

Revenues

Revenues

Language

Language:

Page 1, Line 33, strike "\$43,595,396" insert "\$43,845,396".

Page 1, Line 33, strike "\$46,436,472 " insert "\$46,186,472 ".

Page 1, Line 35, strike "\$15,726,601,262 " insert "\$15,719,975,847 ".

Page 1, Line 35, strike "\$30,445,087,991 " insert "\$30,438,462,576 ".

Page 1, Line 37, strike "\$420,855,811 " insert "\$420,652,614 ".

Page 1, Line 37, strike "\$843,992,256 " insert "\$843,789,059 ".

Page 1, Line 40, strike "\$16,103,861,677 " insert "\$16,096,783,065 ".

Page 1, Line 40, strike "\$32,402,499,172 " insert "\$32,395,420,560 ".

Page 2, Line 8, strike "\$41,433,675,572 " insert "\$41,426,596,960 ".

Page 2, Line 8, strike "\$85,924,771,458" insert "\$85,917,692,846".

Explanation:

(This amendment reflects various proposed changes in general fund resources on page one of the budget bill. Specifically, these changes include a \$250,000 reduction in additions to balance resulting from the reappropriation of amounts for Veterans Care Center site evaluation, a reduction in revenue of \$6.6 million resulting from the movement of the earned income tax credit from fiscal year 2013 to fiscal year 2012, a reduction in revenue of \$25,415 resulting from allowing the Parking Fund in the Department of General Services to retain interest earned, a reduction in transfers to the general fund of \$2,689 resulting from the restoration of reverted amounts to the State Asset Forfeiture Fund in the Department of Agriculture and Consumer Services, and a reduction in transfers to the general fund of \$200,508 from the restoration of reverted amounts to the State and Local Law Enforcement Equipment Procurement Program in the Department of State Police.)

Administration	FY 10-11	FY 11-12	
Compensation Board	\$0	(\$944,200)	GF

Language:

Page 15, line 7, strike "\$405,794,654" and insert "\$404,850,454".

Page 18, line 5, strike "\$2,294,794" and insert "\$1,744,981".

Explanation:

(This amendment removes funding due to the delay in the opening of the Loudoun County Jail expansion (\$394,387) until February 1, 2012, as well as removing the remaining fiscal year 2012 funding that supports the Pittsylvania County Jail expansion (\$549,813).)

Chief Patron: May

Item 98 #1h

Co-Patron(s): Cox, Kirk, Howell, William, Lingamfelter

Commerce And Trade

Department Of Business Assistance

Language

Language:

Page 27, after line 26, insert:

"B.7. For transportation projects approved under the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2291 and 2.2-2285, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed \$25,000 per annum."

Explanation:

(This amendment caps the charges that may be assessed by the VSBFA for service as the conduit bond issuer for public-private transportation projects. Because this item is not set out in House Bill 29 as introduced, it is the intent of the General Assembly that this language be added to Item 108 as set out in Chapter 890, 2011 Session of the General Assembly, when the bill is enrolled.)

Commerce And Trade

Department Of Mines, Minerals
And Energy

Language

Language:

Page 31, line 19, after “natural gas,” insert “, electricity,”.

Explanation:

(This amendment authorizes the agency to assess an administrative surcharge on the state electric contracts in order to generate sufficient revenue to support an ongoing reduction strategy of \$95,978. This amount represents a position that was shifted from general fund support, to fee revenue. According to the agency, an administrative surcharge equal to 0.06 percent of the state’s entire electricity contract is sufficient to generate necessary revenue for this purpose.)

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

\$0

(\$108,099) GF

Language:

Page 38, line 11, strike "\$5,493,100,904" and insert "\$5,492,992,805".

Page 39, line 38, strike "\$70,210,396" and insert "\$70,102,297".

Page 39, line 40, strike "\$88,352,590" and insert "\$88,244,491".

Page 40, line 33, strike "Support for School Construction and" and insert:
"Supplemental Support for School".

Page 67, line 35, strike "\$70,210,396" and insert "\$70,102,297".

Explanation:

(This amendment adjusts the funded per pupil amount to \$129.62 for the Supplemental Support for School Operating Costs account. The funded per pupil amount was increased to \$129.78 in House Bill/Senate Bill 29, as introduced, to account for a lower average daily membership projection for fiscal year 2012. However, existing language in the budget states that payments for this account shall be paid on the basis of the original per pupil amount of \$129.62.)

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 79, strike lines 43 through 50.

Explanation:

(This amendment deletes language under the Line of Duty program which requires localities that opt-out of the statewide program to use the State Comptroller to process their benefit payments. The non-participating localities would still have to provide benefits included under the Line of Duty Act.)

Chief Patron: Jones

Item 258 #2h

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 79, line 42, after "the Fund" insert:

", nor shall it be required to contribute to the costs incurred or associated, directly or indirectly, with the administration, management and investment of the Fund".

Explanation:

(This amendment clarifies language under the Line of Duty program to state that localities that do not participate in the statewide pool are not responsible for contributing to the administrative cost of managing the statewide program.)

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 80, line 34, strike "G." and insert "G.1."

Page 80, after line 41, insert:

“2. The Governor is hereby authorized to use a portion of the unappropriated balance in this act to provide assistance to offset local Line of Duty costs. This provision may be executed provided the Governor agrees with recommendations made by the workgroup established by paragraph 1, above, responsible for reviewing the Line of Duty Act to implement meaningful changes that support the program's stability.”

Explanation:

(This amendment provides language permitting the use of a portion of the unappropriated balance to assist with Line of Duty Act costs. The potential use of these funds is dependent upon the outcome of current stakeholder group discussions surrounding potential reform of the Line of Duty Act program.)

Chief Patron: Lingamfelter

Item 288.10 #1h

Co-Patron(s): Brink

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$0	\$75,000	GF

Language:

Page 95, after line 17, insert:

"2. Financial Assistance to Community Human Services Organizations (49200)

14,107,030	13,167,793
	13,742,793

Payments to Human Services Organizations (49200)

14,107,030	13,167,793
	13,742,793

Funding Sources: General

14,107,030	13,167,793
	13,242,793

Special	0	0
Federal Trust	0	500,000

Authority: § 32.1-2, Code of Virginia

A.1. Out of this appropriation, \$2,359,504 the first year and \$1,515,892 the second year from the general fund *and \$500,000 the second year from the federal Temporary Assistance for Needy Families block grant* is provided to the Comprehensive Health Investment Project (CHIP) of Virginia.

2. 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.

3. 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.

4. The general fund appropriation in this item for the CHIP of Virginia projects shall not be used for administrative costs.

5. 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 increases 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.

6. Of this appropriation, from the amounts in paragraph A.1., \$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 \$69,496 the first year and \$69,496 the second year from the general fund shall be provided to 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 \$7,809 the first year and \$7,809 the second year from the general fund shall be provided to 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, \$10,230 the first year and \$10,230 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 Community Healthcare Association for the purchase of pharmaceuticals and 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 Community Healthcare 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 Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the general fund shall be provided to the Virginia Community Healthcare Association to expand access to care provided through community health centers.

3. Out of this appropriation, \$1,800,000 the first year and \$1,800,000 the second year from the general fund shall be provided to the Virginia Community Healthcare Association to support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of

uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

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, \$175,000 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.

3. Out of this appropriation, \$1,700,000 the first year and \$1,700,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to support free clinic operating costs for services provided to uninsured clients. 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 needs of the greatest number of uninsured persons. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

G. Out of this appropriation, \$38,250 the first year and \$38,250 the second year from the general fund shall be provided to expand services at the Jeanie Schmidt Free Clinic.

H. Out of this appropriation, \$215,060 the first year and \$215,060 the second year from the general fund shall be provided to 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, \$464,110 the first year and \$464,110 the second year from the general fund shall be provided to the regional AIDS resource and consultation centers and one local early intervention and treatment center.

J. Out of this appropriation, \$75,660 the first year and \$75,660 the second year from the general fund shall be provided to the Arthur Ashe Health Center in Richmond.

K. Out of this appropriation, \$13,919 the first year and \$13,919 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, \$4,080,571 the first year and \$4,080,571 the second year from the general fund shall be provided to the Virginia Health Care Foundation. 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 the foundation's 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, from the amounts in paragraph in L.1., \$125,000 the first year and \$125,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

4. Of this appropriation, as noted in L.1., \$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.

5. Of this appropriation, from the amounts in paragraph in L.1., \$1,850,000 the first year and \$1,850,000 the second year from the general fund 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) \$850,000 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.

M. Out of this appropriation, \$17,371 the first year and \$17,371 the second year from the general fund shall be provided to the Chesapeake Adult General Medical Clinic.

N. Out of this appropriation, \$247,313 the first year and \$247,313 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, \$76,712 the first year and \$76,712 the second year from the general fund shall be provided to the St. Mary's Health Wagon.

P. 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 Behavioral Health and Development Services, the Virginia Information Technologies 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. The Advisory Committee shall submit to the Governor and the General Assembly an annual report of its activities, findings and recommendations by October 1 of each year.

Q. Out of this appropriation, \$90,000 the first year and \$90,000 the second year from the general fund shall be provided *to the Statewide Sickle Cell Chapters of Virginia (SSCCV)* for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The ~~department~~SSCCV shall develop criteria for distributing these funds including specific goals and outcome measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees detailing program outcomes by June 30 of each year.

R. Out of this appropriation, \$21,250 the first year and \$21,250 the second year from the general fund shall be provided to the Virginia Dental Health Foundation

for the Mission of Mercy (M.O.M.) dental project.

S. Out of this appropriation, \$76,500 the first year and \$76,500 the second year from the general fund shall be provided to the Bedford Hospice House, Inc.

T. Out of this appropriation, \$95,625 the first year from the general fund shall be provided to the Patient Advocate Foundation.

U. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be provided to fund the Poison Control Centers.

V. Out of this appropriation, \$42,500 the first year and \$42,500 the second year from the general fund shall be provided to the Community Health Center of the Rappahannock Region.

W. Out of this appropriation, \$75,000 the second year from the general fund shall be provided to the Food & Friends to establish a pilot project to provide meals to individuals living with life-challenging illnesses.

Explanation:

(This amendment provides \$75,000 in fiscal year 2012 from the general fund for the Health Department to enter into an agreement with Food & Friends to establish a pilot project to expand meal delivery services in conjunction with nutrition counseling to individuals with life-challenging illnesses. All meals provided through this pilot project must be prepared and delivered free of charge, must be prepared with the oversight of a trained dietician, must be appropriate for the individuals' medical needs and must be provided to persons who fall below the poverty line. Food & Friends is required to match these funds on a one-to-one basis and shall report data to the Department of Health by December 1, 2012 on the number of individuals and meals served through the pilot project. This amendment will replace language in Item 288, Chapter 890, Acts of Assembly of 2011, during enrolling of House Bill 29.)

Chief Patron: Sickles

Item 297 #1h

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	\$2,141,778	GF

Language:

Page 97, line 49, strike "\$6,973,579,404" and insert "\$6,975,721,182".

Explanation:

(This amendment provides \$2.1 million from the general fund in fiscal year 2012 to restore disproportionate hospital payments through the Medicaid program to Children's National Medical Center located in Washington, DC. Chapter 874 of the 2010 Acts of Assembly changed the reimbursement methodology for these payments to out-of-state hospitals.)

Chief Patron: Sickles

Item 297 #2h

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	\$2,297,880	GF

Language:

Page 97, line 49, strike "\$6,973,579,404" and insert "\$6,975,877,284".

Explanation:

(This amendment provides \$2.3 million from the general fund each year to restore indirect medical education payments through the Medicaid program to Children's National Medical Center located in Washington, DC. Chapter 874 of the 2010 Acts of Assembly changed the reimbursement methodology for these payments to out-of-state hospitals.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	(\$26,729,489)	GF

Language:

Page 97, line 49, strike "\$6,973,579,404" and insert "\$6,946,849,915".

Explanation:

(This amendment supplants general fund for Medicaid from a federal bonus payment of \$26,729,489 that was awarded on December 28, 2011. This bonus was authorized by the Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009. The bonus is based on the change in children's enrollment in Medicaid. Last year the budget included savings in fiscal year 2012 of an estimated bonus of \$9,898,348. However, the full amount of the bonus is available to be captured because the Medicaid forecast this year did not include the estimated savings.)

Natural Resources	FY 10-11	FY 11-12	
Department Of Environmental Quality	\$0	\$151,500	GF

Language:

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Not withstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

Explanation:

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

Natural Resources	FY 10-11	FY 11-12	
Department Of Environmental Quality	\$0	\$151,500	GF

Language:

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

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Explanation:

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Natural Resources	FY 10-11	FY 11-12	
Department Of Environmental Quality	\$0	\$151,500	GF

Language:

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Explanation:

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

Natural Resources	FY 10-11	FY 11-12	
Department Of Environmental Quality	\$0	\$151,500	GF

Language:

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Not withstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

Explanation:

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	\$0	\$95,000	GF

Language:

Page 135, line 13, strike "\$835,513,109" and insert "\$835,608,109".

Page 138, after line 21, insert:

"S. Included in the appropriation for this item is \$95,000 the second year from the general fund to provide transitional assistance to the Town of Boydton during the closure of Mecklenburg Correctional Center. The Department of Corrections shall make one transitional payment to the Town of Boydton as of June 30, 2012, which when added to the amounts actually paid by the Department of Corrections to the town for sewage treatment services for fiscal year 2012, will equal the level of expenditures made by the department for sewage treatment services during fiscal year 2011. The payment shall be reduced on a dollar for dollar basis by any increased amounts of revenue accruing to the Town of Boydton in fiscal year 2012 from expanded sewage treatment services for the new Microsoft data center in Mecklenburg County. No payment shall be made for this purpose prior to the certification by the Auditor of Public Accounts that the amount to be paid is consistent with this item.

Explanation:

(This amendment provides transitional support to the Town of Boydton during the closure of Mecklenburg Correctional Center.)

Chief Patron: Jones

Item 380 #1h

Co-Patron(s): Cosgrove

Public Safety

Department Of Corrections

Language

Language:

Page 140, after line 32, insert:

"P. The Board of Corrections is authorized to provide a waiver from the construction requirements of the "Standards for Planning, Design, Construction, and Reimbursement of Local Correctional Facilities, and Minimum Standards for Local Jails and Lockups" to a locality proposing a jail enlargement project involving the use of a temporary structure for housing community custody inmates. Such structure shall comply with all the applicable provisions of the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire Prevention Code for its designated use and occupancy. Such waiver shall not relieve the locality of the requirement for submission and Board approval of a community-based corrections plan and a construction planning study. Any locality receiving such a waiver shall not be eligible for the construction funding reimbursement authorized pursuant to §§ 53.1-5 and 53.1-80 through 53.1-82, Code of Virginia, for such facility."

Explanation:

(This amendment provides language permitting the Board of Corrections to provide a waiver from the standards for the construction of local and regional jails for temporary housing structures used to house local inmates when that temporary structure complies with the statewide building and fire prevention codes. The locality must still submit a community-based corrections plan and construction planning study for the temporary structure. No funding reimbursement would be provided for a temporary structure. Currently, the only locality with a temporary housing structure is the City of Chesapeake.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"Notwithstanding any contrary provision of law, no revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase II of the Dulles Corridor Metrorail Project extending the line beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County unless (i) all persons working or seeking work, directly or indirectly, on the Phase II Project or any portion thereof may do so without regard for whether a person is a member of a labor union, (ii) the Phase II Project will comply in all respects with Chapter 4 (§ 40.1-52 et seq.) of Title 40.1, (iii) all meetings and records pertaining to the project are in compliance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), (iv) the Secretary of Transportation determines that Phase I of the Dulles Corridor Metrorail Project, at such time as it becomes operational, shall not cause a reduction in service to existing Virginia Metrorail passengers, and (v) no tolls imposed and collected for use of the Dulles Toll Road are used to pay for the Phase II Project, including principal or interest on debt issued to pay for the Phase II Project."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase II of the Dulles Corridor Metrorail Project unless a series of requirements are met.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, including tolls, shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if Phase 2 of the Project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding, including tolls, on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if the project or phase of the project is subject to the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§ 2.2-3700 et seq.)."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the MWAA meets Virginia's open meeting requirements as set out in the Freedom of Information Act.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, including tolls, shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if the project or phase of the project is subject to the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§ 2.2-3700 et seq.)."

Explanation:

(This amendment prohibits the use of any source of state funding, including tolls, on Phase 2 of the Dulles Corridor Metrorail Project unless the MWAA meets Virginia's open meeting requirements as set out in the Freedom of Information Act.)

Transportation

Secretary Of Transportation

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Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source, shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if the project or phase of the project (i) is subject to a project labor agreement, (ii) the policy or bylaws of the Metropolitan Washington Airports Authority governing public access to the Authority's meetings and records and is incompatible with Virginia's Freedom of Information Act (§ 2.2-3700 et seq.), or (iii) Phase II of the project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless a series of conditions are met.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if Phase 2 of the Project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Transportation

Secretary Of Transportation

Language

Language:

Page 147, after line 2, insert:

"No revenues of the Commonwealth, from whatsoever source shall be allocated, paid, or expended in connection with Phase 2 of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County if Phase 2 of the Project and its finances will not be subject to audit by either the Virginia Department of Transportation or the Auditor of Public Accounts."

Explanation:

(This amendment prohibits the use of any source of state funding on Phase 2 of the Dulles Corridor Metrorail Project unless the project finances are subject to state audit.)

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 147, after line 14, insert:

“G.1. Prior to July 1, 2011, the director, Department of Rail and Public transportation, with the approval of CSX Transportation, shall initiate infrastructure improvement projects which *promote safety or* reduce the average dwell times of hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in the City of Fredericksburg ~~to not longer than 24 hours~~. These improvements may include, but are not limited to, those that (i) increase capacity at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance between commodity storage areas and residential communities; and (iii) transfer intermediate storage of commodities to locations closer to terminus of the shipment.

2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-22.1:1, Code of Virginia, up to \$450,000 in the first year and up to \$450,000 in the second year is hereby authorized for associated infrastructure improvements in the City of Fredericksburg ~~and~~ *or* Spotsylvania County. Such funds may be awarded to CSX Transportation or other entities or political subdivisions identified by the Department as having responsibility for implementing the associated infrastructure improvement. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1 F., are waived.

3. Not later than September 1, 2011, and December 31, 2011, the director, Department of Rail and Public Transportation, shall report to the Chairmen of the Senate Finance and House Appropriations Committees on the progress in implementing these improvements. The report shall include specific dates by which infrastructure improvements or other means of reducing average dwell times of hazardous material shipments are anticipated to be implemented or placed in service. In addition, this report shall also assess the adequacy of training provided by CSX Transportation to local first responders and regional hazmat response teams and establish a plan for enhanced training on addressing railroad and hazmat

incidents including the development of a comprehensive emergency response plan.

4. In implementing this report, the Director, Department of Rail and Public Transportation, shall solicit the input and involvement of the affected jurisdictions. All agencies of the Commonwealth, upon request, shall provide necessary technical expertise."

Explanation:

(This amendment modifies language related to average dwell times of hazardous material shipments related to certain infrastructure projects and adds language that clarifies the goal of the projects include promoting safety. The current language is too narrowly worded to facilitate a grant agreement that would fund the projects agreed to by the various parties. Because this item is not set out in House Bill 29, it is the intent of the General Assembly that the proposed amendments to the language would occur during enrollment of House Bill 30 as adopted.)

Transportation

Department Of Transportation

Language

Language:

Page 149, line 53, after "Bank." insert:

"\$9,900,000 of the general fund amounts deposited into the Virginia Transportation Infrastructure Bank in the second year shall be transferred to Item 447 for statewide transit formula assistance."

Explanation:

(This amendment directs that \$9.9 million of the fiscal year 2011 general fund surplus amounts dedicated to transportation be used to support the Mass Transit Fund. The amount represents 14.7% of the general fund amounts, the share of funds which mass transit receives from the transportation trust fund.)

Chief Patron: Cox, Kirk

Item 470 #1h

Central Appropriations

FY 10-11

FY 11-12

Central Appropriations

\$0

\$14,700 GF

Language:

Page 158, line 11, strike "\$55,533,368" and insert "\$55,548,068".

Page 161, after line 1, insert:

"L. Out of the appropriation for this item, \$14,700 the second year from the general fund shall be transferred to Item 29 to support the operation of the Virginia Bicentennial of the American War of 1812 Commission."

Explanation:

(This amendment increases the funding for the Virginia Bicentennial of the American War of 1812 Commission from \$8,640 a year to \$23,340 in fiscal year 2012 to reflect the estimated cost for the Commission.)

Central Appropriations

Central Appropriations

Language

Language:

Page 160, strike lines 53 and 54 and insert:

“K.1. Out of the appropriation for this item, \$30,000,000 the second year from the general fund is provided to capitalize a reserve to be known as the Federal Action Contingency Trust (FACT) Fund. The Governor is authorized to distribute amounts from this reserve to mitigate or address a variety of negative impacts of federal fiscal actions on the Commonwealth. Although not specifically limited to the following, the Governor may use this reserve to address the replacement of losses of direct federal grant funding, to provide incentives to retain or consolidate federal facilities in Virginia, to address federal tax policy changes from conformity that are deemed undesirable, and to assist businesses impacted by the cutback of federal procurement or defense contracts obtain new alternative customers.

2. There is hereby created an advisory committee to provide advice to the Governor concerning the use of the Federal Action Contingency Trust (FACT) Fund. The committee shall consist of six legislative members appointed by the Joint Rules Committee one of which shall be from the Senate at large, and one of which shall be from the House at large, and two members of the Senate Committee on Finance and two members from the House Appropriations Committee. The secretaries of Commerce and Trade and Finance shall also serve as members of the advisory committee.

3. Prior to the distribution of any funds from the Federal Action Contingency Trust (FACT) Fund, the Governor shall consult with the advisory committee regarding the purpose of any proposed distribution and seek the advisory committee’s guidance. The advisory committee shall respond to the Governor within five days after receiving a proposal from the Governor indicating their guidance to him about the proposed distribution. The Governor shall also notify the chairmen of the Senate Finance Committee and the House Appropriations Committee in writing within ten days concerning his decision to distribute money from the FACT reserve having previously received guidance from the advisory committee.”

Page 161, strike line 1.

Explanation:

(This amendment modifies language authorizing the Federal Action Contingency Trust (FACT) Fund in order to establish criteria for use of the funding as well as to establish an advisory committee.)

Chief Patron: Yancey

Item C-5.10 #1h

Education: Higher Education

FY 10-11

FY 11-12

Christopher Newport University

\$0

\$2,000,000 NGF

Language:

Page 169, line 10, strike "\$1,000,000" and insert "\$3,000,000".

Page 169, line 10, strike "Not set out." and insert:

"Christopher Newport University (242)

5.10.	Planning: Student Success Center (17872)	500,000	0
			<i>3,000,000</i>

Fund Sources:	Higher Education Operating	500,000	0
			<i>3,000,000</i>

1. This appropriation provides funding to conduct preplanning for the construction of a Student Success Center. Christopher Newport University is authorized to use up to ~~\$500,000~~*\$3,500,000* of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase.

2. Christopher Newport University is authorized to increase the project scope to 80,870 square feet of new construction."

Explanation:

(This amendment requests additional nongeneral fund authority and a project scope change for the Student Success Center at Christopher Newport University. The item is not set out in the introduced budget but it will be set out as part of enrolling the budget.)

Chief Patron: Dance

Item C-73.10 #1h

Education: Higher Education

FY 10-11

FY 11-12

Virginia State University

\$0

\$4,500,000 NGF

Language:

Page 172, line 21, strike "\$0" and insert "\$4,500,000".

Explanation:

(This amendment requests a nongeneral fund supplement for the land acquisition related to the Multipurpose Center (17312) at Virginia State University. The item is not set out in the introduced budget but it will be set out as part of enrolling the budget.)

Chief Patron: Governor McDonnell

Item C-73.10 #2g

Education: Higher Education

FY 10-11

FY 11-12

Virginia State University

\$0

\$4,500,000 NGF

Language:

Page 172, line 21, strike "\$0" and insert "\$4,500,000".

Page 172, line 21, after "C-73.10, strike "Not set out." and insert:

"Acquisition: Acquire Ettrick Property (17312) \$5,840,000 \$0

\$4,500,000

Fund Sources: Higher Education Operating \$5,840,000 \$0

\$4,500,000 "

Explanation:

(This amendment provides additional nongeneral fund appropriation authority to acquire real estate for Virginia State University's Multipurpose Center and its expansion into Ettrick. The acquisition costs of the properties have been higher than was originally projected thus making the need for additional appropriation authority necessary.)

Chief Patron: Governor McDonnell

Item C-73.30 #1g

Education: Higher Education

FY 10-11

FY 11-12

Virginia State University

\$0

\$642,000 NGF

Language:

Page 172, after line 22, insert:

"C-73.30 Construct Gateway Housing II (17531)

\$0 \$642,000

Fund Source: Bond Proceeds \$0 \$642,000"

Explanation:

(This amendment provides 9(d) bond authority for Virginia State University to construct a parking lot associated with a student housing project currently under construction.)

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 174, line 21, after "C-89" strike "Not set out" and insert:

- “1. This item authorizes the capital projects listed below to be financed pursuant to Article X, § 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 ~~\$315,164,293~~ \$315,806,293 in bond proceeds.

Agency Name/ Project Title	Item #	Project Code	Section 9(d) Bonds
Christopher Newport University			
Residence Hall Roof Replacement	C-5.20	17873	\$3,000,000
Expand Residential Dining Facility	C-5.30	17898	\$4,750,000
College of William and Mary			
Improve Athletic Facilities	C-8	17809	\$6,500,000
Reconstruct Ash Lawn-Highland Barn	C-9	17810	\$800,000
Cooling Plant & Utility Improvements, Phase III	C-10.10	17651	\$9,999,000
George Mason University			
Construct Addition to Student Union I	C-13	17485	\$2,400,000
Construct Campus Entrances, Fairfax	C-14	17838	\$8,547,000
Construct Campus Entrances, Prince William	C-15	17839	\$1,211,000
Construct New Global Center	C-16	17840	\$5,015,000
Renovate Concert Hall	C-18	17842	\$41,064,000
Renovate Field House	C-19	17843	\$9,186,000
Arlington Phase II	C-24.30	16523	\$3,835,293
Construct Smithsonian Conservation and Research Center Housing and Dining	C-24.40	17572	\$2,912,000
Enhance Fairfax Campus Dining	C-24.50	17917	\$17,000,000
James Madison University			
Renovate West Wing, Rockingham Hospital	C-25	17674	\$6,000,000
Construct Student Health Center/East Wing	C-29	17824	\$11,900,000

Grace Street Acquisition	C-31	17827	\$3,000,000
Longwood University			
Construct Addition and Renovation to Lankford Hall	C-32	17318	\$3,525,000
Construct University Center	C-33.10	17893	\$14,683,000
University of Mary Washington			
Construct Parking Lot, Battleground Athletic Complex	C-35	17819	\$1,800,000
Renovate Residence Halls	C-36	17820	\$12,000,000
Improve Battlefield Athletic Complex	C-37	17860	\$2,500,000
Construct Dining and Student Center	C-37.10	17909	\$45,000,000
Norfolk State University			
Construct Multi-Story Parking Structure	C-38	17314	\$18,000,000
Virginia Commonwealth University			
Construct West Grace Housing and Parking	C-52	17832	\$7,422,000
Renovate Siegel Center	C-55	17835	\$4,385,000
Acquire and Renovate BioTech I	C-55.10	17897	\$12,955,000
Refinance Ackell Residence Center I	C-55.30	16093	\$13,650,000
Virginia Polytechnic Institute and State University			
Construct Academic and Student Programs Building	C-70	17859	\$10,000,000
Construct New Visitors and Admissions Center	C-70.10	17899	\$7,100,000
Virginia Community College System			
Construct Parking Garage, Fredericksburg Campus, Germanna	C-68.10	17900	\$5,941,000
Renovate Student Life Center, Virginia Western	C-57	17853	\$7,542,000
Virginia Military Institute			
Construct Lackey Parking	C-68.50	17560	\$1,542,000
Virginia State University			
Construct Gateway II	C-73.30	17531	\$642,000
Department of Game and Inland Fisheries			
Construct Headquarters Facility	C-76.82	17783	\$10,000,000
Total for Nongeneral Fund Obligation Bonds 9(d)			\$315,164,293
			\$315,806,293

Explanation:

(This amendment provides 9(d) bond appropriation for Virginia State University to construct a parking lot associated with a student housing project currently under construction.)

Transfers

Interfund Transfers

Language

Language:

Page 182, after line 18, insert:

"WW. On or before June 30, 2012, the State Comptroller shall transfer \$200,508 from the general fund to the Trust and Agency Fund (fund 0700) for the Department of State Police to restore revenue inadvertently deposited to the general fund in fiscal year 2011."

Explanation:

(This amendment restores nongeneral fund revenue inadvertently deposited to the general fund in fiscal year 2011.)

Transfers

Interfund Transfers

Language

Language:

Page 179, line 13, strike "\$6,776,373" and insert "\$6,521,373".

Page 180, line 5, strike the second "\$255,000" and insert "\$0".

Explanation:

(This amendment eliminates the proposed transfer of \$255,000 from the Litter Control and Recycling Fund to the general fund that was to take place by June 30, 2012.)

Transfers

Interfund Transfers

Language

Language:

Page 182, after line 8, insert:

"6. On or before June 30, 2012, the State Comptroller shall restore \$2,689 from the general fund to the State Asset Forfeiture Fund (Fund 0233) in the Department of Agriculture and Consumer Services, pursuant to § 4-1.05 b. of this act.

Explanation:

(This amendment restores amounts that were reverted from the State Asset Forfeiture Fund (Fund 0233) in the Department of Agriculture and Consumer Services.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 184, line 12, strike "\$16,675,169" and insert "\$16,649,754".

Page 185, strike line 30.

Explanation:

(This amendment allows the Parking Fund to retain its interest. All proceeds collected by the Parking Fund are made through fees charged to state employees. Any interest earnings help offset those fees.)
