant audit deficiencies attested to by the Auditor of Public Accounts;

c. Substantial compliance with all financial reporting standards approved by the State Comptroller;

d. Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e. Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

22. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

23. The following standards shall be effective until June 30, 2007:

a. Institution completes no less than 75 percent of all non-exempt purchase transactions through the Commonwealth's enterprise-wide Internet procurement system (eVa) and makes no less than 75 percent of dollar purchases from vendors and suppliers who are registered in eVa; and

b. Institution completes no less than 75 percent of dollar purchases from leveraged cooperative contracts, when such a contract is available for a particular commodity, except when the institution can demonstrate that the cost of the purchase was less than the cost under all available leveraged cooperative contracts.

24. The following administrative standards shall become effective July 1, 2007 and replace standards enumerated in § 4-9.02, paragraph 23 of this act:

a. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable;

b. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted

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to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable;

c. The institution will make no less than 75 percent of dollar purchases *through* the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in ~~the Commonwealth's enterprise-wide internet procurement system~~ (eVA);

d. The institution will complete capital projects (with an individual cost of over $1,000,000) within 1) the budget originally approved by the institution's governing board for projects initiated under delegated authority, or 2) the budget set out in the Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun; and

e. The institution will complete major information technology projects (with an individual cost of over $1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

f. Institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly, shall be measured by the administrative standards outlined in the Management Agreements and *§ 4-9.02 k.24.b. of this act*. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph upon notification to the Chairmen of the House Appropriations and Senate Finance Committees and the institutions 45 days prior to the start of a fiscal year.

L. Campus Safety and Security

25. The Institution shall work to adopt an acceptable number of the 27 Best Practice Recommendations for Campus Safety adopted by the Virginia Crime Commission on January 10, 2006. Each practice should be considered by the institution as to how it fits in with current practices and the needs of the institution. Following each year of reporting and certification, the institution shall enumerate those practices adopted by the institution.

10. Not set out.

11. Not set out.

12. Not set out.

**§ 4-13.00 EFFECTIVE DATE**

This act is effective on its passage as provided in § 1-214, Code of Virginia.

**PART 5: ENACTMENT NUMBERS ~~2~~ *3* THROUGH 5**

**3. That Chapter 289 of the Acts of Assembly of 1989, as amended and reenacted by Chapter 888 of the Acts of Assembly of 1990 and Chapters 385 and 401 of the Acts of Assembly of 1992, Chapters 139 and 147 of the Acts of Assembly of 1994, Chapters 375 and 458 of the Acts of Assembly of 1996, Chapter 464 of the Acts of Assembly of 1998, and Chapters 501 and 553 of the Acts of Assembly of 2000, is hereby repealed effective January 1, 2003.**

***4. That no provision of this act shall be construed or interpreted to cause the expiration of any provision of Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of such Chapter.***

***5. That the provisions of the first, second and fourth enactments of this act shall expire at midnight on June 30, 2008. The provisions of the third enactment of this act shall have no expiration date.***