

Revenues

Revenues

Language

Language:

Page 1, strike lines 4 through 7 and insert:

"An Act to amend Chapter 879, Acts of Assembly of 2008, and to amend and reenact §§ 58.1-615 and 58.1-622 of the Code of Virginia, relating to the appropriation of funds for the 2008-2010 Biennium and to provide a portion of revenues for the two years ending, respectively, on the thirtieth day of June 2009, and the thirtieth day of June 2010."

Page 1, strike lines 49 through 51.

Page 2, strike lines 1 through 11 and insert:

"

	First Year	Second Year	Total
Unreserved Balance, June 30, 2008	1,091,882,000	0	1,091,882,000
Additions to Balance	(371,530,850)	8,131,738	(363,399,112)
Official Revenue Estimates	15,017,139,287	15,698,435,394	30,715,574,681
Revenue Stabilization Fund	490,000,000	0	490,000,000
Transfers	405,621,844	429,316,286	834,938,130
Total General Fund Resources Available for Appropriations	16,633,112,281	16,135,883,418	32,768,995,699

"

Page 2, strike lines 13 through 27, and insert:

"

	First Year	Second Year	Total
Balance June 30, 2008	5,285,343,724	0	5,285,343,724
Official Revenue Estimates	20,115,785,392	20,403,776,082	40,519,561,474
Lottery Proceeds Fund	430,500,000	430,200,000	860,700,000
Bond Proceeds	1,432,601,373	619,749,600	2,052,350,973
Total Nongeneral Fund Revenues Available for Appropriations	27,264,230,489	21,453,725,682	48,717,956,171
Total Projected Revenues	43,897,342,770	37,589,609,100	81,486,951,870

"

Explanation:

(This amendment reflects the revenue adjustments encapsulated in the amendments to the appropriation act.)

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 9, line 2, strike "four", and insert "up to five".

Page 9, line 7, after "committees", insert "by December 1, 2009".

Page 9, line 9, strike "1)", and insert "a)".

Page 9, line 15, strike "2)", and insert "b)".

Page 9, line 17, after "deduction", insert:

"c) review the methodology for establishing a consistent funding cap process for all state funded support positions."

Explanation:

(This amendment is self-explanatory.)

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 9, after line 35 insert:

"L.1. The Speaker of the House of Delegates shall appoint six members of the House of Delegates and the Senate Committee on Rules shall appoint four members of the Senate to a Joint Commission on State Employee Compensation to review the findings and recommendations included in the Joint Legislative Audit and Review Commission's Review of State Employee Total Compensation.

2. A technical advisory committee shall be established to assist the joint commission in its review. The advisory committee shall include the staff directors of the House Appropriations and Senate Finance Committees, the Director of the Joint Legislative Audit and Review Commission, the Directors of the Department of Human Resources Management, the Department of Planning and Budget, the Virginia Retirement System, the Executive Secretary of the Supreme Court, the President of the Virginia Governmental Employees Association, and the Presidents of the Virginia Association of Counties, Virginia Municipal League, and the Virginia School Board's Association.

3. The joint subcommittee shall complete its review and shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2010 Regular Session of the General Assembly."

Explanation:

(This amendment establishes a 10 member joint subcommittee, including six members of the House of Delegates and four members of the Senate, to review the findings and recommendations included in the JLARC Review of State Employee Total Compensation, which was completed in October of 2008.)

Item 1 #3h

Legislative Department	FY 08-09	FY 09-10	
General Assembly Of Virginia	\$0	(\$194,600)	GF

Language:

Page 4, line 5, strike "\$32,545,351" and insert "\$32,350,751".

Explanation:

(This amendment reduces funding for the General Assembly as a result of a reduction in the payment in lieu of taxes for the Capitol and the General Assembly Building. A companion amendment within the Department of General Services sets a specific amount for these transfer payments.)

Item 4 #1h

Legislative Department	FY 08-09	FY 09-10	
Division Of Capitol Police	(\$726,050)	(\$726,050)	GF

Language:

Page 10, line 49, strike "\$8,140,971" and insert "\$7,414,921".

Page 10, line 49, strike "\$8,154,626" and insert "\$7,428,576".

Explanation:

(This amendment adjusts the funding for the Capitol Police to reflect current staffing levels.)

Item 30 #1h

Legislative Department	FY 08-09	FY 09-10
Virginia Commission On	\$0	(\$68,000) GF
Intergovernmental Cooperation		

Language:

Page 19, line 39, strike "\$683,039" and insert "\$615,039".

Explanation:

(This amendment reduces funding for the Virginia Commission on Intergovernmental Cooperation by ten percent in the second year.)

Item 31 #1h

Legislative Department

Legislative Department Reversion	Language
Clearing Account	

Language:

Page 20, line 4, before "On or before", insert "A."

Page 20, after line 8, insert:

"B. On or before June 30, 2009, the Committee on Joint Rules shall authorize the reversion to the general fund of \$992,657, representing savings generated by legislative agencies in the first year. The total savings amount includes estimated savings within the legislative agencies of:

<u>Legislative Agency</u>	<u>Estimated Savings</u>
Capitol Police (961)	\$859,282
Joint Commission on Technology and Science (847)	\$27,112
Joint Legislative Audit and Review Commission (110)	\$54,371
Division of Legislative Automated Systems (109)	\$51,980

C. On or before June 30, 2010, the Committee on Joint Rules shall authorize the reversion to the general fund of \$2,294,972 representing savings generated by legislative agencies in the first and second year. The total savings amount includes estimated savings within the legislative agencies of:

<u>Legislative Agency</u>	<u>Estimated Savings</u>
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Auditor of Public Accounts (133)	\$1,048,754
Virginia Commission on Youth (839)	\$32,740
Virginia State Crime Commission (142)	\$53,216
Joint Commission on Health Care (844)	\$70,714
Joint Commission on Technology and Science (847)	\$10,000
Joint Legislative Audit and Review Commission (110)	\$300,000
Division of Legislative Automated Systems (109)	\$200,000
Division of Legislative Services (107)	\$579,548

D. On or before June 30, 2010, the Committee on Joint Rules shall authorize the reversion to the general fund of \$1,000,000 from the Legislative Department Reversion Clearing Account."

Explanation:

(This amendment authorizes the reversion of legislative agency savings to the general fund.)

Item 31 #2h

Legislative Department

Legislative Department Reversion Clearing Account	Language
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Language:

Page 20, line 4, before "On or before", insert "A."

Page 20, after line 8, insert:

"B. On or before June 30, 2010, the House Committee on Rules authorize the reversion to the general fund of \$1,100,000 from the Clerk of the House."

Explanation:

(This amendment authorizes the reversion of savings from the Clerk of the House to the general fund.)

Item 33 #1h

Judicial Department

Supreme Court	Language
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Language:

Page 21, after line 38 insert:

"D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies."

Explanation:

(This amendment emphasizes the utilization of family services, such as counseling or substance abuse treatment, as a first recourse as opposed to the imposition of jail or fines.)

Item 33 #2h

Judicial Department	FY 08-09	FY 09-10	
Supreme Court	\$0	(\$508,000)	GF
	0.00	-2.00	FTE

Language:

Page 21, line 3, strike "\$14,158,723" and insert "\$13,650,723".

Explanation:

(This amendment eliminates funding for the judicial performance evaluation program.)

Item 33 #3h

Judicial Department	FY 08-09	FY 09-10	
Supreme Court	\$0	(\$2,000,000)	GF

Language:

Page 21, line 3, strike "\$14,158,723" and insert "\$12,158,723".

Page 21, line 35, strike "\$6,200,000" and insert "\$4,200,000".

Explanation:

(This amendment caps the funding for waivers for increased reimbursement for court-appointed counsel at \$4.2 million in the second year. The \$4.2 million amount is equal to the funding level appropriated for the first year.)

Item 38 #1h

Judicial Department	FY 08-09	FY 09-10	
Supreme Court	\$0	(\$2,951,000)	GF

Language:

Page 22, line 14, strike "\$29,337,566" and insert "\$26,386,566".

Explanation:

(This amendment eliminates general fund support for 14 drug court programs in the Commonwealth. These programs were originally established by the localities mostly with federal grants. There are currently 14 other drug court programs in the Commonwealth that do not receive state general fund support, many of which have been funded by federal grants which have recently or will soon expire.)

Item 38 #2h

Judicial Department
Supreme Court

Language

Language:

Page 23, after line 18 insert:

"H. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems."

Explanation:

(This amendment authorizes the Supreme Court to charge an electronic access fee for any electronic filings submitted to the court system. The language allows the Supreme Court to set the amount of the fee and requires the revenues from the fee to be deposited into the Courts Technology Fund.)

Item 38 #3h

Judicial Department	FY 08-09	FY 09-10	
Supreme Court	\$0	\$104,280	NGF
	0.00	1.00	FTE

Language:

Page 22, line 14, strike "\$29,337,566" and insert "\$29,441,846".

Page 23, after line 18, insert:

"H. Included in the appropriation for this item is \$104,280 the second year from the Circuit Court Clerks Technology Fund established pursuant to § 17.1-279.A, Code of Virginia."

Explanation:

(This amendment provides an appropriation within the Supreme Court of \$104,280 in the second year from the Circuit Court Clerks Technology Fund pursuant to House Bill 1946. House Bill 1946 requires the office of the Executive Secretary to establish a statewide case management and financial management system. Furthermore, it requires the system to provide an interface to circuit court clerk systems that are provided by private vendors or their localities.)

Item 40 #1h

Judicial Department

Circuit Courts

Language

Language:

Page 25, after line 52, insert:

"F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643 or otherwise shall be delayed at the request of the local governing body in which the court is located until June 30, 2010."

Explanation:

(This amendment temporarily suspends the authority of circuit courts to enter orders requiring localities to repair or replace court facilities if they are deemed out of repair.)

Item 50.05 #1h

Judicial Department

Judicial Department Reversion
Clearing Account

Language

Language:

Page 33, after line 2 insert:

"On or before June 30, 2010, the Director of Department of Planning and Budget

shall authorize the reversion to the general fund of \$3,000,000 representing additional savings generated by judicial agencies in the first and second year."

Explanation:

(This amendment assumes an additional savings of \$3.0 million from the judicial branch over the biennium.)

Item 56 #1h

Executive Offices

Attorney General And Department
Of Law

Language

Language:

Page 37, after line 12, insert:

"Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge."

Explanation:

(This amendment provides language directing the Office of the Attorney General to provide representation for soil and water conservation districts and district directors upon their request at no charge.)

Item 67 #1h

Administration

Secretary Of Administration

FY 08-09

\$0

FY 09-10

(\$3,284,802) GF

Language:

Page 46, line 9, strike "\$3,457,686" and insert "\$172,884".

Page 46, strike lines 17 through 52.

Page 47, strike lines 1 through 5.

Explanation:

(This amendment eliminates the grants to public television and radio stations which are not directly tied to educational efforts.)

Administration

Compensation Board

Language

Language:

Page 51, line 52, after "Program", insert:

", where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1,"

Page 51, line 53, after "accreditation", insert "by March 1".

Explanation:

(This technical amendment provides an extension to the date by which a sheriff's office can be approved by an accrediting agency and still considered by the Compensation Board as fully accredited, for the purpose of compliance with the Sheriffs' Career Development Program and allocation of the appropriate salary supplement for the upcoming fiscal year.)

Administration

Compensation Board

FY 08-09

\$0

FY 09-10

\$8,251,828 GF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$407,516,622".

Explanation:

(This amendment reduces the total reductions proposed by the Governor to sheriffs' offices and local and regional jails from seven percent to five percent. It is the intent of the General Assembly that the Compensation Board will distribute this additional funding to the appropriate subprograms for financial assistance to sheriffs' offices and local and regional jails.)

Administration

Compensation Board

FY 08-09

\$0

FY 09-10

(\$965,874) GF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$398,298,920".

Explanation:

(This amendment reduces funding for the operation of local jails included in the introduced budget due to delays in the completion of construction for the Loudoun County jail. The completion date for the construction of the expansion has slipped from July 1, 2009 to November 15, 2009.)

Item 70 #1h

Administration

FY 08-09

FY 09-10

Compensation Board

\$0

(\$256,000) GF

Language:

Page 52, line 39, strike "\$74,191,798" and insert "\$73,935,798".

Page 55, line 6, strike "personnel".

Page 55, line 12, strike "salary funds" and insert "costs".

Explanation:

(This amendment expands the existing federal inmate cost recovery methodology to recoup the entire costs borne by the Commonwealth for the federal inmates housed in local and regional jails. The Commonwealth provides not only the salaries for the jail deputies and regional jail correctional officers, but also office and vehicle allowances, grants, construction reimbursements, and other support. This change will generate about \$256,000 in additional federal inmate cost recoveries.)

Item 70 #2h

Administration

Compensation Board

Language

Language:

Page 56, line 4, strike "The" and insert:

"Through June 30, 2009, the".

Page 56, line 7, after "contribution.", insert:

"After June 30, 2009, all local and regional jails shall be subject to the cost recovery methodology outlined in paragraphs H.1 and H.2 of this item."

Explanation:

(This amendment removes the exemption from the federal inmate cost recovery methodology that had existed for one local jail and three regional jails based on federal bed construction. The funding required for the continuance of this exemption was eliminated for fiscal year 2010 in Chapter 879 of the 2008 Acts of Assembly. Without this language, all other local and regional jails per diem payments would require some level of proration.)

Item 72 #1h

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$535,750	GF

Language:

Page 58, line 36, strike "\$19,317,650" and insert "\$19,853,400".

Explanation:

(This amendment restores five percent of the ten percent reduction proposed in the introduced budget in the appropriation for the Commissioner of Revenue offices.)

Item 73 #1h

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,008,528	GF

Language:

Page 60, line 29, strike "\$62,671,350" and insert "\$63,679,878".

Explanation:

(This amendment restores two percent of the seven percent reduction proposed in the introduced budget in the appropriation for the Commonwealth Attorneys' offices.)

Item 74 #1h

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,374,965	GF

Language:

Page 62, line 41, strike "\$50,440,377" and insert "\$51,815,342".

Explanation:

(This amendment restores five percent of the ten percent reduction proposed in the introduced budget in the appropriation for the Clerk of Circuit Courts' offices.)

Item 74 #2h

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,000,000	NGF

Language:

Page 62, line 41, strike "\$50,440,377" and insert "\$51,440,377".

Page 64, line 44, strike "\$2,978,426" and insert "\$3,978,426."

Explanation:

(This amendment increases by \$1.0 million the appropriation from the Circuit Court Clerks' Technology Trust Fund that can be used to to support the operations of the clerks' offices.)

Item 74 #3h

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$2,100,000	GF

Language:

Page 62, line 41, strike "\$50,440,377" and insert "\$52,540,377".

Explanation:

(This amendment provides general fund support for the additional fringe benefit costs of circuit court clerks resulting from the proposed change in the excess circuit court clerks' fees to be retained by the Commonwealth. The proportion retained by the state would increase from one-third to two-thirds. Accordingly, by law, the Commonwealth would be required to reimburse two-thirds of the fringe benefit costs for circuit court clerks, instead of one-third. Although the introduced budget bill increases the retention of excess fees, an increase in appropriation for the Compensation Board to cover the fringe benefit costs was inadvertently omitted. A

companion amendment increases by the same amount the amount of revenue expected from the change in policy regarding excess fees.)

Item 74 #4h

Administration

Compensation Board

Language

Language:

Page 64, line 42, after "G.", insert "1."

Page 64, after line 46, insert:

"2. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the City of Newport News, whose Circuit Court Clerk's Technology Trust Fund is segregated from the statewide pool pursuant to § 17.1-288, may allocate up to \$100,000 the first year and \$200,000 the second year of its Technology Trust Fund moneys for operating expenses of the Newport News Circuit Court Clerk's office."

Explanation:

(This amendment enables the Newport News Circuit Court Clerk to access Technology Trust Fund deposits to support office operations.)

Item 75 #1h

Administration

Compensation Board

FY 08-09

FY 09-10

\$0

\$529,667 GF

Language:

Page 66, line 17, strike "\$19,183,595" and insert "\$19,713,262".

Explanation:

(This amendment restores five percent of the ten percent reduction proposed in the introduced budget in the appropriation for the Treasurers' offices.)

Item 76 #1h

Administration

Compensation Board

Language

Language:

Page 70, line 2, after "F." insert "1."

Page 70, after line 9, insert:

"2. The Compensation Board shall convene a workgroup which will include designees, who may be staff, from the Chairmen of the House Appropriations and Senate Finance Committees and representatives from the constitutional officers to revise and update the methodologies used to determine the staffing standards. The workgroup shall complete the review and update the standards by November 15, 2009."

Explanation:

(This amendment includes language requiring the Compensation Board to convene a workgroup to update the staffing standards for the constitutional officers' offices.)

Item 77 #1h

Administration	FY 08-09	FY 09-10	
Department Of Employment	\$0	\$1,106,641	GF
Dispute Resolution	\$0	\$299,969	NGF
	0.00	18.00	FTE

Language:

Page 73, line 14, strike "\$0" and insert "\$1,406,610".

Page 73, strike line 24 through 28.

Explanation:

(This amendment strikes language included in the introduced budget that would merge the Department of Employment Dispute Resolution into the Department of Human Resources Management in the second year. The amendment restores the funding for the Department and a companion amendment eliminates the proposed funding within the DHRM. It is the intent of the General Assembly that the elimination of this transfer shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 77.05, Item 85.05, and § 4-1.08 during the enrollment of House Bill 1600/ Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 81 #1h

Administration

Language:

Page 78, after line 46, insert:

"G. Effective July 1, 2009, the total service charge for property known as the General Assembly Building and the State Capitol Building shall not exceed \$70,000 per fiscal year."

Explanation:

(This amendment specifies the exact level of payments the Department of General Services is to reimburse the City of Richmond for payment in lieu of taxes beginning in fiscal year 2010.)

Item 83 #1h

Administration

Department Of General Services

Language

Language:

Page 79, after line 16, insert:

"C. The Department of General Services shall advance the consolidation of bulk and commercial fuel purchases into a single procurement action as recommended in the Vehicle Fleet Operational Review conducted in 2007, by both the executive branch and both bodies of the legislative branch with oversight from the Virginia General Assembly Cost Cutting Caucus. The intent of this consolidation will be to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume into a single procurement action to achieve the most favored pricing from private sector fuel providers. The Department shall release a solicitation to consolidate the purchase of fuel no later than September 1, 2009."

Explanation:

(This amendment authorizes the Department of General Services to initiate actions to consolidate the purchase of fuel for state agencies and local governments in an effort to leverage the purchasing power.)

Item 85 #1h

Administration

Department Of Human Resource
Management

FY 08-09

FY 09-10

\$0	(\$1,106,641)	GF
\$0	(\$299,969)	NGF

0.00 -18.00 FTE

Language:

Page 80, line 3, strike "\$11,402,597" and insert "\$9,995,987".
Page 81, strike line 32 through 36.

Explanation:

(This amendment strikes language included in the introduced budget that would merge the Department of Employment Dispute Resolution into the Department of Human Resources Management in the second year. The amendment eliminates the transfer of funding into the DHRM and a companion amendment restores funding for the Department of Employment Dispute Resolution. It is the intent of the General Assembly that the elimination of this transfer shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 77.05, Item 85.05, and § 4-1.08 during the enrollment of House Bill 1600/ Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 86 #1h

Administration

Administration Of Health Insurance

Language

Language:

Page 82, after line 46, insert:

"E.1. The Department of Human Resources Management is hereby authorized to enhance savings and efficiencies within the State Employee Health Insurance plan through the increased use of pharmacy management best practices. These best practices shall include the expansion of the preferred drug step therapy program to include additional therapeutic classes. Anti-depressant and Anti-psychotic drug classes are specifically prohibited from inclusion in the preferred drug step therapy program. Furthermore, the Department is prohibited from modifying current policies related to the purchase of pharmacy products from retail pharmacies or mail order.

2. The Department is authorized, effective July 1, 2009, to modify the cost sharing requirements for employees and early retirees covered under the COVA care plan as follows: a) increase the copayment for tier 2 drugs from \$20 to \$25, b) increase the copayment for tier 3 drugs from \$35 to \$40, c) create a tier 4 drug class with a copayment of \$50 per script, d) increase the copayment for office visits to specialist, excluding physical and speech therapy, from \$35 to \$40, and e.) decrease the copayment for behavioral health office visits from \$35 to \$25. Furthermore, to the

extent possible, the Department is authorized to increase the copayment for nonsedating antihistamines within the current copayment structure.

3. Effective July 1, 2009, the Department shall eliminate coverage of surgery procedures to treat morbid obesity under the State Employee Health insurance plan."

Explanation:

(This amendment specifies the plan changes authorized for the State Employee Health Insurance plan. The introduced budget provided no additional funding for state employee health insurance premiums based partly on program changes assumed but not specified in the budget. The cost sharing increases assumed in the introduced budget included i.) a \$10 increase in the copayment for tier 2 and 3 drugs, ii.) the establishment of a tier 4 for high cost drugs with a \$60 copayment, iii.) a \$10 increase in the copayment for specialist visits and iv.) increases in the co-insurance for lab & x-ray services, v.) increases in the annual deductible and vi.) increase in the annual out of pocket maximums.)

Item 108 #1h

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Business Assistance	\$0	\$1,500,000	GF

Language:

Page 104, line 21, strike "\$12,497,519" and insert "\$13,997,519".

Page 105, after line 24 insert:

"E. Out of the amounts in this item, \$1,500,000 the second year from the general fund shall be provided to offset training expenses for a major automotive employer operating a diesel assembly and test facility in the City of Newport News contingent upon such employer entering into a performance agreement with the Virginia Economic Development Partnership describing the employer's commitments regarding job creation and retention. The funds shall be administered in a manner similar to existing training grant programs such as those permitted by § 2.2-902, Code of Virginia. The major automotive employer shall certify to the Secretary of Commerce and Trade that it has retained at least 500 jobs in the Commonwealth and has taken actions to increase employment by at least 250 new full-time jobs in the Commonwealth. Any monies remaining on June 30, 2010, shall not revert to the general fund of the state treasury, but shall be carried forward and reappropriated for the purposes described in this paragraph."

Explanation:

(This amendment would provide \$1.5 million in additional training funding as an incentive for the location of an automotive supplier, Continental AG, to the Commonwealth. On December 15, 2008, Governor Kaine announced that Continental AG, a global automotive supplier, will consolidate its diesel and gasoline fuel injector manufacturing operations at its Newport News facility. As part of the relocation of its diesel fuel injector manufacturing operations to the Commonwealth and the expansion of the existing gasoline fuel injector business line, Continental AG will create 318 new jobs and invest \$194 million.)

Item 110 #1h

Commerce And Trade

Department Of Housing And
Community Development

Language

Language:

Page 111, after line 35, insert:

"5. For the purposes of § 2.2-2708, the board of commissioners of the Fort Monroe Federal Area Development Authority created pursuant to § 15.1-6304.1 shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708. Electronic communication shall mean the same as that term is defined in § 2.2-3701."

Explanation:

(This amendment authorizes the Fort Monroe Federal Area Development Authority to meet via electronic means under the same requirements and provisions as other state governmental bodies.)

Item 119.05 #1h

Commerce And Trade

Department Of Labor And Industry

FY 08-09

\$0

FY 09-10

(\$537,030) GF

Language:

Page 114, line 38, strike "\$81,738" and insert "\$618,768".

Explanation:

(This amendment increases the second year reduction for the Department of Labor and Industry to reflect the fact that the second year reduction in the introduced budget

was less than one percent, compared to cuts at other agencies in excess of 15 percent. The increase results in a reduction of four percent of the Department of Labor and Industry's appropriation in the second year. Further, as part of the Governor's proposed amendments to the budget, the Human Rights Council was merged into the Department of Labor and Industry but no savings were assumed and the first year savings generated at the Human Rights Council were removed.

It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 119.05 and § 4-1.08 during the enrollment of House Bill 1600/Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 121 #1h

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Mines, Minerals And Energy	\$0	(\$2,000,000)	GF

Language:

Page 116, line 3, strike "\$4,641,840" and insert "\$2,641,840".

Page 116, line 11, strike "A."

Page 116, strike line 15 through line 18.

Explanation:

(This amendment eliminates \$2.0 million included for a new Clean Energy Manufacturing Incentive Grant program. No commitments have been made under this fund at this time.)

Item 124 #1h

Commerce And Trade

Virginia Economic Development
Partnership

Language

Language:

Page 119, strike lines 47 through 51.

Page 119, line 52, strike "O." and insert "N."

Explanation:

(This amendment eliminates outdated language referring to an expired Code of Virginia commitment to make payments to support the operating costs of the Virginia

Advanced Shipbuilding and Carrier Integration Center. The legislation expired at the close of fiscal year 2008 but the language was continued in the budget.)

Item 124.05 #1h

Commerce And Trade	FY 08-09	FY 09-10	
Virginia Economic Development Partnership	\$0	\$500,000	GF

Language:

Page 120, line 4, strike "\$1,043,553" and insert "\$543,553".

Explanation:

(This amendment restores \$500,000 in the second year for economic development activities that was removed in the Governor's proposed amendments to the budget. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 124.05 and § 4-1.08 during the enrollment of House Bill 1600/Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 130 #1h

Commerce And Trade	FY 08-09	FY 09-10	
Virginia Tourism Authority	\$0	\$3,000,000	GF

Language:

Page 123, line 8, strike "\$14,469,330" and insert "\$17,469,330".

Page 124, after line 41, insert:

"L. Out of the amounts for Tourist Promotion shall be provided \$3,000,000 the second year from the general fund to expand targeted tourism promotion as follows:

1. \$1,000,000 to expand radio and television advertising to promote tourism in the Commonwealth, of which \$400,000 shall be matched by the Virginia Association of Broadcasters for an in-state radio and television campaign, and \$600,000 of which shall be used to purchase media in the Washington, D.C. and Baltimore, Maryland markets;

2. \$800,000 to expand electronic marketing of Virginia tourism and conduct major

media events with travel industry partners and maintain Welcome Center operations;

3. \$500,000 to support the micro-tourism leverage funds with Virginia tourism industry partners across the Commonwealth; and

4. \$700,000 to support film incentives."

Explanation:

(This amendment provides \$3.0 million in the second year from the general fund to support the targeted expansion of tourism promotion in the Commonwealth. This \$3.0 million investment is expected to leverage \$13.15 million in private-sector expenditures and stimulate immediate economic activity across Virginia.)

Item 135 #1h

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Department Of Education, Central
Office Operations

\$0

\$0 GFLanguage

Language:

Page 130, after line 29 insert:

"D. The Department of Education is authorized to use available balances up to \$75,000 the second year for expenses associated with the Interstate Compact on Educational Opportunity for Military Children, established pursuant to House Bill 1727."

Explanation:

(This amendment provides \$75,000 from available balances the second year from the general fund to facilitate the administration of the Interstate Compact on Educational Opportunity for Military Children. This amendment is contingent on the passage of House Bill 1727.)

Item 139 #1h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 134, line 33, after "item" insert:

"; or (iii) those students seeking degrees in Career and Technical education".

Explanation:

(This language amendment includes Career & Technical Education based degrees as an eligible criterion for a student to receive a Virginia Teaching Scholarship.)

Item 140 #1h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 141, line 36, after "ability-to-pay" insert "where applicable".

Page 144, line 34, after "education.", insert:

"The local matching funds requirement is waived the second year."

Page 144, after line 45, insert:

"The local matching funds requirement is waived the second year."

Page 146, line 29, after "match" insert "where applicable".

Page 146, line 44, after "match" insert "where applicable".

Page 148, line 27, after "22." insert "a)".

Page 148, after line 55, insert:

"b) Localities are not required to meet any required staffing ratios for the programs funded in the Lottery Proceeds Fund the second year. The state funds must still be used by localities for the stated program purposes."

Page 155, line 37, after "ability-to-pay", insert "the first year".

Page 158, line 10, after "ability-to-pay", insert "the first year".

Page 164, line 27, strike "and local shares of".

Page 164, line 55, after "required" insert "the first year".

Page 167, line 11, after "ability-to-pay", insert "the first year".

Page 167, line 50, after "ability-to-pay", insert "the first year".

Explanation:

(This amendment provides additional funding flexibility to localities the second year by eliminating any required local funding match and staffing requirements for the programs that are included in the Lottery Proceeds Fund Service area: Foster Care, At-Risk Add-on, Pre-K, Early Reading Intervention, Mentor Teacher, K-3 Classroom Reduction, School Breakfast, SOL Algebra Readiness, Alternative Education, ISAEP, Special Education-Regional Tuition, Vocational

Item 140 #2h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 151, line 51, after "materials." insert:

"In addition, localities may use the textbook appropriation in the second year from the general fund for other public education expenses."

Explanation:

(This amendment provides additional funding flexibility to localities in the second year from state allocations.)

Item 140 #3h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 152, line 51, strike "k." and insert "k.1)".

Page 153, after line 12, insert:

"2) The purpose of the support funding cap is to establish a support personnel ratio to the number of funded Standards of Quality instructional positions, therefore, localities shall not reduce instructional positions below the required number of positions required by the Standards of Quality as a result of the support cap. Further, localities shall meet the required local effort amount to fund state funded instructional positions."

Explanation:

(This amendment is self-explanatory.)

Item 140 #4h

Education: Elementary &

Secondary

Direct Aid To Public Education

Language

Language:

Page 149, after line 9, insert:

"25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum."

Explanation:

(This amendment is self-explanatory.)

Item 140 #5h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 176, after line 22, insert:

"36. No funds in this item shall be used to discriminate against any school-aged person that is eligible to attend any public school in Virginia on the basis of race, color, national origin, sex, or disability."

Explanation:

(This amendment is self-explanatory.)

Item 140 #6h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

FY 08-09

FY 09-10

\$0 (\$11,878,981) GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,885,030,270".

Page 137, line 11, strike "\$548,494" and insert "\$0".

Page 137, strike line 12.

Page 137, line 16, strike "\$27,517,112" and insert "\$15,665,828".

Page 137, line 50, strike "\$0" and insert "\$11,329,467".

Page 137, line 54, strike "80,612,446" and insert "\$68,733,465".

Page 138, after line 10, insert:

"Supplemental Basic Aid \$0 \$549,514".

Page 163, line 46, strike "\$80,612,446" and insert "\$68,733,465".

Explanation:

(This amendment incorporates a nonparticipation amount of \$11.9 million the second year from the Lottery Proceeds Fund, a non-general fund revenue source, to maintain the Virginia Preschool Initiative (VPI) at the level established by the 2008 General Assembly. The introduced budget assumes a 100 percent participation in the VPI program. The amendment also decreases the general fund by a like amount by shifting the Enrollment Loss funding of \$11.3 million and the Supplemental Basic Aid Payment funding of \$549,514 out of the general fund and into the Lottery Proceeds Fund. The \$11.9 million in nonparticipation VPI savings is used to fund these two programs.)

Item 140 #7h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 141, line 36, after "ability-to-pay" insert "where applicable".

Page 144, after line 34, insert:

"The local matching funds requirement is waived the second year."

Page 144, after line 45, insert:

"The local matching funds requirement is waived the second year."

Page 146, line 29, after "match" insert "where applicable".

Page 146, line 44, after "match" insert "where applicable".

Page 148, line 27, after "22." insert "a)".

Page 148, after line 55, insert:

"b) Localities are not required to meet any required staffing ratios for the programs funded in the Lottery Proceeds Fund the second year. The state funds must still be used by localities for the stated program purposes."

Page 151, after line 56, insert:

"5) No local match is required to receive these state funds the second year."

Page 155, line 37, after "ability-to-pay", insert "the first year".

Page 158, line 10, after "ability-to-pay", insert "the first year".

Page 161, line 54, after "amount", insert "the first year".

Page 164, line 27, strike "and local shares of".

Page 164, line 55, after "required" insert "the first year".

Page 167, line 11, after "ability-to-pay", insert "the first year".

Page 167, line 50, after "ability-to-pay", insert "the first year".

Explanation:

(This amendment provides additional funding flexibility to localities by eliminating any required local funding match and the staffing requirements that are included in the second year for the following: 1) Lottery Proceeds Fund Service area: Foster Care, At-Risk Add-on, Pre-K, Early Reading Intervention, Mentor Teacher, K-3 Classroom Reduction, School Breakfast, SOL Algebra Readiness, Alternative Education, ISAEP, Special Education-Regional Tuition, Vocational Education-Categorical, No Child Left Behind, and Project Graduation; 2) textbooks, or 3) Virginia Public School Authority technology grants. The state funds must still be used by the locality for the stated program purposes.)

Item 140 #8h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 169, after line 25, insert:

"d. The Department of Education shall work in partnership with the Office of Comprehensive Services to ensure that funding in this item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP)."

Explanation:

(This amendment is self-explanatory.)

Item 140 #9h

**Education: Elementary &
Secondary**

Language:

- Page 140, strike line 23.
- Page 140, line 24, before "the event", insert "In".
- Page 140, line 30, strike "determined", and insert "established".
- Page 140, line 30, strike "not", and insert "equal".
- Page 140, line 31, strike "be less than".
- Page 140, line 31, strike "nor the higher than the highest".
- Page 140, line 34, after "governments,", insert:
"which shall include the transition of a city to town status".

Explanation:

(This amendment provides additional clarifying language for the consolidation process of school divisions and or local governments as it relates to state funding for public education.)

Item 140 #10h

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	(\$450,465)	(\$109,690)	GF

Language:

- Page 135, line 25, strike "\$6,270,978,730" and insert "\$6,270,528,265".
- Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,896,799,561".
- Page 136, line 23, strike "\$3,446,469,799" and insert "\$3,447,049,801".
- Page 136, line 23, strike "\$3,098,031,157" and insert "\$3,098,170,724".
- Page 136, line 25, strike "\$1,126,230,556" and insert "\$1,125,200,000".
- Page 136, line 25, strike "\$1,175,149,722" and insert "\$1,174,900,000".
- Page 136, line 46, strike "\$5,636,536,506" and insert "\$5,636,085,952".
- Page 136, line 46, strike "\$5,366,721,191" and insert "\$5,366,611,036".
- Page 137, line 11, strike "\$620,592" and insert "\$620,681".
- Page 137, line 11, strike "\$548,494" and insert "\$548,514".
- Page 137, line 12, strike "\$11,302,790" and insert "\$11,303,235".
- Page 137, line 16, strike "\$95,865,356" and insert "\$95,865,445".
- Page 137, line 16, strike "\$27,517,112" and insert "\$27,517,577".
- Page 137, line 50, strike "\$16,232,265" and insert "\$16,234,979".
- Page 138, line 3, strike "\$132,254,677" and insert "\$132,251,963".
- Page 152, line 41, strike "\$109,900,000" and insert "\$109,800,000".

Page 152, line 42, strike "\$112,600,000" and insert "\$114,900,000".
Page 171, line 24, strike "\$132,254,677" and insert "\$132,251,963".

Explanation:

(This amendment is a technical change to adjust the sales tax revenue dedicated to public education to reflect recent sales tax holidays, proposed holidays and other items per the Department of Taxation.)

Item 140 #11h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 176, after line 22, insert:

"36. Tuition Assistance Grant for Disabled Students Program.

a.1) There is hereby established the Students with Disabilities Tuition Assistance Grant Program (Grant Program), to provide tuition assistance for attendance at an eligible private school of the parent's choice for eligible students for whom an individualized educational program has been written in accordance with the federal Individuals with Disabilities Education Act (IDEA) as amended, regulations promulgated pursuant to IDEA, and regulations of the Board of Education.

2) "Autism spectrum disorder" means any pervasive developmental disorder, including (i) autistic disorder, (ii) Asperger's Syndrome, (iii) Rett syndrome, (iv) childhood disintegrative disorder, or (v) Pervasive Developmental Disorder - Not Otherwise Specified, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

3) "Eligible student" means any K-12 student as defined by the Board of Education in its Regulations Governing Special Education Programs for Children with Disabilities in Virginia who is diagnosed with an autism spectrum disorder.

b.1) The parent of an eligible student, who has demonstrated substantial unmet academic or developmental progress in a public school may request of the

Superintendent of Public Instruction a tuition assistance grant for the student to enroll in and attend an eligible private school. When such a request is received by the Superintendent of Public Instruction, an eligible private school shall receive a tuition assistance grant on behalf of the requesting student, in accordance with this section, upon satisfaction of the following conditions:

2) The student has attended a public school in the Commonwealth and has received special education services from a public school for at least one year prior to the request of a grant;

3) Prior to the beginning of the initial school year for which the grant is requested, the parent has obtained acceptance for admission of the student to a private school that is eligible to participate in the Grant Program.

4) The parent has executed and submitted to the division superintendent a written statement acknowledging that the public school has implemented an individualized educational program that is reasonably calculated to provide educational benefit in accordance with the federal IDEA as amended, regulations promulgated pursuant to IDEA, and regulations of the Board of Education; and

5) The parent has notified the division superintendent of his request to the Superintendent of Public Instruction for a tuition assistance grant at least 60 days prior to the beginning of the school year in which the first grant payment is sought. Such notice shall be transmitted through a communication sent directly to the division superintendent either in writing or through electronic means.

c.) The grant may be awarded annually until the student returns to a public school or is no longer eligible for special education services. However, at any time, the student's parent may remove the student from the private school of attendance and place the student in another private school that is eligible for the Grant Program. The parents of a student receiving a grant shall provide transportation for the student, at the parent's expense, to and from the private school and school-related activities.

d.) Upon receiving a notification from a parent concerning a request for a grant, a division superintendent shall in a timely fashion notify the parent of the student of all options of which the school division is aware and that are available pursuant to this chapter and may offer the student's parent an

opportunity to enroll the student in another public school or program within the division.

e.) The parent may choose, as an alternative, to request enrollment of his student in a division where the student is not a resident and transport the student at the parent's expense to a public school in an adjacent school division that has available space and an existing program with services required by the student's individualized educational program. Any school division agreeing to enroll a student under the provisions of this subsection shall not charge tuition; however, the school division shall report the student in fall membership and shall receive payment for the student in accordance with the provisions of the appropriation act.

f.1) Any nonsectarian Virginia private school may be eligible to participate in the Grant Program so long as such school:

2) Holds a current unrestricted license to operate as a school for students with disabilities.

3) Employs teachers having qualifications in compliance with regulations promulgated by the Board of Education.

4) Demonstrates fiscal soundness by having been in operation for at least one year or by having provided the Board of Education with a (i) statement by a certified public accountant confirming that the private school is insured and the owner or owners have sufficient capital or credit to operate the school for the upcoming year serving the number of students anticipated with expected revenues from tuition and other sources that may be reasonably expected; or (ii) surety bond or letter of credit for the amount equal to the grant funds for any quarter;

5) Complies with the antidiscrimination provisions of 42 U.S.C. § 2000d;

6) Meets state and local health and safety laws and codes;

7) Applies to the Board of Education to receive tuition assistance grants for the education of students with autism, specifying grade levels and services that the private school has available for students with autism who are participating in the program;

8) Adheres to the tenets of its published disciplinary procedures prior to expulsion of a student admitted to the school in accordance with the provisions of this chapter;

9) Agrees to provide the services prescribed in each participating student's individualized education program; and

10) Agrees to retain any student enrolled pursuant to the grant until completion of the relevant school year, unless the student is unable to attend because of illness or unless the school excuses the student for other good cause, as defined in the Board of Education regulations.

11) Shall report information annually to the Department of Education the number of students it has requested tuition assistance payments for or is receiving any tuition assistance grants on behalf of any students enrolled at the private school from the Program as prescribed by the State Board of Education.

g.) Any parent who requests a grant on behalf of an eligible student is exercising the parental option of placing the student in a private school and thus shall select the private school and apply for the admission of the student.

h.) The parent shall request the grant from the Superintendent of Public Instruction at least 60 days prior to the beginning of the school year in which the first grant payment is sought.

i.) The parent of a student participating in the Grant Program shall comply fully with the private school's parental involvement requirements, unless excused by the school for illness or other good cause.

j.) The parent may request that the student participating in the Grant Program take relevant Standards of Learning tests. However, the parent shall be responsible for transporting the student to the assessment site designated by the school division. The student's scores on such tests and assessments shall not be counted in the accreditation of any school in the school division.

k.) Grants awarded pursuant to this chapter shall be disbursed pursuant to the provisions of the appropriation act.

l.) Failure to comply with the provisions of this chapter shall constitute a forfeiture of the grant.

m.) The amount of the tuition assistance grant approved for an eligible student with disabilities shall be calculated in accordance with the appropriation act and shall be based on the average state share of basic aid per pupil amount funded each year.

n.) Nothing in this chapter shall give rise to any liability on the part of the Commonwealth or any local school board based on the award or use of an award from the Grant Program.

o.1) The Board of Education shall promulgate regulations pursuant to the Administrative Process Act (§ 2.2-4000 et seq.) to administer the Grant Program and aid local school divisions and private schools in the Grant Program's implementation. The Board's regulations shall include, but not be limited to:

2) Contract provisions requiring private schools that enroll Grant Program participants to agree, prior to receipt of the grant on behalf of the student, to enroll and retain the student until completion of the relevant school year, unless the student is unable to attend because of illness or the school excuses the student for other good cause as defined in the Board's regulations.

3) A requirement that the private school notify the division superintendent of the school division where the student resides of the effective date on which the student's attendance will be terminated or the date on which the student was excused, and that the private school shall reimburse the Commonwealth for the grant. The amount of the reimbursement shall be prorated according to the time remaining in the school year.

4) A process for verifying the student's initial admission and continued enrollment and attendance at the private school.

5) A process for determining a student's eligibility and approving grants in order to ensure that each participating student meets the statutory and regulatory requirements.

6) That the Board shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.

Explanation:

(This amendment provides language that establishes a Tuition Assistance Grant Program for disabled students, as defined by the State Board of Education. In addition, the grant program would provide funding to a qualified private school that the student would attend if not enrolled in a public school. The grant amount would be equal to the average state share of the per pupil amount of the Standards of Quality basic aid funding as determined by the appropriations act).

Item 140 #12h

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	\$0	\$1,240,143	GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,898,149,394".
Page 137, line 32, strike "\$33,368,119" and insert "\$34,608,262".
Page 137, line 36, strike "\$54,318,931" and insert "\$55,559,074".
Page 169, line 15, strike "\$33,368,119" and insert "\$34,608,262".

Explanation:

(This amendment restores \$1.2 million the second year from the general fund for educational services provided to the Commonwealth Center of Children and Adolescents, located adjacent to the Western State Hospital in Staunton.)

Item 140 #13h

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	\$0	(\$5,214,364)	GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,891,694,887".
Page 136, line 23, strike "\$3,098,031,157" and insert "\$3,104,672,996".
Page 136, line 25, strike "\$1,175,149,722" and insert "\$1,163,266,286".
Page 136, line 46, strike "\$5,366,721,191" and insert "\$5,361,479,594".
Page 137, line 11, strike "\$548,494" and insert "\$549,494".
Page 137, line 12, strike "\$11,302,790" and insert "\$11,329,022".

Page 137, line 16, strike "\$27,517,112" and insert "\$27,544,344".

Explanation:

(This technical amendment adjusts the sales tax estimate to reflect lower revenue projections. The net impact results in a \$5.2 million reduction for the second year from the general fund: sales tax decrease of \$11.9 million along with a \$6.6 million increase to basic aid.)

Item 141 #1h

Education: Elementary & Secondary

Direct Aid To Public Education

Language

Language:

Page 176, after line 31, insert:

"The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures."

Explanation:

(This amendment is self-explanatory.)

Item 147 #1h

Education: Higher Education

FY 08-09

FY 09-10

State Council Of Higher Education
For Virginia

\$0

\$32,000 GF

Language:

Page 178, line 36, strike "\$65,791,295" and insert "\$65,823,295".

Page 179, after line 27, insert:

"d. Out of this appropriation, \$32,000 the second year from the general fund is designated to provide grants of up to \$2,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to set up practice in the Commonwealth for a period of not less than two years upon completion of instruction."

Explanation:

(This amendment restores funding for optometry grants and implements a requirement that all grant recipients return to the Commonwealth to set up practice for at least two years upon completion of optometric instruction.)

Item 147 #2h

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 179, strike line 50, and insert:

"and up to \$2,200 for qualified graduate students only in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine".

Page 181, strike lines 4 through 14.

Explanation:

(This amendment directs that funding for the Tuition Assistance Grant program for graduate students shall be directed to students in health-related fields.)

Item 147 #3h

Education: Higher Education

State Council Of Higher Education
For Virginia

FY 08-09

FY 09-10

\$0

\$75,000 GF

Language:

Page 178, line 36, strike "\$65,791,295" and insert "\$65,866,295".

Page 179, line 26, strike the second "\$170,000" and insert "\$245,000".

Explanation:

(This amendment provides general fund for the state share of science, engineering and technology research fellowships and scholarships provided under the Virginia Space Grant Consortium.)

Item 149 #1h

Education: Higher Education

FY 08-09

FY 09-10

State Council Of Higher Education
For Virginia

\$0 (\$264,000) GF

Language:

Page 183, line 6, strike "\$11,904,318" and insert "\$11,640,318".

Page 183, line 17, after "to contract", insert "at a level equivalent to the Tuition Assistance Grant undergraduate award".

Page 183, line 22, strike "\$571,899" and insert "\$307,899".

Explanation:

(This amendment provides for grants under the Virginia Women's Institute for Leadership at Mary Baldwin College to be benchmarked to the Tuition Assistance Grant award for undergraduate students.)

Item 149 #2h

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 186, after line 39, insert:

"M. 1. The State Council of Higher Education for Virginia, with the full cooperation of the Virginia Community College System, Richard Bland College and four-year public colleges and universities, shall explore the feasibility of designing a transfer certificate of up to 36 credit hours that would have full portability to the Commonwealth's public institutions of higher education and satisfy general education requirements at the receiving institution provided that such certificate does not substitute for meeting the criteria established under § 22-38.10:10. The Council shall submit a report on the feasibility of such a certificate, including budgetary implications, to the Chairmen of the House Appropriations Committee, House Committee on Education, the Senate Finance Committee and the Senate Committee on Education and Health by December 31, 2009.

2. The cost of producing this feasibility analysis shall be borne by the Virginia Community College System."

Explanation:

(This amendment requires that the State Council of Higher Education for Virginia, working with public colleges and universities, develop a parallel general education

track at two-year colleges for which the credits earned are transferable to a four-year public college or university. The feasibility analysis would include budgetary implications and examination of potential savings from this parallel track. The cost of producing this feasibility analysis will be paid by the Virginia Community College System.)

Item 149 #3h

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$400,699	\$150,000	NGF

Language:

Page 183, line 5, strike "\$11,779,318" and insert "\$12,180,017".

Page 183, line 6, strike "\$11,904,318" and insert "\$12,054,318".

Page 186, after line 39, insert:

"M. Out of this appropriation, \$400,699 from nongeneral funds the first year and \$150,000 from nongeneral funds the second year is designated to cover the costs of federal education support programs. These funds shall be expended out of fund 0280."

Explanation:

(This amendment is a technical adjustment the GEAR-UP program.)

Item 151 #1h

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$376,365	\$376,365	NGF

Language:

Page 186, line 51, strike "\$2,623,635" and insert "\$3,000,000".

Page 186, line 51, strike "\$2,623,635" and insert "\$3,000,000".

Explanation:

(This amendment is a technical adjustment to reflect the amount of the actual GEAR-UP grant.)

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$0	\$225,000	GF

Language:

Page 187, line 8, strike "\$373,858" and insert "\$148,858".

Page 187, strike lines 12 through 15 and insert:

"Appropriation reductions in this Item are guided by, but not mandated in, the items listed in §4-1.08 of this act. The State Council of Higher Education for Virginia may initiate reduction strategies other than those listed in §4-1.08 after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees. However, no reduction to amounts listed in Item 147 c. and Item 147 d. shall be initiated unless specifically authorized in this act."

Explanation:

(This amendment restores a portion of the budget reductions to the State Council of Higher Education for Virginia (SCHEV) in order to allow them to continue to provide independent analysis and assessment of higher education policies and programs to include restructuring efforts. The language provides that the remaining reductions are guided by the list of reduction strategies in §4-1.08 with flexibility to initiate different reduction strategies as necessary. However, no reductions are permitted to items 147 c. or 147 d. which were specifically restored by the General Assembly in this act.)

Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$1,485,408	GF
	\$0	\$897,913	NGF

Language:

Page 187, line 32, strike "\$53,867,420" and insert "\$56,250,741".

Page 188, after line 18, insert:

"D. Out of this appropriation \$1,485,408 from the general fund and \$897,913 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$590,702 may be derived from increases to in-state undergraduate students with the remaining

nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 154 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$125,000	GF

Language:

Page 188, line 24, strike "\$3,537,720" and insert "\$3,662,720".

Explanation:

(This amendment transfers the remaining funding related to Virginia Electronic Commerce Technology Center (VECTEC) from Innovative Technology Authority to Christopher Newport University which houses the VECTEC. In addition, the amendment also restores the proposed reduction. A companion amendment in Item 430 transfers the funds from the Innovative Technology Authority.)

Item 156 #1h

Education: Higher Education	FY 08-09	FY 09-10	
The College Of William And Mary	\$0	\$672,527	GF
In Virginia	\$0	\$5,043,738	NGF

Language:

Page 189, line 22, strike "\$140,588,878" and insert "\$146,305,143".

Page 190, after line 26, insert:

"F. Out of this appropriation \$672,527 from the general fund and \$5,043,738 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$817,991 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth.. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 160 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Richard Bland College	\$0	\$97,349	GF
	\$0	\$100,712	NGF

Language:

Page 192, line 18, strike "\$9,258,482" and insert "\$9,456,543".

Page 193, after line 3, insert:

"D. Out of this appropriation \$97,349 from the general fund and \$100,712 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$95,075 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 161 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Richard Bland College	\$0	(\$41,219)	GF

Language:

Page 193, line 5, strike "\$332,363" and insert "\$291,144".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 167 #1h

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$0	\$4,003,362	GF
	\$0	\$17,223,841	NGF

Language:

Page 196, line 12, strike "\$358,084,030" and insert "\$379,311,233".

Page 197, after line 3, insert:

"E. Out of this appropriation \$4,003,362 from the general fund and \$17,223,841 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$4,862,924 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 168 #1h

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$0	(\$3,056,124)	GF

Language:

Page 197, line 5, strike "\$17,285,327" and insert "\$14,229,203".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 171 #1h

Education: Higher Education	FY 08-09	FY 09-10	
James Madison University	\$0	\$2,108,241	GF

\$0 \$8,137,568 NGF

Language:

Page 198, line 30, strike "\$224,347,013" and insert "\$234,592,822".

Page 199, after line 27, insert:

"D. Out of this appropriation \$2,108,241 from the general fund and \$8,137,568 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$1,288,736 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 172 #1h

Education: Higher Education	FY 08-09	FY 09-10	
James Madison University	\$0	(\$635,950)	GF

Language:

Page 199, line 29, strike "\$9,940,614" and insert "\$9,304,664".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 175 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Longwood University	\$0	\$2,438,528	GF
	\$0	\$1,753,097	NGF

Language:

Page 200, line 29, strike "\$54,107,936" and insert "\$58,299,561".

Page 201, after line 22, insert:

"E. Out of this appropriation \$2,438,528 from the general fund and \$1,753,097 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$502,101 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 176 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Longwood University	\$0	(\$395,244)	GF

Language:

Page 201, line 24, strike "\$3,725,438" and insert "\$3,330,194".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 179 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Norfolk State University	\$0	\$2,868,673	GF
	\$0	\$4,648,499	NGF

Language:

Page 202, line 27, strike "\$80,514,158" and insert "\$88,031,330".

Page 204, after line 9, insert:

"H. Out of this appropriation \$2,868,673 from the general fund and \$4,648,499 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for

this purpose and in order to maintain affordability for Virginia students, \$297,678 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 180 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Norfolk State University	\$0	(\$747,309)	GF

Language:

Page 204, line 11, strike "\$11,766,055" and insert "\$11,018,746".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 183 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Old Dominion University	\$0	\$5,966,198	GF
	\$0	\$8,323,729	NGF

Language:

Page 205, line 7, strike "\$218,417,768" and insert "\$232,707,695".

Page 207, after line 17, insert:

"L. Out of this appropriation \$5,966,198 from the general fund and \$8,323,729 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$1,644,168 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts

necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 184 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Old Dominion University	\$0	(\$2,796,059)	GF

Language:

Page 207, line 19, strike "\$17,205,505" and insert "\$14,409,446".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 187 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Radford University	\$0	\$1,907,410	GF
	\$0	\$2,213,573	NGF

Language:

Page 209, line 22, strike "\$103,526,684" and insert "\$107,647,667".

Page 210, after line 27, insert:

"G. Out of this appropriation \$1,907,410 from the general fund and \$2,213,573 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$921,159 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 188 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Radford University	\$0	(\$458,578)	GF

Language:

Page 210, line 29, strike "\$8,324,411" and insert "\$7,865,833".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 191 #1h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Mary Washington	\$0	\$599,640	GF
	\$0	\$1,129,628	NGF

Language:

Page 211, line 25, strike "\$60,672,179" and insert "\$62,401,447".

Page 212, after line 15, insert:

"D. Out of this appropriation \$599,640 from the general fund and \$1,129,628 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$190,468 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increase to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 192 #1h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Mary Washington	\$0	(\$39,047)	GF

Language:

Page 212, line 17, strike "\$1,451,262" and insert "\$1,412,215".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 197 #1h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia	\$0	\$1,423,941	GF
	\$0	\$18,009,190	NGF

Language:

Page 213, line 45, strike "\$499,355,479" and insert "\$518,788,610".

Page 216, after line 40, insert:

"M. Out of this appropriation \$1,423,941 from the general fund and \$18,009,190 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$3,140,756 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 197 #2h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia	\$0	(\$78,000)	GF
	\$0	\$0	NGF

Language:

Page 213, line 45, strike "\$499,355,479" and insert "\$499,277,479".

Explanation:

(This amendment eliminates funding for the Office of the State Climatologist.)

Item 204 #1h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia's College At	\$0	\$836,538	GF
Wise	\$0	\$455,479	NGF

Language:

Page 219, line 32, strike "\$22,802,357" and insert "\$24,094,374".

Page 220, after line 32, insert:

"F. Out of this appropriation \$836,538 from the general fund and \$455,479 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$168,321 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 205 #1h

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia's College At	\$0	(\$19,271)	GF
Wise			

Language:

Page 220, line 34, strike "\$1,713,956" and insert "\$1,694,685".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 208 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Commonwealth University	\$0	\$4,337,715	GF
	\$0	\$8,403,687	NGF

Language:

Page 221, line 40, strike "\$495,208,670" and insert "\$507,950,072".

Page 225, after line 45, insert:

"P. Out of this appropriation \$4,337,715 from the general fund and \$8,403,687 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$1,556,188 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 209 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Commonwealth University	\$0	(\$4,337,715)	GF

Language:

Page 225, line 47, strike "\$26,502,039" and insert "\$22,164,324".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 213 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Community College System	\$0	\$18,322,969	GF
	\$0	\$27,210,589	NGF

Language:

Page 227, line 34, strike "\$762,968,843" and insert "\$808,502,401".

Page 232, after line 17, insert:

"W. Out of this appropriation \$18,322,969 from the general fund and \$27,210,589 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$13,094,538 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 214 #1h

Education: Higher Education

FY 08-09

FY 09-10

Virginia Community College System

\$0

(\$11,464,760) GF

Language:

Page 232, line 19, strike "\$223,755,598" and insert "\$212,290,838".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 216 #1h

Education: Higher Education

Virginia Community College System

Language

Language:

Page 233. line 2, strike "the first three annual" and insert:

"training costs for the".
Page 233, strike lines 3 and 4.

Explanation:

(This amendment clarifies that the funding proposed in the introduced budget is for training costs.)

Item 219 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Military Institute	\$0	\$376,109	GF
	\$0	\$1,444,035	NGF

Language:

Page 233, line 50, strike "\$32,218,095" and insert "\$34,038,239".

Page 234, after line 34, insert:

"C. Out of this appropriation \$376,109 from the general fund and \$1,444,035 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$96,161 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 224 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Polytechnic Institute And State University	\$0	\$2,424,807	GF
	\$0	\$16,309,903	NGF

Language:

Page 236, line 2, strike "\$501,853,133" and insert "\$520,587,843".

Page 237, after line 31, insert:

"K. Out of this appropriation \$2,424,807 from the general fund and \$16,309,903 from nongeneral funds the second year is provided to maintain access and affordability at

Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$6,010,404 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 230 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia State University	\$0	\$1,019,731	GF
	\$0	\$1,482,295	NGF

Language:

Page 241, line 29, strike "\$68,808,796" and insert "\$71,310,822".

Page 243, after line 10, insert:

"G. Out of this appropriation \$2,519,731 from the general fund and \$1,482,295 from nongeneral funds the second year is provided to maintain access and affordability at Virginia public colleges and universities. Of the nongeneral funds appropriated for this purpose and in order to maintain affordability for Virginia students, \$71,931 may be derived from increases to in-state undergraduate students with the remaining nongeneral funds coming from tuition increases to all other student groups and enrollment growth. The general fund portion of this amendment includes amounts necessary to support projected in-state enrollment growth at the institution."

Explanation:

(This amendment sets out the House package to maintain access and affordability at public colleges and universities.)

Item 231 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Virginia State University	\$0	(\$1,897,870)	GF

Language:

Page 243, line 12, strike "\$7,740,310" and insert "\$5,842,440".

Explanation:

(This amendment removes the proposed increase in financial aid. A separate group of amendments provide general operating support for public colleges and universities in order to keep higher education affordable for all in-state students.)

Item 242 #1h

Education: Other

The Science Museum Of Virginia

Language

Language:

Page 250, after line 21, insert:

"D. The Virginia Aviation Museum in Richmond, Virginia and the Virginia Air and Space Center in Hampton, Virginia shall jointly report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2009 on the possibility of the merger of the two entities in order to provide greater educational and cultural opportunities for the citizens of Virginia. The report shall include, but not be limited to, (1) the effectiveness and costs of maintaining a satellite facility in the Richmond area, (2) the funding requirements of a merged facility in the Hampton area, and (3) the disposition of the current assets of the Virginia Aviation Museum including land, buildings and exhibits under various merger scenarios."

Explanation:

(This amendment is self-explanatory.)

Item 247.05 #1h

Education: Higher Education

Eastern Virginia Medical School

FY 08-09

\$0

FY 09-10

(\$338,000) GF

Language:

Page 253, line 24, strike "\$500,000" and insert "\$838,000".

Explanation:

(This amendment brings the reduction in the second year at the Eastern Virginia Medical School from less than three percent to approximately five percent to be consistent with reductions imposed to other affiliated higher education agencies.)

Item 249.05 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Institute For Advanced Learning And Research	\$0	\$240,000	GF

Language:

Page 254, line 40, strike "\$656,060" and insert "\$416,060".

Page 254, strike line 44.

Page 255, strike lines 1 through 3 and insert:

"Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Institute for Advanced Learning and Research may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees."

Explanation:

(This amendment restores a portion of the budget reductions to the Institute for Advanced Learning and Research. The language provides that the remaining reductions are guided by the list of reduction strategies in §4-1.08 with flexibility to initiate different reduction strategies as necessary. This restoration equalizes the reductions for this institution with other higher education centers.)

Item 250.05 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Roanoke Higher Education Authority	\$0	\$60,000	GF

Language:

Page 255, line 15, strike "\$131,839" and insert "\$71,839".

Page 255, strike lines 19 through 22 and insert:

"Appropriation reductions in this Item are guided by, but not mandated in, the items listed in §4-1.08 of this act. The Roanoke Higher Education Authority may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees."

Explanation:

(This amendment restores a portion of the budget reductions to the Roanoke

Higher Education Authority. The language provides that the remaining reductions are guided by the list of reduction strategies in §4-1.08 with flexibility to initiate different reduction strategies as necessary. This restoration equalizes the reductions for this institution with other higher education centers.)

Item 251.05 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Southern Virginia Higher Education Center	\$0	\$208,708	GF

Language:

Page 256, line 17, strike "\$208,708" and insert "\$0".

Page 256, strike lines 22 through 25 and insert:

"Appropriation reductions in this item are guided by, but not mandated in, the items listed in §4-1.08 of this act. The Southern Virginia Higher Education Center may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House Appropriations and Senate Finance Committees."

Explanation:

(This amendment restores the budget reductions to the Southern Virginia Higher Education Center. The language provides that the remaining reductions are guided by the list of reduction strategies in §4-1.08 with flexibility to initiate different reduction strategies as necessary.)

Item 252.05 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Southwest Virginia Higher Education Center	\$0	\$80,000	GF

Language:

Page 257, line 1, strike "\$218,913" and insert "\$138,913)".

Page 257, strike lines 5 through 8 and insert:

"Appropriation reductions in this item are guided by, but not mandated in, the items listed in § 4-1.08 of this act. The Southwest Virginia Higher Education Center may initiate other reduction strategies other than those listed in § 4-1.08 with the approval of the Governor and after having reported such changes to the Chairmen of the House

Appropriations and Senate Finance Committees."

Explanation:

(This amendment restores a portion of the budget reductions to the Southwest Virginia Higher Education Center. The language provides that the remaining reductions are guided by the list of reduction strategies in § 4-1.08 with flexibility to initiate different reduction strategies as necessary. This restoration equalizes the reductions for this institution with other higher education centers.)

Item 254 #1h

Education: Higher Education	FY 08-09	FY 09-10	
Higher Education Research Initiative	(\$1,000,000)	(\$1,000,000)	GF

Language:

- Page 258, line 3, strike "\$2,600,000" and insert "\$1,600,000".
- Page 258, line 3, strike "\$7,500,000" and insert "\$6,500,000".
- Page 258, strike lines 7 through 39.
- Page 258, line 40, strike "B." and insert "A."
- Page 258, line 47, strike "C." and insert "B."
- Page 259, line 3, strike "D." and insert "C."

Explanation:

(This amendment reduces funding for the research initiative.)

Item 264 #1h

Finance	FY 08-09	FY 09-10	
Department Of Accounts Transfer Payments	\$403,143	\$404,651	GF

Language:

- Page 268, line 4, strike "\$118,086,997" and insert "\$118,490,140".
- Page 268, line 4, strike "\$117,655,843" and insert "\$118,060,494".

Explanation:

(This amendment adjusts the fiscal year 2009 and fiscal year 2010 transfer payments to localities to reflect actual distributions for Rolling Stock Taxes and

Tennessee Valley Authority Payments in Lieu of Taxes. A companion amendment to revenues provides the same amount of additional revenue.)

Item 268 #1h

Finance

Department Of Planning And
Budget

Language

Language:

Page 275, after line 40, insert:

"G. Out of the unexpended general fund balances remaining on June 30, 2008, for Planning, Budgeting, and Evaluation Services in Item 468 of this act, the Director of the Department of Planning and Budget shall unallot and revert to the general fund an amount equal to \$1,500,000 on or before June 30, 2009."

Explanation:

(This amendment requires that, on or before June 30, 2009, the Director of the Department of Planning and Budget unallot and revert to the general fund an amount equal to \$1.5 million from the June 30, 2008 general fund balances of the Productivity Investment Fund.)

Item 270 #1h

Finance

Department Of Taxation

Language

Language:

Page 277, after line 51, insert:

"I. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation."

Explanation:

(This amendment provides for the provision of a treasury loan to the Department

of Taxation to modify its computer systems so that the agency may begin the collection of delinquent local taxes from offsets of federal income tax refunds. This treasury loan is to be extended only upon adoption of federal legislation permitting the use of federal income tax refund offsets for satisfying outstanding local taxes.)

Item 273 #1h

Finance	FY 08-09	FY 09-10	
Department Of Taxation	\$0	\$6,951,928	GF

Language:

Page 278, line 50, strike "\$32,865,521" and insert "\$39,817,449".

Explanation:

(This amendment provides one time funding for the Department of Taxation needed to support the Tax Amnesty proposal assumed in the revenue adjustment for the budget. This estimate is based on the assumption that the Department of Taxation will be exempted from the VITA project management and oversight requirements for the purposes of the tax amnesty initiative.)

Item 274 #1h

Finance	FY 08-09	FY 09-10	
Department Of The Treasury	\$0	\$259,995	GF

Language:

Page 279, line 44, strike "\$8,007,094" and insert "\$8,267,089".

Page 280, after line 20, insert:

"D.1. Out of the amounts provided for Insurance Services, there shall be paid for the relief of Teddy Pierries Thompson from the general fund of the state treasury, upon execution of a release and waiver forever releasing (i) the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision thereof, (ii) any legal counsel appointed pursuant to § 19.2-159 of the Code of Virginia, and (iii) all other parties of interest from any present or future claims he may have against such enumerated parties in connection with the aforesaid occurrence: (a) the sum of \$51,999, to be paid to Teddy Pierries Thompson on or before August 1, 2009, by check issued by the State Treasurer on warrant of the Comptroller and (b) the sum of \$207,996 to be used by the State Treasurer to purchase an annuity for the primary

benefit of Teddy Pierries Thompson providing for equal monthly payments for a period of 25 years commencing on or before September 1, 2009.

2. The State Treasurer shall purchase the annuity for Teddy Pierries Thompson at the lowest cost available from any A+ rated company authorized to sell annuities in the Commonwealth, including any A+ rated company from which the State Lottery Department may purchase an annuity."

Explanation:

(This amendment provides funding for the relief of Teddy Pierries Thompson, who was wrongfully incarcerated for six years.)

Item 274 #2h

Finance

Department Of The Treasury

Language

Language:

Page 280, after line 20, insert:

"D. Notwithstanding the provisions of § 15.2-4526, Code of Virginia, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission, the Potomac Rappahannock Transportation Commission, and the Virginia Railway Express to competitively procure self-insurance liability coverage through either the Virginia Division of Risk Management or an independent third party. In conducting this procurement, the Director of the Department of Rail and Public Transportation shall ensure compliance with all applicable public procurement and administrative guidelines."

Explanation:

(This amendment ensures that the Virginia Railway Express is able to obtain liability insurance coverage through a third party.)

Item 280 #1h

Finance

Treasury Board

FY 08-09

(\$761,080)

FY 09-10

(\$790,492) GF

Language:

Page 283, line 46, strike "\$452,954,149" and insert "\$452,193,069".

Page 283, line 46, strike "\$526,840,569" and insert "\$526,050,077".

Explanation:

(This amendment captures additional general fund debt service savings.)

Item 280 #2h

Finance

Treasury Board

Language

Language:

Page 286, after line 12, insert:

"Meherrin Regional Jail Authority

The reimbursement of the Commonwealth's portion of the costs of constructing this facility will not occur before July 1, 2012."

Explanation:

(This amendment authorizes the Treasury Board to reimburse the Meherrin Regional Jail Authority for the state's portion of the capital costs approved by the Board of Corrections on October 13, 2008 for new regional jail construction.)

Item 280 #3h

Finance

Treasury Board

Language

Language:

Page 285, strike lines 55 through 58.

Explanation:

(This amendment deletes the restriction on reimbursement for the state's share of the Western Virginia Regional Jail to the level approved by the Board of Corrections in August 2005.)

Item 280 #4h

Finance

Treasury Board

FY 08-09

FY 09-10

\$0

(\$6,000,000) GF

Language:

Page 283, line 46, strike "\$526,840,569" and insert "\$520,840,569".

Page 286, line 40, strike "\$100,412,301" and insert "\$94,412,301".

Page 286, line 56, strike "\$151,806,551" and insert "\$145,806,551".

Explanation:

(This amendment captures a portion of the proposed debt service increase in the introduced budget based on revised interest rate assumptions.)

Item 282 #1h

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 292, after line 59, insert:

"E. The Secretary of Health and Human Resources shall convene appropriate cabinet-level Secretaries and state agency personnel along with individuals chosen by their respective association to represent community-based services and supports. The represented services and supports shall include but not be limited to: caregiver supports, home health, home modifications, home repair services, homemaker services, independent living skills, intellectual disability supports and services, life-coaching and life-skill services, mental health services, mobility supports, nutrition, social support, specific disease advocacy, therapies and transportation. The blueprint shall span to the year 2025 for planning purposes and shall be comprehensive, not limited to traditional health and human service issues, but rather broad-based issues of active, daily life in our communities with a variety of service models. The blueprint shall build upon the No Wrong Door initiative and the Older Dominion Partnership. The blueprint shall be presented to the Governor and Chairmen of the House Appropriation and Senate Finance Committees no later than November 1, 2009."

Explanation:

(This amendment requires the Secretary of Health and Human Resources to develop a blueprint for addressing the comprehensive needs of aging Virginians with the involvement of interested parties.)

Item 283 #1h

Health And Human Resources

Language:

Page 297, after line 57, insert:

"e. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Comprehensive Services Act for At-Risk Youth and Families program, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Comprehensive Services shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services."

Explanation:

(This amendment adds budget language to require local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) to work collaboratively on developing local plans for intensive care coordination (ICC) for children placed in, or at risk of placement in, residential care and to determine the service provider for these services. Finally, language requires the State Executive Council and Office of Comprehensive Services to develop guidelines for reasonable rate for ICC services and provide training and technical assistance for these services.)

Item 283 #2h

Health And Human Resources

Language:

Page 295, line 26, after "measures," insert:

"building community-based services, including creation of partnerships with private providers and non-profit groups,".

Page 295, line 31, after "paragraph.", insert:

"A training plan shall be presented to, and approved by, the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year."

Explanation:

(This amendment requires the Office of Comprehensive Services to develop a plan for conducting training sessions through the fiscal year. In addition, language is added requiring reporting on training session dates, programs, trainers, evaluations and funds expended beginning December 1 of each year.)

Item 283 #3h

Health And Human Resources	FY 08-09	FY 09-10
Comprehensive Services For At-Risk Youth And Families	(\$2,000,000)	\$0 GF

Language:

Page 293, line 16, strike "\$361,491,012" and insert "\$359,491,012".

Explanation:

(This amendment captures savings in the Comprehensive Services Act for At-Risk Youth and Families program from a revised estimate of expenditures in fiscal year 2009.)

Item 288 #1h

Health And Human Resources	
Department For The Deaf And Hard-Of-Hearing	Language

Language:

Page 304, unstrike lines 34 through 35.

Page 304, line 34, strike "105" and insert "90"

Page 304, line 35, after "positions.", insert:

"However, if the workforce level drops below 90 positions due to attrition, voluntary separations, transfers, voluntary retirements, and disability retirements, the Center is prohibited from filling vacant positions, unless employment at the Center drops below 75 positions."

Explanation:

(This amendment restores language deleted in the introduced budget which would require the Department to include a provision in its Request for Proposals for deaf and hard of hearing relay services that the Norton Relay Center maintain a minimum 105 full-time equivalent positions. Language is modified to change the minimum number of positions maintained by the Relay Center from 105 to 90. This reduction in workforce at the Relay Center will be achieved only through voluntary separations, retirements, transfers and disability retirements. Language is also modified to prohibit the Center from filling vacant positions unless employment drops below 75 positions.)

Item 290 #1h

Health And Human Resources

Department Of Health

Language

Language:

Page 306, line 44, strike "2,645,375" and insert: "1,645,375".

Page 306, line 49, strike "1,600,000" and insert "600,000".

Page 306, line 50, after "from", insert "a portion of".

Explanation:

(This amendment adds language reducing the amount of funding contained in the introduced budget which diverts \$0.25 from an increase in \$4 for Life Funding for the Department of State Police's med-flight operations. In 2008, the General Assembly increased \$4 for Life Funding from \$4.00 to \$4.25. Funding was to be deposited to the Rescue Squad Assistance Fund (RSAF). This language amendment restores \$1.0 million of that proposed reduction to the RSAF. A companion amendment in Item 420 for the Department of State Police restores \$1.0 million from the general fund for med-flight which was reduced in the introduced budget.)

Health And Human Resources

Department Of Health

Language

Language:

Page 307, after line 51, insert:

"C. The Department of Health shall examine the feasibility of developing a mechanism to make available a birth certificate suitable for display, otherwise referred to as an "Heirloom" birth certificate (HBC). As part of the feasibility analysis, the Department shall determine the impact of imposing a fee for HBC orders which would cover all administrative costs to the Office of Vital Records for developing this program and processing HBC orders. The Office shall examine whether other states have implemented such a program, what fees are imposed, the costs of running such a program, and how much revenue other states collect from the program. The Department shall report its findings to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009."

Explanation:

(This amendment requires the Virginia Department of Health to examine the feasibility of developing an "Heirloom" birth certificate, and establishing a fee sufficient to cover the costs of developing and processing requests for such certificate. Language also requires a report back to the money committees.)

Health And Human Resources

Department Of Health

Language

Language:

Page 311, after line 32, insert:

"G. Notwithstanding any other provision of law, the Commissioner of the Department of Health, in cooperation of the Director of the Division of Women, Infants, and Children (WIC) and Community Nutrition Services, shall provide a written report annually and not later than December 15 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on (i) the progress of the multi-state procurement of a multi-state computerized database "WIC System" known formally as the Crossroads Design, Development and Implementation WIC System; (ii) the division's efforts to ensure that in designing and successfully procuring the WIC System that adequate participant access can be achieved without

the current use of slotting or other similar vendor-limiting criteria and the system allows peer groups to be changed to reflect marketplace dynamics and ensure a more equitable vendor comparison; and (iii) the division's efforts to coordinate these changes in collaboration with the division's existing Retail Advisory Groups and other stakeholders."

Explanation:

(This amendment requires the Commissioner of Health to report annually on the progress of the development and procurement of a multi-state computerized data system for the Women, Infants, and Children program.)

Item 301 #2h

Health And Human Resources

Department Of Health

Language

Language:

Page 310, after line 49, insert:

"Out of the general fund appropriation for this item, the State Board of Health, in conjunction with the Board of Medicine, shall develop a program for the licensure, inspection and regulation of women's outpatient surgical clinics and physician offices that perform 25 or more abortions per year. Regulations developed pursuant to this program shall include the following minimum requirements: (i) "hospital" shall include any clinic performing 25 or more abortions per year; (ii) any such clinic shall be subject to all of the requirements of this article for outpatient surgical hospitals and the regulations of the Board in the same manner as any other hospital, including any standards, inspections, staffing and laboratory requirements, equipment mandates, or other criteria; (iii) abortions can be performed only by American College of Obstetrics and Gynecology certified physicians who are also licensed by the State Board of Medicine to perform abortions in Virginia; (iv) facilities and physician offices performing abortions must have an advance transfer agreement with the nearest hospital having emergency facilities and all women experiencing emergency complications must be transferred by ambulance to that hospital; (v) physicians performing abortions who reside outside the hospital catchment area must have a prior agreement with a local physician with admitting privileges at the above-mentioned hospital and all women who have an abortion must be provided the name and telephone number of this physician prior to their surgery; (vi) as part of the patient consent process, all patients must receive printed instructions detailing the expected symptoms after the abortion, precautions that should be taken, indications

of complications that require being seen by a physician, and emergency telephone numbers of the physician and the above-mentioned hospital; (vii) facilities and physician offices performing abortions must conform to the blood-borne pathogens standard of the U. S. Center for Disease Control and Prevention; (viii) patients may not be requested to sign a waiver of liability; (ix) all medical records of the patient must be available to her and to other health care practitioners of her choosing; (x) each facility and applicable physician office will be inspected according to the procedures utilized by the Department of Health in all other outpatient surgical facilities, in compliance with the Code of Virginia; and (xi) all abortions after the first trimester must be performed in licensed clinics in compliance with the Code of Virginia."

Explanation:

(This amendment directs the Board of Health to develop a regulatory program for outpatient surgical centers and physicians offices that perform 25 or more abortions per year.)

Item 301.05 #1h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$60,000	GF

Language:

Page 321, line 5, strike "\$12,773,634" and insert "\$12,713,634".

Explanation:

(This amendment restores a \$60,000 general fund appropriation to the Department of Health for fiscal year 2010. The strategy to transfer bedding fee revenues from the Department's Bedding and Upholstery Sanitation Fund to the general fund was erroneously reflected as an appropriation reduction instead of a cash transfer. Companion amendments to page 1 and § 3.1-01 increase the nongeneral fund cash transfer amount for the department.)

Item 303 #1h

Health And Human Resources	
Department Of Health Professions	Language

Language:

Page 321, line 40, before "That," insert "A."

Page 321, after line 45, insert:

"B. The Board of Pharmacy shall work with the Secretary of Health and Human Resources and the Department of State Police to continue planning for the development of an unused pharmaceuticals disposal program to ensure the safe, effective, and proper disposal of unused pharmaceuticals. As part of its work, the Board shall work to identify any sources of state, federal, local or private funding which can be used to implement the program. The Board shall report on its progress on planning for the program and identify potential funding sources to the House Appropriations and Senate Finance Committees by November 15, 2009."

Explanation:

(This amendment is self-explanatory.)

Item 306 #1h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$8,318,777	GF
Services	\$0	\$3,887,500	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,945,293,628".

Page 324, line 45, strike "90,026,990" and insert "101,564,490."

Page 324, line 47, strike "90,026,990" and insert "101,564,490."

Page 324, line 54, strike "222,714,872" and insert "219,564,872'.

Page 324, line 55, strike "222,714,872" and insert "219,564,872'.

Explanation:

(This amendment restores \$8.3 million to the general fund and \$3.9 million in matching federal funds and adds language in the Department of Medical Assistance Services for Medicaid reimbursement for care provided to residents of the Southeastern Virginia Training Center. The introduced budget had reduced Medicaid funding to reflect the closure of SEVTC, and diverted \$4.1 million to transfer 120 residents to community care and transfer 55 residents to other training centers. A companion amendment in the Department of Mental Health, Mental Retardation and Substance Abuse Services restores budget language for SEVTC to provide for its continued operation.)

Item 306 #2h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$4,058,093	GF
Services	\$0	\$4,058,093	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,941,203,537".

Explanation:

(This amendment restores \$4.1 million from the general fund and an equal amount of federal Medicaid matching funds the second year in payments to nursing homes in fiscal year 2010 to increase operating reimbursement to nursing homes by one percent in fiscal year 2010. The 2008 General Assembly had reduced payments to nursing homes by capping inflation to no more than two percent in fiscal year 2010. For ease of administration, language implementing the inflation cap required the Department of Medical Assistance Services to reduce direct and indirect care payment rates by 1.329 percent below the normally calculated rates. The introduced budget added language eliminating the inflation adjustment for nursing homes in fiscal year 2010 which would have resulted in a savings of \$5.9 million to the general fund and an equal amount of federal Medicaid matching funds. However, the combined effect of both actions would have had the effect of double counting the inflation reduction amount in fiscal year 2010 for many nursing homes.)

Item 306 #3h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 340, line 33, after "fund.", insert:

"The department shall promulgate regulations to implement this amendment no more than 280 days from the enactment of this act."

Explanation:

(This amendment provides emergency regulatory authority to make changes to the Medicaid reimbursement methodology for long-stay hospitals. The introduced budget includes a budget reduction strategy for long-stay hospitals, but in order for the Department of Medical Assistance Services to implement the necessary changes by July 1, 2009, the agency needs emergency regulatory authority.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$9,307,456	GF
Services	\$0	\$9,307,456	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,951,702,263".

Page 324, line 54, strike "222,714,872" and insert "232,022,328".

Page 324, line 55, strike "222,714,872" and insert "232,022,328".

Explanation:

(This amendment provides \$9.3 million from the general fund and \$9.3 million in matching federal Medicaid funds to add 400 mental retardation waiver slots to address the community waiting list for the 2008-10 biennium. It restores 200 waiver slots beginning July 1, 2009, that were scheduled to be available on April 1, 2009 but were eliminated in the introduced budget, and provides 200 additional slots beginning January 1, 2010. These slots, along with the 400 new slots added beginning July 1, 2008 will decrease the community waiting list by 20 percent during the 2008-10 biennium pursuant to House Bill 1853. A companion amendment in Item 316 modifies language in the Department of Mental Health, Mental Retardation and Substance Abuse Services to reflect the waiver funding and number of additional slots provided in the second year.)

Health And Human Resources	
Department Of Medical Assistance	Language
Services	

Language:

Page 343, after line 50, insert:

"VVV. The Department of Medical Assistance Services shall conform its requirements for hospice provided personal care to federal requirements for Medicare Conditions of Participation for beneficiaries participating in any Medicaid home and community-based waiver services. The department shall have the authority to implement this regulatory change effective July 1, 2009 and prior to the completion of any regulatory process undertaken in order to effect such change."

Explanation:

(This amendment directs the Department of Medical Assistance Services remove a regulatory requirement that hospices provide 21 hours per week of personal care to Medicaid beneficiaries participating in any home and community-based waiver services. Federal hospice guidelines require that Medicaid personal care benefits may be used to the extent that the hospice would routinely use the services of a hospice patient's family in implementing a patient's plan of care. Therefore, the current regulatory language requiring hospices to provide 21 hours of care per week regardless of the assessed needs of the hospice patient is in direct conflict with the federal guidelines for a newly enacted standard in the Medicare Conditions of Participation for Hospices.)

Item 306 #6h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 340, strike line 42 and insert:

"FFF. Out of this appropriation, \$1,700,000 from the general fund and \$1,700,000 from nongeneral funds the second year shall be used to".

Page 340, line 43, strike "shall".

Page 340, line 43, strike "consumer-directed".

Page 340, line 45, strike "by three percent".

Explanation:

(This language amendment modifies a proposal included in the Governor's budget which would have increased Medicaid payments for consumer-directed personal care services by three percent. Funding is retained, but directed to provide an increase for all providers of personal care services. Because more providers would be eligible for the increase, language specifying the percentage increase is eliminated.)

Item 306 #7h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 343, after line 50, insert:

"VVV. The Department of Medical Assistance Services shall provide information to personal care agency providers regarding the options available to meet staffing requirements for personal care aides including the completion of provider-offered training or DMAS Personal Care Aide Training Curriculum."

Explanation:

(This amendment is self-explanatory.)

Item 306 #8h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 343, after line 50, insert:

"VVV. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the local Healthy Families sites so that qualifying funds may be used at the discretion of each site for obtaining matching nongeneral funds when available."

Explanation:

(This amendment adds language requiring the Department of Medical Assistance Services to enter into agreements with local Healthy Family sites to use their funds to match federal Medicaid funds where possible to provide qualified services, to the extent allowable under federal law.)

Item 306 #9h

Health And Human Resources

Department Of Medical Assistance
Services

FY 08-09

FY 09-10

\$0	\$154,900,000	GF
\$0	(\$154,900,000)	NGF

Language:

Explanation:

(This amendment replaces \$154.9 million in nongeneral funds with a like amount

of general fund moneys in the Medicaid program. Additional revenue in the Virginia Health Care Fund from a proposed increase in the cigarette tax will not occur, requiring the replacement of this funding with state general fund dollars.)

Item 306 #10h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	(\$6,030,424)	GF
Services	\$0	(\$6,030,424)	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,921,026,503".

Explanation:

(This amendment reflects general fund savings of \$6.0 million and a like amount of matching federal Medicaid funds in fiscal year 2010 from a change in remittances in Medicaid provider payments included in the introduced budget. These changes generated savings in fiscal year 2009, which would flow through to fiscal year 2010 based on projected increases in Medicaid utilization.)

Item 306 #11h

Health And Human Resources	
Department Of Medical Assistance	Language
Services	

Language:

Page 343, after line 50, insert:

"VVV. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the Mental Retardation Waiver, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this act."

Explanation:

(This amendment adds language to provide the Department of Medical Assistance Services authority to implement revisions to the Mental Retardation (MR) Waiver as a result of federal approval of the renewal of the MR Waiver. In prior years, similar

language authorizing the promulgation of emergency regulations for waiver renewals was provided in the Appropriation Act to allow the Department flexibility to make changes if necessary. This language was inadvertently removed.)

Item 311 #1h

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 346, line 20, strike "The forecast shall include".
Page 346, strike lines 21 through 27.

Explanation:

(This amendment deletes language contained in the introduced budget which changes existing policy to include inflationary changes, rebasing or other cost adjustments required by law or regulation in the forecast of Medicaid utilization and enrollment.)

Item 315 #1h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 355, after line 62, insert:

"DD.1. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall work in collaboration with the Health Planning Region (HPR) V Community Services Boards to plan, develop and implement transitional mental health services to qualified individuals discharged from the Eastern State Hospital.

2. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall lease the existing buildings and associated grounds corresponding to Buildings 24 and 26 at Eastern State Hospital to the Community Services Boards of HPR V for the purpose of providing transitional mental health services to those

qualified individuals discharged from the Eastern State Hospital, on the condition that these buildings are not needed in order to provide state hospital services. The Colonial Services Board will act as the lead agency and fiscal agent for the region for purposes of this project. The property shall be leased to the Colonial Services Board on behalf of the region for a total charge of \$1.00 per year for a period of 25 years. In the event that the region is unable to develop sufficient services or supports to operate regional programs in Buildings 24 and 26 by June 30, 2010, the Department may continue to operate state hospital services from those properties until such time as a workable and funded program is in place to transition care of Eastern State Hospital residents to community-based settings.

3. The Department shall support the region in the development of programs and services on the leased property.

4. The HPR V Community Services Boards shall involve local and regional partners, including local governments, in the planning and development of these programs and services."

Explanation:

(This amendment adds language requiring the Department of Mental Health, Mental Retardation and Substance Abuse Services to work with the Community Services Boards in HPR V to develop transition programs for individuals discharged from Eastern State Hospital (ESH) and lease two buildings at ESH to Community Services Boards in HPR V for these programs.)

Item 315 #2h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 355, line 32, after "CC." insert "1."

Page 355, line 35, after, "Services", strike the remainder of the line.

Page 355, strike line 36.

Page 355, line 38, strike "closure of" and insert:

"rebuilding and resizing of Southeastern Virginia Training Center (SEVTC)".

Page 355, line 39, strike "the facility".

Page 355, line 41, strike "and" and insert ",".

Page 355, line 42, after "Services," insert:

"the Department of General Services, the Department of Health,".

Page 355, line 50, after "team.", insert:

"The plan shall be based on information from (i) completed individual assessments and service plans for each resident of the facility by Health Planning Region V Community Services Boards (CSBs) and SEVTC treatment teams, (ii) an analysis of the current availability of appropriate community facilities and services, (iii) proposed construction or renovation of community facilities in Health Planning Region (HPR) V, and (iv) an assessment of how current state workers at SEVTC can be transitioned as community care providers in community facilities that have been either identified or are planned for construction in the region."

Page 355, line 52, after "timeline to", insert "appropriately".

Page 355, line 52, after "transition", insert "88".

Page 355, line 53, strike "by June 30, 2009" and insert:

"beginning in fiscal year 2010".

Page 355, line 56, after "facility", insert: "if individual assessments and service plans have been completed, appropriate community housing is available and consumer choice has been considered".

Page 355, line 57, after "provide the", insert "preliminary plan and".

Page 355, line 58, strike "April" and insert "July".

Page 355, line 58, strike "final" and insert "progress".

Page 355, line 59, strike "closure of" and insert:

"plan for resizing and rebuilding".

Page 355, line 60, strike "September" and insert "October".

Page 355, line 60, after "2009", insert:

", and quarterly thereafter until the new facility and community facilities have been constructed and are complete".

Page 355, line 62, strike "closure" and insert:

"resizing and community transition".

Page 355, after line 62, insert:

"2. The Commissioner of the Department Mental Health, Mental Retardation and Substance Abuse Services the Commissioner of Health, and the Director of the Department of Medical Assistance Services shall initiate an expedited fast track process to provide technical assistance and certify and license the community facilities under construction and planned for construction in Health Planning Region V.

Explanation:

(This amendment strikes language directing the closure of Southeastern Virginia

Training Center (SEVTC) and adds language directing the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) to work with the Department of General Services and the Department of Health, in addition to the Department of Medical Assistance Services and others on a state and community planning team to plan for rebuilding of a 75-bed facility and the construction of community housing for individuals who would be transitioned to the community. Language requires the plan to be based on certain information such as completed needs assessments of individuals residing in the facility and completed care plans, an analysis of the availability of appropriate community facilities and services, and plans for construction or renovation of community facilities in the facility's catchment area. Deadlines for a preliminary plan and a progress report are included as well as a requirement for quarterly reports until construction is complete and individuals are transitioned into community housing. Finally, language requires state agencies to fast track licensing and certification of community facilities.)

Item 315 #3h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 355, strike lines 3 through 31 and insert:

"BB.1. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall continue to operate Commonwealth Center for Children and Adolescents (CCCA).

2. The Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall convene a work group to examine the current and future role of the Commonwealth and private sector in providing acute psychiatric services for children and adolescents. The work group shall include, but not be limited to, a representative from each of the following agencies and organizations: the Department of Juvenile Justice, the Office of Comprehensive Services, the Virginia Association of Community Services Boards, the National Alliance on Mental Illness of Virginia, the Virginia Chapter of the American Academy of Pediatrics, the Psychiatric Society of Virginia, the Virginia Hospital & Healthcare Association, Voices for Virginia's Children, the Virginia Sheriffs Association, the

Virginia College of Emergency Physicians, a private provider serving children or adolescents with residential mental health services or with a pending application for certificate of public need to provide these services, and a parent or guardian of affected patient populations. The work group shall meet monthly to examine and make recommendations concerning (i) the Commonwealth's responsibilities to ensure a safety net for children and adolescents in need of acute psychiatric services, (ii) the current and future role of private providers in providing acute psychiatric services for this population including capacity, willingness and ability to provide acute psychiatric services to children currently served by state facilities, (iii) service utilization trends based on non-identifiable patient data including referrals, discharges, lengths of stay, and insurance status, (iv) funding trends and policies for providing public and private services, (v) the cost of providing services by the Commonwealth and by private providers, and (vi) other strategies to promote high quality community-based care while maintaining a safety net of services for children and adolescents in need of acute psychiatric services. The group shall report on its recommendations to the Governor and the House Appropriations and Senate Finance Committees chairmen on November 1, 2009."

Explanation:

(This amendment deletes language contained in the introduced budget directing the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services to close the Commonwealth Center for Children and Adolescents (CCCA) and affirms the continued operation of the facility. The amendment also adds language for the Commissioner to establish a work group to examine the current and future role of the Commonwealth and private providers in providing acute psychiatric services for children and adolescents. Companion amendments are provided in Items 320 and 322 to restore the funding for the CCCA and allocate it back to the facility for operations.)

Item 316 #1h

Health And Human Resources	FY 08-09	FY 09-10	
Grants To Localities	\$0	\$1,500,000	GF

Language:

Page 356, line 30, strike "\$318,567,838" and insert "\$320,067,838".

Explanation:

(This amendment provides \$1.5 million from the general fund the second year to

fund Part C services in fiscal year 2010 for infants and toddlers with developmental disabilities, including autism spectrum disorders, from birth through age two. Services include assessment, parent education, occupational therapy, physical therapy, speech therapy and additional developmental services. Studies conducted by some Community Services Boards demonstrate that 25 to 35 percent of infants and toddlers who receive Part C services do not need special education and can transfer to mainstream classrooms, avoiding huge education and health care costs.)

Item 316 #2h

Health And Human Resources

Grants To Localities

Language

Language:

Page 360, line 35, strike "11,694,800" and insert "21,002,256".

Page 360, line 37, strike "11,694,800" and insert "21,002,256".

Page 360, line 42, strike "400" and insert "800".

Explanation:

(This amendment modifies language in the introduced budget to add funding for an additional 400 Medicaid mental retardation waiver slots in the second year. A companion amendment in Item 306 provides the funding in the Department of Medical Assistance Services.)

Item 320 #1h

Health And Human Resources

Mental Health Treatment Centers

FY 08-09

FY 09-10

\$0	\$6,218,777	GF
\$0	\$1,800,000	NGF
0.00	100.00	FTE

Language:

Page 364, line 43, strike "\$197,020,496" and insert "\$205,039,273".

Page 365, strike line 6 through 9.

Explanation:

(This amendment restores funding and positions to continue operating the Commonwealth Center for Children and Adolescents (CCCA) in Staunton, which was slated for closure in the introduced budget. Language is also eliminated that would have transferred \$2.1 million the second year from the general fund from the

facility to the community to provide inpatient mental health services for indigent children previously served by the CCCA. Companion amendments in Item 315 and Item 322 delete language closing the facility and modify language allocating funding back to the facility. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 322.05 and § 4-1.08 during the enrollment of House Bill 1600/Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 322 #1h

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 366, line 39, strike "0.00" and insert "130.00".

Page 366, line 39, strike the first "0" and insert "8,318,777".

Page 366, line 39, strike the second "0" and insert "1,800,000".

Page 366, line 39, strike the third "0" and insert "68,000".

Page 366, line 39, strike the fourth "0" and insert "10,186,777".

Page 366, line 53, strike "808.00" and insert "778.00".

Page 366, line 55, strike "230,827,846" and insert "237,046,623".

Page 366, line 55, strike "93,188,367" and insert "94,988,367".

Page 366, line 55, strike "120,150" and insert "188,150".

Page 366, line 55, strike "324,136,363" and insert "325,223,140".

Explanation:

(This amendment restores language allocating funding and positions to continue operating the Commonwealth Center for Children and Adolescents (CCCA) in Staunton, which was slated for closure in the introduced budget. Companion amendments in Items 315 and Item 320 delete language closing the facility and remove language transferring \$2.1 million from the general fund the second year from the facility to provide patient care in the community.)

Item 327 #1h

Health And Human Resources

Mental Retardation Training
Centers

Language

Language:

- Page 369, line 1, unstrike "1,450.00".
- Page 369, line 2, strike "1498.00".
- Page 369, line 2, strike "63,037,802" and insert "61,112,802".
- Page 369, line 2, strike "76,735,731" and insert "74,810,731".
- Page 369, line 7, unstrike "448.00".
- Page 369, line 8, strike the second "0" and insert "23,076,001".
- Page 369, line 8, strike the third "0" and insert "23,076,001".
- Page 369, line 11, unstrike "4,390.00".
- Page 369, line 12, strike "3,990.00".
- Page 369, line 12, strike "42,270,416" and insert "42,270,417".
- Page 369, line 12, strike "183,286,507" and insert "206,362,507".
- Page 369, line 12, strike "225,680,923" and insert "248,756,924".

Explanation:

(This amendment modifies language in the introduced budget to reflect funding and positions to continue operating the Southeastern Virginia Training Center (SEVTC) in Chesapeake, which was slated for closure in the introduced budget. A companion amendment in the Department of Medicaid Assistance Services restores funding to continue Medicaid reimbursement for the care of the residents living at SEVTC. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 322.05 and § 4-1.08 during the enrollment of House Bill 1600/ Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 342 #1h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	(\$50,000)	GF
	\$0	(\$18,661)	NGF

Language:

- Page 384, line 54, strike "\$171,432,966" and insert "\$171,364,305".

Explanation:

(This amendment reflects savings of \$50,000 to the general fund and \$18,661 to nongeneral funds from the passage of House Bill 2340 which repeals § 63.2-1529 of

the Code of Virginia requiring the Department of Social Services to submit an annual report to the General Assembly on the child protective services Differential Response System.)

Item 344 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 389, after line 48, insert:

“Q. The Department of Social Services shall examine the feasibility of partnering with the Virginia Alliance of Boys and Girls Clubs to provide children services through local club sites through a matching program using federal Temporary Assistance to Needy Families (TANF) funding. As part of its analysis, the Department shall assess whether such services would qualify for TANF funding and if funding these services would have a greater impact on at-risk children than other programs funded using TANF dollars.”

Explanation:

(This amendment requires the Department of Social Services to examine the feasibility of using federal Temporary Assistance to Needy Families (TANF) funding to partner with the nonprofit Virginia Alliance of Boys and Girls Clubs to expand services such as truancy and drop-out prevention services; targeted after-school services to foster children and homeless children; and services to obtain measurable improvement in academic achievement of at-risk children.)

Item 344 #2h

Health And Human Resources

Department Of Social Services

FY 08-09

FY 09-10

\$0

\$100,000 NGF

Language:

Page 386, line 25, strike "\$45,784,860" and insert "\$45,884,860".

Page 387, line 26, after "fund", insert:

"and \$100,000 from the Temporary Assistance to Needy Families block grant".

Page 387, line 29, after "Counties", insert:

"In the event that additional federal Community Services Block Grant funds become available to community action agencies pursuant to "The American Recovery and

Reinvestment Act of 2009" or other similar act adopted by the 111th Congress, the distribution formula shall include all localities currently served by community action agencies in the calculation of funding to each community action agency."

Explanation:

(This amendment restores \$100,000 the second year from the federal Temporary Assistance to Needy Families block grant for the Tri-County Community Action Agency to ensure that adequate resources are available in Charlotte and Mecklenburg counties to provide appropriate services. The introduced budget reduced \$100,000 from the general fund in the second year for this agency. Funding was not provided to these jurisdictions through the statewide distribution of funding for community action agencies despite their addition to the Tri-County organization. Language is also added to include funding for these jurisdictions through the distribution formula if additional funding becomes available through Congressional actions.)

Item 346 #1h

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	(\$755,908)	GF
	\$0	(\$403,312)	NGF

Language:

Page 390, line 45, strike "\$74,016,598" and insert "\$72,857,378".

Explanation:

(This amendment captures funding that was added to support the cost of moving the department's central office. The introduced budget included funding for one-time costs (furniture, information technology relocation costs, moving, etc.) associated with moving the office and provide additional support for increased rent. However, based on negotiations between the Department of General Services and the new landlord, this additional funding is no longer needed.)

Item 346 #2h

Health And Human Resources	
Department Of Social Services	Language

Language:

Page 392, line 8, after "space.", insert:

“For those jurisdictions that, when applying such criteria, achieve a high priority ranking for increased state reimbursement, yet initiate local funding actions to address critical space needs or to consolidate human services, they shall nevertheless retain their rankings on the prioritized list of projects for increased state reimbursement for renovating existing space, relocating or constructing new space.”

Explanation:

(This amendment adds language related to the assessment of funding requests for space needs among local departments of social services by the state Department of Social Services. Due to the lack of or reduced funding for state reimbursements and the critical needs for delivery of social services, some localities with high priority rankings for greater reimbursement to improve local office space have been forced to make critical renovations, acquire new space or to consolidate human services buildings. Doing so has penalized these jurisdictions because once they have made space improvements, they lose priority for increased state reimbursement for the increased cost of their local space. This amendment assures that these localities retain their rankings for obtaining additional state reimbursement if it becomes available.)

Item 346 #3h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 393, line 6, after "develop", strike the remainder of the line.

Page 393, line 7, strike "that incorporates".

Page 393, line 8, strike "model" and insert "web-based automated system".

Page 393, line 10, strike "Medicaid" and insert "Medical".

Page 393, line 11, strike "must" and insert:

"shall participate in the development of the plan and".

Page 393, line 16, after "Resources", insert:

"the Virginia Information Technologies Agency,".

Page 393, line 20, after "for", strike the remainder of the line and insert:

"overseeing the development and implementation of the".

Page 393, line 21, after "plan.", strike the remainder of the line and insert:

"Prior to submission of the plan for federal approval, the steering committee shall submit the plan to the Joint Legislative Audit and Review Commission and the Auditor of Public Accounts for review and comment. The Commissioner of Social

Services shall provide an initial report on the development of the plan to the Governor, Secretary of Finance, and Chairmen of the House Appropriations and Senate Finance Committees on the cost, feasibility, potential for economy of scale at an enterprise level, impact on other state and local agencies, and impact on consumers by October 15, 2009 and an annual progress report on the plan by October 15 of each year thereafter. Implementation of the plan is contingent upon approval of the 2010 General Assembly of the expenditures of state and federal funds for this purpose."

Explanation:

(This amendment modifies language in the introduced budget related to the development of an implementation plan to develop a centralized, web-based eligibility determination system for benefit programs in the Department of Social Services. Language is added to include the Virginia Information Technologies Agency in the steering committee tasked with overseeing the development and implementation of the plan. Language also requires the Joint Legislative Audit and Review Commission and the Auditor of Public Accounts to review and comment on the plan prior to its submission to the federal government for approval. The Commissioner of Social Services is also required to provide a detailed report on the plan annually to the Governor, the Secretary of Finance and the Chairmen of the money committees. Funding to implement the plan is contingent upon approval of the 2010 General Assembly.)

Item 349 #1h

Health And Human Resources

Department Of Social Services

Language

Language:

Page 395, line 28, strike "7,320,353" and insert "7,020,357".

Explanation:

(This amendment modifies language in the introduced budget to reflect the federal Temporary Assistance to Needy Families (TANF) block grant balances in fiscal year 2010, based on changes made in a companion amendment in Item 344 and updated calculations of TANF grant spending.)

Item 361 #1h

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 405, line 7, after "collections.", insert:

"Notwithstanding any other provision of state law, out of this deposit the Department of Conservation and Recreation is authorized to use up to \$500,000 for completion of the project to modernize, simplify, and improve the computerized system utilized by soil and water conservation districts to administer and report on implementation of state agricultural cost share practices initiated by the 2007 Session of the General Assembly."

Explanation:

(This amendment permits the Department of Conservation and Recreation to use up to \$500,000 from the year-end general fund surplus deposited into the Water Quality Improvement Fund for use in modernizing the computer system used by soil and water conservation districts to record data on the implementation of agricultural best management practices. Funding for this effort was initiated by the 2007 Session of the General Assembly.)

Item 361 #2h

Natural Resources

Department Of Conservation And
Recreation

FY 08-09

\$0

FY 09-10

\$392,574 NGF

Language:

Page 402, line 28, strike "\$75,545,793" and insert "\$75,938,367".

Page 404, line 54, after "year", insert:

"and \$392,574 the second year".

Explanation:

(This amendment provides \$392,574 in special funds the second year from the sale of "Friend of the Chesapeake" license plates for use in supporting the projects recommended by the Chesapeake Bay Restoration Fund Advisory Committee. The committee recommended awarding grants to 53 projects in amounts ranging from \$1,495 to \$18,000.)

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 405, after line 27, insert:

"L. The Director, Department of Conservation and Recreation, in consultation with the Virginia Resources Authority, is authorized to make cost effective financing available to Orange County or the dam owner for modifications necessary to the Lake of the Woods Dam to meet state dam safety requirements and to reduce the potential loss of life and damage to down stream property for this high hazard dam, with an inundation zone containing multiple dwellings and a major state highway. Notwithstanding § 10.1-603.19, Code of Virginia, such authority may be used to provide financial or other assistance from the Dam Safety, Flood Prevention and Protection Assistance Fund to secure funding or to provide a grant not to exceed \$1,000,000."

Explanation:

(This amendment restores language that was inadvertently dropped from the budget bill during final printing. Page B-89 of the executive budget document includes an explanation of the amendment.)

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 406, after line 6, insert:

"3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility."

Explanation:

(This amendment instructs the Breaks Interstate Park Commission to enter negotiations to transfer control of its electrical system to a regional electric utility once that park's electric system has been modernized. The electrical system serving

the park was installed at the time of the park's creation. Consequently, the regional electric utility will assume control of the system. If modernized, the system could be transferred to that regional electric utility, which would then maintain the infrastructure rather than the park.)

Item 366 #1h

Natural Resources	FY 08-09	FY 09-10	
Department Of Environmental Quality	\$0	(\$120,000)	GF

Language:

Page 408, line 7, strike "\$48,555,003" and insert "\$48,435,003".

Page 408, strike lines 48 through 52.

Explanation:

(This amendment eliminates a second year general fund appropriation for the continued study of the factors leading to fish lesions and mortality in the Shenandoah, Potomac, and James Rivers. A companion amendment authorizes use of the Department of Environmental Quality's share of the Water Quality Improvement Fund deposit for this purpose. All of the watersheds affected by these fish lesions and mortality are within the Chesapeake Bay watershed.)

Item 368 #1h

Natural Resources		
Department Of Environmental Quality		Language

Language:

Page 410, line 13, after "collections.", insert:

"Out of this amount, \$120,000 shall be provided to investigate factors that contribute to fish lesions and mortality in the Shenandoah, Potomac, and James Rivers."

Explanation:

(This amendment provides authorization for the use of the Department of Environmental Quality's share of the Water Quality Improvement Fund deposit of fiscal year 2008 excess revenues for use in investigating the factors leading to fish lesions and fish mortality in the Shenandoah, Potomac, and James Rivers. These rivers are part of the Chesapeake Bay watershed. A companion amendment

eliminated a second year general fund appropriation for this purpose.)

Item 374 #1h

Natural Resources

Department Of Historic Resources

Language

Language:

Page 414, after line 14, insert:

"4. 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 \$90 the second year shall be distributed to the Town of Coeburn Municipal Graveyard."

Explanation:

(This amendment provides funding for the care of 18 newly discovered Confederate graves in the Town of Coeburn's Municipal Graveyard. Maintenance of Confederate graves is funded at a rate of \$5 per grave.)

Item 388 #1h

Public Safety

Department Of Corrections

Language

Language:

Page 426, strike lines 36-48 and insert:

"a. Meherrin River Regional Jail Authority, for a regional jail facility of not more than 400 beds, with new construction on not more than one site, and for which the Commonwealth's share of the total capital cost of the project shall not exceed \$50 million, and for which the revised plans and cost estimates pursuant to this paragraph shall be subject to the approval of the Board of Corrections. The authority shall consider the costs and benefits of acquiring this facility using the process established under the Public Private Education and Infrastructure Act (PPEA), and shall submit a report on its analysis of this approach, along with its planning submissions, to the Board of Corrections. It is anticipated that the reimbursement of the Commonwealth's portion will not occur before July 1, 2012."

Page 426, line 49, strike "e." and insert "b."

Page 427, strike lines 1-4 and insert:

"c. Patrick County, in order to proceed to planning for a replacement jail. The Commonwealth's estimated portion of this project is \$2,689,032, pursuant to Item 280 of this act."

Page 427, line 5, strike "g." and insert "d."

Page 427, line 8, strike "h." and insert "e."

Page 427, line 20, strike "i." and insert "f."

Page 427, line 27, strike "j." and insert "g."

Page 427, strike lines 29 through 31.

Page 427, line 32, strike "l." and insert "h."

Page 427, strike lines 35 through 44, and insert:

"5. The projects set forth in this item shall be subject to the provisions of §§ 53.1-80 through 53.1-82.3 of the Code of Virginia which were in effect as of December 31, 2008."

Page 427, line 45, strike "C." and insert "B."

Page 428, strike lines 11 through 20, and insert:

"C. The Chairmen of House Appropriations and Senate Finance Committees shall appoint a joint subcommittee to review the Commonwealth's policies with respect to the oversight, approval and financing of local and regional jail capital projects and operational expenses, with a view towards developing appropriate and fiscally sound recommendations for defining and meeting the Commonwealth's long-term obligations for local and regional jails and related programs. The Departments of Corrections, Criminal Justice Services, General Services, Planning and Budget, the Treasury, and the Compensation Board, shall provide such assistance as may be requested by the joint subcommittee for this review."

Page 428, line 21, strike "E." and insert "D."

Page 428, line 43, strike "F." and insert "E."

Page 428, line 54, strike "G." and insert "F."

Explanation:

(This amendment provides continuing legislative authority for certain specified jail projects to proceed under the established processes for review and approval by the Board of Corrections, pending review by a legislative joint subcommittee of the Commonwealth's long-term obligations with respect to the financing of local and regional jail capital and operating costs.)

Item 390 #1h

Public Safety

Department Of Corrections

FY 08-09

\$0

FY 09-10

\$180,000 NGF

Language:

Page 430, line 11, strike "\$897,061,073" and insert "\$897,241,073".

Page 430, line 39, strike the second "\$600,000" and insert "\$780,000".

Explanation:

(This amendment provides an additional \$180,000 the second year from nongeneral fund sources for the delivery of faith-based services to inmates. The source of the nongeneral fund revenue is inmate commissary funds. The additional funding will allow for additional full-time chaplains to serve Virginia's prisons.)

Item 390 #2h

Public Safety

Department Of Corrections

Language

Language:

Page 431, line 49, strike "2010" and insert "2009".

Explanation:

(This amendment requires a report on implementation of a correctional education program by June 30, 2009 rather than June 30, 2010.)

Item 391 #1h

Public Safety

Department Of Corrections

Language

Language:

Page 434, line 8, strike "l."

Page 434, strike lines 25 through 45.

Explanation:

(This amendment eliminates a proposed policy that would have permitted the Department of Corrections to allow an additional 60 days early release for nonviolent offenders.)

Item 391 #2h

Public Safety

Language:

Page 435, after line 40, insert:

"3. To further the continued progress of the development of this facility, and to ensure the installation of necessary infrastructure for this facility, the Department of Corrections is authorized to provide for the state share of the costs of wastewater treatment facilities from the proceeds of revenue bonds authorized by paragraph E. of Item 368 of this act."

Explanation:

(This amendment provides funding for the development of wastewater treatment infrastructure that must be in place prior to the continued development of a new state correctional center.)

Item 395 #1h

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 439, after line 20, insert:

"c. The Board of Criminal Justice Services may approve a new criminal justice academy for Hanover County, to be supported with local funds, consistent with the Agreement dated October 17, 2008, by and between Hanover County, the Sheriff of Hanover County, and the Rappahannock Regional Criminal Justice Academy."

Explanation:

(This amendment provides for the creation of a new criminal justice academy for Hanover County that will be supported solely by local funds. The creation of this new criminal justice academy is approved pursuant to an agreement between Hanover County, the Hanover County Sheriff's Office, and the Rappahannock Regional Criminal Justice Academy, of which Hanover County was a member. Currently, no new criminal justice academies may be created by the Board of Criminal Justice Services without the approval of the General Assembly.)

Item 395 #2h

Public Safety

Language:

Page 439, after line 20, insert:

“c. The Board of Criminal Justice Services may approve a new criminal justice academy for the City of Newport News, to be supported with local funds, consistent with an agreement established by and between the Council of Newport News, the City Manager of Newport News, and the Hampton Roads Criminal Justice Training Academy.”

Explanation:

(This amendment provides for the creation of a new criminal justice academy for the City of Newport News that will be supported solely by local funds. The creation of this new criminal justice academy is approved pursuant to an agreement between the Council of Newport News, the City Manager of Newport News, and the Hampton Roads Regional Criminal Justice Training Academy, of which the City of Newport News was a member. Currently, no new criminal justice academies may be created by the Board of Criminal Justice Services without the approval of the General Assembly.)

Item 395 #3h

Public Safety

FY 08-09

FY 09-10

Department Of Criminal Justice
Services

\$0

\$1,000,000 GF

Language:

Page 438, line 10, strike "\$85,093,914" and insert "\$86,093,914".

Page 441, after line 12, insert:

"M. Out of the amounts appropriated for this item, \$1,000,000 the second year shall be provided for the operations of the Southern Virginia Internet Crimes Against Children Task Force and the Northern Virginia Internet Crimes Against Children Task Force to expand the regional operations of these two task forces. Of the total amount provided, \$500,000 shall be distributed to the Bedford County Sheriff's Office for the operation of the Southern Virginia Internet Crimes Against Children Task Force and \$500,000 shall be distributed to the Virginia State Police for the operation of the Northern Virginia-Washington, D.C., Internet Crimes Against Children Task Force."

Explanation:

(This amendment provides funding for the expansion of the services provided by the Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces operated by the Bedford County Sheriff's Office and the Virginia State Police, respectively.)

Item 399 #1h

Public Safety

Department Of Emergency
Management

FY 08-09

\$0

FY 09-10

\$285,588 GF

Language:

Page 443, line 20, strike "\$27,749,656" and insert "\$28,035,244".

Explanation:

(This amendment restores general fund support for hazardous materials training and response.)

Item 411 #1h

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 450, line 54, after "locality.", insert:

"The Director, Department of Planning and Budget, may increase the general fund appropriation for this item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice."

Explanation:

(This amendment adds language authorizing the Director, Department of Planning and Budget, to increase the general fund appropriation up to the amount of unobligated Virginia Juvenile Community Crime Control Act (VJCCCA) grants returned by localities to the Department of Juvenile Justice. This would allow the department to reprogram these funds to local programs demonstrating the greatest effectiveness in juvenile crime prevention. The language presently in the budget inadvertently forces a one-year lag since the funding would need to be reflected in the

department's year-end balances.)

Item 419 #1h

Public Safety

Department Of State Police

Language

Language:

Page 456, after line 52, insert:

"I. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the Registry."

Explanation:

(This amendment authorizes the Superintendent of State Police to develop a policy and fee for the transmission of public information about the Virginia Sex Offender Registry. Any fees collected by the Department of State Police will be used to defray the costs of maintaining the Sex Offender Registry.)

Item 420 #1h

Public Safety

Department Of State Police

FY 08-09

FY 09-10

\$0

\$1,000,000 GF

Language:

Page 456, line 55, strike "\$225,628,859" and insert "\$226,628,859".

Page 458, line 5, strike "\$2,645,375" and insert "\$1,645,375"

Page 458, line 8, strike "\$1,600,000" and insert "\$600,000".

Page 458, line 9, after "from", insert "a portion of".

Explanation:

(This amendment restores \$1.0 million to the Department of State Police to support its med-flight operations. A companion amendment in Item 290 reduces the amount of new \$4 for Life funding transferred to assist with med-flight operations.)

Item 425 #1h

Public Safety

Language:

Page 462, after line 11, insert:

"D. Subject to the availability of sufficient nongeneral fund revenues, including, but not limited to, private donation and federal funds, the Department shall work in concert with applicable state and federal agencies to develop and deploy an automated system for the electronic preparation of veterans' disability claims. The Commissioner shall ensure that the system is efficient and statutorily compliant."

Explanation:

(This amendment permits the Department of Veterans Services to continue developing an automated system for electronically preparing veterans' disability claims to the extent nongeneral fund sources of funding are available. Any system developed by the agency must be statutorily compliant with state and federal agency requirements.)

Item 425 #2h

Public Safety	FY 08-09	FY 09-10	
Department Of Veterans Services	\$0	\$50,000	GF

Language:

Page 461, line 22, strike "\$5,732,901" and insert "\$5,782,901".

Page 462, line 9, after "\$50,000", insert "the first year and \$50,000 the second year".

Explanation:

(This amendment restores funding for the further development of an automated system for the preparation of veterans' disability claims. The Governor had reduced the funding for this system by 50 percent as part of his budget reduction plan.)

Item 428 #1h

Public Safety	FY 08-09	FY 09-10	
Virginia Parole Board	\$0	\$51,677	GF

Language:

Page 463, line 7, strike "\$760,236" and insert "\$811,913".

Explanation:

(This amendment eliminates the proposed conversion of two Parole Board members to part-time status. A companion amendment eliminates the proposed savings from this proposal from the table in Part 4 of the budget.)

Item 430 #1h

Technology	FY 08-09	FY 09-10	
Innovative Technology Authority	\$0	(\$125,000)	GF

Language:

Page 464, line 23, strike "\$5,847,337" and insert "\$5,722,337".

Page 465, strike lines 33 through 36.

Page 465, line 37, strike "I" and insert "H".

Explanation:

(This amendment transfers remaining funding related to the Virginia Electronic Commerce Technology Center (VECTEC) from Innovative Technology Authority to Christopher Newport University which houses the VECTEC. This is a companion amendment to Item 154.)

Item 433 #1h

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 469, strike lines 9 through 13.

Page 469, line 14, strike "3." and insert "2."

Page 469, line 26, strike "functionally".

Page 469, line 26, strike " and" and insert "."

Page 469, strike lines 27 through 33.

Page 469, line 34, strike "4a. The DCIO/CAO shall have all" and insert:

"3. By July 1, 2009, the Information Technology Investment Board is directed to provide the DCIO/CAO with".

Page 469, line 37, after "applications", strike ";" and insert ",".

Page 469, after line 37, insert:

"including approval and oversight for agency IT application budgets and contract IT services."

Page 469, strike lines 38 through 56.
Page 470, strike lines 1 through 24.

Explanation:

(This amendment clarifies new language regarding the Virginia Enterprise Applications Program Office's merger into Virginia Information Technologies Agency by designating the Chief Applications Officer as a Deputy CIO for applications and information technology contractor support. It also eliminates extraneous and potentially confusing language.)

Item 434 #1h

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 471, after line 21, insert:

"A. Effective July 1, 2009, the Chief Information Officer shall report functionally to the Information Technology Investment Board and operationally to the Governor."

Page 471, line 22, strike "A." and insert "B."

Page 471, line 25, strike "B." and insert "C."

Page 471, line 28, strike "C." and insert "D."

Page 471, line 35, strike "D.1." and insert "E.1."

Page 471, line 52, strike "E." and insert "F."

Page 472, line 8, strike "F." and insert "G."

Page 472, line 19, strike "G." and insert "H."

Page 472, strike lines 33 through 38.

Explanation:

(This amendment expands the reporting structure of the Chief Information Officer by establishing dual reporting lines, reporting functionally to the Information Technologies Investment Board and operationally to the Governor's Office.)

Item 434 #2h

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 472, line 33, strike "F" and insert "H".

Page 472, after line 38, insert:

"I. The Information Technology Investment Board shall work to close any projected differences between budgeted funds and projected costs by reducing costs within affected agencies for decentralized services through changes in transformation planning, applications services, and information technology contractor support. The Information Technology Investment Board shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on their efforts by October 1, 2009."

Explanation:

(This amendment affects language changes requiring the Information Technologies Investment Board to find ways to reduce information technology costs in fiscal year 2010, whether through negotiations with Northrop Grumman, working with agencies, or internal changes within the Virginia Information Technologies Agency (VITA). Currently, there is gap between information technology funding and the rates VITA has set to satisfy the Northrop Grumman infrastructure contract.)

Item 436 #1h

Transportation

Secretary Of Transportation

Language

Language:

Page 477, after line 8, insert:

"H. No more than seven days after the enactment of House Bill 1600, 2009 Session of the General Assembly, the Secretary of Transportation shall disseminate to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees a prioritized and comprehensive listing of transportation projects that would be ready to be advertised if funding were to become available in the federal economic stimulus package regardless of whether final criteria have been released or not."

Explanation:

(This amendment requires the Secretary of Transportation to compile a prioritized statewide list of transportation projects which are ready to be advertised for bid. This list should include all projects sufficiently advanced to be advertised even if the particular projects may not be eligible under the final requirements of such legislation.)

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 486, after line 18, insert:

"F. Notwithstanding the provisions of paragraph A.1. of this item, during the second year the director of the department, with the concurrence of the Commonwealth Transportation Board, is hereby directed to withhold ten percent of the funding that would otherwise be provided for transit capital improvements under § 58.1-638. These funds shall be distributed to transit properties across the Commonwealth to help offset state reductions in operating support. In determining the appropriate distribution of these one-time funds, the department shall solicit applications from all transit properties eligible for operating support from the Commonwealth, and give due consideration to services that could be eliminated if additional support is not provided and also provide priority where higher than average local support is provided for such transit services."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to set aside 10 percent of the funding that would otherwise be dedicated to transit capital improvements for use for one-time additional support for operating costs to help the transit properties adjust to reduced levels of operating support.)

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 486, after line 57, insert:

"C. The Department of Rail and Public Transportation shall work with the City of Richmond, the County of Henrico and the Greater Richmond Transit Corporation (GRTC) to identify a site or sites and to advance projects that will establish public transit transfer centers designed to serve and support the Richmond Metropolitan

Area and to enhance access to rail passenger service and public transportation service to, from and within the Richmond region."

Explanation:

(This amendment instructs the Department of Rail and Public Transportation to evaluate the development of transit transfer centers in the Richmond region with the affected jurisdictions.)

Item 452.05 #1h

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 487, line 43, before "Appropriation" insert "A."

Page 487, after line 46, insert:

"B. The director shall implement actions as necessary to carry out the appropriation reductions contained in this item provided that the proportional reductions among the subprograms contained in Item 449 does not conflict with the requirements set out in that item and provided further that reductions to Item 450 reflect the proportional reductions to the revenue sources dedicated to such activities."

Explanation:

(This amendment authorizes the director of the Department of Rail and Public Transportation to take the necessary actions to reduce the appropriations within that agency but requires that reductions to the rail programs reflect reductions to that dedicated revenue source, reductions to transit programs reflect reductions to sources dedicated to that purpose, and further requires that the distribution among the transit capital and operating programs reflect the requirements set out in the item governing those programs.)

Item 462.05 #1h

Transportation

Department Of Transportation

Language

Language:

Page 499, strike lines 41 through 48.

Page 500, strike lines 1 through 3 and insert:

"A. Appropriation reductions in this item and specified in § 4-1.08 of this act shall apply notwithstanding any language and amounts to the contrary within other items of this act.

B. 1. The Commonwealth Transportation Commissioner shall implement actions as necessary to carry out the appropriation reductions contained in this item pursuant to the terms and limitations set forth in the following paragraphs. The Director, Department of Planning and Budget, is authorized to transfer appropriations in this act as necessary to carry out the budget reductions contained in this item.

2. In carrying out the appropriation reductions contained in this item, the actions implemented will be based on a Comprehensive Plan developed by the Commonwealth Transportation Commissioner which follows the outline documented in "VDOT's Blueprint" as presented to the Transportation Subcommittees of the House Appropriations and Senate Finance Committees in January 2009. The Commissioner shall present the proposed Comprehensive Plan to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees prior to implementation. The Plan shall define the relative proportion of reductions that shall be achieved through reductions in the Six-Year Program, changes to the department's organizational structure at both the administrative and operational levels in both the field and central office, and adjustments to service levels for maintenance and operational programs provided by the department. Implementation of these actions will begin in fiscal year 2009 and continue through fiscal year 2010 and fiscal year 2011. Provided however, that the Plan shall be phased so as to ensure that the necessary savings are achieved to meet the budgetary reductions set out in this item.

3. Such plan shall also:

a. ensure that maintenance and operations of existing highway infrastructure is focused on emergency response, congestion mitigation, pavement rehabilitation based on the lowest pavement condition ratings, and bridge repair and replacement based on structurally deficient structures;

b. set service and staffing levels for VDOT programs that have clear and measurable performance requirements;

c. ensure contractual spending of VDOT funding comprise no less than 70 percent of total VDOT expenditures each fiscal year;

d. reconfigure, including the elimination and consolidation of organizational units and VDOT facilities, to achieve at least a 30 percent reduction in the number of 1) central office divisions, 2) residency offices, and 3) equipment and repair shops;

e. as part of the consolidation of organizational units, ensure that the supervisory layers between the lowest line staff and the leadership position reporting directly to the Commissioner or Deputy Commissioner shall be no more than five;

f. use an objective and transparent methodology on which to base all actions and take no actions until public input has been considered;

g. ensure that appropriate accountability, compliance, and oversight by auditors is conducted on all programs and functions on a periodic basis; and

h. have no more than 7,500 full-time positions filled on June 30, 2010.

C. The Commissioner shall provide a quarterly progress report detailing each action and its impact on the VDOT budget to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Transportation, and Senate Finance Committees, and the Commonwealth Transportation Board. Such reports shall include a detailed enumeration of progress that has been made to reduce the department's expenditure levels in order to meet the reduction levels required by this item, an update on the next phase of actions planned to address the reductions, any obstacles encountered in implementing these reductions, and any adjustments to the Plan are required by the Commonwealth Transportation Board."

Explanation:

(This amendment details how VDOT will allocate the reductions included in the introduced budget. House Bill 1600 included reductions over the biennium of \$575 million for the department, but did not specify how they would be distributed. The language above ties the VDOT reductions to the plan presented by the VDOT Commissioner to the Commonwealth Transportation Board and to the legislative committees and includes a quarterly reporting requirement.)

Item 467 #1h

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$5,000,000)	GF
	\$3,397,757	\$2,118,543	NGF

Language:

Page 507, line 5, strike "\$13,280,645" and insert "\$16,678,402".

Page 507, line 5, strike "\$13,280,645" and insert "\$10,399,188".

Page 507, line 30, after "\$12,040,957", insert "from the general fund and \$3,397,757 from nongeneral funds".

Page 507, line 31, strike "\$12,040,957 " and insert "\$7,040,957 from the general fund and \$2,118,543 from nongeneral funds".

Page 507, line 31, strike "from".

Page 507, line 32, strike "the general fund".

Explanation:

(This is a technical amendment that adjusts interest earnings payable to higher education institutions to reflect revised interest rates earned on state cash balances.)

Item 468 #1h

Central Appropriations

FY 08-09

FY 09-10

Central Appropriations

\$0

(\$450,000) GF

Language:

Page 508, line 20, strike "\$950,000" and insert "\$500,000".

Page 508, line 28, strike "\$950,000" and insert "\$500,000".

Explanation:

(This amendment reduces funding for the Productivity Investment Fund managed by the Secretary of Technology. The fund provides state agencies with up-front cash for various proposals designed to improve their organization or service delivery, promote productivity, or establish results teams of state agency personnel, private sector and consultant support to identify productivity projects and improve use of performance measures.)

Item 472.1 #1h

Central Appropriations

FY 08-09

FY 09-10

Central Appropriations

\$0

\$3,121,256 GF

Language:

Page 518, line 25, strike "(\$90,324,589)" and insert "(\$87,203,333)".

Page 519, line 23, strike ".80" and insert "1.00".

Page 519, line 34, strike "\$41,940,871" and insert "\$37,540,615".

Page 519, strike lines 56-58.

Page 520, strikes lines 1-16, and insert:

“D.1 Notwithstanding any provision to the contrary, any references to a period of 14 days or a period of 28 days in §§ 51.1-1111, -1112, -1122, and -1123 of the Virginia Sickness and Disability Program (VSDP) are hereby changed to a period of 45 days. Moreover, the period of 45 days shall be consecutive days that the participating employee is (i) actively at work and (ii) fully released to return to work full time, full duty. The Virginia Retirement System shall develop policies and procedures to administer the effects of the 45-day period in connection with participants who are deemed to have a major chronic condition.

2. Notwithstanding any provision to the contrary, any eligible employee commencing employment or reemployment on or after July 1, 2009, shall not be entitled to receive Virginia Sickness and Disability Program benefits under Article 3, Chapter 3 of Title 51.1 (Nonwork Related Disability Benefits) until the employee completes one continuous year of active employment or reemployment.

3. Notwithstanding any provision to the contrary, for all eligible employees commencing employment or reemployment on or after July 1, 2009, short-term disability coverage under the Virginia Sickness and Disability Program shall provide income replacement for no more than 60 percent of a participating employee’s creditable compensation for the first 60 months of continuous state service after employment or reemployment.

4. The Director of the Department of Planning and Budget shall withhold and transfer general fund amounts of \$1,279,000 the second year from the appropriations of state agencies and institutions of higher learning to this item, representing savings from reduced expenditures for short-term disability benefits pursuant to the policy changes authorized in this item.”

Page 520, line 17, strike “5.” and insert “E.”.

Explanation:

(This amendment restores funding for the Long-Term Care insurance program for state employees enrolled in the Virginia Sickness and Disability Program (VSDP), increases the recurrent period for repeat Short-Term Disability (STD) claims from 14 workdays to 45 workdays, institutes a one-year waiting period for new employees before receiving STD benefits for non-work related claims, and institutes a cap of 60% on the STD income replacement rate until a new employee services a five-year vesting period. These changes to the STD program are meant to bring the VSDP program in line with best practices prevalent in private sector disability plans.)

Item 473 #1h

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$1,200,000)	GF

Language:

Page 520, line 28, strike "\$38,781,734" and insert "\$37,581,734".

Page 521, line 44, strike "each year" and insert "in the first year".

Explanation:

(This amendment eliminates the second year appropriation for economic contingency in light of the sizeable balances that have been carried forward for this program.)

Item 473 #2h

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$830,521	\$920,545	GF

Language:

Page 520, line 28, strike "\$25,305,454" and insert "\$26,135,975".

Page 520, line 28, strike "\$38,781,734" and insert "\$39,702,279".

Page 525, after line 14, insert:

"O. The Director of the Department of Planning and Budget is authorized to transfer amounts totaling \$830,521 in the first year and \$920,545 in the second year to Items 1, 5, 6, and 29 to fund their portion of the increased charges to legislative branch agencies from the Department of General Services for the Maintenance and Operation of the Capitol and the General Assembly Building."

Explanation:

(This amendment provides funding within Central Appropriations for the increased charges to the House of Delegates, the Division of Legislative Services, the Division of Legislative Automated Services and the Joint Legislative Audit and Review Commission for increased charges from DGS for the maintenance and operation of the Capitol and the General Assembly Building.)

Item 475 #1h

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$1,317,440)	GF

Language:

Page 526, line 22, strike "\$3,117,440" and insert "\$1,800,000".
Page 526, line 27, strike "\$3,117,440" and insert "\$1,800,000".

Explanation:

(This amendment removes the proposed increase to the new transfer grant program which was contingent upon passage of House Bill 2295.)

Item 475.1 #1h

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$1,000,000)	GF

Language:

Page 526, line 37, strike "(\$14,594,279)" and insert "(\$15,594,279)".
Page 527, after line 24, insert:

"C.1 The Governor shall develop guidelines for the Executive Branch and Administrative Agencies to decrease the need for printed materials, particularly those well suited for electronic distribution on the internet. Beyond a limited number to facilitate senior decision makers in the Executive, Legislative, and Judicial branches of government, all annual or special reports will be made electronically available on the internet and not printed. Within guidelines established by the Governor, there shall be business case exceptions for departments and agencies in the executive branch to request exceptions for those documents that are essential to the public and must be, given their nature and general use, made available in a printed format. The intent of the General Assembly is, to the fullest extent possible, to make documents available to the general public on the internet and reduce the cost associated with printing those documents. The Governor will report to the Chairmen of the House Appropriations Committee and the Senate Finance Committee a plan to implement this provision within 30 days of enactment and issue guidelines for the implementation of the plan with 60 days of enactment.

2. General fund savings realized through reduced printing expenditures, estimated at \$1.0 million the second year shall be transferred to this item by the Director of the Department of Planning and Budget."

Explanation:

(This amendment assumes \$1.0 million in savings the second year from reduced expenditures for printing reports.)

Item 480 #1h

Independent Agencies

State Lottery Department

Language

Language:

Page 531, line 48, before "Out" insert "A."

Page 532, after line 6, insert:

"B.1. The Auditor of Public Accounts, as part of his annual audit of the State Lottery Department on fiscal compliance, shall conduct an internal analysis of expenditures made pursuant to efforts of the Virginia Lottery to market or provide information concerning the Virginia Lottery to the general public. Included in the audit the Auditor shall quantify the effectiveness of various marketing strategies and their impact on Lottery sales and revenue.

2. The Auditor will also examine and assess past and present marketing analysis employed by the lottery that supports the Lottery of Virginia's past and current information provision strategy and expenditures, including, but not limited to funds spent on print, radio, television, or internet advertising. The Auditor of Public Accounts shall report to the General Assembly no later than December 1, 2009 the results of his findings."

Explanation:

(This amendment requires the auditor of public accounts to include in his annual audit of the State Lottery Department an analysis of the effectiveness of the Department's advertising strategies and expenditures.)

Item 485 #1h

Independent Agencies

Virginia Retirement System

Language

Language:

Page 534, strike lines 53 through 56 and insert:

"E. In the second year, as an alternative to the contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees pursuant to § 51.1-145(1),

Code of Virginia, rates paid to the VRS by a participating city, county, or local school board for retirement benefits of its employees may, at the option of each participating city, county, or local school board, be based on the results of the June 30, 2007 actuarial valuation of assets and liabilities assuming an amortization period of 30 years."

Page 535, strike lines 1 through 7.

Explanation:

(This amendment allows cities, counties and school boards, for the provision of retirement benefits to school employees not included under the teachers retirement plan, who participate in the Virginia Retirement System to elect employer contribution rates based on a 30 year amortization period for the calculated unfunded liability.)

Item 487 #1h

Independent Agencies	FY 08-09	FY 09-10	
Virginia Retirement System	4.00	4.00	FTE

Language:

Explanation:

(This amendment provides four additional full time positions within the Virginia Retirement System. This will enable the VRS to convert four part-time call center staff to full time status, which is needed due to increased call volume.)

Item 489 #1h

Independent Agencies	
Virginia Workers' Compensation Commission	Language

Language:

Page 536, after line 9, insert:

"Out of the amounts appropriated for this item, \$50,000 the second year is provided for compensation of Kurt E. Beach, a former member of the Smithfield Police Department, for injuries to his health that occurred in the course of his employment. In addition, beginning July 1, 2010, and ending June 30, 2020, additional payments of \$20,000 per year shall be paid to Kurt E. Beach to offset the continuing costs of

his health care."

Explanation:

(This amendment provides \$50,000 in the second year from the Virginia Workers' Compensation Commission for relief of Kurt E. Beach, a former Smithfield Police Department investigator, who contracted hepatitis C while trying to revive an unconscious small child. The amendment also provides for the payment of \$20,000 each year from July 1, 2010 to June 30, 2020 to compensate Mr. Beach for his ongoing health care needs.)

Item C-0 #1h

General Conditions

General Conditions

Language

Language:

Page 546, after line 36, insert:

"Department of Mental Health, Mental Retardation and Substance Abuse Services
Plan Community Housing 0965 17733 \$233,000
Plan Community Housing 0965 17774 \$250,000".

Explanation:

(This amendment reverts to the general fund unused preplanning funds for two projects provided under Chapter 1, 2008 Acts of the Assembly, Special Session 1.)

Item C-5.05 #1h

Administration

Department Of General Services

Language

Language:

Page 548, line 16, strike "The total cost of" and insert "These funds, in addition to the remaining \$7,200,000 authorized for the Main Street Centre project in Chapter 1, 2008 Acts of the Assembly, Special Session 1 will bring the total cost of the project to \$23,025,000".

Page 548, strike line 17.

Explanation:

(This amendment makes a technical language change to the construction of the Main Street Centre Parking project in the introduced budget. The project is part of

the acquisition and construction related phases provided under Chapter 1, 2008 Acts of the Assembly, Special Session 1.)

	Item	C-5.20 #1h
Administration	FY 08-09	FY 09-10
Department Of General Services	\$0	\$6,500,000 NGF

Language:

Page 548, after line 22, insert:

"C-5.20. New Construction: Construct Educational Wing of Virginia War Memorial (17177) \$6,500,000

Fund Sources: Bond Proceeds \$6,500,000".

"This Item contains \$6.5 million in Virginia Public Building Authority bond authority, in lieu of the Treasury Loan authorized for this purpose in Chapter 847, 2008 Acts of Assembly, 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. These funds supplement \$2.0 million in private funds bringing the total cost of this project to \$8.5 million."

Explanation:

(This amendment provides Virginia Public Building Authority bond authority to supplement the \$2.0 million in private funds raised for this project. Chapter 847, 2008 Acts of Assembly authorized a Treasury Loan for this purpose. This amendment utilizes the bond authority to fulfill the Commonwealth's obligation to this project.)

	Item	C-5.20 #2h
Administration		
Department Of General Services		Language

Language:

Page 548, after line 22, insert:

"C-5.20. 8th / 9th Street Office Building

The Director, Department of General Services, in consultation with the State Comptroller and the Auditor of Public Accounts, shall review all submissions under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et

seq., Code of Virginia) pertaining to the Replacement / Renovation of the 8th / 9th Street Office Building Complex including alternative financing options. The Director, Department of General Services shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2009 on the potential for proceeding with any of the PPEA proposals under an operating lease concept or how the PPEA proposals should be modified in order to proceed under an operating lease concept."

Explanation:

(This amendment requires the examination of submitted proposals under the Public-Private Education Facilities and Infrastructure Act of 2002 for potential as an operating lease. If the proposals do not meet the prerequisites to qualify as an operating lease the Director, Department of General Services, in consultation with the State Comptroller and the Auditor of Public Accounts, shall provide recommendations to modify the proposed PPEA agreements in order to move forward under an operating lease model.)

	Item	C-12 #1h
Education: Higher Education	FY 08-09	FY 09-10
Christopher Newport University	\$3,095,000	\$0 NGF

Language:

Page 549, line 15, strike "\$1,405,000" and insert "\$4,500,000".

Explanation:

(This amendment supplements the campus improvements project approved in Chapter 879 of the 2008 Session of the General Assembly.)

	Item	C-14.40 #1h
Education: Higher Education	FY 08-09	FY 09-10
Christopher Newport University	\$0	\$4,000,000 NGF

Language:

Page 549, after line 37, insert:
 "C-14.40. New Construction: Alumni House
 Fund Sources: Bond Proceeds

	\$4,000,000
	\$4,000,000".

Explanation:

(This amendment requests funding to construct an Alumni House. Private gifts will support the project financing.)

		Item	C-14.40 #2h
Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$3,035,000	NGF

Language:

Page 549, after line 37, insert:
 "C-14.40. Improvements: Special Collections Library Environmental Improvements
 Fund Sources: Bond Proceeds

\$3,035,000
 \$3,035,000".

Explanation:

(This amendment requests funding to install environmental controls and improvements for the special collections section of the library. Bonds will be financed with private funds.)

		Item	C-14.40 #3h
Education: Higher Education			
Christopher Newport University			Language

Language:

Page 549, after line 37, insert:
 "C-14.40.
 Christopher Newport University is authorized to sell the real property located at 812 Riverside Drive in Newport News, Virginia. The proceeds of that shall be used to acquire real property previously approved by the University's Board of Visitors in its Master Plan."

Explanation:

(This amendment is self-explanatory.)

Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$521,000	GF
	\$0	\$1,529,230	NGF

Language:

Page 549, after line 37, insert:

"C-14.40. Planning: New Luter School of Business	\$0	\$2,050,230	
Fund Sources: General	\$0".	\$521,000	
Special		\$579,230	
Higher Education Operating		\$950,000".	

This appropriation provides funding to complete detailed planning for the New Luter School of Business project. Christopher Newport University is authorized to use up to \$950,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. The Special Funds in this amendment are from fund source 0965 and provided from unallocated planning funds in Chapter 1, 2008 Acts of the Assembly, Special Session 1."

Explanation:

(This amendment provides funding to complete planning for the New Luter School of Business.)

Education: Higher Education	FY 08-09	FY 09-10	
The College Of William And Mary In Virginia	\$0	\$1,042,000	GF
	\$0	\$3,208,230	NGF

Language:

Page 550, after line 46, insert:

"C-19.15. Planning: Integrated Science Center, Phase 3		\$4,250,230	
Fund Sources: General		\$1,042,000	
Special		\$1,158,230	
Higher Education Operating		\$2,050,000".	

This appropriation provides funding to complete detailed planning for the Integrated Science Center, Phase 3 project. The College of William and Mary is authorized to use up to \$2,050,000 of nongeneral funds for which it shall be reimbursed when the

project is funded to move into the construction phase. The Special Funds in this amendment are from fund source 0965 and provided from unallocated planning funds in Chapter 1, 2008 Acts of the Assembly, Special Session 1."

Explanation:

(This amendment provides funding to complete planning for the Integrated Science Center, Phase 3.)

	Item	C-36.70 #1h
Education: Higher Education	FY 08-09	FY 09-10
George Mason University	\$0	\$8,000,000 NGF

Language:

Page 554, after line 42, insert:
 "C-36.70. Improvements: Student Union Building II Renovation Supplement Fund Sources: Bond Proceeds \$8,000,000".

Explanation:

(This amendment provides 9(d) revenue bond authority to supplement the Student Union Building II Renovation.)

	Item	C-39.05 #1h
Education: Higher Education	FY 08-09	FY 09-10
James Madison University	\$0	\$4,226,600 NGF

Language:

Page 555, line 18, strike "\$846,000" and insert "\$5,072,600".

Explanation:

(This amendment requests additional equipment allocation to reflect the amount of equipment originally removed from the Performing Arts Center / Music Hall project in the 2002 capital bond package.)

Item C-39.15 #1h

Education: Higher Education	FY 08-09	FY 09-10
James Madison University	\$0	\$521,000 GF
	\$0	\$1,654,230 NGF

Language:

Page 555, after line 27, insert:

"C-39.15. Planning: Renovation and Addition to Duke Hall	\$0	\$2,175,230
Fund Sources: General	\$0".	\$521,000
Special		\$579,230
Higher Education Operating		\$1,075,000".

This appropriation provides funding to complete detailed planning for the renovation and addition to Duke Hall project. James Madison University is authorized to use up to \$1,075,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. The Special Funds in this amendment are from fund source 0965 and provided from unallocated planning funds in Chapter 1, 2008 Acts of the Assembly, Special Session 1."

Explanation:

(This amendment provides funding to complete planning for the renovation and addition to Duke Hall.)

	Item	C-39.15 #2h
Education: Higher Education	FY 08-09	FY 09-10
James Madison University	\$0	\$3,000,000 NGF

Language:

Page 555, after line 27, insert:

"C-39.15. Acquisition: Property Acquisition	\$0	\$3,000,000
Fund Sources: Higher Education Operating	\$0".	\$3,000,000".

Out of this appropriation, \$3,000,000 from nongeneral funds in the second year is provided to allow James Madison University to purchase property adjacent to the campus."

Explanation:

(This amendment provides nongeneral fund authority for property acquisition.)

Education: Higher Education

University Of Mary Washington

Language

Language:

Page 556, after line 38, insert:

"C-44.20.

1. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Real Estate Foundation (UMWREF) to support student housing projects and/or operational-related facilities through alternative financing agreements including public-private partnerships.

2. The University of Mary Washington is further authorized to enter into written agreements with UMWREF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students 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 documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

3. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington 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 UMWREF will provide construction and/or permanent financing.

4. The University of Mary Washington is further authorized to convey parcels of land to the UMWREF, which will develop the land for the purpose of establishing

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."

Explanation:

(This amendment is self-explanatory.)

Item C-50.30 #1h

Education: Higher Education

Old Dominion University

Language

Language:

Page 558, after line 26, insert:

"C-50.30.

Old Dominion University is hereby granted authority to convey the current President's residence to the Old Dominion University Real Estate Foundation (ODUREF) in order to reconstruct the facility. Authority is also granted to construct this project with alternative financing options which may include an agreement with the ODUREF for the design, construction and financing of the project, and to enter into a capital lease or lease for the project that may qualify as a capital lease. Old Dominion University shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget. Any such capital lease shall be exempt from the requirements of § 4-3.03(b) 2 of this act."

Explanation:

(This amendment is self-explanatory.)

Item C-61.50 #1h

Education: Higher Education

University Of Virginia

FY 08-09

\$720,000

FY 09-10

\$3,000,000 NGF

Language:

Page 560, after line 26, insert:

"C-61.50. Improvements: New Cabell Hall \$720,000 \$3,000,000

Renovation

Fund Sources: Higher Education Operating \$720,000 \$0

Bond Proceeds \$0". \$3,000,000".

1. This appropriation provides funding to complete detailed planning for the New

Cabell Hall Renovation project. The University of Virginia is authorized to use up to \$720,000 of nongeneral funds in the first year for which it shall be reimbursed when the project is funded to move into the construction phase.

2. Out of this appropriation, \$3,000,000 in Virginia College Building Authority bonds are authorized in the second year to complete the terrace connector between New Cabell Hall and the South Lawn project across Jefferson Avenue."

Explanation:

(This amendment provides funding to complete detailed planning to renovate New Cabell Hall and provides Virginia College Building Authority bond authority to complete the terrace connection between New Cabell Hall and the South Lawn project.)

	Item	C-61.50 #2h
Education: Higher Education	FY 08-09	FY 09-10
University Of Virginia	\$0	\$521,000 GF
	\$0	\$1,079,230 NGF

Language:

Page 560, after line 26, insert:

"C-61.50. Planning: Ruffner Hall Renovation	\$1,600,230
Fund Sources: General	\$521,000
Special	\$579,230
Higher Education Operating	\$500,000".

This appropriation provides funding to complete detailed planning for the Ruffner Hall Renovation project. The University of Virginia is authorized to use up to \$500,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. The Special Funds in this amendment are from fund source 0965 and provided from unallocated planning funds in Chapter 1, 2008 Acts of the Assembly, Special Session 1."

Explanation:

(This amendment provides funding to complete planning for the renovation of Ruffner Hall.)

Item	C-81.63 #1h
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Education: Higher Education

Virginia Community College System

Language

Language:

Page 566, line 21, strike "8,750" and insert "7,559".

Explanation:

(This amendment corrects the square footage cited in language describing the transfer of properties between J. Sargeant Reynolds Community College and the City of Richmond.)

	Item	C-91.10 #1h
Education: Higher Education	FY 08-09	FY 09-10
Virginia Polytechnic Institute And State University	\$0	\$30,000,000 NGF

Language:

Page 568, after line 11, insert:	
"C-91.10. New Construction: Parking Facility	\$30,000,000
Fund Sources: Bond Proceeds	\$30,000,000".

Explanation:

(This amendment requests 9(c) revenue bond authority to construct a new parking facility.)

	Item	C-91.10 #2h
Education: Higher Education	FY 08-09	FY 09-10
Virginia Polytechnic Institute And State University	\$0	\$521,000 GF
	\$0	\$1,562,580 NGF

Language:

Page 568, after line 11, insert:	
"C-91.10. Planning: Engineering Signature Building	\$2,083,580
Fund Sources: General	\$521,000

Special \$579,230
Higher Education Operating \$983,350".

This appropriation provides funding to complete detailed planning for the new Engineering Signature Building project. Virginia Tech is authorized to use up to \$983,350 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase. The Special Funds in this amendment are from fund source 0965 and provided from unallocated planning funds in Chapter 1, 2008 Acts of the Assembly, Special Session 1."

Explanation:

(This amendment provides funding to complete the planning for the new Engineering Signature Building.)

ItemC-103.05 #1h

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 570, strike lines 10 through 20 and insert:

"A. Notwithstanding any other provision of law, the following provisions shall be implemented:

1. The Department of General Services (DGS), with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall rebuild and resize the Southeastern Virginia Training Center to a 75-bed facility to serve profound and severely disabled clients;
2. The Director, Department of Planning and Budget, shall transfer \$23,800,000 of the amount appropriated in Chapter 1, 2008 Acts of Assembly, Special Session I for project 17458 (Repair/Replace Southeastern Virginia Training Center) for the purpose stated in paragraph A.1. of this item;
3. The Department of General Services, with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall build, acquire, or renovate 12 community-based Intermediate Care Facilities (ICF-MR) in Health Planning Region V. Priority should be given to projects which can be completed on existing state-owned property within Health

Planning Region V;

4. The Director, Department of Planning and Budget shall transfer \$2,700,000 of the amount appropriated in Chapter 1, 2008 Acts of Assembly, Special Session I for project 17457, (Repair/Replace Central Virginia Training Center) for the purpose stated in paragraph A.3. of this item.

5. The Governor, the Director, Department of Planning and Budget and the Director, Department of General Services, shall suspend the regular capital outlay process and initiate an expedited, fast track capital outlay process to ensure the timely availability of both the rebuilt and resized Southeastern Virginia Training Center and the 12 community-based Intermediate Care Facilities (ICF-MR) in Health Planning Region V. The Governor's expedited process shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees for approval by July 15, 2009.

B. The Department of General Services (DGS), with the cooperation and support of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS), shall examine the potential uses for the Southeastern Virginia Training Center property and report on such uses to Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009."

Explanation:

(This amendment is self-explanatory.)

ItemC-113.05 #1h

Natural Resources

Department Of Game And Inland
Fisheries

FY 08-09

\$0

FY 09-10

(\$4,000,000) NGF

Language:

Page 572, line 45, strike "\$14,000,000" and insert "\$10,000,000".

Page 573, strike lines 2 through 14 and insert:

"1. The Department of Game and Inland Fisheries, in consultation with the Department of General Services, shall construct the replacement of the current Department of Game and Inland Fisheries headquarters. The project may be completed using either a) a construction manager at risk agreement, b) an agreement under the Public-Private Education Facilities and Infrastructure Act of 2002 (§

56-575.1 et seq., Code of Virginia), or c) a design-build process. However, any such agreement or contract must first be approved by the Director, Department of General Services. In addition, the cost of any such agreement shall not exceed \$10 million.

2. This project shall be constructed on existing state-owned property, with priority given to property owned by the Department of Game and Inland Fisheries (DGIF) or the Department of Conservation and Recreation (DCR). Such property should allow for the co-location of the new headquarters with a DGIF or DCR facility in order to allow for shared infrastructure and maximize access for customers. In addition, the project size will comply with the Department of General Services' space guidelines.

3. Prior to entering into any contract or agreement and no later than October 1, 2009, the Department of Game and Inland Fisheries and the Department of General Services shall jointly report to the Chairmen of the House Appropriations and Senate Finance Committees, on the project options under consideration to include project cost, project size and project location."

Explanation:

(This amendment revises the proposed replacement of the Department of Game and Inland Fisheries headquarters to ensure that the project complies with current space standards and utilizes existing state property for a location.)

	Item	C-176 #1h
Central Appropriations	FY 08-09	FY 09-10
Central Capital Outlay	\$0	\$2,587,000 NGF

Language:

Page 584, line 13, strike "\$75,000,000" and insert "\$77,587,000".

Page 584, line 22, strike "2,785,000" and insert "5,000,000".

Page 584, line 50, strike "3,000" and insert "75,000".

Page 585, line 3, strike "643,000" and insert "943,000".

Page 585, line 12, strike the second "75,000,000" and insert "77,587,000".

Page 586, after line 6, insert:

"H. 1. Out of the amount allocated for the Department of General Services (14260), up to \$215,000 the second year is designated to completely secure the DeJarnette Buildings in Staunton, Virginia.

2. The Department of General Services is authorized to use these funds from project

14260 in the second year for necessary repairs and improvements in and around capitol square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.

I. Out of the amount allocated for the Department of Conservation and Recreation (16646), \$300,000 the second year is designated for electrical system and utility line upgrades at Breaks Interstate Park."

Explanation:

(This amendment provides an increase in maintenance reserve allocation for the Library of Virginia, the Department of Conservation and Recreation for electrical upgrades and for the Department of General Services for projects at the seat of government and to shutter the DeJarnette facility for safety and security.)

Item C-180 #1h

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 590, line 47, strike "\$518,019,000" and insert "\$516,065,000".

Page 591, line 55, strike "\$6,879,000" and insert "\$4,925,000".

Page 591, line 63, strike "\$518,019,000" and insert "\$516,065,000".

Explanation:

(This amendment corrects the amount listed in the 9(d) revenue bond table for the capital project to Construct Chesapeake Academic Building, Site Infrastructure, at Tidewater Community College.)

ItemC-181.20 #1h

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 597, after line 8, insert:

"C-181.20.

" A.1. The Director, Department of Planning and Budget is authorized to transfer up to \$1,500,000 from the following capital projects listed in the table below by agency, fund code, and project code:

Agency Code	Project Code
123	10893
123	15742
123	17245
127	15989
146	13634
156	10886
156	17250
156	17504
161	15994
194	14260
194	17177
194	17232
199	16646
199	16893
203	10885
218	14082
218	16454
301	12253
402	16498
409	13096
411	13986
411	16138
411	17092
411	17233
417	12382
417	15407
425	13605
702	13942
720	10880
720	16725
720	16975
720	17457
720	17458
777	15081

777	15203
777	15204
777	16541
777	17254
777	17255
777	17257
778	16320
778	17173
778	17459
799	10887
799	15665
799	16106
799	16438
799	17172
912	17073
912	17241
948	16499
948	16864
949	15776
949	16170

2. The Director, Department of Planning and Budget, shall restore from proceeds of unused bond authority from Agency Code 778, Project Code 17459 an amount equivalent to the general fund appropriation reverted from the capital projects in paragraph A.1."

Explanation:

(This amendment transfers unused but previously authorized bond proceeds from the Northern Virginia Forensic Lab project (778-17459) to replace up to \$1.5 million in general fund for the projects listed.)

Item C-182 #1h

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 597, line 18, strike"\$194,719,373" and insert "\$199,786,373".

Page 599, line 8, strike"\$194,719,373" and insert "\$199,786,373".

Explanation:

(This amendment corrects a typographical error in the introduced budget bill.)

Item 3-1.01 #1h

Transfers

Interfund Transfers

Language

Language:

Page 609, line 47, strike "\$63,525,964" and insert "\$63,585,964".

Page 611, line 4, strike "\$0" and insert "\$60,000".

Explanation:

(This amendment accounts for the transfer of bedding fee revenues from the Department of Health's Bedding and Upholstery Sanitation Fund to the general fund in fiscal year 2010. The strategy to transfer bedding fee revenues to the general fund was erroneously reflected as an appropriation reduction instead of a cash transfer. A companion amendment to Item 301.05 restores the equivalent general fund appropriation amount to the Department of Health.)

Item 3-1.01 #2h

Transfers

Interfund Transfers

Language

Language:

Page 611, after line 26, insert:

"Revert nongeneral fund amounts 0280 \$0 \$1,000,000".

Explanation:

(This amendment reverts \$1.0 million in nongeneral fund amounts from indirect cost recoveries in the Virginia Department of Health to the general fund in the second year.)

Item 3-1.01 #3h

Transfers

Language:

Page 612, after line 26, insert:

"GG. On or before June 30, 2009, the State Comptroller shall transfer to the general fund \$149,000,000 from the Department of Environmental Quality representing the cash balance of the Water Quality Improvement Fund. It is the intent of the General Assembly that this sum be restored to the Water Quality Improvement Fund to the extent federal funds are received by the Commonwealth from the "American Recovery and Reinvestment Act of 2009" or similar legislation adopted by the 111th Congress."

Explanation:

(This amendment transfers the cash balance held by the Department of Environmental Quality in the Water Quality Improvement Fund to the general fund. The Department of Environmental Quality is authorized the use of \$250 million in bonds by the Appropriation Act. These bonds will be sufficient to provide the Commonwealth's share of the costs of wastewater treatment plant improvements. The transfer will not be made if the Commonwealth receives federal funds from any federal stimulus package.)

Item 3-1.01 #4h

Transfers

Interfund Transfers

Language

Language:

Page 612, after line 26, insert:

"GG. On or before June 30, 2009, the State Comptroller shall transfer an amount estimated at \$48,000 to the general fund from the Litter Control and Recycling Fund maintained by the Department of Environmental Quality."

Explanation:

(This amendment captures balances in the Litter Control and Recycling Fund remaining following the full distribution of amounts to localities.)

Item 3-1.01 #5h

Transfers

Interfund Transfers

Language

Language:

Page 610, line 1, after "0610" strike "\$0" and insert "\$1,700,000".

Explanation:

(This amendment reverts \$1.7 million in nongeneral fund balances from the Department of General Services Office of Fleet Vehicle Management.)

Item 3-1.04 #1h

Transfers

Reversion of IDA Funding

Language

Language:

Page 612, after line 53, insert:

"In accordance with the provisions of Item 119, paragraph O., Chapter 847, 2007 Acts of Assembly, and as reflected in the agreement between the Virginia Economic Development Partnership and the Industrial Development Authority (IDA) of Pulaski County dated February 25, 2008, the Pulaski IDA is hereby instructed to return to the Virginia Economic Development Partnership the \$1,000,000 provided to support the Volvo Center for Excellence. These funds shall revert to the general fund no later than June 30, 2009."

Explanation:

(This amendment directs the Pulaski Industrial Development Authority to return the \$1.0 million provided to it by the Virginia Economic Development Partnership to support the construction of the New River Valley Center of Excellence. This appropriation was contingent upon Volvo Trucks meeting certain performance requirements and conveying the land to the Pulaski IDA. As this has not occurred, the funds are to revert to the general fund.)

Item 3-5.07 #1h

Adjustments and Modifications to Tax Collections

Renewable Energy Income Tax Credits

Language

Language:

Page 618, strike line 1 through line 48.

Page 619, strike line 1 through line 4.

Explanation:

(This amendment eliminates language included in the budget relating to the proposed renewable energy income tax credit. Companion legislation authorizing this new tax credit was not adopted by the House.)

Item 3-5.08 #1h

Adjustments and Modifications to Tax Collections

Captive Real Estate Investment Trust

Language

Language:

Page 619, strike lines 5 through 44.

Explanation:

(This amendment eliminates language which implemented a change to the dividends deductible for corporations that are Captive Real Estate Investment Trusts (REITs). Stand-alone legislation (HB 2504) implementing this tax policy change has been adopted by the House, therefore this language is not needed in the appropriation act.)

Item 3-5.09 #1h

Adjustments and Modifications to Tax Collections

Energy Efficient Systems Sales and Use Tax Exemption

Language

Language:

Page 620, strike line 1 through line 20.

Explanation:

(This amendment removes language reflecting a legislative proposal to exempt energy efficient solar photovoltaic, solar thermal and wind powered electrical generators from sales tax because the proposal was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.10 #1h

Adjustments and Modifications to Tax Collections

Conformity to Internal Revenue Code

Language

Language:

Page 620, strike lines 21 through 26.

Explanation:

(This amendment eliminates language that moves Virginia's fixed date conformity with the Internal Revenue Service Code. House Bill 1737, adopted by the House, implements this change making the language unnecessary in the appropriation act.)

Item 3-5.11 #1h

Adjustments and Modifications to Tax Collections

Sales and Use Tax Dealer Discount

Language

Language:

Page 620, strike line 27 through line 29.

Explanation:

(This amendment removes language reflecting a legislative proposal to remove all dealer discounts for sales tax collection that was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.12 #1h

Adjustments and Modifications to Tax Collections

Land Preservation Income Tax Credit

Language

Language:

Page 620, strike lines 30 through 36.

Explanation:

(This amendment eliminates language changing the land preservation tax credit cap

from \$100,000 to \$50,000 for tax years 2009 and 2010. House Bill 1891, which makes identical changes, has been adopted by the House.)

Item 3-5.14 #1h

Adjustments and Modifications to Tax Collections

Cigarette and Tobacco Products Taxes

Language

Language:

Page 620, strike lines 41 through 51.

Page 621, strike lines 1 through 4.

Explanation:

(This amendment eliminates language relating to the failed proposal to increase the tobacco products tax by 30 cents per pack that had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.15 #1h

Adjustments and Modifications to Tax Collections

Tire Recycling Fee Discount

Language

Language:

Page 621, strike line 5 through line 7.

Explanation:

(This amendment removes language reflecting a legislative proposal to remove all dealer discounts for tire recycling fees that was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.16 #1h

Adjustments and Modifications to Tax Collections

Communications Sales and Use Tax Dealer Discount

Language

Language:

Page 621, strike line 8 through line 10.

Explanation:

(This amendment removes language reflecting a legislative proposal to remove all dealer discounts for communications sales and use tax that was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.17 #1h

Adjustments and Modifications to Tax Collections

Tax for Enhanced 911 Services Discount

Language

Language:

Page 621, strike line 11 through line 13.

Explanation:

(This amendment removes language reflecting a legislative proposal to remove all dealer discounts for enhanced 911 services that was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Item 3-5.18 #1h

Adjustments and Modifications to Tax Collections

Fuels Tax Discounts

Language

Language:

Page 621, strike line 14 through line 17.

Explanation:

(This amendment removes language reflecting a legislative proposal to remove all dealer discounts for motor fuels tax collection that was not adopted by the 2009 Session of the General Assembly but had been assumed in the Governor's amendments to the budget as introduced.)

Adjustments And Modifications To Tax Collections

Tax Amnesty Program

Language

Language:

Page 621, after line 17, insert:

"There is hereby established a Virginia Tax Amnesty Program which shall be conducted during the period July 1, 2009, through June 30, 2010, and shall not last less than 60 nor more than 75 days. The exact dates of the program shall be established by the Tax Commissioner.

a. The Virginia Tax Amnesty Program shall be administered by the Department of Taxation, and any person, individual, corporation, estate, trust or partnership required to file a return or to pay any tax administered or collected by the Department of Taxation shall be eligible to participate, subject to the requirements set forth below and guidelines established by the Tax Commissioner.

b. The Tax Commissioner shall establish guidelines and rules for the procedures for participation and any other rules that are deemed necessary by the Tax Commissioner. The guidelines and rules issued by the Tax Commissioner regarding the Virginia Tax Amnesty Program shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

c. The Virginia Tax Amnesty Program shall have the following features:

1. All civil or criminal penalties assessed or assessable, including the addition to tax under §§ 58.1-492 and 58.1-504, and one-half of the interest assessed or assessable, which are the result of nonpayment, underpayment, nonreporting or underreporting of tax liabilities, shall be waived upon receipt of the payment of the amount of taxes and interest owed, with the following exceptions:

2. No person, individual, corporation, estate, trust or partnership currently under investigation or prosecution for filing a fraudulent return or failing to file a return with the intent to evade tax shall qualify to participate.

3. No person, individual, corporation, estate, trust or partnership shall be eligible to participate in the program with respect to any assessment outstanding for which the date of assessment is less than 90 days prior to the first day of the program or with respect to any liability arising from the failure to file a return for which the due date of

the return is less than 90 days prior to the first day of the program.

4. No person, individual, corporation, estate, or trust shall be eligible to participate in the program with respect to any tax liability from the income taxes imposed by §§ 58.1-320, 58.1-360 and 58.1-400, if the tax liability is attributable to taxable years beginning on and after January 1, 2008.

d. For the purpose of computing the outstanding balance due because of the nonpayment, underpayment, nonreporting or underreporting of any tax liability that has not been assessed prior to the first day of the program, the rate of interest specified for omitted taxes and assessments under § 58.1-15 shall not be applicable. The Tax Commissioner shall, instead, establish one interest rate to be used for each taxable year that approximates the average "underpayment rate" specified under § 58.1-15 for the five-year period immediately preceding the program.

e. 1. If any taxpayer eligible for amnesty under this section and under the rules and guidelines established by the Tax Commissioner retains any outstanding balance after the close of the Virginia Tax Amnesty Program because of the nonpayment, underpayment, nonreporting or underreporting of any tax liability eligible for relief under the Virginia Tax Amnesty Program, then such balance shall be subject to a 20 percent penalty on the unpaid tax. This penalty is in addition to all other penalties that may apply to the taxpayer.

2. Any taxpayer who defaults upon any agreement to pay tax and interest arising out of a grant of amnesty is subject to reinstatement of the penalty and interest forgiven and the imposition of the penalty under this section as though the taxpayer retained the original outstanding balance at the close of the Virginia Tax Amnesty Program.

f. For the purpose of implementing the Virginia Tax Amnesty Program, the Department is exempt from § 2.2-2015, and §§ 2.2-2018 through 2.2-2021 pertaining to the Virginia Information Technologies Agency's project management and procurement oversight."

Explanation:

(This amendment authorizes the Department of Taxation to implement a Tax Amnesty program of between 60 and 75 days during fiscal year 2010. A companion amendment to the Department of Taxation provides funding necessary to manage the program which is estimated to generate a net of \$36.3 million in revenues to the general fund in the second year.)

General Provisions

Operating Policies

Language

Language:

Page 622, after line 9, insert:

"d. No funding in this budget, or matching funds related to funding included in this budget, may be provided for human stem cell research from stem cells directly obtained from human embryos; however, research conducted using stem cells other than embryonic stem cells may be funded.

e. No funding in this budget, or matching funds related to funding included in this budget, may be provided for research on cells or tissues derived from induced abortions on humans."

Explanation:

(This amendment would prohibit state funding of embryonic stem cell research itself, but it would also permit entities that conduct such research (without using state money) to receive state funding. Entities that receive funding for embryonic stem cell research from federal and private sources may also receive state dollars for purposes other than embryonic stem research. State funding of research on aborted fetuses would be prohibited.)

General Provisions

Operating Policies

Language

Language:

Page 622, after line 9, insert:

"d. Public higher education institutions are not subject to the provisions of § 2.2-4800 or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of

outstanding accounts receivable."

Explanation:

(This amendment allows public colleges and universities to enroll students receiving benefits under the G.I. Bill and not be subject to the delinquent account regulations of the Department of Accounts for those students. This will permit these students to advance register for classes prior to receipt of G.I. Bill benefits.)

Item 4-0.01 #3h

General Provisions

Operating Policies

Language

Language:

Page 622, after line 9, insert:

"d. 1. The State Council of Higher Education for Virginia shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year the three-year rolling average number of nonresident undergraduate students enrolled at each four-year public college or university, as a percentage of total undergraduate enrollment.

2. With the exception of Norfolk State University, Virginia Military Institute, and Virginia State University, any four-year public college or university with a three-year rolling average nonresident undergraduate enrollment that exceeds thirty (30) percent shall be subject to the following provisions beginning with the Fall 2010 entering class:

a) The institutions shall not increase the overall undergraduate proportion of nonresident students from the previous Fall;

b) The institution shall reserve at least 70 percent of any increase in new freshmen over the previous Fall for resident undergraduate students;

c) The institution shall reserve at least 80 percent of new transfer student slots for resident students.

3. In determining the appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the increase in new resident undergraduate student enrollment prescribed in d.2."

Explanation:

(This amendment clarifies the policy of the Commonwealth with regard to out-of-state undergraduate enrollment. If an institution has an out-of-state undergraduate percentage enrollment level three-year rolling average that exceeds thirty (30) percent, then the institution would be subject to the enrollment provisions of this item which require not increasing the current proportion of out-of-state students, reserving 70 percent of the increase in new freshmen seats for in-state undergraduate students and reserving 80 percent of new transfer student seats for in-state students.)

Item 4-1.04 #1h

Appropriations

Appropriation Increases

Language

Language:

Page 626, line 23, after "year.", insert:

"However, the Director, Department of Planning and Budget, may not authorize an increase in the appropriation authority of any state agency for nongeneral fund revenue derived from "The American Recovery and Reinvestment Act of 2009" or other similar act adopted by the 111th Congress without an appropriation from the General Assembly."

Explanation:

(This amendment provides that the Director of the Department of Planning and Budget may not increase state agency appropriation authority to account for funding received from the federal government as part of any fiscal stimulus package adopted by Congress.)

Item 4-1.08 #1h

Appropriations

Appropriation Reductions to Address Revenue Shortfall

Language

Language:

Page 650, strike line 35.

Explanation:

(This amendment eliminates the Governor's \$50,000 general fund reduction in support for the development of an automated system for the processing of veterans' disability claims.)

Item 4-1.08 #2h

Appropriations

Appropriation Reductions to Address Revenue Shortfall

Language

Language:

Page 628, strike lines 48 through 51.

Page 629, strike line 1 and insert:

"A. State agencies and institutions with appropriation reductions contained in Part I of this act within the item "Executive Management, Savings from Management Actions" are to be guided by the reductions strategies outlined in this section. If modifications to the reductions outlined in this section are necessary, such modifications will be reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee pursuant to § 4-1.02.d.5.a) of this act."

Explanation:

(This amendment provides that state agencies and institutions with appropriations reduction should utilize this section of the budget to guide the implementation of those reductions.)

Item 4-1.08 #3h

Appropriations

Appropriation Reductions to Address Revenue Shortfall

Language

Language:

Page 650, strike lines 45 and 46.

Explanation:

(This amendment eliminates the proposed savings associated with the conversion of two Parole Board members to part-time status. A companion amendment appropriates the funding within the Parole Board to restore the members to full-time status.)

Special Conditions and Restrictions on Expenditures

Services and Clients

Language

Language:

Page 667, after line 22, insert:

"3. Notwithstanding the provisions of § 44-26, Code of Virginia, the Department of Military Affairs shall not consolidate the headquarters or staff of the Virginia Army National Guard in any location other than Fort Pickett without the approval of the General Assembly."

Page 667, line 23, strike "3." and insert "4."

Explanation:

(This amendment requires the Department of Military Affairs to maintain Fort Pickett as the headquarters of the Virginia Army National Guard and prevents the consolidation of that headquarters or the Virginia Army National Guard's staff in any other location without the General Assembly's approval.)

Special Conditions and Restrictions on Expenditures

Good and Services

Language

Language:

Page 670, after line 30, insert:

"j. MEDICAL SERVICES: No expenditures from general, special or other nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except as otherwise required by federal statute. However, nothing herein shall prevent a physician from providing medical assistance to preserve the life of a pregnant woman provided that every possible measure shall be taken to preserve the life of the unborn child of the pregnant woman."

Explanation:

(This amendment is self-explanatory.)

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 670, after line 30, insert:

"j. MEDICAL SERVICES: No expenditures from general, special or other nongeneral fund sources may be made out of any appropriation by the General Assembly to the Planned Parenthood Federation of America, Inc. or any subsidiary or affiliate thereof."

Explanation:

(This amendment is self-explanatory.)

Item 4-6.03 #1h

Positions and Employment

Employee Benefits

Language

Language:

Page 682, after line 29, insert:

"j. There are hereby established the 2009 and 2010 Early Retirement Programs for School Division Employees. School divisions have the option to participate in the 2009 Program, the 2010 Program, or in both the 2009 and 2010 Programs. The VRS Board of Trustees will develop policies and procedures to administer the Programs within the following parameters:

1) Eligibility and Approval for Participation in the 2009 Program.

a) The Program is limited to any professional or nonprofessional employee, except the school division superintendent, of a school board who has, as of June 30, 2009, (i) attained the age of 50; (ii) completed at least 25 years of service as a VRS covered employee; (iii) been in continuous service in a covered position with their school division during the period between January 1, 2009 and their date of retirement under this Program; and (iv) not previously received a retirement benefit from VRS since July 1, 2007.

b) Any covered employee on official leave of absence during the period between January 1, 2009 and his or her date of retirement under this Program will be considered to be in continuous service.

c) The school division, in its sole discretion, may elect whether the professional, nonprofessional, or both groups of covered employees will be eligible for the Program. Participation by each employee who meets the eligibility criteria will be subject to approval by the school division, in the school division's sole discretion.

2) Grant of Service Under the 2009 Program.

a) Eligible employees approved for participation by their respective school divisions (i) will be granted an adjustment to their accumulated creditable service for purposes of their retirement allowance and health insurance credit, and (ii) will not be subject to any actuarial reductions in their service retirement benefit, except as provided in §§ 51.1-165 and 51.1-165.01, Code of Virginia.

b) Each school division may grant 1, 2, 3, 4, or 5 additional full years of creditable service to either or both of its professional and nonprofessional staff that participate in the Program. The additional years of service elected for the professional participants will apply uniformly to all professional participants, and the additional years of service elected for the nonprofessional participants will apply uniformly to all nonprofessional participants. Granted service under the program will not be credited to a participating member's record until his or her date of retirement under the Program.

3) Deadline for Each School Division to Make Its Election for the 2009 Program.

a) No later than May 15, 2009, each school division shall notify VRS of its election to participate in the Program and the number of years of additional creditable service to be granted to its approved participants. Such elections shall be evidenced by resolutions approved by the Board of each participating school division and its local governing body.

b) Each participating school division shall notify each employee of his or her eligibility to participate in the Program no later than May 15, 2009.

4) Repayment Obligations of Participating School Divisions in the 2009 Program.

Participating school divisions shall repay VRS for the cost of any granted creditable service at the rate of 20 percent of each participant's annual salary at such participant's retirement date multiplied by the number of years of granted creditable service. Repayment will be made to VRS in five equal annual installments payable on July 1 of each consecutive year, commencing on July 1, 2010 or in a lump sum payment due by July 1, 2010.

5) Election by Participants for the 2009 Program.

Participation by a school division's eligible employees shall be voluntary. Each participant must elect participation and gain approval by his or her school division by June 1, 2009. School divisions shall notify VRS of all approved participants by June 15, 2009. Each participating employee should submit a service retirement application to VRS at least 60 days prior to his or her retirement date.

6) Retirement Dates for the 2009 Program.

Any approved participant must elect a retirement date after June 30, 2009 and before July 1, 2010.

7) Retirement and Employment Restrictions On Participants for the 2009 Program.

a) Upon retirement under this Program, each participant agrees that he or she will not accept employment (i) with his or her former school division in any capacity, including employment as an independent contractor, or (ii) with any agency or business providing services to his or her former school division, unless in a capacity that is not comparable to the participant's preretirement function or role within the school division. Participation in a school division's official Early Retirement Incentive Program (ERIP) or service as a substitute teacher shall not, however, be subject to this restriction.

b) Except as provided in § 51.1-155(B)(2), (i) no participant shall obtain VRS covered employment with any other employer for at least 12 calendar months following his or her retirement date under the Program, and (ii) upon any subsequent reemployment in a VRS covered position, the added creditable service gained by participation in the Program will be forfeited upon subsequent re-retirement.

c) Failure by a participant to comply with the restrictions in 7a and 7b will cause the participant to lose the benefits under this Program and obligate the participant to repay any such benefits already received.

8) The provisions of the 2009 Program shall apply to the 2010 Program mutatis mutandis with all of the relevant dates advanced forward by one full calendar year.

Explanation:

(This amendment provides school divisions with the opportunity to offer early retirement programs to eligible professional and nonprofessional employees. To be eligible for the Programs, employees must be at least 50 years of age with 25 years of creditable service. Each school division may grant 1, 2, 3, 4, or 5 additional full years of creditable service to either or both of its professional and nonprofessional staff that participate in the Programs. Participating school divisions shall repay VRS for the cost

of any granted creditable service at the rate of 20 percent of each participant's annual salary at such participant's retirement date multiplied by the number of years of granted creditable service. Repayment will be made to VRS in five equal annual installments payable on July 1 of each consecutive year, commencing on July 1, 2010 for the 2009 Program, or July 1, 2011 for the 2010 Program.)

Item 4-6.05 #1h

Positions and Employment

Selection of Applicants for Classified Positions

Language

Language:

Page 683, beginning of line 19, insert "a."

Page 683, after line 21, insert:

"b. Beginning July 1, 2009, all political subdivisions and state agencies of the Commonwealth of Virginia shall, where appropriate, use the E-Verify System to ascertain the work status of all new employees."

Explanation:

(This amendment requires state agencies, cities, and counties of the Commonwealth of Virginia to ascertain the legal work status of all new employees using the "E-Verify" system operated by the Department of Homeland Security and Social Security Administration.)

Item 4-8.01 #1h

Reporting Requirements

Governor

Language

Language:

Page 684, after line 48, insert:

"3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

b) The Governor is authorized to suspend reporting requirements which in his judgment do not meet these criteria, provided however that prior to July 15, 2009, he reports to the Speaker of the House of Delegates, and the Chairman of the House Appropriations Committee, and the Chairmen of the Senate Committees on Finance and Rules those reporting requirements he intends to suspend.

c) State institutions of higher education, working with the Director, State Council of Higher Education for Virginia, the Secretary of Education, the Secretary of Finance, and the Director, Department of Planning and Budget, shall identify a list of reporting requirements that may not meet the criteria specified above, and which the Governor should consider suspending.

Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended:

Agency	Report Title of Descriptor	Source
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23-1.1.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)
State Employee Worker's Compensation Program	Work-related injuries and illnesses report -- goals, strategies, and results	Agency Directive -- Executive Order 94 (2006)
Department of Planning and Budget	Organizational Memberships over \$5,000	Appropriations Act
Secretary of Commerce and Trade	Recruitment of National and Regional Conferences Report	Agency Directive -- Executive Order 14 (2006)
State Council of Higher Education for Virginia	Generalists Initiative	Item 145 F1. UVA, VCU and EVMS only. Specific performance measures

deleted in 2006-08
Appropriations Act.
Biennial reporting still
required."

Explanation:

(This amendment continues efforts to streamline reporting requirements under higher education restructuring.)

Item 4-13.00 #1h

Effective Date

Effective Date

Language

Language:

Page 691, after line 41, insert:

"2. That §§ 58.1-615 and 58.1-622, of the Code of Virginia are amended and reenacted as follows:

§ 58.1-615. Returns by dealers.

A. 1. ~~Every~~*The provisions of this subdivision shall apply to each dealer required to collect or pay the sales or use tax who has gross annual sales of less than \$20,000,000 for the 12-month period beginning June 1, and ending May 30 of the immediately preceding calendar year. Each such dealer shall, on or before the twentieth day of the month, following the month in which the tax shall become effective, transmit to the Tax Commissioner a return showing the gross sales, gross proceeds, or cost price, as the case may be, arising from all transactions taxable under this chapter during the preceding calendar month, and thereafter a like return shall be prepared and transmitted to the Tax Commissioner by every dealer on or before the twentieth day of each month, for the preceding calendar month.*

2. *The provisions of this subdivision shall apply to each dealer required to collect or pay the sales or use tax who has gross annual sales equal to or greater than \$20,000,000 for the 12-month period beginning June 1, and ending May 30 of the immediately preceding calendar year. Beginning June 2010, each such dealer shall transmit to the Tax Commissioner a return showing the gross sales, gross proceeds, or cost price, as the case may be, arising from all transactions taxable under this chapter (i) for the first fifteen days of the month, on or before the twenty-fifth day of the same month, and (ii) for the remaining days in the month, on or before the*

twentieth day of the following month.

3. In the case of dealers regularly keeping books and accounts on the basis of an annual period which varies 52 to 53 weeks, the Tax Commissioner may make rules and regulations for reporting consistent with such accounting period. Notwithstanding any other provision of this chapter, a dealer may be required by the Tax Commissioner to file sales or use tax returns on an accounting period less frequent ~~than~~ *frequently than monthly* ~~than the filing dates pursuant to subdivision 1 or 2,~~ when, in the opinion of the Tax Commissioner, the administration of the taxes imposed by this chapter would be enhanced. ~~If a dealer is required to file other than monthly, each such return shall be due on or before the twentieth day of the month following the close of the period. Each such return shall contain all information required for monthly returns.~~

B. A sales or use tax return shall be filed by each registered dealer even though the dealer is not liable to remit to the Tax Commissioner any tax for the period covered by the return.

~~B.C .~~ 1. In addition to the amounts required under the provisions of this section and § 58.1-616, any dealer as defined by § 58.1-612 or direct payment permit holder pursuant to § 58.1-624, with taxable sales and purchases of \$1,300,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Beginning July 1, 2005, for the payment required in 2006, the payment required under this subdivision shall only apply to such dealers or direct payment permit holders with taxable sales and purchases of \$50,000,000 or greater for such period of time and the payment required shall equal 20 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payment is made by electronic funds transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before the 25th day of June. For purposes of this provision, taxable sales or purchases shall be computed without regard to the number of certificates of registration held by the dealer. Every dealer or direct payment permit holder shall be entitled to a credit for the payment under this subsection on the return for June of the current year due July 20. The provisions of this subsection shall not apply to persons who are required to file only a Form ST-7, Consumer User Tax Return.

2. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or full payment of the sales and use tax

liability as provided in this subsection shall subject the dealer or direct payment permit holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax Commissioner. Interest will accrue as provided in § 58.1-15. The payment required by this subsection shall become delinquent on the first day following the due date set forth in this subsection if not paid. The provisions of this subsection shall expire on August 1, 2006.

€. D. Any return required to be filed with the Tax Commissioner under this section shall be deemed to have been filed with the Tax Commissioner on the date that such return is delivered by the dealer to the commissioner of the revenue or the treasurer for the locality in which the dealer is located and receipt is acknowledged by the commissioner of the revenue or treasurer. The commissioner of the revenue or the treasurer shall stamp such date on the return, and shall mail the return to the Tax Commissioner no later than the following business day. The commissioner of the revenue or the treasurer may collect from the dealer the cost of postage for such mailing.

§ 58.1-622. Discount.

A. ~~For~~ *Subject to the provisions of subsection B, for* the purpose of compensating a dealer holding a certificate of registration under § 58.1-613 for accounting for and remitting the tax levied by this chapter, such dealer shall be allowed the following percentages of the first three percent of the tax levied by §§ 58.1-603 and 58.1-604 and accounted for in the form of a deduction in submitting his return and paying the amount due by him if the amount due was not delinquent at the time of payment.

Monthly Taxable Sales	Percentage
\$0 to \$62,500	4%
\$62,501 to \$208,000	3%
\$208,001 and above	2%

B. *The amount of compensation provided in subsection A shall not exceed \$800 in any month.* The discount allowed by this section shall be computed according to the schedule provided, regardless of the number of certificates of registration held by a dealer.

3. That the provisions of the second enactment amending subdivision A § 58.1-622 of the Code of Virginia are effective beginning with the sales and use tax returns due in July 2009 for collections in the previous month."

Page 691, line 47, strike "3." and insert "5."

Page 692, line 2, strike "4." and insert "6."
after "6."

Page 692, line 3, after "second" strike "and" and insert ", "

Page 692, line 3, after "third" insert ", fourth and fifth."

Explanation:

(This amendment amends provisions relating to the remittance of sales tax revenues.)
