

**Education: Elementary & Secondary**

**FY 12-13**

**FY 13-14**

Direct Aid To Public Education	\$0	\$72,901,765	GF
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**Language:**

Page 53, line 16, strike "\$5,910,678,333" and insert "\$5,983,580,098".

Page 65, line 20, strike "3)" and insert "3.a)".

Page 65, after line 27, insert:

"3.b) Notwithstanding the provisions in § 4.1-05 of this Act, any unexpended balances shall not revert to the general fund but shall be reappropriated and carried forward to FY 2015 and FY 2016. Out of the reappropriated funds in this paragraph, \$36,057,920 shall be allocated for FY 2015 and \$36,843,845 allocated for FY 2016. These funds shall be budgeted for the purpose of adjusting Standards of Quality salary payments for funded support positions in school divisions in Planning District Eight and adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates which shall be 24.61 percent in FY 2015 and 24.61 percent in FY 2016 for school divisions in Planning District Eight. For the counties of Clarke, Culpeper, Fauquier, Frederick, Spotsylvania, Stafford, Warren, and the cities of Fredericksburg and Winchester, the payment shall be 25 percent of the COCA rates paid to the school divisions in Planning District Eight."

**Explanation:**

(This amendment reappropriates \$72.9 million in FY 2014 general fund balances and directs that the funds be carried forward into FY 2015 and FY 2016 to pay for Cost of Competing Adjustment payments to eligible school divisions, \$36.1 million and \$36.8 million respectively. The COCA rate shall be 24.61 percent in both years. These estimated COCA payments are based in Direct Aid to Public Education allocations contained in House Bill 30.)

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**General Provisions**

Operating Policies

Language

**Language:**

Page 262, after line 14, insert:

"e. The Attorney General shall immediately cease and refrain from any involvement of his office in the case of *Bostic v. Rainey*, Case No. 2:13-cv-395, in the Norfolk Division of the United States District Court for the Eastern District of Virginia, including any appeals in such case. In addition the Attorney General shall cease and refrain from any involvement of his office in any other case in which the constitutionality of Article I, § 15-A of the Constitution of Virginia is challenged. The Speaker of the House of Delegates shall appoint special counsel to represent the Commonwealth in *Bostic v. Rainey*, including any appeals, to defend the constitutionality of Article I, § 15-A of the Constitution of Virginia. The Comptroller shall not issue warrants for the payment of services by the special counsel unless the Speaker has approved requisitions drawn upon the Comptroller for such warrants. The funds for all such payments for services shall come out of the general fund appropriations for the Office of the Attorney General."

**Explanation:**

(This amendment adds language to require the Attorney General to cease and refrain from any involvement of his office in the case of *Bostic v. Rainey* and any similar case, and directs the Speaker to appoint special counsel to represent the Commonwealth in such case. The special counsel's fees shall be paid out of the general fund appropriations of the Office of the Attorney General.)

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**General Provisions**

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Page 262, after line 14, insert:

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**Explanation:**

(This amendment adds language to require the Attorney General to cease any involvement of his office in the case of Bostic v. Rainey and any similar case.)

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**General Provisions**

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Page 262, after line 14, insert:

"e. The Attorney General shall immediately cease and refrain from any involvement of his office in the case of *Bostic v. Rainey*, Case No. 2:13-cv-395, in the Norfolk Division of the United States District Court for the Eastern District of Virginia, including any appeals in such case. In addition the Attorney General shall cease and refrain from any involvement of his office in any other case in which the constitutionality of Article I, § 15-A of the Constitution of Virginia is challenged. The Speaker of the House of Delegates shall appoint special counsel to represent the Commonwealth in *Bostic v. Rainey*, including any appeals, to defend the constitutionality of Article I, § 15-A of the Constitution of Virginia. The Speaker of the House of Delegates shall appoint special counsel to represent the Commonwealth in any future civil matter wherein the Attorney General declines to represent the Commonwealth and the Governor declines to appoint special counsel to render necessary legal services. The Comptroller shall not issue warrants for the payment of services by the special counsel unless the Speaker has approved requisitions drawn upon the Comptroller for such warrants. The funds for all such payments for services shall come out of the general fund appropriations for the Office of the Attorney General. No general fund appropriations for the Office of the Attorney General shall be expended by the Attorney General in any civil legal matter in which the Attorney General adopts or advances a legal position or argument that is contrary to the laws or Constitution of the Commonwealth."

**Explanation:**

(This amendment adds language to require the Attorney General to cease and refrain from any involvement of his office in the case of *Bostic v. Rainey* and any similar case, and directs the Speaker to appoint special counsel to represent the Commonwealth in such cases. The special counsel's fees shall be paid out of the general fund appropriations of the Office of the Attorney General. In addition, this amendment prohibits the Attorney General from expending general funds advancing a legal position in opposition to the constitution, laws or regulations of the Commonwealth of Virginia.)

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