

Conference Report on House Bill 1500

Item 0 #1c

Revenues

Revenues

Language

Language:

Page 1, strike lines 4 and 5 and insert:

"A BILL to amend Chapter 4, Acts of Assembly, 2004, Special Session I, and to amend and reenact § 58.1-615 of the Code of Virginia, relating to the appropriation of funds for the 2004-06 biennium for the two years ending respectively on the thirtieth day of June 2005 and the thirtieth day of June 2006 and the provision of a portion of such funds."

Page 1, line 22, after "\$4-12.00" strike "and Enactment No. 5" and insert:

"and Enactments No. 2, No. 4, and No. 5".

Page 1, line 29, after "C-196.10" and insert:

"and by adding a sixth enactment clause".

Page 1, strike lines 44 through 52 and insert:

"

	First Year	Second Year	Total
Unreserved Balance, June 30, 2004	677,089,000	0	677,089,000
Additions to Balance	(120,644,221)	30,716,691	(89,927,530)
Official Revenue Estimates	13,142,249,323	13,313,511,116	26,455,760,439
Lottery Proceeds Fund	423,500,000	441,800,000	865,300,000
Transfers	314,323,678	397,307,422	711,631,100
Total General Fund Resources Available for Appropriations	14,436,517,780	14,183,335,229	28,619,853,009
"			

Page 2, strike lines 1 through 5

Page 2, strike lines 7 through 18 and insert:

	First Year	Second Year	Total
Balance June 30, 2004	2,596,134,796	0	2,596,134,796
Official Revenue Estimates	16,441,814,125	17,216,803,150	33,658,617,275
Bond Proceeds	1,208,894,290	150,222,600	1,359,116,890
Total Nongeneral Fund Revenues Available for Appropriations	20,246,843,211	17,367,025,750	37,613,868,961
Total Projected Revenues	34,683,360,991	31,550,360,979	66,233,721,970
"			

Explanation:

(This amendment reflects general fund and nongeneral fund revenue adjustments

Conference Report on House Bill 1500

included in amendments to House Bill 1500/Senate Bill 700, as introduced and provides the necessary reference to accelerated sales tax changes which are contained in Item 4-12.00.)

Item 1 #1c

Legislative Department	FY 04-05	FY 05-06	
General Assembly Of Virginia	\$0	\$138,741	GF

Language:

Page 4, line 5, strike "\$26,760,575" and insert "\$26,899,316".

Page 5, line 12, strike "85 percent of".

Page 5, line 14, strike "A. 7." and insert "B.7."

Explanation:

(This amendment provides \$138,741 from the general fund in the second year to provide the secretaries and administrative assistants for members of the General Assembly per diem payments equal to those received by legislators per session day. Currently, administrative assistants receive per diem payments equal to 85 percent of the payments received by legislators.)

Item 1 #2c

Legislative Department	
General Assembly Of Virginia	Language

Language:

Page 5, line 2, strike "administrative" and insert "legislative".

Page 5, line 6, strike "secretaries or administrative" and insert "legislative".

Page 5, line 9, strike "secretary or administrative" and insert "legislative".

Page 5, line 14, strike "secretary or".

Page 5, line 15, strike "administrative" and insert "legislative".

Page 5, line 19, strike "secretary or administrative" and insert "legislative".

Page 5, line 23, strike "secretary or administrative" and insert "legislative".

Page 5, line 29, strike "secretary or administrative" and insert "legislative".

Page 5, line 33, strike "secretary or administrative" and insert "legislative".

Page 5, line 40, strike "secretary or".

Conference Report on House Bill 1500

Page 5, line 41, strike "administrative" and insert "legislative".
Page 5, line 50, strike "secretary or administrative" and insert "legislative".
Page 5, line 56, strike "administrative" and insert "legislative".
Page 6, line 1, strike "administrative" and insert "legislative".
Page 6, line 32, strike "secretary or administrative" and insert "legislative".

Explanation:

(This amendment clarifies the designation of legislative assistants to members of the General Assembly.)

Item 6 #1c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	\$15,000	\$15,000	NGF

Language:

Page 11, line 18, strike "\$5,000" and insert "\$20,000".
Page 11, line 18, strike "\$5,000" and insert "\$20,000".

Explanation:

(This amendment provides \$15,000 each year from nongeneral funds for the publication of the Session Summary by the LexisNexis Group as a supplement for subscribers to the Code of Virginia and others, at such price as shall be determined by the LexisNexis Group. This amendment is pursuant to an agreement made on February 11, 2005, between the Division of Legislative Services and Matthew Bender & Company, Inc., a member of the LexisNexis Group. Under this agreement, the Division will receive royalties equal to the greater of \$15,000 or 15 percent of the total sales revenue received from distribution of the Session Summary.)

Item 7 #1c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	\$0	\$20,000	GF

Language:

Page 11, line 23, strike "\$4,492,254" and insert "\$4,512,254".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$20,000 from the general fund in the second year to pay legislative per diems to members of the Joint Commission on Administrative Rules.)

Item 7 #2c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	2.00	2.00	FTE

Language:

Explanation:

(This amendment provides two positions from the general fund each year for the Division of Legislative Services. The necessary funding to support these two positions is already available.)

Item 7 #3c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	\$0	(\$25,000)	GF

Language:

Page 11, line 23, strike "\$4,492,254" and insert "\$4,467,254".
Page 11, line 29, strike "A."
Page 11, strike lines 35 through 39.

Explanation:

(The budget, as introduced, included \$25,000 from the general fund the second year for the Disability Commission, placing those funds within the operating budget of the Division of Legislative Services. This amendment eliminates that funding. A companion amendment to Item 9.05 of this act provides the same amount of funding, and establishes the Disability Commission as a sub-agency of the Division of Legislative Services with a distinct agency code.)

Conference Report on House Bill 1500

Item 7 #4c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	\$0	\$15,000	GF

Language:

Page 11, line 23, strike "\$4,492,254" and insert "\$4,507,254".

Explanation:

(This amendment provides \$15,000 the second year from the general fund for the Commission on Electric Utility Restructuring.)

Item 9 #1c

Legislative Department	FY 04-05	FY 05-06	
Chesapeake Bay Commission	\$0	\$30,000	GF

Language:

Page 12, line 13, strike "\$175,856" and insert "\$205,856".

Explanation:

(This amendment provides \$30,000 from the general fund in the second year to increase Virginia's contribution to the Chesapeake Bay Commission Compact from \$160,000 to \$190,000. This action is consistent with similar contribution increases approved by Pennsylvania and Maryland.)

Item 9.05 #1c

Legislative Department	FY 04-05	FY 05-06	
Division Of Legislative Services	\$0	\$25,000	GF

Language:

Page 12, after line 20, insert:

"9.05. Disability Commission (837)	\$0	\$25,000	
Fund Sources: General	\$0	\$25,000."	
"Social Services Research, Planning, and Coordination (45000)	\$0	\$25,000	

Conference Report on House Bill 1500

Social Services Coordination (45001) \$0 \$25,000
Authority: Title 30, Chapter 35, Code of Virginia."

Explanation:

(This amendment establishes the Disability Commission as a separate sub-agency within the Division of Legislative Services.)

Item 11 #1c

Legislative Department

Joint Commission On Health Care

Language

Language:

Page 12, line 34, before "The", insert "A."

Page 12, after line 38, insert:

"B. The Joint Commission shall study recent trends in federal funding from the Ryan White C.A.R.E. Act and other federal funding to Virginia's HIV/AIDS prevention and treatment programs, and shall identify the impact on Virginia's current system of care delivery to persons living with HIV/AIDS. A report shall be made to the Joint Commission in accordance with the Joint Rules Committee schedule for consideration by the 2006 Session of the General Assembly."

Explanation:

(This amendment requires a study of federal Ryan White funding to assess the impact of current federal funding trends.)

Item 18 #1c

Legislative Department

Virginia Crime Commission

FY 04-05

\$0

FY 05-06

\$88,000 GF

Language:

Page 14, line 23, strike "\$500,436" and insert "\$588,436".

Page 14, line 29, after "year", insert:

"and \$88,000 the second year".

Page 14, line 29, strike "a federal" and insert:

"expired federal grants."

Page 14, line 30, strike "grant that has expired."

Conference Report on House Bill 1500

Page 14, line 31, after "2005", insert "or fiscal year 2006".

Page 14, line 33, after "\$69,463", insert:

"the first year or \$88,000 the second year".

Explanation:

(This amendment provides \$88,000 from the general fund the second year to offset the loss of federal grants.)

Item 20 #1c

Legislative Department	FY 04-05	FY 05-06	
Virginia Housing Study Commission	\$0	\$20,000	GF

Language:

Page 15, line 15, strike "\$156,005" and insert "\$176,005".

Explanation:

(This amendment provides \$20,000 from the general fund in the second year for the payment of per diems to the members of the Virginia Housing Study Commission.)

Item 20 #2c

Legislative Department	FY 04-05	FY 05-06	
Virginia Housing Study Commission	\$0	(\$156,005)	NGF

Language:

Page 15, line 15, strike "\$156,005" and insert "\$0".

Explanation:

(This amendment eliminates a special fund appropriation previously provided by the Virginia Housing Development Authority to support the work of the Virginia Housing Study Commission. The special funds are no longer available.)

Item 21 #1c

Legislative Department

Joint Legislative Audit And Review
Commission

Language

Language:

Page 16, after line 29, insert:

"E. The Joint Legislative Audit and Review Commission (JLARC) shall report on the adequacy of Virginia's Medicaid reimbursement rates to health care providers. The review shall include an examination of the impact of reimbursement levels on access to care for the Medicaid recipient population. This review shall cover home and community-based care providers. The Department of Medical Assistance Services shall cooperate fully as requested by JLARC and its staff. JLARC shall report its findings and recommendations by November 1, 2005."

Explanation:

(This amendment directs JLARC to report on the adequacy of Medicaid reimbursement rates for home and community-based care services.)

Item 21 #2c

Legislative Department

Joint Legislative Audit And Review
Commission

Language

Language:

Page 16, after line 29, insert:

"E. The Joint Legislative Audit and Review Commission (JLARC) shall report on the impact of new assisted living regulations on the cost of providing services, residents' access to providers and services, including Medicaid-funded mental health and other services, and tangible improvements in the quality of care delivered. The Department of Social Services, the Department of Mental Health, Mental Retardation, and Substance Abuse Services, and the Department of Medical Assistance Services shall cooperate fully as requested by JLARC and its staff. JLARC shall submit an interim report by November 1, 2005 and a final report by June 30, 2006."

Explanation:

(This amendment requires JLARC to report on the impact of the regulatory

Conference Report on House Bill 1500

changes included in House Bill 2512 and Senate Bill 1183 of the 2005 Session on providers of assisted living services and the quality of care provided in these settings.)

Item 25 #1c

Judicial Department

Supreme Court

Language

Language:

Page 19, line 3, strike "November 1, 2004" and insert "December 1, 2005".

Explanation:

(This amendment provides additional time for the Judicial Council of Virginia to complete its report on the funding, resources and statutory changes required to implement a system of family courts.)

Item 25 #2c

Judicial Department

Supreme Court

FY 04-05

\$0

FY 05-06

\$300,000 GF

Language:

Page 18, line 4, strike "\$12,458,476" and insert "\$12,758,476".

Page 19, after line 3, insert:

"G. Out of the amounts included for General Management and Direction, \$300,000 the second year from the general fund is provided for the estimated costs of fully implementing the Judicial Performance Evaluation Project."

Explanation:

(This amendment provides \$300,000 from the general fund in the second year to the Supreme Court of Virginia for the full implementation of the Judicial Performance Evaluation Project. The amendment implements the recommendations made by the Supreme Court following a two-year study of this subject and the evaluation of a two-year pilot project implementing the program in selected courts across Virginia.)

Item 32 #1c

Conference Report on House Bill 1500

Judicial Department	FY 04-05	FY 05-06	
Circuit Courts	\$0	\$2,000,000	GF

Language:

Page 21, line 28, strike "\$73,315,942" and insert "\$75,315,942".

Explanation:

(This amendment provides for an increase in the compensation paid to court-appointed attorneys representing indigent criminal defendants in general district or circuit court. The amount included in the amendment is intended to address the unfunded portion of the existing statutory fees established for court-appointed attorney compensation in the Code of Virginia.)

Item 32 #2c

Judicial Department	FY 04-05	FY 05-06	
Circuit Courts	\$0	\$202,656	GF
	0.00	1.00	FTE

Language:

Page 21, line 28, strike "\$73,315,942" and insert "\$73,518,598".

Explanation:

(This amendment provides \$202,656 the second year from the general fund and one position to create a new judgeship for the 28th Judicial Circuit, serving Smyth and Washington Counties and the City of Bristol.)

Item 33 #1c

Judicial Department	FY 04-05	FY 05-06	
General District Courts	\$0	\$182,965	GF
	0.00	1.00	FTE

Language:

Page 22, line 35, strike "\$77,978,880" and insert "\$78,161,845".

Conference Report on House Bill 1500

Explanation:

(This amendment supports the appointment of an additional district court judge for the Fifteenth Judicial District, which serves the City of Fredericksburg, and the counties of Essex, Caroline, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, and Westmoreland.)

Item 34 #1c

Judicial Department	FY 04-05	FY 05-06	
Juvenile And Domestic Relations	\$0	\$182,965	GF
District Courts	0.00	1.00	FTE

Language:

Page 23, line 33, strike "\$63,131,998" and insert "\$63,314,963".

Explanation:

(This amendment supports the appointment of an additional juvenile and domestic relations district court judge for the Twentieth Judicial District, which serves the counties of Loudoun, Fauquier, and Rappahannock.)

Item 39 #1c

Judicial Department

Indigent Defense Commission

Language

Language:

Page 27, after line 27, insert:

"C. Pursuant to § 19.2-163.01 (A) (9), Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the Commission."

Explanation:

(This amendment reaffirms that the Indigent Defense Commission is responsible for the appointment and removal of its executive director.)

Conference Report on House Bill 1500

Item 41 #1c

Judicial Department	FY 04-05	FY 05-06	
Virginia State Bar	\$0	\$321,500	NGF

Language:

Page 28, line 2, strike "\$5,423,515" and insert "\$5,745,015".

Explanation:

(This amendment corrects a technical error in the total amount of nongeneral fund revenue appropriated for the provision of legal aid services to indigent persons by the Legal Services Corporation of Virginia and its partner legal aid societies. The additional nongeneral fund revenue is supported by an increase in court filing fees approved by the 2004 Session of the General Assembly.)

Item 43 #1c

Judicial Department	FY 04-05	FY 05-06	
Judicial Department Reversion Clearing Account	\$0	\$1,000,000	GF

Language:

Page 29, line 2, strike "\$1,000,000" and insert "\$0".

Page 29, line 5, strike "and June 30, 2006,".

Page 29, line 8, strike "each" and insert "the first".

Explanation:

(This amendment provides \$1,000,000 from the general fund in the second year to restore reductions to the judicial agencies' budgets.)

Item 44 #1c

Executive Offices

Office Of The Governor

Language

Language:

Page 30, line 14, strike "the second year." and insert:

Conference Report on House Bill 1500

"from July 1, 2005 to January 13, 2006 and \$175,000 from January 14, 2006 to June 30, 2006."

Explanation:

(This amendment increases the salary for the Governor to \$175,000, effective upon the inauguration of the next Governor on January 14, 2006.)

Item 49 #1c

Executive Offices

Attorney General And Department
Of Law

Language

Language:

Page 32, line 14, strike "the second year." and insert:

"from July 1, 2005 to January 13, 2006 and \$150,000 from January 14, 2006 to June 30, 2006."

Explanation:

(This amendment increases the salary of the Attorney General to \$150,000, effective upon the inauguration of the next Attorney General on January 14, 2006.)

Item 50 #1c

Executive Offices

Attorney General And Department
Of Law

FY 04-05

\$0
\$0
0.00

FY 05-06

\$96,941 GF
\$290,823 NGF
3.00 FTE

Language:

Page 32, line 33, strike "\$3,508,126" and insert "\$3,895,890".

Explanation:

(This amendment provides \$96,941 from the general fund and \$290,823 from federal funds and three positions the second year for the Medicaid Fraud Control Unit in the Office of the Attorney General. These positions will enable this unit to expand its efforts in cooperation with the Department of Medical Assistance Services to collect

Conference Report on House Bill 1500

Medicaid fraud recoveries. Accordingly, a companion amendment to Item 326.AAA. of this Act captures an additional \$750,000 in dedicated special funds the second year from these recoveries.)

Item 51 #1c

Executive Offices	FY 04-05	FY 05-06	
Attorney General And Department Of Law	\$100,000	\$100,000	NGF

Language:

Page 32, line 40, strike "\$1,938,429" and insert "\$2,038,429".

Page 32, line 40, strike "\$1,938,429" and insert "\$2,038,429".

Page 32, strike lines 45 through 47.

Page 33, strike lines 1 through 11, and insert:

"A. Included in this item is \$850,000 the first year and \$850,000 the second year in special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the Fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 5 (§ 3.1-336.1 et seq.) and Article 6 (§ 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia. The Department of Law is also authorized to deposit to the Fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the Fund shall be retained in the Fund, provided, however, that any amounts contained in the Fund that exceed \$850,000 on the final day of the fiscal year shall be deposited to the credit of the general fund. In addition to the uses of the Fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the Fund may be used to pay costs associated with enforcement efforts pursuant to Article 5 (§ 3.1-336.1 et seq.) and Article 6 (§ 3.1-336.3 et seq.) of Chapter 18 of Title 3.1 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Article 1.1 (§ 37.1-70.1 et seq.) of Chapter 2 of Title 37.1 of the Code of Virginia."

Explanation:

Conference Report on House Bill 1500

(This amendment increases the balance of special funds remaining in what is now the Regulatory and Consumer Advocacy Revolving Trust Fund by \$100,000 each year. The language also authorizes the Office of the Attorney General to pay costs associated with enforcement efforts related to civil commitment of sexually violent predators, to represent the interests of electricity consumers in Regional Transmission Entity stakeholder processes, and to enforce the Tobacco Escrow statute, which is necessary to maintain the revenue stream to the Commonwealth from the Master Settlement Agreement.)

Item 60 #1c

Administration

Secretary Of Administration

Language

Language:

Page 39, after line 24, insert:

"Out of the amounts for Financial Assistance for Public Radio shall be paid \$20,000 the second year to Allegheny Mountain Radio."

Explanation:

(This amendment restores language allowing Allegheny Mountain Radio to receive community service grants.)

Item 63 #1c

Administration

Compensation Board

Language

Language:

Page 44, after line 6, insert:

“Q. The Compensation Board and the Auditor of Public Accounts shall develop options for a revised cost recovery methodology to recover all costs reimbursed by the Commonwealth, including capital costs, associated with housing federal inmates, District of Columbia inmates or inmates from other states. The Compensation Board shall submit options for a revised methodology and estimated recovery amounts by source to the Governor and Chairmen of the House Appropriations and Senate Finance Committees no later than October 15, 2005.”

Conference Report on House Bill 1500

Explanation:

(Current language in paragraph H, Item 67, requires that the Compensation Board only recover personnel costs of housing federal and out-of-state inmates. This amendment will identify a methodology to recover all costs associated with housing contract inmates.)

Item 63 #2c

Administration

Compensation Board

Language

Language:

Page 40, line 39, strike "9,846" and insert "9,848".

Page 40, line 49, strike "14,545" and insert "14,547".

Explanation:

(This amendment adjusts the staff table for Sheriffs' Offices to reflect the two additional law enforcement deputies funded in a companion amendment.)

Item 64 #1c

Administration

Compensation Board

FY 04-05
(\$1,700,000)

FY 05-06
\$0 GF

Language:

Page 44, line 9, strike "\$325,203,000" and insert "\$323,503,000".

Explanation:

(This amendment reduces general funding in the first year for jail expansion projects that have delayed opening dates.)

Item 64 #2c

Administration

Compensation Board

FY 04-05
\$0

FY 05-06
\$56,662 GF

Conference Report on House Bill 1500

Language:

Page 44, line 9, strike "\$333,727,760" and insert "\$333,784,422".

Explanation:

(This amendment provides general funds in the second year for an additional two law enforcement deputies to meet the standard of one deputy per 1,500 of population.)

Item 65 #1c

Administration	FY 04-05	FY 05-06	
Compensation Board	\$0	\$1,309,604	GF

Language:

Page 48, line 42, strike "\$46,914,440" and insert "\$48,224,044".

Page 51, after line 10, insert:

"J. Included in this appropriation is \$1,309,604 the second year from the general fund for 72 new positions as the first step in a three-year plan to fully fund the Compensation Board's staffing standards by June 30, 2008. The Governor shall include the additional funding required to meet this goal in his budget proposals for the 2006-2008 biennium."

Explanation:

(This amendment phases in full funding of the Compensation Board's staffing standards for Commonwealth's Attorneys over three years. House Bill 1500, as introduced, proposed to phase-in full funding of these staffing standards over six years. It is the intent of the General Assembly that those technical changes necessary to implement the intent of this amendment shall be made to the position table in Item 63 of this act during enrolling.)

Item 66 #1c

Administration	FY 04-05	FY 05-06	
Compensation Board	\$0	\$6,723,620	NGF

Language:

Conference Report on House Bill 1500

Page 51, line 11, strike "\$39,514,522" and insert "\$46,238,142".

Explanation:

(This amendment increases the nongeneral fund appropriation for the Technology Trust Fund to reflect increased collections.)

Item 66 #2c

Administration	FY 04-05	FY 05-06	
Compensation Board	\$0	\$7,444	GF

Language:

Page 51, line 11, strike "\$39,514,522" and insert "\$39,521,966".

Page 51, line 40, strike "100,000-249,999" and insert "100,000-174,999".

Page 51, after line 41, insert "175,000-249,999 \$110,302 \$113,611 \$120,603".

Explanation:

(This amendment conforms the salary brackets for Clerks to the same population ranges that are used by other constitutional officers.)

Item 66 #3c

Administration

Compensation Board

Language

Language:

Page 53 after line 45, insert:

"J.1. The Compensation Board shall develop minimum criteria for a career development program for Clerks of Circuit Courts. The criteria for the program shall include initial and continuing education requirements for Clerks, the adoption of certain written administrative and human resource management policies, audit requirements, written customer service and accounting policies, and performance standards for each major duty of the office, and any other matters deemed relevant by the Compensation Board. Beginning July 1, 2006, the program shall require that the Clerk certify to the Compensation Board that the most recent audit by the Auditor of Public Accounts reported no findings of material weakness under direction of the Clerk during the Clerk's term of office or internal control shortcomings in the prior

Conference Report on House Bill 1500

year's report during the Clerk's term of office that are repeated in the current audit report.

2. The program shall require any Clerk of the Circuit Court who desires to participate in it to certify to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board, and that his office also has a Deputy Circuit Court Clerks' Career Development plan that meets the minimum criteria established by the Compensation Board for such plans.

3. The Compensation Board shall submit the Career Development Program for Clerks of Circuit Courts to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2005.

4. Notwithstanding the provisions of § 17.1-279 C, Code of Virginia, the Compensation Board may allocate funds from the technology trust fund for consulting services provided by the National Center for State Courts to assist in the development of a Career Development Program for Circuit Court Clerks.

K.1. The Compensation Board shall develop minimum criteria for a career development program for deputy Clerks of Circuit Courts. The criteria for the program shall address the selection process, minimum length of service, job performance, certification, formal education, and any other matters deemed relevant by the Compensation Board.

2. The program shall require any Clerk of the Circuit Court who desires to participate in it to certify to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board, and that his office also has a performance evaluation plan that meets the minimum criteria established by the Compensation Board for such plans.

3. The Compensation Board shall submit the Career Development Program for Deputy Clerks of Circuit Courts to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2005.

4. Notwithstanding the provisions of § 17.1-279 C, Code of Virginia, the Compensation Board may allocate funds from the technology trust fund for consulting services provided by the National Center for State Courts to assist in the development of a Career Development Program for Deputy Circuit Court Clerks."

Conference Report on House Bill 1500

Explanation:

(This amendment requires the Compensation Board to develop a career development plan for Clerks and Deputy Clerks of the Circuit Courts.)

Item 66 #4c

Administration

Compensation Board

Language

Language:

Page 53, after line 45, insert:

“J. Upon request of the Attorney for the Commonwealth, the Clerk of the Circuit Court shall contemporaneously provide the Attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to §19.2-298.01 (E), Code of Virginia.”

Explanation:

(This amendment is self-explanatory.)

Item 67 #1c

Administration

Compensation Board

Language

Language:

Page 58, after line 16, insert:

"N. The Compensation Board is authorized to reimburse jails for inmates held in accordance with agreements entered into under the provisions of Item 415, paragraph D, of this act."

Explanation:

(This amendment authorizes the Compensation Board to reimburse local and regional jails for offenders housed under the pilot "return to custody" program to be administered by the Department of Corrections.)

Item 67 #2c

Conference Report on House Bill 1500

Administration	FY 04-05	FY 05-06	
Compensation Board	\$0	(\$1,566,744)	GF

Language:

Page 53, line 48, strike "\$71,829,437" and insert "\$70,262,693".

Explanation:

(This amendment defers the proposed \$1,566,744 increase in the second year jail per diem program pending completion of actual inmate population counts through the first quarter of fiscal year 2006 as required in paragraph M of Item 67 of Chapter 4 of the Acts of Assembly of 2004, Special Session I.)

Item 72 #1c

Administration

Department Of Charitable Gaming

Language

Language:

Page 64, line 38, strike "Federal Trust", and insert "Special".

Explanation:

(This amendment corrects an error in fund type used in the introduced budget to appropriate federal asset forfeiture funds. They should have been recorded as special funds and not federal trust funds. This amendment appropriates to the correct fund type.)

Item 72 #2c

Administration	FY 04-05	FY 05-06	
Department Of Charitable Gaming	\$0	(\$75,000)	GF

Language:

Page 64, line 27, strike "\$1,765,951" and insert "\$1,690,951".

Explanation:

(This amendment reduces funding for the six new positions authorized for the

Conference Report on House Bill 1500

Department of Charitable Gaming in the introduced budget. The reduction reflects a phase-in approach in the hiring of the new positions.)

Item 76 #1c

Administration	FY 04-05	FY 05-06	
Department Of General Services	\$5,000	\$67,000	GF
	1.00	1.00	FTE

Language:

Page 66, line 10, strike "\$20,158,319" and insert "\$20,163,319".

Page 66, line 10, strike "\$20,293,980" and insert "\$20,360,980".

Page 66, after line 47, insert:

"This appropriation includes \$5,000 general fund the first year and \$67,000 general fund the second year for the Virginia Division of Consolidated Laboratory Services to establish a library of isolates from persons with active tuberculosis disease for the purpose of disease strain analysis as indicated by epidemiological investigations."

Explanation:

(This amendment provides \$5,000 general fund the first year and \$67,000 general fund the second year for the Virginia Division of Consolidated Laboratory Services to establish a library of tuberculosis specimens.)

Item 84 #1c

Administration	FY 04-05	FY 05-06	
Department Of Human Resource Management	\$0	(\$75,000)	GF
	0.00	-1.00	FTE

Language:

Page 71, line 21, strike "\$2,750,291" and insert "\$2,675,291".

Explanation:

(This amendment eliminates new funding and one position for an employee suggestion program coordinator position included in the introduced budget.)

Item 85 #1c

Administration

Department Of Human Resource
Management

Language

Language:

Page 72, after line 28, insert:

"E. The Department of Social Services (DSS), with assistance from the Department of Human Resource Management (DHRM), shall review the salaries of its classified employees located in the Northern Virginia pay area (NOVA). This review shall include an analysis of turnover, duties and responsibilities, salary alignment, market availability, salary reference data, agency business needs, and all other applicable Commonwealth Pay Factors in order to determine if salary adjustments are needed in order to attract and retain a qualified, high-performance workforce."

Explanation:

(This amendment requires a review of the Department of Social Services' salaries paid in Northern Virginia.)

Item 85 #2c

Administration

Department Of Human Resource
Management

Language

Language:

Page 72, after line 28, insert:

"E. The Department of Human Resource Management (DHRM), shall review the compensation provided to state agency heads and cabinet secretaries and deputy cabinet secretaries. This review shall include an analysis of duties and responsibilities, internal and external salary alignment, market availability, salary reference data, agency business needs, and such other applicable pay factors and management practices as are needed in order to attract and retain highly qualified senior executives. The Department shall report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005."

Conference Report on House Bill 1500

Explanation:

(This amendment requires a review of the current system of agency head and cabinet officer compensation.)

Item 88 #1c

Administration	FY 04-05	FY 05-06	
Department Of Veterans Services	\$214,885	\$214,885	NGF

Language:

Page 74, line 18, strike "\$855,748" and insert "\$1,070,633".

Page 74, line 18, strike "\$1,307,200" and insert "\$1,522,085".

Explanation:

(This amendment provides an additional \$214,885 in nongeneral funds the first year and \$214,885 in nongeneral funds the second year for the administration of the Department of Veterans' Services.)

Item 89 #1c

Administration	FY 04-05	FY 05-06	
Department Of Veterans Services	\$1,589,815	\$1,589,815	NGF

Language:

Page 74, line 29, strike "\$11,324,930" and insert "\$12,914,745".

Page 74, line 29, strike "\$11,324,930" and insert "\$12,914,745".

Explanation:

(This amendment provides an additional \$1,589,815 in nongeneral funds the first year and \$1,589,815 in nongeneral funds the second year for operation of the state veterans' care center.)

Item 90 #1c

Conference Report on House Bill 1500

Administration	FY 04-05	FY 05-06	
Department Of Veterans Services	\$0	\$300,000	GF
	0.00	6.00	FTE

Language:

Page 74, line 38, strike "\$2,048,948" and insert "\$2,348,948".

Page 75, strike lines 6 through 10 and insert:

"C. Out of this appropriation, \$137,659 the first year and \$150,176 the second year from the general fund is provided to add positions at four field offices, one each in Big Stone Gap, Cedar Bluff, Wytheville, and Charlottesville. The amounts provided shall not be used to support any function other than the direct provision of claims assistance to veterans.

D. Out of this appropriation, \$300,000 the second year from the general fund is provided for an additional six positions to be allocated to the department's field offices. The amounts provided shall not be used to support any function other than the direct provision of claims assistance to veterans."

Page 75, line 11, strike "D." and insert "E."

Explanation:

(This amendment provides \$300,000 from the general fund in the second year to support six additional veterans benefit coordinator positions for the Department of Veterans Services (DVS). The amendment also restricts the use of these general fund dollars solely to the direct provision of claims assistance to Virginia's veterans. Further, the amendment adds language to restrict the use of general fund dollars appropriated during the 2004 Session for additional veterans benefit coordinators to the direct provision of claims assistance.)

Item 91 #1c

Administration

Department Of Veterans Services

Language

Language:

Page 75, line 16, strike "\$473,194" and insert "\$0".

Page 75, line 18, strike "\$0" and insert "\$473,194".

Explanation:

(This amendment correctly identifies funds transferred from the Department of

Conference Report on House Bill 1500

Education for veterans' education approval as special funds rather than federal funds.)

Item 92 #1c

Administration	FY 04-05	FY 05-06	
Department Of Veterans Services	\$26,021	\$26,021	NGF

Language:

Page 75, line 24, strike "\$291,293" and insert "\$317,314".

Page 75, line 24, strike "\$415,481" and insert "\$441,502".

Explanation:

(This amendment provides an additional \$26,021 in nongeneral funds the first year and \$26,021 in nongeneral funds the second year for operation of the state veterans' cemeteries.)

Item 94.10 #1c

Agriculture and Forestry	FY 04-05	FY 05-06	
Secretary Of Agriculture And Forestry	\$50,000	\$0	GF

Language:

Page 81, line 5, strike "\$68,000" and insert "\$118,000".

Page 81, after line 23, insert:

"C. Out of the amounts provided in this item \$50,000 the first year from the general fund shall be used to fund programs to develop early detection and monitoring tools and/or research for fungicide efficacy for Asian soybean rust."

Explanation:

(This amendment provides \$50,000 from the general fund in the first year to fund programs to develop early detection and monitoring tools and/or research for fungicide efficacy for Asian soybean rust. Soybean rust was identified in Louisiana in December, and if it reaches Virginia it has the potential to destroy the Commonwealth's soybean crops.)

Item 95 #1c

Commerce And Trade

Secretary Of Commerce And Trade

Language

Language:

Page 83, strike lines 19 through 29.

Explanation:

(This amendment eliminates language authorizing a board to authorize the use of up to \$5.0 million from the unappropriated general fund balances to attract new economic development prospects to the Commonwealth. Legislation creating the Board was not adopted by the General Assembly.)

Item 95 #2c

Commerce And Trade

Secretary Of Commerce And Trade

Language

Language:

Page 83, after line 29, insert:

"E. The Secretary of Commerce and Trade shall evaluate the effectiveness of the contractual relationship between the Virginia Philpott Manufacturing Extension Partnership (VPMEP) and Virginia Tech in terms of the total number of projects undertaken, revenues earned, projects shared or referred between the two entities, services provided, and productivity levels achieved by the clients. As part of the evaluation, the Secretary shall also determine whether the Extension would be better served by merging VPMEP with Virginia Tech, Old Dominion University or another appropriate institution or agency, with the principal office of VPMEP remaining in the Martinsville area. The Secretary of Commerce and Trade shall report the results of his analysis to the Chairmen of the House Appropriations and Senate Finance Committees by August 31, 2005."

Explanation:

(This amendment directs the Secretary of Commerce and Trade to study the Philpott Manufacturing Extension's relationship with Virginia Tech and whether it should be merged into one of the Commonwealth's institutions of higher education.)

Item 97 #1c

Commerce And Trade

Department Of Agriculture And
Consumer Services

Language

Language:

Page 84, line 23, strike "C." and insert "C.1."

Page 84, after line 37, insert:

"2. The department shall submit a progress report on its efforts to achieve the performance goals and objectives set out in its report to the Governor and the General Assembly (House Document No. 55, 2004). The department shall submit the report by the first day of the 2006 Session of the General Assembly."

Explanation:

(This amendment directs the department to report on its progress in achieving the goals and objectives the General Assembly requested the department to develop in 2004.)

Item 99 #1c

Commerce And Trade

Department Of Agriculture And
Consumer Services

FY 04-05

\$0

FY 05-06

\$90,000 GF

Language:

Page 84, line 44, strike "\$4,636,361" and insert "\$4,726,361".

Explanation:

(This amendment provides additional resources from the general fund in the second year for the *Virginia Grown*, *Virginia's Finest*, and *Savor Virginia* programs and *Meet Your Customers* missions to promote Virginia-produced and processed agriculture and forest products.)

Item 99 #2c

Commerce And Trade

FY 04-05

FY 05-06

Conference Report on House Bill 1500

Department Of Agriculture And Consumer Services	\$0	\$90,000	GF
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Language:

Page 84, line 44, strike "\$4,636,361" and insert "\$4,726,361".

Page 85, line 45, strike "\$490,679" and insert "\$580,679".

Page 85, line 46, after "Board.", insert:

"Out of the second year appropriation for the Virginia Wine Board, up to \$90,000 may be used to support and staff the operations of the Board."

Explanation:

(This amendment provides \$90,000 from the general fund in the second year to support the operations of the Virginia Wine Board.)

Item 99 #3c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Agriculture And Consumer Services	\$0	\$100,000	GF

Language:

Page 84, line 44, strike "\$4,636,361" and insert "\$4,736,361".

Page 86, after line 8, insert:

"F. Out of the amounts for this item shall be provided \$100,000 the second year from the general fund to be transferred to Virginia Tech and Virginia State University for additional research and field tests of specialty crops to determine which crops are best suited to Virginia conditions."

Explanation:

(This amendment provides \$100,000 of general fund support in the second year for agricultural research of specialty crops.)

Item 99 #4c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Agriculture And Consumer Services	\$0	\$275,000	GF

Conference Report on House Bill 1500

Language:

Page 84, line 44, strike "\$4,636,361" and insert "\$4,911,361".

Page 86, after line 8, insert:

"F. Out of the amounts for this item shall be provided \$275,000 the second year from the general fund to develop and implement a program to facilitate the development and marketing of high-value specialty agricultural production. The program will gather data on specialty crop production in Virginia, identify resources to help farmers enter into new production, provide marketing support for specialty and value-added agricultural products and, through existing funding sources, provide matching low-interest loans to farmers or cooperatives for pilot projects for new specialty crop ventures."

Explanation:

(This amendment provides \$275,000 from the general fund in the second year to work with farmers to develop a program to identify, grow and market value-added agricultural products.)

Item 100 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Agriculture And Consumer Services	\$0	\$50,000	GF

Language:

Page 86, line 10, strike "\$5,103,058" and insert "\$5,153,058".

Explanation:

(This amendment provides \$50,000 from the general fund in the second year to match federal dollars to address the coyote problem through the cooperative control program.)

Item 102 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Agriculture And Consumer Services	\$0	\$100,000	GF

Conference Report on House Bill 1500

Language:

Page 86, line 43, strike "\$3,737,962" and insert "\$3,837,962".

Explanation:

(This amendment provides \$100,000 from the general fund in the second year to manage the infestation of the Potomac River and Lake Gaston by Hydrilla and other noxious weeds.)

Item 104 #1c

Commerce And Trade

FY 04-05

FY 05-06

Department Of Agriculture And
Consumer Services

\$0
\$0

\$500,000 GF
(\$427,111) NGF

Language:

Page 87, line 6, strike "\$2,268,624" and insert "\$2,341,513".

Page 87, line 16, after "\$4", insert "the first year".

Page 87, strike lines 24 through 55.

Page 88, strike lines 1 through 9.

Explanation:

(This amendment restores \$500,000 in general fund moneys cut from the Department's Weights and Measures Program in fiscal year 2004. The amendment also deletes the budget language authorizing a registration fee in fiscal year 2006 and reduces the program's nongeneral fund appropriation by an amount equivalent to the \$4.00 registration fee authorized by the 2004 Appropriation Act.)

Item 107 #1c

Commerce And Trade

Department Of Business Assistance

Language

Language:

Page 91, after line 23, insert:

"L. The Department of Business Assistance shall perform all accounting, financial reporting, procurement, purchasing, personnel, payroll, and other nonprogram administrative functions for the Department of Minority Business Enterprise. Both

Conference Report on House Bill 1500

agency Directors shall certify to the State Comptroller that the systems, processes and procedures are sufficient to provide each agency with adequate internal controls and comply with all applicable laws, rules and regulations of the Commonwealth and any applicable federal grants or contracts. Should either agency Director determine that a system, process or procedure prevents them from fulfilling their programmatic mission, he shall document this concern in writing to the State Comptroller, who shall recommend changes, if any, to accommodate the concern. An interagency agreement shall be entered into by July 1, 2005, stipulating any payment to be made by the Department of Minority Business Enterprise to the Department of Business Assistance for services rendered. Terms of such agreement are to be reflected in the budget bill submitted to the 2006 Session of the General Assembly."

Explanation:

(This amendment directs the Department of Business Assistance to conduct all financial and other nonprogram-related administrative functions for the Department of Minority Business Enterprise. The Auditor of Public Accounts has repeatedly identified internal control shortcomings at DMBE regarding its financial management activities. This amendment would allow for the consolidation of such work at DBA, an agency with sufficient personnel dedicated to such activities.)

Item 107 #2c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Business Assistance	\$0	(\$150,000)	GF

Language:

Page 89, line 18, strike "\$13,547,587" and insert "\$13,397,587".
Page 91, strike lines 1 through 23.

Explanation:

(This amendment eliminates funding proposed from the general fund for the second year in the introduced budget for the small business incubator program. Funding for this program was eliminated in Chapter 4 of the 2004 Session of the General Assembly. The original intent of the program was to fund start-up and early stage operating costs for a statewide system of business incubators. There are currently 26 incubators operating across the Commonwealth.)

Conference Report on House Bill 1500

Item 108 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Forestry	\$0	\$500,000	GF

Language:

Page 91, line 37, strike "\$24,992,796" and insert "\$25,492,796".

Page 92, line 29, strike "\$250,000" and insert "\$750,000".

Explanation:

(This amendment provides \$500,000 from the general fund in the second year towards matching the tax paid by the forest industry for reforestation efforts.)

Item 108 #2c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Forestry	\$0	\$150,000	GF

Language:

Page 91, line 37, strike "\$24,992,796" and insert "\$25,142,796".

Explanation:

(This amendment provides \$150,000 from the general fund in the second year for the Department of Forestry to acquire firefighting equipment.)

Item 109 #1c

Commerce And Trade	
Department Of Housing And Community Development	Language

Language:

Page 93, after line 43, insert:

"F. The department shall submit a progress report to the General Assembly on its efforts to achieve the goals and objectives set out in this item. The Department shall submit the report by the first day of the 2006 Session of the General Assembly."

Conference Report on House Bill 1500

Explanation:

(This amendment directs the agency to report on its progress in achieving the goals and objectives for the department's major programs and services.)

Item 110 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	(\$1,500,000)	GF

Language:

Page 93, line 45, strike "\$46,548,692" and insert "\$45,048,692".
Page 94, strike lines 45 through 54.

Explanation:

(This amendment removes \$1.5 million GF for a housing supplement program. These funds are redirected to support homeless shelter operating costs, children's services coordinators at shelters and to provide single room occupancy housing for the homeless.)

Item 110 #2c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$140,000	GF

Language:

Page 93, line 45, strike "\$46,548,692" and insert "\$46,688,692".
Page 94, line 26, strike the second "\$360,000" and insert "\$500,000".

Explanation:

(This amendment provides \$140,000 from the general fund in the second year to increase support for homeless children's coordinators in all state emergency and transitional shelters that care for children.)

Item 110 #3c

Conference Report on House Bill 1500

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$300,000	GF

Language:

Page 93, line 45, strike "\$46,548,692" and insert "\$46,848,692".

Explanation:

(This amendment provides \$300,000 from the general fund in the second year to fund the predevelopment costs for constructing single room occupancy units (SROs) for the homeless.)

Item 110 #4c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$850,000	GF

Language:

Page 93, line 45, strike "\$46,548,692" and insert "\$47,398,692".

Page 94, line 7, strike "\$2,115,120" and insert "\$2,965,120".

Page 94, strike lines 45 through 54, and insert:

"E. Out of the amounts for Housing Assistance Services shall be provided \$850,000 the second year from the general fund for homeless assistance programs. These funds are to be dedicated to operating support for the emergency and transitional shelters in the Commonwealth."

Explanation:

(This amendment directs \$850,000 in the second year from the general fund to support the costs of operating homeless shelters across the Commonwealth.)

Item 111 #1c

Commerce And Trade	
Department Of Housing And Community Development	

Language

Conference Report on House Bill 1500

Language:

Page 97, after line 28, insert:

"I. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing rural economic development problems. Any unexpended balance for the Center for Rural Virginia at the close of business on June 30, 2005, and June 30, 2006, shall not revert to the general fund but shall be carried forward and reappropriated."

Explanation:

(This amendment directs the Center for Rural Virginia to monitor and assess the effectiveness of the budget initiatives to be undertaken by the Departments of Agriculture and Consumer Services and Housing and Community Development, the Virginia Tourism Authority and Virginia Economic Development Partnership, Virginia Community College Systems, Virginia Tech, and Virginia State University. The Center will report its findings to the Chairmen of the Senate Finance and House Appropriations Committees. The budget language also authorizes a mandatory reappropriation of the Center's funds.)

Item 111 #2c

Commerce And Trade

FY 04-05

FY 05-06

Department Of Housing And
Community Development

\$0

\$50,000 GF

Language:

Page 95, line 2, strike "\$40,127,706" and insert "\$40,177,706".

Explanation:

(This amendment provides \$50,000 of general fund support in the second year for the Virginia Enterprise Initiative. The VEI Program promotes microbusiness development by providing an opportunity for low-income individuals to gain business skills training and access to credit.)

Conference Report on House Bill 1500

Item 111 #3c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$511,454	GF

Language:

Page 95, line 2, strike "\$40,127,706" and insert "\$40,639,160".

Page 96, after line 47, insert:

"D. In addition to the amounts provided in paragraph C of this item, \$511,454 the second year from the general fund shall be provided to supplement funding made available to the planning district commissions in conformance with the Regional Cooperation Act. The Department shall distribute these additional funds in such a manner as to bring each planning district commission's appropriation to a minimum level of \$90,000 in the second year."

Page 97, line 1, strike "D" and insert "E".

Page 97, line 9, strike "E" and insert "F".

Page 97, line 12, strike "F" and insert "G".

Page 97, line 16, strike "G" and insert "H".

Explanation:

(This amendment provides \$511,454 from the general fund in the second year to increase the appropriation for all planning district commissions to a minimum level of \$90,000.)

Item 111 #4c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$5,000,000	\$0	GF

Language:

Page 95, line 2, strike "\$40,077,706" and insert "\$45,077,706".

Page 97, after line 28, insert:

"I. Out of the appropriation for this item, \$5,000,000 the first year from the general fund shall be provided to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts. The Department shall leverage the appropriation with other state moneys, federal

Conference Report on House Bill 1500

grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the item for this purpose on June 30, 2005, and June 30, 2006, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted."

Explanation:

(This amendment provides \$5.0 million from the general fund in the first year for clean water projects in Southwest Virginia.)

Item 112 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$11,540,000	GF

Language:

Page 97, line 29, strike "\$2,960,000" and insert "\$14,500,000".

Page 97, line 33, strike "A." and insert "A.1."

Page 97, line 33, strike "and".

Page 97, line 34, strike "\$1,960,000 the second year".

Page 97, after line 45, insert:

"2. This item includes \$13,500,000 the second year from the general fund to implement the provisions of the Enterprise Zone Act - Senate Bill 983 and House Bill 2570 - (2005 Session)."

Explanation:

(This amendment, along with dollars included in the budget bill, provides \$13.5 million of general fund support for the new Enterprise Zone Program established under Senate Bill 983 and House Bill 2570. The \$11.5 million appropriated in this amendment and the \$2.0 million included in the budget bill will support the current job creation program as well as the new property improvement grant program and the new job creation program.)

Item 112.10 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	(\$235,000)	(\$18,623,000)	GF

Conference Report on House Bill 1500

Language:

- Page 99, line 2, strike "\$235,000" and insert "\$0".
- Page 99, line 2, strike "\$18,623,000" and insert "\$0".
- Page 99, strike lines 5 through 55.
- Page 100, strike lines 1 through 58.
- Page 101, strike lines 1 through 59.
- Page 102, strike lines 1 through 59.
- Page 103, strike lines 1 through 29.

Explanation:

(This amendment eliminates the Virginia Works initiative. Companion amendments redirect funds for a number of proposals contained within the initiative to the Department of Agriculture and Consumer Services, the Virginia Community College System, Virginia Tech, the Virginia Economic Development Partnership, and other state agencies.)

Item 112.10 #2c

Commerce And Trade

FY 04-05

FY 05-06

Department Of Housing And
Community Development

\$0

\$600,000 GF

Language:

- Page 99, line 2, strike "\$18,623,000" and insert "\$19,223,000".
- Page 99, strike lines 5 through 55, and insert:
 - A.1. Out of the amounts for Economic and Community Development Services shall be provided \$500,000 the second year from the general fund to establish a community development financial institution to provide business and housing loans in distressed communities and to distressed populations.
 - 2. Notwithstanding the provisions of Title 59.1, Chapter 22.1, Code of Virginia, the Director, Department of Business Assistance, shall transfer all assets of the Virginia Economic Development Revolving Fund to a community development financial institution at such time as the eligible community development financial institution is legally established to do business within the Commonwealth. Such transferred funds shall be used for the purpose of providing a portion of the initial capitalization for a community development bank or credit union subject to oversight by the appropriate

Conference Report on House Bill 1500

federal or state regulatory and insurance agencies and eligible for certification by the U. S. Department of the Treasury as a community development financial institution.

3. The Director, Department of Housing and Community Development, shall transfer \$7,500,000 in existing loans and funds from the Commonwealth Priority Housing Fund to a community development financial institution at such time as the eligible community development financial institution is legally established to do business within the Commonwealth. Such transferred funds shall be used for the purpose of providing a portion of the initial capitalization for a community development bank or credit union subject to oversight by the appropriate federal or state regulatory and insurance agencies and eligible for certification by the U.S. Department of the Treasury as a community development financial institution.

4. The purpose of the community development bank or credit union capitalized in part through the transfer of funds authorized in subparagraphs 2 and 3 shall be to leverage the Commonwealth's capital contribution and other capital that may be provided from other sources to provide a source of targeted lending and investment for economic development and housing activities within distressed communities and populations throughout the Commonwealth. As a condition of appropriation for this item, the Director shall provide the Chairmen of the Senate Finance and House Appropriations Committees a draft of the articles of incorporation or organization, charters, mission statements, or any other document needed to establish the community development bank for review and comment.

5. The Director, Department of Housing and Community Development, and another appointee of the Governor shall serve as members of the board of directors of the community development bank or credit union capitalized in part through the transfer of funds authorized in subparagraphs 2 and 3.

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

Conference Report on House Bill 1500

Page 100, strike lines 1 through 58.
Page 101, strike lines 1 through 59.
Page 102, strike lines 1 through 59.
Page 103, strike lines 1 through 29.

Explanation:

(This amendment provides funding to support the development of a new community development financial institution and to access federal new market tax credits.)

Item 112.10 #3c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$1,000,000	GF

Language:

Page 99, line 2, strike "\$18,623,000" and insert "\$19,623,000".

Page 99, strike lines 5 through 55, and insert:

"Out of the amounts for Economic and Community Development Services, \$1,000,000 the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund, which is authorized under § 36-153, Code of Virginia. These funds shall be allocated for grants to assist localities and economic development authorities in rural areas of Virginia to acquire and redevelop closed industrial sites pursuant to guidance developed by the Virginia Economic Development Partnership including, where appropriate, local match requirements."

Page 100, strike lines 1 through 58.
Page 101, strike lines 1 through 59.
Page 102, strike lines 1 through 59.
Page 103, strike lines 1 through 29.

Explanation:

(This amendment provides \$1.0 million from the general fund in the second year for industrial site redevelopment.)

Item 112.10 #4c

Conference Report on House Bill 1500

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$1,500,000	GF

Language:

Page 99, line 2, strike "\$18,623,000" and insert "\$20,123,000".

Page 99, strike lines 5 through 55, and insert:

"Out of the amounts for Economic and Community Development Services shall be provided \$1,500,000 the second year from the general fund for two regional consortium grants to support specifically identified current and future workforce training needs of existing businesses in distressed regions of the state. Applicants must identify existing industries important to economic growth in their regions; identify the skills and resources necessary in order to have a trained workforce to support those industries; identify current skills levels and skills gaps; develop a plan for remediating skills gaps and for developing necessary skills in workers; identify equipment and facilities, if any, needed to support training; form partnerships among local employers, local governments, and educational institutions; and provide local and industry matches for the regional grants. To qualify as a "regional consortium" applicants must represent at least two counties or a city and a county."

Page 100, strike lines 1 through 58.

Page 101, strike lines 1 through 59.

Page 102, strike lines 1 through 59.

Page 103, strike lines 1 through 29.

Explanation:

(This amendment provides \$1.5 million from the general fund in the second year to provide grants to develop regional workforce training assessments.)

Item 112.10 #5c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Housing And Community Development	\$0	\$1,195,000	GF

Language:

Page 99, line 2, strike "\$18,623,000" and insert "\$19,818,000".

Page 99, strike lines 5 through 55, and insert:

"A. Out of the amounts for Economic and Community Development Services shall

Conference Report on House Bill 1500

be provided \$195,000 the second year from the general fund to support an artisan network organization that will provide marketing assistance and services to professional artisans in Virginia, thereby creating the market presence, visibility, and engine to enable the artisans to sell their products. The network organization will work collaboratively with other organizations to leverage its resources, broaden its reach, and provide services and assistance that are not currently available to Virginia artisans.

B. Out of the amounts for Economic and Community Development Services shall be provided \$1,000,000 the second year from the general fund to develop a regional artisan center in the Shenandoah Valley Region to serve as tourism destinations and sales venues for artisan products. This project shall be developed in cooperation with the Artisan Center of Virginia. The Director, Department of Planning and Budget, based on the recommendation of the Director, Department of Housing and Community Development (DHCD), is authorized to establish capital projects for this purpose."

Page 100, strike lines 1 through 58.

Page 101, strike lines 1 through 59.

Page 102, strike lines 1 through 59.

Page 103, strike lines 1 through 29.

Explanation:

(This amendment provides \$195,000 from the general fund in the second year for an artisan support network and \$1.0 million for the development of an artisan center in conjunction with the Artisan Center of Virginia.)

Item 125 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Minority Business	\$0	(\$164,713)	GF
Enterprise	0.00	-2.00	FTE

Language:

Page 106, line 46, strike "\$463,163" and insert "\$298,450".

Explanation:

(This amendment removes \$164,713 from the general fund in the second year and two positions from the Department of Minority Business. The agency's "filled rate" for general fund positions as of January 2005 was less than 60 percent.)

Conference Report on House Bill 1500

Item 126 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Professional And Occupational Regulation	\$0 0.00	\$56,250 1.00	NGF FTE

Language:

Page 108, line 3, strike "\$13,175,129" and insert "\$13,231,379".

Explanation:

(This amendment provides \$56,250 and 1 nongeneral fund position in the second year to the Department of Professional and Occupational Regulation pursuant to the provisions of House Bill 1921, 2005 General Assembly. These fee-generated revenues will support a position for the water well contractor certification program.)

Item 126 #2c

Commerce And Trade	FY 04-05	FY 05-06	
Department Of Professional And Occupational Regulation	\$0 0.00	\$55,000 1.00	NGF FTE

Language:

Page 108, line 3, strike "\$13,175,129" and insert "\$13,230,129".

Explanation:

(This amendment provides \$55,000 and 1 nongeneral fund position in the second year to the Department of Professional and Occupational Regulation, pursuant to the provisions of House Bill 2510, 2005 General Assembly. These fee-generated revenues will support a position for the licensure of estheticians.)

Item 128 #1c

Commerce And Trade
Virginia Economic Development

Language

Conference Report on House Bill 1500

Partnership

Language:

Page 110, after line 50, insert:

"O. The Virginia Economic Development Partnership, in conjunction with the Virginia Tobacco Indemnification and Community Revitalization Commission, the Departments of Business Assistance and Housing and Community Development, and the Virginia Community College System, shall evaluate the Commonwealth's program, tax, and budget incentives capable of attracting new investment and job creation such as major automotive industries or other significant economic development projects to targeted regions of Virginia with emphasis placed on those localities with the most need of economic development. Such incentive packages may be in the range of those offered by other states for such business incentive packages. The Partnership shall report its findings and recommendations to the Chairmen of the Senate Finance and House Appropriations Committees by December 28, 2005."

Explanation:

(This amendment requires the Partnership to work with several state agencies to review the state's economic development policies and incentives in order to determine what, if any, changes are needed to attract a major manufacturer to areas outside of Northern Virginia, Hampton Roads, and Central Virginia.)

Item 128 #2c

Commerce And Trade

FY 04-05

FY 05-06

Virginia Economic Development
Partnership

\$0

\$215,000 GF

Language:

Page 108, line 38, strike "\$15,401,939" and insert "\$15,616,939".

Page 110, after line 50, insert:

"O. Out of the amounts for Industrial Development Services shall be provided \$215,000 the second year from the general fund to assist small manufacturers with the export of advanced manufacturing products."

Explanation:

(This amendment provides \$215,000 from the general fund in the second year to the Virginia Economic Development Partnership for a program to help small manufacturers access export markets.)

Item 129 #1c

Commerce And Trade	FY 04-05	FY 05-06	
Virginia Employment Commission	\$50,000	(\$100,000)	GF

Language:

Page 111, line 3, strike "\$593,727,395" and insert "\$593,777,395".

Page 111, line 3, strike "\$568,484,091" and insert "\$568,384,091".

Page 112, line 26, strike "\$50,000" and insert "\$100,000".

Page 112, strike lines 32 through 34.

Explanation:

(This amendment eliminates \$100,000 in the second year from the general fund for marketing the career readiness certificate program, \$50,000 of which is transferred to the Advantage Virginia Incentive Program to encourage Virginia students to train for jobs in fields experiencing shortages, such as the medical industry, bringing total funding for that program to \$100,000 in the first year.)

Item 134 #1c

Commerce And Trade	
Virginia Tourism Authority	Language

Language:

Page 115, line 43, strike "J." and insert "J.1."

Page 115, after line 56, insert:

"2. The Virginia Tourism Authority shall submit a progress report on its efforts to achieve the performance goals and objectives set out in its report to the Governor and the General Assembly (House Document No. 41, 2004). The Authority shall submit the report by the first day of the 2006 Session of the General Assembly."

Explanation:

(This amendment directs the Virginia Tourism Authority to report on its progress in achieving the goals and objectives the General Assembly requested the Authority to develop in 2004.)

Conference Report on House Bill 1500

Item 134 #2c

Commerce And Trade	FY 04-05	FY 05-06	
Virginia Tourism Authority	\$0	\$150,000	GF

Language:

Page 114, line 23, strike "\$11,095,098" and insert "\$11,245,098".

Page 116, line 20, strike the second "\$100,000" and insert "\$250,000".

Explanation:

(This amendment provides \$150,000 from the general fund in the second year to support the "See Virginia First" cooperative advertising program.)

Item 134 #3c

Commerce And Trade	FY 04-05	FY 05-06	
Virginia Tourism Authority	\$0	\$35,000	GF

Language:

Page 114, line 23, strike "\$11,095,098" and insert "\$11,130,098".

Page 116, line 26, strike the second "\$75,000" and insert "\$110,000".

Explanation:

(This amendment provides \$35,000 from the general fund to support the "See Virginia First" cooperative advertising program, specifically the project managed by the Outdoor Advertising Association of Virginia.)

Item 134 #4c

Commerce And Trade	FY 04-05	FY 05-06	
Virginia Tourism Authority	\$0	\$2,850,000	GF

Language:

Page 114, line 23, strike "\$11,095,098" and insert "\$13,945,098".

Page 116, strike lines 44 through 51, and insert:

"P. Out of the amounts for Tourist Promotion shall be provided \$1,700,000 from the general fund in the second year to promote the Virginia tourism industries. These funds shall be used, among other purposes, to initiate strategies to expand growth

Conference Report on House Bill 1500

tourism industries such as Virginia history tours, wine and epicurean tours and other packaged travel itineraries.

Q. Out of the amounts for Tourist Promotion shall be provided \$250,000 from the general fund in the second year to the Virginia Tourism Authority to make grants to regional and local tourism authorities and other tourism entities to support their efforts.

R. Out of the amounts for Tourist Promotion shall be provided \$100,000 from the general fund in the second year to the Virginia Tourism Authority to fund the costs of updating the Virginia Travel Guide for Persons with Disabilities.

S. Out of the amounts for Tourist Promotion shall be provided \$800,000 from the general fund in the second year to the Virginia Tourism Authority for film promotion activities. These funds shall be used for history-themed theatrical or television productions that are intended to increase awareness about Virginia's significant role in the country's history. These productions will bring increased awareness to history and other topics and serve as a way to increase visitation to related tourism sites. To be eligible for funding, a production company shall film the majority of the project in Virginia and utilize Virginia labor, goods and services."

Explanation:

(This amendment provides a total of \$2.85 million from the general fund in the second year to the Virginia Tourism Corporation for general tourism promotion, history film promotion, grants to regional tourism entities and to fund the costs of updating the Virginia Travel Guide for Persons with Disabilities.)

Item 135 #1c

**Education: Elementary &
Secondary**

Secretary Of Education

FY 04-05

(\$49,550)

FY 05-06

(\$148,650) GF

Language:

Page 118, line 4, strike "\$1,744,183" and insert "\$1,694,633".

Page 118, line 4, strike "\$871,735" and insert "\$723,085".

Page 120, strike lines 18 through 21.

Explanation:

Conference Report on House Bill 1500

(This amendment, along with a companion amendment in Item 136, transfers funding from this item to Item 136 for the planning of the consolidation of the two schools for the deaf and blind to the State Board of Education.)

Item 136 #1c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Department Of Education, Central Office Operations	\$49,550	\$148,650	GF

Language:

Page 120, line 33, strike "\$52,709,982" and insert "\$52,759,532".

Page 120, line 34, strike "\$52,925,369" and insert "\$53,074,019".

Page 121, line 17, insert:

"D. 1. In order to provide improved services through up-to-date facilities as well as to achieve long-term cost savings, notwithstanding other provisions of the Code of Virginia, the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-disabled at Hampton shall be consolidated into one school upon completion of a new facility at a site as determined by the State Board of Education with assistance from the Department of General Services.

2. a. The State Board of Education, assisted by the Department of General Services, shall consider, among other options, Public-Private Education Act (PPEA) proposals to plan and design the consolidation of the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind and Multi-disabled at Hampton into a single campus and the transfer of students, programs and services to a single campus, the location of which shall be incorporated into a PPEA proposal or a conventional capital construction project proposal that will be accepted, reviewed and adopted by the State Board of Education no later than July 31, 2005.

b. In the event that the State Board of Education selects a PPEA proposal, the Department of General Services is authorized to enter into an agreement for construction of the new school at a total cost not to exceed \$61.5 million.

3. The Departments of Education and General Services shall provide an update on the final location selected by the State Board of Education and on the planning and

Conference Report on House Bill 1500

construction process to the Governor and the Chairmen of the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health by October 1, 2005. At a minimum, the report shall address:

- a. Revised cost estimates and proposed timelines for construction of the new facility for consolidating services for the students served by Virginia's two schools at Staunton and Hampton;
- b. In cooperation with the Department of Planning and Budget, revised projected operating budgets for fiscal years 2007 through 2010, including any one-time transition costs;
- c. The status of proposed mechanisms to assist school divisions with programs for children transferring into local school divisions rather than continuing enrollment at the new school location;
- d. Detailed cost estimates of possible program enhancements, including specialized technology, expanding services to include deaf children with emotional disabilities; and
- e. Potential alternative uses of the existing campuses in Hampton and Staunton.”
Page 120, strike lines 18 through 21.

Explanation:

(This amendment requires consolidation of the Virginia School for the Deaf and the Blind at Staunton and the Virginia School for the Deaf, Blind, and Multi-disabled at Hampton at a new facility to be identified in a final consolidation and site selection plan as adopted by the State Board of Education. In addition, there is a companion amendment in Item 135 related to the transfer of \$198,200 to this item to support the State Board of Education in implementing consolidation. The schools, which have a combined enrollment of about 200 students, are each situated on 70-plus acre multi-building campuses with growing deferred maintenance needs.)

Item 136 #2c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Department Of Education, Central	\$0	\$81,000	GF

Conference Report on House Bill 1500

Office Operations

Language:

Page 120, line 34, strike "\$52,925,369" and insert "\$53,006,369".

Page 121, after line 17, insert:

"E. This appropriation includes \$81,000 the second year from the general fund to fund the establishment of the Commission on Civics Education pursuant to House Bill 1769, 2005 Session.

The three main purposes of the advisory commission will be to further the education of students on the importance of citizen involvement in a representative democracy, to promote the study of state and local government among the citizens, and to enhance communication and collaboration among organizations that conduct civic education programs."

Explanation:

(This amendment is self-explanatory.)

Item 136 #3c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Department Of Education, Central
Office Operations

\$0

(\$200,000) GF

Language:

Page 120, line 34, strike "\$52,925,369" and insert "\$52,725,369".

Page 121, after line 12, insert:

"D. Out of this appropriation, \$274,573 each year from the general fund is designated to support the Partnership for Achieving Successful Schools initiative."

Page 121, strike lines 13 through 17.

Explanation:

(The amendment eliminates \$200,000 in the second year from the general fund that would have been allocated through the PASS initiative to create a pilot initiative to train the school board members from four low performing school divisions. This amendment sets out in language existing funding that is included in the fiscal year 2004 budget related to the "Education for a Lifetime/No Child Left Behind" initiatives.)

Conference Report on House Bill 1500

Item 137 #1c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Department Of Education, Central Office Operations	\$0	(\$643,200)	GF

Language:

Page 121, line 19, strike "\$48,323,540" and insert "\$47,680,340".

Page 123, strike lines 35 through 37.

Explanation:

(This amendment eliminates a total of \$643,200 in the second year from the general fund for \$600,000 in radio announcements, \$32,000 for 16 laptops and 16 printers, and \$11,200 for travel reimbursements to expand the "Race to the GED" program.)

Item 137 #2c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Department Of Education, Central Office Operations	\$0	(\$500,000)	GF

Language:

Page 121, line 19, strike "\$48,323,540" and insert "\$47,823,540".

Explanation:

(This amendment reduces proposed new funding for a statewide on-line career planning system, which was funded in fiscal year 2005 with existing funds. In the event that existing funds in the Department of Education are not sufficient to cover the cost of the contract and/or the contract is not re-negotiated to a lower amount, a companion amendment in Item 144 authorizes the Department of Education to transfer up to \$500,000 from the general fund for this purpose. However, the potential transfer for the on-line career planning services shall be subordinate to the funding requirements that are necessary to fulfill the existing or a re-negotiated contract for the turnaround specialists program.)

Item 137 #3c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Department Of Education, Central
Office Operations

\$0

(\$150,890) GF

Language:

Page 121, line 19, strike "\$48,323,540" and insert "\$48,172,650".

Page 121, after line 17, insert:

"E. Out of this appropriation, \$404,961 the first year and \$469,071 the second year from the general fund is designated to support the state's portion of the contract for the turnaround specialist credential program. In addition, nongeneral funds of \$124,200 the first year and \$43,200 the second year also support the contract. Included in the amount for Item 144 of this act is \$306,720 the first year and \$613,439 the second year from the general fund for salary incentives for 10 principals each year for a period of three years."

Explanation:

(This amendment reduces the proposed increase of \$459,811 by \$150,890 the second year for the turnaround specialist credential program contract. In the event that existing funds are not available, additional nongeneral funds do not become available, and/or the contract is not re-negotiated to a lower amount, a companion amendment in Item 144 authorizes the Department of Education to transfer up to \$150,890 for this purpose.)

Item 137 #4c

**Education: Elementary &
Secondary**

Department Of Education, Central
Office Operations

Language

Language:

Page 121, after line 17, insert:

"E. In the event that existing funds are not available, additional nongeneral funds do

Conference Report on House Bill 1500

not become available, and/or the contracts are not re-negotiated to lower amounts, the Department of Education is authorized to transfer up to \$150,890 the second year from the general fund appropriation for Item 144 in E. 5. a. to this item for the contract with the University of Virginia Partnership for Leaders in Education - The Darden School Foundation for the turnaround specialists program and up to \$500,000 the second year from the general fund appropriation for Item 144 in E. 5. a. to this item for the on-line career planning services. The potential transfer for the on-line career planning services existing or a re-negotiated contract shall be subordinate to the funding requirements that are necessary to fulfill the existing or a re-negotiated contract for the turnaround specialists program."

Explanation:

(This amendment authorizes the Department of Education to transfer certain funds from Item 144 to Item 137.)

Item 141 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Department Of Education, Central
Office Operations

(\$27,500)

(\$80,000) GF

Language:

Page 124, line 6, strike "\$8,078,146" and insert "\$8,050,646".

Page 124, line 6, strike "\$9,098,753" and insert "\$9,018,753".

Explanation:

(This amendment captures balances in the amounts set aside for bonuses to teachers receiving certification through the National Board of Professional Teaching Standards. Updated certifications from school divisions show that the actual number of Virginia public school teachers eligible for bonuses is lower than had been projected. By fiscal year 2006 it is projected that there will be 732 nationally board certified teachers working in Virginia public schools.)

Item 144 #1c

Education: Elementary &

FY 04-05

FY 05-06

Conference Report on House Bill 1500

Language:

Page 126, line 26, strike "\$501,412,921" and insert "\$497,793,743".

Page 131, strike lines 4 through 46.

Explanation:

(This amendment removes proposed new language from the introduced budget that changed the current methodology for reimbursing school districts for medical service costs pursuant to changes negotiated with the federal Centers for Medicare and Medicaid Services (CMS). Pending further negotiations with CMS on the future reimbursement methodology, the current reimbursement system will remain unchanged through the remainder of this fiscal year. There are two companion amendments in Item 326 and Part 3.)

Item 144 #4c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 129, after line 52, insert:

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

Page 129, line 53, strike "b." and insert "d."

Explanation:

(This amendment is self-explanatory.)

Item 144 #5c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

FY 04-05

FY 05-06

\$0

\$200,000 GF

Language:

Conference Report on House Bill 1500

Page 126, line 26, strike "\$501,412,921" and insert "\$501,612,921".

Page 128, line 35, strike "200,000" and insert "\$400,000".

Explanation:

(This amendment provides \$200,000 the second year for Jobs for Virginia Graduates, which is a school-to-graduation-to-work program that places career specialists in schools in 15 communities in the Commonwealth as a partner with the local school divisions.)

Item 144 #6c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

\$400,000 GF

Language:

Page 126, line 26, strike "\$501,412,921" and insert "\$501,812,921".

Page 128, after line 36, insert:

"4. Out of this appropriation, \$400,000 in the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions."

Explanation:

(This amendment provides \$400,000 in the second year from the general fund for the regional Career and Technical Education Resource Center in Henrico County to provide vocational curriculum and resource instructional materials to school divisions throughout the state at no charge.)

Item 144 #7c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 129, line 40, after "Act." insert:

"b. In the event that existing funds are not available, additional nongeneral funds do

Conference Report on House Bill 1500

not become available, and/or the contracts are not re-negotiated to lower amounts, the Department of Education is authorized to transfer up to \$150,890 the second year from the general fund appropriation for this item in E. 5. a. to Item 137 for the contract with the University of Virginia Partnership for Leaders in Education - The Darden School Foundation for the turnaround specialists program and up to \$500,000 the second year from the general fund appropriation for this item in E. 5. a. to Item 137 for the on-line career planning services. The potential transfer for the on-line career planning services existing or a re-negotiated contract shall be subordinate to the funding requirements that are necessary to fulfill the existing or a re-negotiated contract for the turnaround specialists program."

Page 129, line 53, strike "b" and insert "d".

Explanation:

(This amendment authorizes the Department of Education to transfer certain funds from Item 144 to Item 137.)

Item 144 #8c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Direct Aid To Public Education	(\$49,110)	\$0	GF

Language:

Page 126, line 26, strike "\$484,275,237" and insert "\$484,226,127".

Page 129, line 28, strike "\$2,713,485" and insert "\$2,664,375".

Explanation:

(This amendment reduces uncommitted reserve funding of \$49,110 from the general fund in the first year for the turnaround specialist program.)

Item 145 #1c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Direct Aid To Public Education	\$0	\$10,000,000	GF
	\$0	(\$10,000,000)	NGF

Language:

Conference Report on House Bill 1500

Page 133, line 32, strike "\$135,854,700" and insert "\$125,854,700".

Explanation:

(This amendment replaces \$10.0 million the second year of the total \$135.9 million in Literary Fund proceeds, which currently are diverted to support SOQ retirement costs. The restored Literary Fund proceeds will be used for direct loans for school construction projects on the First Priority Waiting List, which as of January 2005, included 49 projects totaling \$253.7 million. In addition, the introduced budget provides \$25.0 million for the purpose of interest rate subsidies for such projects.)

Item 145 #2c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

\$342,610 GF

Language:

Page 131, line 49, strike "\$287,877,959" and insert "\$288,220,569".

Explanation:

(This amendment adds \$342,610 the second year, together with a companion amendment in Item 146 that eliminates \$10.2 million from the general fund the first year and adds \$4.1 million the second year to fully fund various Direct Aid accounts that are effected by the adjustments needed to address the incorrect data submitted for Special Education and English as a Second Language students, the inaccurate classification of schools, and the increased change in the nonprofessional VRS rate.)

Item 146 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

\$2,276,867 GF

Language:

Page 133, line 35, strike "\$3,223,517,215" and insert "\$3,225,794,082".

Page 146, line 33, strike "\$54,208,178" and insert "\$56,485,045".

Page 147, after line 9, insert:

Conference Report on House Bill 1500

"c) In the case of the City of Richmond, from the total state payment for this purpose, \$675,000 the second year from the general fund shall be used as a one-time requirement to establish a pilot project in the City of Richmond to increase the number of community and school-based truancy officers to work in collaboration with the secondary schools in the City of Richmond. The pilot project shall provide education, training, and support programming for students and their parents or guardians that will focus on and emphasize the importance of attending school regularly.

The Department of Education and the City of Richmond shall develop a plan that covers project implementation and objectives to be accomplished that shall include, but not be limited to, comprehensive statistical data to determine which secondary schools are to be targeted, and an action plan that details steps that will be taken to reduce the levels of truancy or absenteeism in those schools. This plan shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2005. In addition, the Department and the City of Richmond shall provide a project status report that includes an assessment of the results of the program to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2005."

Page 147, line 3, after "Dropout Prevention," insert:
"community and school-based truancy officer programs,".

Explanation:

(This amendment adds \$2.3 statewide to restore half of the eight percent reduction taken in 2002 to the At-Risk Add-On payments, which support approved programs for students who are educationally at-risk. This amendment adds truancy prevention to the list of programs that may be supported with this funding. In addition, this amendment requires that of the total at-risk funding provided in this item for the City of Richmond, that \$675,000 shall be directed to truancy programs.)

Item 146 #2c

**Education: Elementary &
Secondary**

	FY 04-05	FY 05-06	
Direct Aid To Public Education	(\$10,237,770)	\$4,106,515	GF

Language:

Page 133, line 35, strike "\$3,065,227,495" and insert "\$3,054,989,725".

Conference Report on House Bill 1500

Page 133, line 35, strike "\$3,223,517,215" and insert "\$3,227,623,730".

Explanation:

(This amendment eliminates \$10.2 million from the general fund the first year and adds \$4.1 million the second year, plus \$342,610 the second year in a companion amendment in Item 145, to fully fund various Direct Aid accounts that are effected by the adjustments needed to address the incorrect data submitted for Special Education and English as a Second Language students, the inaccurate classification of schools, and the increased change in the nonprofessional VRS rate. All data corrections to school division data will be made, and balances can be used, if available, to cover shortages in the current year. In the event that sufficient funding is not available, prorated reductions will be applied to all school divisions.)

Item 146 #3c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

(\$225,199)

(\$789,513) GF

Language:

Page 133, line 35, strike "\$3,065,227,495" and insert "\$3,065,002,296".

Page 133, line 35, strike "\$3,223,517,215" and insert "\$3,222,727,702".

Page 143, line 52, strike "\$79,100,000" and insert "\$79,400,000".

Page 143, line 53, strike "\$110,700,000" and insert "\$112,000,000".

Explanation:

(This amendment reflects the offset to Basic Aid based on the final sales tax estimate provided by the Department of Taxation. It decreases the state's share for Basic Aid payments to localities by \$1.0 million in the biennium as a result of a correction realized after the budget bill was introduced. This is the corresponding offset in Basic Aid as a result of an additional \$1.8 million in sales tax being distributed to school divisions. There are companion amendments in Items 147 and 157.10.)

Item 146 #4c

Conference Report on House Bill 1500

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

(\$130,651) GF

Language:

Page 133, line 35, strike "\$3,223,517,215" and insert "\$3,223,386,564".

Explanation:

(This amendment reflects the offset to Basic Aid by decreasing the state's share of payments to localities by \$130,651 from the general fund the second year as a result of passage of House Bill 2762. This is the corresponding offset in Basic Aid as a result of an additional \$231,692 in sales tax being distributed to school divisions. There is a companion amendment in Item 147.)

Item 146 #5c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 135, line 21, after "3.", insert "a."

Page 135, after line 38, insert:

"b. Basic Aid funding attributable to school nurse funding, as calculated by the Department of Education, may be used by school divisions for the purchase of defibrillators at public high schools that offer interscholastic sports on campus."

Explanation:

(This amendment is self-explanatory.)

Item 146 #6c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Conference Report on House Bill 1500

Language:

- Page 150, line 38, strike "\$58,780,000" and insert "\$58,390,000".
- Page 150, line 39, strike "\$59,092,000" and insert "\$58,702,000".
- Page 151, line 8, strike "\$58,780,000" and insert "\$58,390,000".
- Page 151, line 9, strike "\$59,092,000" and insert "\$58,702,000".

Explanation:

(This amendment reduces by \$390,000 each year the distribution of Virginia Public School Authority (VPSA) technology equipment bond proceeds to school divisions, reflecting updates to the number of schools upon which the distributions are calculated. There will not be any reduction to the estimated amounts for debt service that are appropriated in the budget bill, as introduced.)

Item 147 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

(\$8,789,440)

\$0 GF

Language:

- Page 158, line 7, strike "\$1,447,100,774" and insert "\$1,438,311,334".
- Page 158, line 34, strike "\$18,894,385" and insert "\$19,300,670".
- Page 158, line 35, strike "\$18,995,902" and insert "\$19,517,449".
- Page 158, line 40, strike "\$261,853,355" and insert "\$270,393,824".
- Page 158, line 41, strike "\$259,094,351" and insert "\$258,774,717".
- Page 158, line 46, strike "\$165,453,034" and insert "\$156,500,966".
- Page 158, line 47, strike "\$163,709,747" and insert "\$163,507,784".
- Page 158, line 50, strike "\$250.50" and insert "\$236.95".
- Page 158, line 51, strike "\$245.54" and insert "\$245.24".

Explanation:

(This amendment provides the net effect of redirecting to Basic Aid the \$22.7 million in unanticipated increased fiscal year 2004 lottery proceeds. This does not affect the net increase of \$11.0 million in fiscal year 2005 and \$15.4 million in fiscal year 2006 that reflect estimated increases in fiscal year 2005 and fiscal year 2006 lottery proceeds. In addition, the language changes in this amendment also account for necessary technical corrections to the introduced budget.)

Conference Report on House Bill 1500

Item 147 #2c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Direct Aid To Public Education	\$400,000	\$1,400,000	GF

Language:

Page 158, line 7, strike "\$1,447,100,774" and insert "\$1,447,500,774".

Page 158, line 7, strike "\$1,531,200,000" and insert "\$1,532,600,000".

Explanation:

(This amendment corrects the sales tax estimates based on the final forecast information provided by the Department of Taxation. Companion amendments are submitted for Items 146 and 157.10.)

Item 147 #3c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Direct Aid To Public Education	\$0	\$231,692	GF

Language:

Page 158, line 7, strike "\$1,531,200,000" and insert "\$1,531,431,692".

Explanation:

(This amendment provides \$231,692 the second year from the general fund from increased sales taxes collected and distributed to school divisions as a result of the passage of House Bill 2762 which removes the state tax exemption of car paint used in auto body shops. A companion amendment is submitted for Item 146 to recognize the offset in the state's share of Basic Aid payments to schools.)

Item 148 #1c

Education: Elementary & Secondary	FY 04-05	FY 05-06	
Direct Aid To Public Education	\$0	(\$100,000)	GF

Conference Report on House Bill 1500

Language:

Page 159, line 29, strike "\$12,805,000" and insert "\$12,705,000".

Page 159, line 48, strike "\$200,000" and insert "\$100,000".

Explanation:

(This amendment eliminates new funding of \$100,000 from the general fund in the second year included in the introduced budget for the Virginia Adult Learning Resource Center.)

Item 149 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

\$100,000 GF

Language:

Page 160, line 7, strike "\$13,227,769" and insert "\$13,327,769".

Explanation:

(This amendment provides planning grant funds in the amount of \$100,000 from the general fund in the second year to establish a Regional Academic-Year Governor's School for Clarke, Culpeper, Fauquier, Frederick, Rappahannock, Warren and Winchester school divisions. Lord Fairfax Community College would provide classroom space for the new school. Fauquier School Division would serve as the planning grant fiscal agent. This is the only remaining region in the state that does not offer access to an existing Governor's School program.)

Item 149 #2c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

\$17,239 GF

Language:

Page 160, line 7, strike "\$13,227,769" and insert "\$13,245,008".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$17,239 in the second year from the general fund to add eight students from Page County Public School Division into the newly created Massanutten Governor's School. Currently, three other school divisions, Rockingham (30 students), Shenandoah (25 students), and Harrisonburg (10 students), participate in the Massanutten Governor's School.)

Item 149 #3c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

(\$119,041)

(\$57,752) GF

Language:

Page 160, line 7, strike "\$12,463,000" and insert "\$12,343,959".

Page 160, line 7, strike "\$13,227,769" and insert "\$13,170,017".

Explanation:

(This amendment captures savings based on actual enrollment levels in the Governor's School program. Only the Massanutten and Blue Ridge programs are affected.)

Item 150 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

(\$1,579,220) GF

Language:

Page 161, line 26, strike "\$147,381,152" and insert "\$145,801,932".

Page 161, at the beginning of line 34, strike "A."

Page 161, strike lines 40 through 45.

Explanation:

(This amendment eliminates funding for the proposed new state program to reimburse school divisions \$0.05 per meal for each school breakfast provided.)

Conference Report on House Bill 1500

Item 151 #1c

**Education: Elementary &
Secondary**

FY 04-05

FY 05-06

Direct Aid To Public Education

\$0

(\$100,000) GF

Language:

Page 161, line 47, strike "\$2,850,000" and insert "\$2,750,000".

Page 162, line 1, strike "\$150,000" and insert "\$50,000".

Explanation:

(This amendment reduces \$100,000 of the \$150,000 in new funding proposed in the introduced budget of general funds in the second year for the Virginia Career Education Foundation.)

Item 157.10 #1c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 163, line 40, strike "\$158,100,000" and insert "\$158,800,000".

Page 163, line 41, strike "\$221,300,000" and insert "\$224,000,000".

Page 163, line 52, strike "\$79,100,000" and insert "\$79,400,000".

Page 163, line 53, strike "\$110,700,000" and insert "\$112,000,000".

Page 164, line 12, strike "\$79,100,000" and insert "\$79,400,000".

Page 164, line 13, strike "\$110,700,000" and insert "\$112,000,000".

Explanation:

(This amendment corrects language for the sales tax estimate of the one-fourth cent dedicated to public education. This item details the use of the one-fourth cent sales tax revenue that resides in the Standards of Quality/Local Real Estate Property Tax Relief Fund. Companion amendments are submitted for Items 146 and 147.)

Education: Higher Education	FY 04-05	FY 05-06	
State Council Of Higher Education For Virginia	\$0	\$1,600,000	GF

Language:

Page 167, line 28, strike "\$50,808,416" and insert "\$52,408,416".

Page 168, line 11, strike "\$43,545,433" and insert "\$45,145,433".

Explanation:

(This amendment provides \$1.6 million from the general fund in the second year in anticipation of increased program participation. These funds are provided to supplement the \$1.8 million included in the introduced budget in an effort to increase the maximum award for undergraduate students from an estimated \$2,500 in fiscal year 2005 to \$2,600 in fiscal year 2006 and for graduate students from an estimated \$1,900 in fiscal year 2005 to \$2,000 in fiscal year 2006. A companion language amendment in Item 163 also provides for the transfer of balances in fiscal year 2006 from other scholarship funds to supplement the tuition assistance grant program if those funds are available.)

Education: Higher Education	
State Council Of Higher Education For Virginia	Language

Language:

Page 170, after line 13, insert:

"4. The Executive Director of the State Council of Higher Education for Virginia shall certify no later than March 1 of each year the amount of funding needed to reimburse public institutions of higher education for this purpose. To the extent the amount needed for those reimbursements is less than the amount appropriated, the Executive Director of the State Council of Higher Education for Virginia shall notify the Director of the Department of Planning and Budget and shall reallocate those funds for use under Item 163 E of this act."

Explanation:

(This amendment directs that any balances remaining in the tuition waiver program

Conference Report on House Bill 1500

for military dependents be used to supplement tuition assistance grants.)

Item 165 #1c

Education: Higher Education	FY 04-05	FY 05-06	
State Council Of Higher Education For Virginia	\$0	\$150,000	GF

Language:

Page 171, line 34, strike "\$10,057,375" and insert "\$10,207,375".

Page 172, line 1, strike "\$396,986" and insert "\$546,986".

Page 169, line 19, after "Grants.", strike "However, beginning in".

Page 169, strike lines 20 through 22.

Page 172, line 1, strike "\$396,986" and insert "\$546,396".

Page 172, strike lines 13 through 16 and insert "Grants."

Explanation:

(This amendment restores \$150,000 from the general fund in the second year for the Virginia Women's Institute for Leadership program at Mary Baldwin College.)

Item 165 #2c

Education: Higher Education	FY 04-05	FY 05-06	
State Council Of Higher Education For Virginia	\$0 0.00	\$400,000 7.00	GF FTE

Language:

Page 171, line 34, strike "\$10,057,375" and insert "\$10,457,375".

Page 174, strike lines 1 through 10 and insert:

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

Conference Report on House Bill 1500

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

3. In addition, the State Council of Higher Education is charged with conducting a higher education affordability study. The purpose of the study shall be to address the extent to which cost is a barrier to access for students wishing to attend a public or private, nonprofit college or university in the Commonwealth. In addressing this issue, the study shall include, but is not limited to, identifying: (i) the economic diversity of students attending Virginia's public and private institutions of higher education; (ii) the extent to which students and families rely on grant aid, loans, savings, and supplemental employment to cover the cost of attendance; (iii) the extent to which state-funded need-based student financial aid mitigates any cost barrier for students in attending public colleges and universities or reduces reliance on loans, savings, and supplement employment; (iv) the extent to which state funding for the tuition assistance grant enables students to attend private, nonprofit colleges and universities in the Commonwealth; and (v) the comparative affordability and dependence on grants, loans, savings, and supplemental employment between Virginia's system of public and private institutions and that of similar states. The study shall be completed and transmitted to the Chairmen of the House Appropriations and Senate Finance Committees prior to the first day of the regular Session of the 2006 General Assembly."

Explanation:

(This amendment provides \$400,000 and six positions from the general fund in the second year to supplement \$186,870 GF included in the introduced budget. These funds are provided to enhance SCHEV's coordination and oversight roles and to reflect the additional responsibilities contained in Senate Bill 1327/House Bill 2866 (2005 Session) as the result of restructuring the state's relationship with its public institutions of higher education. The amendment also provides authority to employ one additional nongeneral fund position using grant funds.)

Conference Report on House Bill 1500

Education: Higher Education

FY 04-05

FY 05-06

State Council Of Higher Education
For Virginia

\$0

(\$430,000) GF

Language:

Page 171, line 34, strike "\$10,057,375" and insert "\$9,627,375".

Page 172, line 59, strike "\$5,666,894" and insert "\$5,236,894".

Page 173, line 2, after "Virginia." strike the remainder of the line and insert:

"Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, \$378,200 in each year is earmarked to allow the participation of nonprofit, independent private colleges and universities."

Page 173, strike lines 3 through 6.

Explanation:

(This amendment removes \$430,000 from the general fund in the second year that was provided in the budget, as introduced, to increase acquisitions through the Virtual Library of Virginia. The amendment further clarifies the General Assembly's intent that the funding be used for the benefit of Virginia's public institutions of higher education and participating nonprofit, independent private colleges and universities.)

Item 165 #4c

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 172, strike lines 17 through 44 and insert:

"B. The State Council of Higher Education for Virginia (SCHEV), with direction from the Secretary of Education, shall develop a six-year statewide strategic plan for higher education. As part of this planning process and consistent with the provisions of House Bill 2866 and Senate Bill 1327, 2005 General Assembly, Virginia's public colleges and universities shall develop six-year financial, enrollment, and academic plans that include strategies to meet statewide higher education goals. In this planning process and consistent with the provisions of House Bill 2866 and Senate Bill 1327, 2005 Session of the Acts of Assembly, SCHEV shall also require institutions to

Conference Report on House Bill 1500

provide annual updates on their strategic plans. Such reports shall include (i) progress in meeting both state and institutional goals and (ii) specific actions to restructure institutional activities and programs to meet state and institutional goals."

Explanation:

(This amendment updates SCHEV's existing responsibilities for statewide planning and accountability to reflect the passage of Senate Bill 1327/House Bill 2866, 2005 Session.)

Item 168 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Christopher Newport University	\$0	(\$154,876)	GF

Language:

Page 174, line 51, strike "\$39,860,659" and insert "\$39,705,783".

Page 175, line 27, strike "\$3,424,481" and insert "\$3,269,605".

Page 175, line 35, after "students", strike "," and insert ";".

Page 175, line 36, after "effectively", strike "," and insert ";".

Page 175, line 37, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$154,876 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 168 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Christopher Newport University	\$1,000,000	\$1,500,000	NGF

Language:

Page 174, line 50, strike "\$36,614,034" and insert "\$37,614,034".

Page 174, line 51, strike "\$39,860,659" and insert "\$41,360,659".

Conference Report on House Bill 1500

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority within the educational and general program by \$1.0 million in the first year and \$1.5 million in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 168 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Christopher Newport University	\$0	\$62,754	GF

Language:

Page 174, line 51, strike "\$39,860,659" and insert "\$39,923,413".

Explanation:

(This amendment provides \$62,754 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 169 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Christopher Newport University	\$0	(\$14,000)	GF

Language:

Page 175, line 43, strike "\$3,056,752" and insert "\$3,042,752".

Page 175, strike line 46.

Explanation:

(This amendment removes \$14,000 from the general fund in the second year in new

Conference Report on House Bill 1500

funding that was earmarked for graduate student aid in the budget, as introduced.)

Item 172 #1c

Education: Higher Education	FY 04-05	FY 05-06	
The College Of William And Mary In Virginia	\$0	(\$273,982)	GF

Language:

Page 176, line 34, strike "\$109,942,584" and insert "\$109,668,602".

Page 177, line 18, strike "\$2,370,271" and insert "\$2,096,289".

Page 177, line 26, after "students", strike "," and insert ";".

Page 177, line 27, after "effectively", strike "," and insert ";".

Page 177, line 28, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$273,982 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 172 #2c

Education: Higher Education	FY 04-05	FY 05-06	
The College Of William And Mary In Virginia	\$0	\$181,164	GF

Language:

Page 176, line 34, strike "\$109,942,584" and insert "\$110,123,748".

Explanation:

(This amendment provides \$181,164 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions

Conference Report on House Bill 1500

by the end of the decade, these funds will provide teaching and research faculty at the College with an average 4.8 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 172 #3c

Education: Higher Education	FY 04-05	FY 05-06	
The College Of William And Mary In Virginia	\$0	(\$155,802)	GF

Language:

Page 176, line 34, strike "\$109,942,584" and insert "\$109,786,782".

Explanation:

(This amendment removes \$155,802 from the general fund in the second year for a new dual enrollment pilot initiative proposed in the budget, as introduced.)

Item 173 #1c

Education: Higher Education	FY 04-05	FY 05-06	
The College Of William And Mary In Virginia	\$0	(\$73,213)	GF

Language:

Page 177, line 34, strike "\$5,231,156" and insert "\$5,157,943".

Page 177, line 38, strike "\$996,059" and insert "\$922,846".

Explanation:

(This amendment redirects \$73,213 from the general fund in the second year, or half of the new funding provided in the introduced budget, to supplement graduate student aid. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Conference Report on House Bill 1500

Item 176 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Richard Bland College	\$0	\$11,216	GF

Language:

Page 178, line 43, strike "\$7,136,347" and insert "\$7,147,563".

Explanation:

(This amendment provides \$11,216 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the College with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative and part-time faculty. Salary increases shall be effective November 25, 2005.)

Item 176 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Richard Bland College	\$0	\$100,000	NGF

Language:

Page 178, line 43, strike "\$7,136,347" and insert "\$7,236,347".

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority within the educational and general program by \$100,000 in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 176 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Richard Bland College	\$0	\$50,000	GF

Language:

Conference Report on House Bill 1500

Page 178, line 43, strike "\$7,136,347" and insert "\$7,186,347".

Explanation:

(This amendment provides general funds in the second year for operating support and enrollment growth.)

Item 180 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Institute Of Marine Science	\$0	\$119,542	GF

Language:

Page 180, line 9, strike "\$18,799,150" and insert "\$18,918,692".

Explanation:

(This amendment provides \$119,542 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the Institute with an average 4.8 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 180 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Institute Of Marine Science	\$0	\$100,000	GF
	0.00	2.00	FTE

Language:

Page 180, line 9, strike "\$18,799,150" and insert "\$18,899,150".

Explanation:

(This amendment provides \$100,000 from the general fund and two positions in

Conference Report on House Bill 1500

the second year for increased operating support.)

Item 182 #1c

Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	\$1,200,000	GF

Language:

Page 181, line 36, strike "\$255,618,778" and insert "\$256,818,778".

Page 182, line 29, strike "\$10,380,984" and insert "\$11,580,984".

Page 182, line 37, after "students", strike "," and insert ";".

Page 182, line 38, after "effectively", strike "," and insert ";".

Page 182, line 39, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Page 182, after line 43, insert:

"F. Out of this appropriation, \$125,000 the second year from the general fund is provided for operating support for the Institute for Conflict Analysis and Resolution."

Explanation:

(This amendment provides an additional \$1.2 million from the general fund in the second year to offset a portion of the increased "base adequacy" costs associated with actual fiscal year 2004 enrollments exceeding projections. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 182 #2c

Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	\$349,701	GF

Language:

Page 181, line 36, strike "\$255,618,778" and insert "\$255,968,479".

Explanation:

(This amendment provides \$349,701 from the general fund in the second year to supplement funding provided for faculty salary increases in an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade.

Conference Report on House Bill 1500

These funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 182 #3c

Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$8,400,000	\$4,800,000	NGF

Language:

Page 181, line 35, strike "\$231,980,244" and insert "\$240,380,244".

Page 181, line 36, strike "\$255,618,778" and insert "\$260,418,778".

Explanation:

(This amendment provides additional nongeneral fund authority to reflect estimated additional revenue collections in each year.)

Item 183 #1c

Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	(\$71,359)	GF

Language:

Page 182, line 45, strike "\$10,252,752" and insert "\$10,181,393".

Page 182, line 49, strike "\$1,292,077" and insert "\$1,220,718".

Explanation:

(This amendment redirects \$71,359 from the general fund in the second year, or half of the new funding provided in the introduced budget, to supplement graduate student aid. A companion amendment in Item 4-5.01 stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Conference Report on House Bill 1500

Item 186 #1c

Education: Higher Education	FY 04-05	FY 05-06	
James Madison University	\$0	\$120,000	GF

Language:

Page 183, line 34, strike "\$161,505,533" and insert "\$161,625,533".

Explanation:

(This amendment provides \$120,000 from the general fund in the second year for enrollment growth.)

Item 186 #2c

Education: Higher Education	FY 04-05	FY 05-06	
James Madison University	\$0	\$186,233	GF

Language:

Page 183, line 34, strike "\$161,505,533" and insert "\$161,691,766".

Explanation:

(This amendment provides \$186,233 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 187 #1c

Education: Higher Education	FY 04-05	FY 05-06	
James Madison University	\$0	(\$18,000)	GF

Language:

Conference Report on House Bill 1500

Page 184, line 34, strike "\$6,087,891" and insert "\$6,069,891".

Page 184, line 38, strike "\$408,222" and insert "\$390,222".

Explanation:

(This amendment removes \$18,000 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 190 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Longwood University	\$0	\$1,200,000	GF

Language:

Page 185, line 26, strike "\$38,309,441" and insert "\$39,509,441".

Page 186, line 31, strike "\$3,702,758" and insert "\$4,902,758".

Page 186, line 39, after "students", strike "," and insert ";".

Page 186, line 40, after "effectively", strike "," and insert ";".

Page 186, line 41, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides an additional \$1.2 million from the general fund in the second year to continue moving the University towards full funding of the base adequacy guidelines. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 190 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Longwood University	\$0	\$88,937	GF

Language:

Page 185, line 26, strike "\$38,309,441" and insert "\$38,398,378".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$88,937 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.8 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 190 #3c

Education: Higher Education

Longwood University

FY 04-05

\$0
0.00

FY 05-06

(\$443,855) GF
-7.00 FTE

Language:

Page 185, line 26, strike "\$38,309,441" and insert "\$37,865,586".

Page 185, strike lines 47 through 52 and insert:

"2. Out of this appropriation, \$216,313 and 2.0 positions the second year from the general fund is provided for the Institute for Teaching Through Technology and Innovative Practices."

Explanation:

(This amendment transfers \$443,855 from the general fund and seven positions from Longwood University to the Southern Virginia Higher Education Center created under Senate Bill 1293/House Bill 2071 (2005 Session). Longwood University currently serves as the parent agency for the Center's operations. Senate Bill 1293/House Bill 2071 (2005 Session), establishes the Center as a stand-alone higher education center. A companion amendment in Item 268.10 sets out a separate line item for the Center and provides the offsetting appropriation and increased general fund support.)

Item 191 #1c

Education: Higher Education

Longwood University

FY 04-05

\$0

FY 05-06

(\$14,000) GF

Conference Report on House Bill 1500

Language:

Page 186, line 47, strike "\$2,545,748" and insert "\$2,531,748".

Page 186, strike line 50.

Explanation:

(This amendment removes \$14,000 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced.)

Item 194 #1c

Education: Higher Education

FY 04-05

FY 05-06

University Of Mary Washington

\$0

(\$189,993) GF

Language:

Page 187, line 40, strike "\$43,927,207" and insert "\$43,737,214".

Page 188, line 19, strike "\$1,501,663" and insert "\$1,311,663".

Page 188, line 27, after "students" strike "," and insert ";".

Page 188, line 28, after "effectively" strike "," and insert ";".

Page 188, line 29, after "certificate," insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;"

Explanation:

(This amendment provides for a reduction of \$189,993 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 194 #2c

Education: Higher Education

FY 04-05

FY 05-06

University Of Mary Washington

\$0

\$63,333 GF

Language:

Page 187, line 40, strike "\$43,927,207" and insert "\$43,990,540".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$63,333 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget bill, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.3 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 194 #3c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Mary Washington	\$0	\$90,000	GF
	0.00	3.50	FTE

Language:

Page 187, line 40, strike "\$43,927,207" and insert "\$44,017,207".

Explanation:

(This amendment provides \$90,000 from the general fund and 3.5 positions in the second year for the state share of the operation and maintenance costs associated with an 11,500 square foot addition to the Belmont Studio at the Melchers-Monroe Museums.)

Item 194 #4c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Mary Washington	\$0	\$597,262	NGF

Language:

Page 187, line 40, strike "\$43,927,207" and insert "\$44,524,469".

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority

Conference Report on House Bill 1500

within the educational and general program by \$597,262 in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 195 #1c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Mary Washington	\$0	(\$14,000)	GF

Language:

Page 188, line 35, strike "\$1,101,545" and insert "\$1,087,545".

Page 188, strike line 38.

Explanation:

(This amendment removes \$14,000 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced.)

Item 200 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Norfolk State University	\$0	\$77,765	GF

Language:

Page 190, line 15, strike "\$74,628,976" and insert "\$74,706,741".

Explanation:

(This amendment provides \$77,765 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 201 #1c

Conference Report on House Bill 1500

Education: Higher Education	FY 04-05	FY 05-06
Norfolk State University	\$0	(\$18,247) GF

Language:

Page 192, line 5, strike "\$8,057,957" and insert "\$8,039,710".

Page 192, line 9, strike "\$358,974" and insert "\$340,727".

Explanation:

(This amendment removes \$18,247 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 204 #1c

Education: Higher Education	FY 04-05	FY 05-06
Old Dominion University	\$0	\$650,000 GF

Language:

Page 192, line 46, strike "\$162,393,484" and insert "\$163,043,484".

Page 194, line 29, strike "\$12,517,996" and insert "\$13,187,785".

Page 194, line 37, after "students", strike "," and insert ";".

Page 194, line 38, after "effectively", strike "," and insert ";".

Page 194, line 39, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;"

Explanation:

(This amendment provides an additional \$650,000 from the general fund in the second year to offset a portion of the increased "base adequacy" costs associated with actual fiscal year 2004 enrollments exceeding fiscal year 2004 projections. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 204 #2c

Education: Higher Education	FY 04-05	FY 05-06
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Conference Report on House Bill 1500

Old Dominion University	\$0	\$191,029	GF
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Language:

Page 192, line 46, strike "\$162,393,484" and insert "\$162,584,513".

Explanation:

(This amendment provides \$191,029 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 204 #3c

Education: Higher Education

Old Dominion University

FY 04-05

\$0

FY 05-06

(\$412,500) GF

Language:

Page 192, line 46, strike "\$162,393,484" and insert "\$161,980,984".

Explanation:

(This amendment removes \$412,500 from the general fund in the second year for one-time seed money included for University research in the budget, as introduced.)

Item 205 #1c

Education: Higher Education

Old Dominion University

FY 04-05

\$0

FY 05-06

(\$53,678) GF

Language:

Page 194, line 48, strike "\$10,252,900" and insert "\$10,199,222".

Page 194, line 52, strike "\$1,895,206" and insert "\$1,841,528".

Conference Report on House Bill 1500

Explanation:

(This amendment redirects \$53,678 from the general fund in the second year, or half of the new funding provided in the introduced budget, to supplement graduate student aid. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 208 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Radford University	\$0	(\$283,800)	GF

Language:

Page 196, line 3, strike "\$77,407,007" and insert "\$77,123,207".

Page 196, line 34, strike "\$5,526,923" and insert "\$5,243,123".

Page 196, line 42, after "students", strike "," and insert ";".

Page 196, line 43, after "effectively", strike "," and insert ";".

Page 196, line 44, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$283,800 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 208 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Radford University	\$0	\$98,195	GF

Language:

Page 196, line 3, strike "\$77,407,007" and insert "\$77,505,202".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$98,195 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 208 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Radford University	\$0	\$550,000	NGF

Language:

Page 196, line 3, strike "\$77,407,007" and insert "\$77,957,007".

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority within the educational and general program by \$550,000 in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 209 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Radford University	\$0	(\$18,000)	GF

Language:

Page 196, line 50, strike "\$5,014,991" and insert "\$4,996,991".

Page 196, line 54, strike "\$588,400" and insert "\$570,400".

Explanation:

(This amendment removes \$18,000 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided

Conference Report on House Bill 1500

for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 213 #1c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	(\$339,386)	GF

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$389,743,844".

Page 201, line 38, strike "\$8,040,366" and insert "\$7,700,980".

Page 201, line 46, after "students", strike "," and insert ";".

Page 201, line 47, after "effectively", strike "," and insert ";".

Page 201, line 48, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$339,386 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 213 #2c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$624,029	GF

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$390,707,259".

Explanation:

(This amendment provides \$624,029 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the

Conference Report on House Bill 1500

University with an average 5.0 percent increase in fiscal year 2006. This amendment also includes: (i) funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants and (ii) funds for providing increases to faculty in the University's family practice program. Salary increases shall be effective November 25, 2005.)

Item 213 #3c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	(\$155,000)	GF

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$389,928,230".

Explanation:

(This amendment removes \$155,000 from the general fund in the second year that had been earmarked in the introduced budget for the development of a new collaborative graduate engineering program in nanotechnology.)

Item 213 #4c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	(\$1,012,500)	GF

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$389,070,730".

Explanation:

(This amendment removes \$1,012,500 from the general fund in the second year for one-time seed money included for University research in the budget, as introduced.)

Item 213 #5c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$1,300,000	NGF

Conference Report on House Bill 1500

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$391,383,230".

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority within the educational and general program by \$1.3 million in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 213 #6c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$100,000	GF

Language:

Page 198, line 11, strike "\$390,083,230" and insert "\$390,183,230".

Page 200, line 24, strike "\$368,000" and insert "\$468,000".

Explanation:

(This amendment provides \$100,000 from the general fund in the second year for the Center for Politics at the University of Virginia.)

Item 214 #1c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	(\$324,076)	GF

Language:

Page 202, line 2, strike "\$41,223,842" and insert "\$40,899,766".

Page 202, line 6, strike "\$23,863,359" and insert "\$23,528,430".

Explanation:

(This amendment redirects \$324,076 from the general fund in the second year, or about half of the new funding provided in the introduced budget, to supplement graduate student aid. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Conference Report on House Bill 1500

Item 214 #2c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$350,000	NGF

Language:

Page 202, line 2, strike "\$41,223,842" and insert "\$41,573,842".

Explanation:

(This amendment provides \$350,000 from nongeneral funds in the second year to increase undergraduate financial aid under the Access UVa program.)

Item 221 #1c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia's College At Wise	\$0	\$664,973	GF

Language:

Page 204, line 18, strike "\$15,703,015" and insert "\$16,367,988".

Page 204, line 38, after "B." insert "1."

Page 204, line 39, strike "936,357" and insert "\$1,601,330".

Page 204, line 47, after "students", strike "," and insert ";".

Page 204, line 48, after "effectively", strike "," and insert ";".

Page 204, line 49, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Page 204, after line 53 insert:

"2. At the discretion of the board of visitors, the institution may develop, and submit to the State Council of Higher Education for Virginia for its approval, academic program(s) to address the need for computer science and engineering professionals in the region."

Explanation:

(This amendment provides an additional \$664,973 from the general fund in the second year to offset a portion of the increased "base adequacy" costs associated with actual fiscal year 2004 enrollments exceeding fiscal year 2004 projections. The amendment also includes clarifying language with respect to the institution's role in

Conference Report on House Bill 1500

preparing students to meet the Commonwealth's critical workforce needs.)

Item 221 #2c

Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia's College At Wise	\$0	\$25,206	GF

Language:

Page 204, line 18, strike "\$15,703,015" and insert "\$15,728,221".

Explanation:

(This amendment provides \$25,206 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the College with an average 4.1 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative and part-time faculty. Salary increases shall be effective November 25, 2005.)

Item 225 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Commonwealth University	\$0	\$140,150	GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$369,598,722".

Page 208, line 26, strike "\$449,850" and insert "\$590,000".

Explanation:

(This amendment provides \$140,150 from the general fund in the second year to restore state support for the Autism Program of Virginia.)

Item 225 #2c

Education: Higher Education	FY 04-05	FY 05-06	
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Conference Report on House Bill 1500

Virginia Commonwealth University \$0 \$50,000 GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$369,508,572".
 Page 206, line 24, strike "\$5,832,215" and insert "\$5,882,215".

Explanation:

(This amendment provides \$50,000 from the general fund in the second year for the Family Practice Residency Program at Virginia Commonwealth University. These funds when combined with an increase of \$250,000 provided in the budget, as introduced, will increase annual general fund support for the program to \$5.9 million.)

Item 225 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Commonwealth University	\$0	\$697,289	GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$370,155,861".

Explanation:

(This amendment provides \$697,289 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.5 percent increase in fiscal year 2006. This amendment also includes: (i) funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants and (ii) funds for providing increases to faculty in the University's family practice program. Salary increases shall be effective November 25, 2005.)

Item 225 #4c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Commonwealth University	\$0	(\$453,578)	GF

Language:

Conference Report on House Bill 1500

Page 206, line 7, strike "\$369,458,572" and insert "\$369,004,994".

Page 210, line 21, strike "\$15,864,756" and insert "\$15,411,178".

Page 210, line 29, after "students", strike "," and insert ";".

Page 210, line 30, after "effectively", strike "," and insert ";".

Page 210, line 31, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$453,578 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 225 #5c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Commonwealth University

\$0

(\$100,000) GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$369,358,572".

Page 210, strike lines 36 through 40.

Explanation:

(This amendment removes \$100,000 from the general fund in the second year that had been earmarked in the budget, as introduced, for the Grace E. Harris Leadership Institute at Virginia Commonwealth University.)

Item 225 #6c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Commonwealth University

\$0

\$80,000 GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$369,538,572".

Page 207, line 15, strike "\$262,500" and insert "\$342,500".

Page 207, line 17, after "Aging.", insert:

Conference Report on House Bill 1500

"This includes \$160,000 in the second year for the Alzheimer's and Related Diseases Research Award Fund."

Explanation:

(This amendment provides \$80,000 from the general fund in the second year for the Center on Aging at Virginia Commonwealth University for the Alzheimer's and Related Diseases Research Award Fund. This amendment restores funding and brings the total available for Alzheimer's research in the second year to \$160,000.)

Item 225 #7c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Commonwealth University	\$0	\$150,000	GF

Language:

Page 206, line 7, strike "\$369,458,572" and insert "\$369,608,572".

Page 210, after line 40, insert:

"R. Out of this appropriation, \$150,000 is provided from the general fund in the second year for the Medical College of Virginia Palliative Care Partnership."

Explanation:

(This amendment provides funding to support palliative care programs through the Medical College of Virginia. Palliative care programs seek to provide care and reduce suffering for patients in advanced stages of illness and their families through the interdisciplinary use of medical professionals, nurses, social workers, and advisors.)

Item 226 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Commonwealth University	\$0	(\$201,352)	GF

Language:

Page 210, line 42, strike "\$12,709,852" and insert "\$12,508,500".

Page 210, line 46, strike "\$1,890,584" and insert "\$1,689,232".

Explanation:

(This amendment redirects \$201,352 from the general fund in the second year, or half of the new funding provided in the introduced budget, to supplement graduate

Conference Report on House Bill 1500

student aid. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 230 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College	\$0	\$1,100,000	GF
System	\$0	\$295,665	NGF
	0.00	23.00	FTE

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$575,159,418".

Explanation:

(This amendment provides \$1.1 million from the general fund, \$295,665 from nongeneral funds, and 23 positions in the second year to reflect the Commonwealth's efforts to move towards full funding of the Medical Education Campus of Northern Virginia Community College. In total, this amendment will increase general fund support by \$2.5 million over fiscal year 2006 general fund appropriations provided in the current Appropriation Act.)

Item 230 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College	\$0	\$1,201,836	GF
System			

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$574,965,589".

Explanation:

(This amendment provides \$1.2 million from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty in the

Conference Report on House Bill 1500

Virginia Community College System with an average 5.4 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative and part-time faculty. Salary increases shall be effective November 25, 2005.)

Item 230 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College System	\$0	(\$408,750)	GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$573,355,003".

Explanation:

(This amendment removes \$408,750 from the general fund in the second year for a new dual enrollment pilot initiative proposed in the budget, as introduced.)

Item 230 #4c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College System	\$0	\$394,000	GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$574,157,753".

Page 213, after line 29, insert:

"3. Out of this appropriation, \$394,000 the second year from the general fund is designated for the AL. Philpott Manufacturing Extension Partnership (VPMEP) at Patrick Henry Community College to support the creation of the Virginia Small Manufacturing Assistance Program (VSMAP). VPMEP will be the lead fiscal agent for VSMAP, and the program will be a joint effort and jointly managed by VPMEP, the Center for High Performance Manufacturing at Virginia Tech, and the Business Technology Center at Virginia Tech, to provide targeted assistance to the startup of new, and the expansion of existing, small advanced manufacturing businesses in rural Virginia."

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$394,000 from the general fund in the second year for a small manufacturing assistance program at the Philpott Manufacturing Extension.)

Item 230 #5c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College System	\$0	\$379,000	GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$574,142,753".

Page 216, after line 38, insert:

"U. Out of this appropriation, \$379,000 the second year from the general fund is designated for Dabney Lancaster Community College to complete development of a new advanced manufacturing/packing program at Dabney Lancaster Community College."

Explanation:

(This amendment provides \$379,000 from the general fund in the second year for an advanced manufacturing program at Dabney Lancaster Community College.)

Item 230 #6c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College System	\$0	\$150,000	GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$573,913,753".

Page 216, after line 38, insert:

"U.1. Out of this appropriation, \$150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers.

2. All general funds appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23-220.01, Code of

Conference Report on House Bill 1500

Virginia."

Explanation:

(This amendment provides \$150,000 from the general fund in the second year for a shipyard apprenticeship program through Tidewater Community College.)

Item 230 #7c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Community College
System

\$0

(\$3,111,346) GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$570,652,407".

Page 216, line 18, strike "\$41,150,532" and insert "\$38,039,186".

Page 216, line 26, after "students", strike "," and insert ";".

Page 216, line 27, after "effectively", strike "," and insert ";".

Page 216, line 28, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;"

Explanation:

(This amendment provides for a reduction of \$3.1 million from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 230 #8c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Community College
System

\$0

\$100,000 GF

Language:

Page 212, line 8, strike "\$573,763,753" and insert "\$573,863,753".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$100,000 from the general fund in the first year for the Heavy Equipment Operation and Diesel Technician programs at Southside Virginia Community College.)

Item 231 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Community College System	\$0	(\$1,103,288)	GF

Language:

Page 216, line 40, strike "\$119,901,970" and insert "\$118,798,682".
Page 216, line 44, strike "\$16,401,970" and insert "\$15,298,682".
Page 216, strike lines 48 through 51.

Explanation:

(This amendment removes \$1,103,288 from the general fund in fiscal year 2006 that had been earmarked for a new scholarship program in the budget, as introduced.)

Item 237 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Military Institute	\$0	(\$6,734)	GF

Language:

Page 218, line 9, strike "\$25,668,979" and insert "\$25,662,245".
Page 218, line 33, strike "\$356,734" and insert "\$350,000".
Page 218, line 37, after "students", strike "," and insert ";".
Page 218, line 37, after "effectively", strike "," and insert ";".
Page 218, line 39, after "certificate,", insert:
"particularly in fields where the Commonwealth faces critical workforce shortages;"

Explanation:

(This amendment provides for a reduction of \$6,734 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions

Conference Report on House Bill 1500

nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 237 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Military Institute	\$0	\$25,161	GF

Language:

Page 218, line 9, strike "\$25,668,979" and insert "\$25,694,140".

Explanation:

(This amendment provides \$25,161 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the Institute with an average 4.5 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative and part-time faculty. Salary increases shall be effective November 25, 2005.)

Item 240 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Military Institute	\$0	\$150,000	GF

Language:

Page 219, line 8, strike "\$5,464,037" and insert "\$5,614,037".

Page 219, line 38, strike "\$1,172,824" and insert "\$1,322,824".

Page 219, line 40, strike "705" and insert "790".

Explanation:

(This amendment provides \$150,000 from the general fund in the second year to better reflect actual enrollment levels in the Virginia Tech Corps of Cadets.)

Conference Report on House Bill 1500

Item 242 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Polytechnic Institute And State University	\$0	(\$408,024)	GF

Language:

Page 220, line 29, strike "\$393,811,772" and insert "\$393,403,748".

Page 221, line 42, strike "\$9,536,614" and insert "\$9,128,590".

Page 221, line 50, after "students" strike "," and insert ";".

Page 221, line 51, after "effectively" strike "," and insert ";".

Page 221, line 52, after "certificate," insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$408,024 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 242 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Polytechnic Institute And State University	\$0	\$587,617	GF

Language:

Page 220, line 29, strike "\$393,811,772" and insert "\$394,399,389".

Explanation:

(This amendment provides \$587,617 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.6 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty,

Conference Report on House Bill 1500

part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 242 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Polytechnic Institute And State University	\$0	(\$1,075,000)	GF

Language:

Page 220, line 29, strike "\$393,811,772" and insert "\$392,736,772".

Explanation:

(This amendment removes \$1.1 million from the general fund in the second year for one-time seed money included for University research in the budget, as introduced.)

Item 242 #4c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Polytechnic Institute And State University	\$0	\$8,511,000	NGF

Language:

Page 220, line 29, strike "\$393,811,772" and insert "\$402,322,772".

Explanation:

(This amendment increases the institution's nongeneral fund revenue authority within the educational and general program by \$8.5 million in the second year based on estimated revenue collections each year. This amendment is technical in nature.)

Item 242 #5c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Polytechnic Institute And State University	\$0	\$100,000	GF

Conference Report on House Bill 1500

State University

Language:

Page 220, line 29, strike "\$393,811,772" and insert "\$393,911,772".

Page 222, after line 3, insert:

"J. Out of this appropriation, \$100,000 the second year from the general fund is designated to support the Sloan Foundation Forestry Industries Center at Virginia Tech."

Explanation:

(This amendment provides \$100,000 from the general fund the second year for the Sloan Foundation Forestry Industries Center at Virginia Tech.)

Item 243 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Polytechnic Institute And
State University

\$0

(\$416,322) GF

Language:

Page 222, line 5, strike "\$13,814,595" and insert "\$13,398,273".

Page 222, line 9, strike "\$3,209,902" and insert "\$2,782,727".

Explanation:

(This amendment redirects \$416,322 from the general fund in the second year, or about half of the new funding provided in the introduced budget, to supplement graduate student aid. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 246 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Cooperative Extension And
Agricultural Experiment Station

\$0

\$259,365 GF

Language:

Page 224, line 6, strike "\$74,789,456" and insert "\$75,048,821".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$259,365 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.6 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 246 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Cooperative Extension And	\$0	\$1,100,000	GF
Agricultural Experiment Station	0.00	21.00	FTE

Language:

Page 224, line 6, strike "\$74,789,456" and insert "\$75,889,456".

Explanation:

(This amendment provides general funds in the second year for 21 additional staff positions to support extension and education programs across the Commonwealth.)

Item 247 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	\$348,754	NGF

Language:

Page 225, line 17, strike "\$50,290,129" and insert "\$50,638,883".

Explanation:

(This amendment increases the institution's nongeneral fund authority within the educational and general program by \$348,754 in the second year based on estimated

Conference Report on House Bill 1500

revenue collections each year. This amendment is technical in nature.)

Item 247 #2c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	(\$24,242)	GF

Language:

Page 225, line 17, strike "\$50,290,129" and insert "\$50,265,887".

Page 226, line 30, strike "683,638" and insert "\$659,396".

Page 226, line 38, after "students", strike "," and insert ";".

Page 226, line 39, after "effectively", strike "," and insert ";".

Page 226, line 40, after "certificate,", insert:

"particularly in fields where the Commonwealth faces critical workforce shortages;".

Explanation:

(This amendment provides for a reduction of \$24,242 from the general fund in the second year in order to redirect those funds to raising average faculty salaries at Virginia's public colleges and universities to the 60th percentile of peer institutions nationally by the end of the decade. The amendment also includes clarifying language with respect to the institution's role in preparing students to meet the Commonwealth's critical workforce needs.)

Item 247 #3c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	\$53,070	GF

Language:

Page 225, line 17, strike "\$50,290,129" and insert "\$50,343,199".

Explanation:

(This amendment provides \$53,070 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment

Conference Report on House Bill 1500

also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective November 25, 2005.)

Item 248 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	(\$26,245)	GF

Language:

Page 226, line 46, strike "\$3,533,152" and insert "\$3,506,907".

Page 226, line 50, strike "\$246,133" and insert "\$219,888".

Explanation:

(This amendment removes \$26,245 from the general fund in the second year in new funding that was earmarked for graduate student aid in the budget, as introduced. A companion amendment in Item 4-5.01 of this Act stipulates that any awards provided for graduate education using general fund appropriations shall be allocated for in-state students only.)

Item 251 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Cooperative Extension And Agricultural Research Services	\$0	\$10,910	GF

Language:

Page 227, line 31, strike "\$8,153,244" and insert "\$8,164,154".

Explanation:

(This amendment provides \$10,910 from the general fund in the second year to supplement funding provided for faculty salary increases in the budget, as introduced. In an effort to bring average faculty salaries to the 60th percentile of peer institutions by the end of the decade, these funds will provide teaching and research faculty at the University with an average 4.0 percent increase in fiscal year 2006. This amendment also includes funding for a 4.0 percent salary increase for all administrative faculty, part-time faculty, and graduate assistants. Salary increases shall be effective

Conference Report on House Bill 1500

November 25, 2005.)

Item 254 #1c

Education: Other	FY 04-05	FY 05-06	
Jamestown-Yorktown Foundation	\$0	\$2,000,000	GF
	0.00	21.00	FTE

Language:

Page 229, line 21, strike "\$13,182,222" and insert "\$15,182,222".

Explanation:

(This amendment provides \$2.0 million from the general fund in the second year to support contractual services, part-time staff, education programs, advertising and promotions, and volunteer and staff recruitment.)

Item 255 #1c

Education: Other	FY 04-05	FY 05-06	
Jamestown 2007	\$0	\$1,000,000	NGF

Language:

Page 230, line 24, strike "\$5,522,025" and insert "\$6,522,025".

Page 231, line 29, strike "\$5,000,000" and insert "\$6,000,000".

Page 232, line 10, strike "\$5,000,000" and insert "\$6,000,000".

Page 232, line 12, strike "half" and insert "third".

Page 232, line 15, strike "half" and insert "third".

Page 232, line 19, after "Assembly", insert:

", and (iii) one-third shall be deposited to a special fund of the Virginia Tourism Authority to advertise and market the Jamestown 2007 Commemoration."

Page 232, line 20, strike "\$5,000,000" and insert "\$6,000,000".

Explanation:

(This amendment adjusts budget language to support tourism promotion as part of the Jamestown 2007 Commemoration.)

Conference Report on House Bill 1500

Item 259 #1c

Education: Other	FY 04-05	FY 05-06	
The Library Of Virginia	\$0	(\$175,000)	GF

Language:

Page 235, line 9, strike "\$16,455,477" and insert "\$16,280,477".

Page 235, strike lines 28 through 32.

Explanation:

(This amendment removes \$175,000 from the general fund in the second year that was earmarked as supplements for the Norfolk public library. A companion amendment in Item 259 increases general fund support for aid to public libraries by \$300,000 in the second year. Those funds will be distributed in accordance with the public aid funding formula.)

Item 259 #2c

Education: Other	FY 04-05	FY 05-06	
The Library Of Virginia	\$0	\$300,000	GF

Language:

Page 235, line 9, strike "\$16,455,477" and insert "\$16,755,477".

Explanation:

(This amendment provides \$300,000 from the general fund in the first year to partially restore prior reductions to financial assistance to public libraries.)

Item 261 #1c

Education: Other	FY 04-05	FY 05-06	
The Science Museum Of Virginia	\$0	\$275,000	GF

Language:

Page 235, line 48, strike "\$9,046,329" and insert "\$9,321,329".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$275,000 from the general fund in the second year for exhibits at the Science Museum of Virginia.)

Item 261 #2c

Education: Other	FY 04-05	FY 05-06	
The Science Museum Of Virginia	\$0	\$50,000	GF

Language:

Page 235, line 48, strike "\$9,046,329" and insert "\$9,096,329".

Explanation:

(This amendment provides \$50,000 from the general fund in the second year for the Science Museum of Virginia to host a five-day international conference on science and technology. The museum will match these funds 2:1 for the cost of the conference.)

Item 264 #1c

Education: Other	FY 04-05	FY 05-06	
Virginia Museum Of Fine Arts	\$0	\$158,513	GF

Language:

Page 237, line 28, strike "\$14,399,240" and insert "\$14,557,753".

Page 238, after line 4, insert:

"D. Out of this appropriation, \$158,513 the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond."

Explanation:

(This amendment provides general funds in the second year to cover the service fee in lieu of taxes levied by the City of Richmond.)

Item 264 #1c

Conference Report on House Bill 1500

Education: Other	FY 04-05	FY 05-06	
Virginia Museum Of Fine Arts	\$0	\$450,000	GF
	\$0	\$100,000	NGF

Language:

Page 237, line 28, strike "\$14,399,240" and insert "\$14,949,240".

Explanation:

(This amendment provides \$450,000 from the general fund and \$100,000 from nongeneral funds the second year to support the sending of a series of turn-key thematic exhibitions to museums around the Commonwealth while the museum is undergoing several major capital projects that would otherwise require placing in storage many major works of art.)

Item 265 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Eastern Virginia Medical School	\$0	\$500,000	GF

Language:

Page 238, line 18, strike "\$11,959,899" and insert "\$12,459,899".

Explanation:

(This amendment provides \$500,000 from the general fund in the second year to phase in funding for undergraduate medical education in accordance with the base adequacy guidelines.)

Item 267 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Institute For Advanced Learning And Research	\$0	\$1,600,000	GF

Language:

Page 240, line 18, strike "\$2,271,681" and insert "\$3,871,681".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$1.6 million from the general fund in the second year to support faculty and operating costs associated with the Institute. The additional general fund support will allow the Institute to expand its research faculty and staff in order to attract increased federal and private support.)

Item 268.10 #1c

Education: Higher Education	FY 04-05	FY 05-06	
Virginia Higher Education Center	\$0	\$1,243,855	GF
	\$0	\$400,000	NGF
	0.00	17.00	FTE

Language:

Page 241, after line 7, insert:

"§ 1-77.10. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (xxx)"

"268.10. Administrative and Support Services (11900) \$1,643,855

Fund Sources: General \$1,243,855
Higher Education Operating \$400,000."

Explanation:

(This amendment provides general funds in the second year to continue the Southern Virginia Higher Education Center (SVHEC). The SVHEC is located in South Boston and is presently governed under Longwood University. House Bill 2071/Senate Bill 1293 continues the SVHEC independent of Longwood University. Funding for this item was originally included in Longwood University's operating budget. This amendment transfers \$443,855 from the general fund in the second year of existing funding for the SVHEC from Longwood University and provides an additional \$800,000 GF in supplemental support. A companion amendment is found under Item 190.)

Item 274 #1c

Conference Report on House Bill 1500

Finance	FY 04-05	FY 05-06	
Department Of Accounts	\$0	(\$136,474)	GF
	0.00	-2.00	FTE

Language:

Page 245, line 32, strike "\$3,774,313" and insert "\$3,637,839".

Explanation:

(This amendment eliminates two additional positions authorized in the introduced budget that would be assigned to investigate fraud, waste, and abuse cases reported to a "hotline." Currently, these calls are typically investigated by state agencies' internal auditors and designated agency hotline coordinators. The existing backlog of centrally investigated cases consists of only 16 cases.)

Item 282 #1c

Finance	FY 04-05	FY 05-06	
Department Of Accounts Transfer Payments	\$0	\$700,000	GF

Language:

Page 249, line 51, strike "\$3,110,000" and insert "\$3,810,000".

Explanation:

(This amendment provides \$700,000 the second year from the general fund support for payments under the Line of Duty Act as provide for in House Bill 1738.)

Item 283 #1c

Finance	FY 04-05	FY 05-06	
Department Of Planning And Budget	\$0	(\$200,000)	GF

Language:

Page 250, line 30, strike "\$7,376,983" and insert "\$7,176,983".

Conference Report on House Bill 1500

Page 252, line 3, strike "\$1,382,500" and insert "\$1,182,500".

Explanation:

(This amendment provides \$1,182,500 the second year of general funds for the school efficiency review program. The appropriation will enable the program to review the administrative efficiency of eight to ten school districts.)

Item 283 #2c

Finance	FY 04-05	FY 05-06	
Department Of Planning And	\$0	\$75,549	GF
Budget	0.00	1.00	FTE

Language:

Page 250, line 30, strike "\$7,376,983" and insert "\$7,452,532".

Explanation:

(This amendment provides \$75,549 and one position from the general fund in the second year to the Department of Planning and Budget for a staff economist. The additional position is necessary to address workload issues resulting from the implementation of House Bill 1948, which was adopted by the 2005 Session of the General Assembly. This legislation requires that the agency's analysis of proposed regulations consider how those regulations might impact small businesses. The legislation defines small businesses as those employing fewer than 500 employees or possessing gross annual sales of less than \$6.0 million.)

Item 284 #1c

Finance	FY 04-05	FY 05-06	
Department Of Taxation	\$0	\$59,400	GF
	0.00	1.00	FTE

Language:

Page 252, line 41, strike "\$38,854,042" and insert "\$38,913,442".

Explanation:

Conference Report on House Bill 1500

(This amendment provides funding and one position in the Department of Taxation for the administration of the Small Tobacco Product Manufacturers Incentive Act, pursuant to House Bill 2919.)

Item 286 #1c

Finance

Department Of Taxation

Language

Language:

Page 258, after line 35, insert:

"I. The Department of Taxation is authorized to make tax incentive payments to small tobacco product manufacturers who do not participate in the 1998 Tobacco Master Settlement Agreement, pursuant to House Bill 2919, as passed by the 2005 Session of the General Assembly."

Explanation:

(This amendment provides authorization for the Department of Taxation to make tax incentive payments to small tobacco manufacturers, according to the provisions set forth in House Bill 2919. A companion amendment in Item 284 provides funding and one position in the Department to administer the program.)

Item 286 #2c

Finance

Department Of Taxation

FY 04-05

\$0

FY 05-06

(\$85,000) GF

Language:

Page 253, line 35, strike "\$48,535,705" and insert "\$48,450,705".

Explanation:

(This amendment reduces the general fund dollars provided for the implementation of new taxes and tax rate changes in the introduced budget. The savings are based upon standardizing auditor salaries for positions in the same pay band and the use of fewer part-time staff.)

Item 294 #1c

Finance

Treasury Board

Language

Language:

Page 265, line 24, before "Out", insert "A."

Page 265, after line 30, insert:

"B. By July 1, 2005, the Director, Department of Planning and Budget, is directed to unallot an amount equivalent to the balance of uncommitted general fund appropriations of the Treasury Board at the end of fiscal year 2004. Such amounts shall revert to the general fund."

Explanation:

(This amendment unallots the end of fiscal year 2004 carry forward balance of the Treasury Board in Program 143. The Department of Planning and Budget had administratively authorized these funds to be retained by the Treasury Board. This language has no impact on the appropriations for fiscal years 2005 and 2006.)

Item 296 #1c

Finance

Treasury Board

Language

Language:

Page 266, strike lines 54 and 55.

Page 267, strike line 1.

Page 270, strike lines 14 through 16.

Explanation:

(This amendment strikes language in the introduced budget bill that would have allowed for unspecified reductions to the bond lines in Treasury Board.)

Item 296 #2c

Finance

Treasury Board

Language

Conference Report on House Bill 1500

Language:

Page 272, after line 26, insert:

"I. By July 1, 2005, the Director, Department of Planning and Budget, is directed to unallot an amount equivalent to the balance of uncommitted general fund appropriations of the Treasury Board at the end of fiscal year 2004. Such amounts shall revert to the general fund."

Explanation:

(This amendment unallots the end of fiscal year 2004 carry forward balance of the Treasury Board in Program 743. The Department of Planning and Budget had administratively authorized these funds to be retained by the Treasury Board. This language has no impact on the appropriations for fiscal years 2005 and 2006.)

Item 296 #3c

Finance

Treasury Board

FY 04-05

\$0

FY 05-06

(\$210,000) GF

Language:

Page 265, line 45, strike "\$327,534,242" and insert "\$327,324,242".

Explanation:

(This amendment captures unused debt service payments on Virginia Public Building Authority bonds authorized, but unissued, for the demolition of the Eighth Street Office Building.)

Item 298 #1c

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 274, line 12, before "The" insert "A."

Page 274, after line 32, insert:

"B. The Office of the Secretary of Health and Human Resources, with the assistance of the Governor's Olmstead Advisory Committee and the Department of Housing and

Conference Report on House Bill 1500

Community Development, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2005 on housing opportunities for persons with disabilities in Virginia. The report shall include, but not be limited to, the number of individuals in need of housing, the various options for housing (e.g., congregate housing, supportive housing), the amount of subsidies for each option, if any, that would be required, and the financial resources (e.g., federal, local, private, and nonprofit) that would be available to the public agencies responsible for implementation. The report shall also include relevant information on states that operate housing subsidy programs for persons with disabilities."

Explanation:

(This amendment requires the Secretary of Health and Human Resources, with the help of the Olmstead Advisory Committee and the Department of Housing and Community Development, to report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2005 on the demand for housing services for persons with disabilities and the specific housing options that should be considered by the General Assembly.)

Item 298 #2c

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 274, line 12, before "The", insert "A."

Page 274, after line 32, insert:

"B. The Secretary of Health and Human Resources, in coordination with the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, shall examine the feasibility of Public-Private Education Act (PPEA) proposals for the operation and maintenance of mental health facilities. In examining the feasibility of such proposals, the Secretary shall solicit comments from an established state and community consensus and planning team for any existing facility impacted by such a proposal or proposals. The feasibility study shall also examine how the proposal or proposals would address the provisions of § 37.2-316, Code of Virginia, which sets out a process for restructuring the system of mental health services involving existing state mental health hospitals including: (i) the development of a detailed implementation plan designed to build community mental health infrastructure for

Conference Report on House Bill 1500

current and future capacity needs; (ii) the resolution of employment issues related to state facility employee transition planning and appropriate transitional benefits, the availability of adequate staff in the affected communities, and specific strategies for transferring qualified state facility employees to community services in the event that a PPEA proposal includes a reduction of current staff; (iii) a six-year projection comparing the cost of the current structure; (iv) a plan for community education; (v) a plan for the implementation of required community services, including state-of-the-art practice models and any models required to meet the unique characteristics of the area to be served, which may include models for rural areas; and (vi) a plan for assuring the development and implementation of individualized discharge plans for persons leaving the facility. The Secretary shall report on the feasibility of the use of PPEA proposals to the Governor and General Assembly by November 1, 2005."

Explanation:

(This amendment directs the Secretary of Health and Human Resources to conduct a feasibility study on the use of PPEA proposals for operating and maintaining mental health facilities and to report to the Governor and General Assembly.)

Item 298 #3c

Health And Human Resources	FY 04-05	FY 05-06	
Secretary Of Health And Human Resources	\$0	\$1,000,000	GF

Language:

Page 274, line 4, strike "\$694,514" and insert "\$1,694,514".

Page 274, line 12, before "The" insert "A."

Page 274, after line 32, insert:

"B. Out of this appropriation, \$1,000,000 from the general fund the second year shall be used to expand statewide services provided through child advocacy centers. The Secretary, with assistance from relevant Health and Human Resources agencies, shall develop a request for proposals to distribute one-third of the funding for each of the three categories of child advocacy centers including: (i) fully accredited members, (ii) associate centers, and (iii) other centers that are currently operating, developing, or exploring development based on standards set by the National Children's Alliance with input from the Children's Advocacy Centers of Virginia."

Explanation:

Conference Report on House Bill 1500

(This amendment adds \$1.0 million from the general fund in the second year to expand or develop child advocacy centers in Virginia. These centers are accredited by the National Children's Alliance and offer a new way of serving abused children through a comprehensive approach to services for victims and their families. The centers coordinate investigations and intervention services by bringing together professionals and agencies as a multidisciplinary team to create a child-focused approach to child abuse cases.)

Item 299 #1c

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 278, line 36, after "services" insert:

"and report and recommend changes that strengthen child advocacy in the Commonwealth."

Explanation:

(This language amendment includes an additional requirement to the current study of parents relinquishing custody of their children to access mental health services. The State Executive Council will also be required to report and recommend changes that strengthen child advocacy in Virginia.)

Item 299 #2c

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 278, line 3, strike "1994" and insert "1997".

Page 278, line 5, strike "1,500,000" and insert "1,560,000".

Explanation:

(This amendment modifies language to update the base year used in the Comprehensive Services Act program to calculate local administrative costs. Chapter

Conference Report on House Bill 1500

4, Acts of Assembly of 2004, Special Session I, inadvertently changed the provision used for calculating local administrative costs from a base year of 1997 to 1994. This represented a change from Chapter 1042, Acts of Assembly of 2003. An adjustment is made to the funding allocated for administrative costs to reflect the change back to the base year of 1997.)

Item 301 #1c

Health And Human Resources

Department For The Aging

Language

Language:

Page 280, line 29, unstrike "\$755,000" and strike "\$905,000".

Page 280, after line 41, insert:

“3. Out of this appropriation, \$132,000 the second year from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or mental retardation who are 18 years of age and older.”

Explanation:

(This amendment redirects \$132,000 from the introduced budget to establish three guardianship programs specifically targeted to individuals 18 years of age and older who have been assessed as needing guardianship due to mental illness or mental retardation.)

Item 301 #2c

Health And Human Resources

Department For The Aging

Language

Language:

Page 280, after line 41, insert:

"3. Out of this appropriation, up to \$18,000 the second year shall be provided from the general fund to the Department for the Aging to enter into a contract with an appropriate research entity with expertise in gerontology, disabilities and public administration to conduct an evaluation of local public guardian and conservator programs pursuant to § 2.2-712.B.9, Code of Virginia."

Conference Report on House Bill 1500

Explanation:

(This amendment provides general funds in the second year to the Virginia Public Guardian and Conservator Program for a statutorily required evaluation of local public guardian and conservator programs. The Code of Virginia requires that a report on these programs be provided to the General Assembly every four years. The evaluation will be conducted in 2005 and 2006 with a report to the General Assembly due in 2007.)

Item 301 #3c

Health And Human Resources	FY 04-05	FY 05-06	
Department For The Aging	\$0	\$90,000	GF

Language:

Page 280, line 7, strike "\$27,458,352" and insert "\$27,548,352".

Page 281, after line 25, insert:

"K. Out of this appropriation, \$90,000 from the general fund the second year shall be provided to the Bay Aging Area Agency on Aging to address unmet local needs."

Explanation:

(This amendment provides \$90,000 to Bay Aging to restore funding for services such as adult day health care, meals on wheels, homemaker care, personal care, home repair and transportation services. Recently, Bay Aging reported that 477 elderly persons in the 10-county region served by the agency were unserved or underserved. These long-term care services allow the elderly clients to remain in their homes and prevent institutional placement.)

Item 304 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department For The Deaf And Hard-Of-Hearing	\$0	\$125,000	GF

Language:

Page 282, line 36, strike "\$1,381,573" and insert "\$1,506,573".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$125,000 from the general fund in the second year to reduce the current waiting list for services under the Department for the Deaf and Hard-of-Hearing Technology Assistance Program and to update the program to include the CAPtel phone, a permanent part of the Virginia Relay Service. Funding will be used to supply hard-of-hearing individuals with up-to-date technology services.)

Item 306 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$100,000	GF

Language:

Page 283, line 27, strike "\$2,404,116" and insert "\$2,504,116".

Page 284, line 13, strike "\$300,000" and insert "\$400,000".

Page 284, after line 22, insert:

"2. Out of this appropriation, no less than \$100,000 from the general fund the second year shall be used to develop and implement a statewide nursing recruitment and retention program in collaboration with nursing and health care groups."

Page 284, line 23, strike "2." and insert "3.".

Page 284, line 29, strike "3." and insert "4.".

Explanation:

(This amendment provides \$100,000 from the general fund the second year to the Virginia Statewide Area Health Education Centers to develop and implement a statewide nursing recruitment and retention program in collaboration with nursing and health care groups. This funding is designed to address the emerging nursing shortage in the Commonwealth.)

Item 307 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$4,200,000	NGF

Language:

Page 285, line 6, strike "\$21,959,823" and insert "\$26,159,823".

Conference Report on House Bill 1500

Explanation:

(This amendment adds \$4.2 million in nongeneral funds for the Trauma Center Fund administered by the Virginia Department of Health. Revenues to the fund will be generated by a \$40 increase in the license reinstatement fee for suspended or revoked driver's licenses, pursuant to House Bill 2664. As a result of this action, the current reinstatement fee of \$30 will rise to \$70.)

Item 308 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$260,468	GF
	0.00	4.00	FTE

Language:

Page 286, line 5, strike "\$5,727,691" and insert "\$5,988,159".

Explanation:

(This amendment restores funding to the Department of Health for the Office of the Chief Medical Examiner to hire four district office medical investigators. Funding was approved during the 1998 General Assembly Session for the additional staff, based on recommendations of the Crime Commission in its 1998 "Report on the Need for a Lay Medical Investigator System", to address the shortage of local medical examiners across the state. However, budget reductions adopted in 2002 resulted in the loss of these four positions and one administrative support position in the Office of the Chief Medical Examiner. Loss of these positions has resulted in case delays. Restoration of the positions would allow coverage of two investigative shifts on weekdays.)

Item 308 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$45,649	GF
	0.00	1.00	FTE

Language:

Conference Report on House Bill 1500

Page 286, line 5, strike "\$5,727,691" and insert "\$5,773,340".

Explanation:

(This amendment increases funding to the Department of Health for the Office of the Chief Medical Examiner to hire an additional autopsy technician position in the Western District office. The Western District is experiencing an increase in cases, particularly drug abuse cases. Cases have increased from 673 in 2001 to 770 in 2003. The additional technician will provide relief for the current staff of two technicians. Temporary staffing has not been successful due to the complexity of the work and issues related to safety, confidentiality and evidence.)

Item 310 #1c

Health And Human Resources

FY 04-05

FY 05-06

Department Of Health

\$0

\$40,000 GF

Language:

Page 286, line 32, strike "\$91,157,059" and insert "\$91,197,059".

Page 287, after line 20, insert:

"E. Out of this appropriation, \$40,000 from the general fund the second year shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents."

Explanation:

(This amendment includes \$40,000 from the general fund the second year for medication and supplies (e.g., IV solution and tubing) for patients with drug-resistant tuberculosis).

Item 311 #1c

Health And Human Resources

Department Of Health

Language

Language:

Page 288, strike lines 4 through 7, and insert:

"3. The Department of Health shall revise annual agreements with the regional health

Conference Report on House Bill 1500

planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures."

Explanation:

(This amendment eliminates language requiring the Auditor of Public Accounts to annually audit the regional health planning agencies and substitutes language requiring the agencies to have an annual independent financial audit. Regional health planning agencies are not agencies of the Commonwealth and consequently already hire independent auditors to conduct annual financial audits.)

Item 312 #1c

Health And Human Resources	FY 04-05	FY 05-06
Department Of Health	\$0	\$120,000 GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,346,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$120,000 the second year from the general fund shall be used for a pilot project connecting public health providers to Carilion Health System's electronic health records system. The Department shall use these funds to support connecting two clinical sites in Health Planning Region 3 to Carilion Health System's electronic medical records system. The clinical sites shall be selected from among community services boards, federally qualified health centers, and local health departments. The Department shall be responsible, in collaboration with Carilion Health System, for designing, implementing, administering, and evaluating the pilot program. The amount allocated to each clinical site by the Department of Health shall be used to pay for operational support, infrastructure, software licensing, and connectivity. The Department of Health shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the State Board of Health on the progress of implementation of the pilot project by October 15, 2005."

Explanation:

(This amendment provides \$120,000 from the general fund the second year to connect two clinical sites in Health Planning Region 3 to Carilion Health System's electronic health records system in order to evaluate the usefulness of an automated records system.)

Conference Report on House Bill 1500

Item 312 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$400,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,626,490".

Page 289, line 48, strike "\$921,400" and insert "\$1,321,400".

Explanation:

(This amendment provides \$400,000 from the general fund in the second year resulting in total funding of \$1,321,400 for the Virginia Association of Free Clinics. Funding will be used for the acquisition and dispensing of free and low-cost pharmaceuticals and medically necessary pharmacy supplies, and for the provision of pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia.)

Item 312 #3c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$200,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,426,490".

Page 289, line 28, strike "\$233,750" and insert "\$433,750".

Explanation:

(This amendment adds \$200,000 from the general fund in the second year, resulting in total funding of \$433,750 for the Virginia Primary Care Association. Funding will be used to purchase pharmaceuticals and medically necessary pharmacy supplies, and for the provision of pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia.)

Item 312 #4c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$200,000	GF

Conference Report on House Bill 1500

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,426,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$200,000 from the general fund the second year shall be used to expand dental services provided by the Northern Neck Free Health Clinic."

Explanation:

(This amendment adds \$200,000 from the general fund the second year for the Northern Neck Free Clinic to address unmet dental needs in the five communities served by the free clinic.)

Item 312 #5c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$50,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,276,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$50,000 from the general fund the second year shall be provided to the St. Mary's Health Wagon."

Explanation:

(This amendment adds \$50,000 from the general fund in the second year for the St. Mary's Health Wagon for the provision of medical and dental care to isolated populations in Central Appalachia.)

Item 312 #6c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$25,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,251,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$25,000 from the general fund the second year shall be provided to the St. Luke Community Health Center."

Conference Report on House Bill 1500

Explanation:

(This amendment adds \$25,000 from the general fund in the second year for the St. Luke Community Health Center to enhance the provision of services.)

Item 312 #7c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$25,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,251,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$25,000 from the general fund the second year shall be provided to the Piedmont Virginia Dental Health Foundation."

Explanation:

(This amendment adds \$25,000 from the general fund in the second year for the Piedmont Virginia Dental Health Foundation to provide dental health services to medically unserved, low-income individuals in Martinsville. Services will be provided by dental and dental hygiene students from the Virginia Commonwealth University School of Dentistry.)

Item 312 #8c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$25,000	GF

Language:

Page 288, line 24, strike "\$5,226,490" and insert "\$5,251,490".

Page 290, after line 8, insert:

"H. Out of this appropriation, \$25,000 from the general fund the second year shall be provided to the Charlottesville Area Dental Access project."

Explanation:

(This amendment adds \$25,000 from the general fund in the second year for the Charlottesville Area Dental Access to establish a dental clinic serving about 10,000 low-income children each year.)

Conference Report on House Bill 1500

Item 313 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$952,807	NGF

Language:

Page 290, line 10, strike "\$35,517,401" and insert "\$36,470,208".

Page 291, after line 5, insert:

"E. Out of this appropriation, \$952,807 from special funds in the second year is provided to support the newborn screening program and its expansion pursuant to House Bill 1824/Senate Bill 1184. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services."

Explanation:

(This amendment provides nongeneral funds in the second year to support the activities of the Department of Health related to Virginia's newborn screening program, including the expansion of the program, pursuant to House Bill 1824/Senate Bill 1184, as passed by the 2005 General Assembly. The types of activities undertaken by the Department of Health include education, diagnosis, follow-up, medical management, and treatment. A companion amendment in Item 3-1.01 provides funding from the transfer of fee revenue from the sale of testing kits by the Division of Consolidated Laboratories within the Department of General Services. Currently, the Division transfers \$384,000 from this fee revenue to support the screening program. Testing kit fees will likely increase from \$32 per filter to approximately \$57 per filter to cover the costs of expanded newborn screening.)

Item 314 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$1,000,000	GF

Language:

Page 291, line 7, strike "\$168,266,071" and insert "\$169,266,071".

Page 292, strike lines 24 through 27 and insert:

"6. Of this appropriation, \$1,350,000 from the general fund the second year shall be provided to the Virginia Health Care Foundation to increase the capacity of the Commonwealth's health safety net providers to expand services to unserved or

Conference Report on House Bill 1500

underserved Virginians. Of this amount, (i) \$850,000 shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) \$350,000 shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) \$150,000 shall be made available for locations with existing medication assistance programs."

Explanation:

(This amendment adds \$1,000,000 from the general fund in the second year, resulting in total funding of \$1,350,000 for the Virginia Health Care Foundation to increase the capacity of Virginia's health safety net providers. The introduced budget included \$350,000 for medication assistance coordinators. Funding will be made available to community health centers, free clinics, hospitals, medication assistance coordinators, or other health safety net providers that seek to expand services or increase the number of individuals served in unserved or underserved regions of the Commonwealth.)

Item 314 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Health	\$0	\$187,500	GF

Language:

Page 291, line 7, strike "\$168,266,071" and insert "\$168,453,571".

Explanation:

(This amendment provides \$187,500 from the general fund in the second year for increased rent costs associated with the co-location of the Roanoke City Health Department and the Roanoke City Department of Social Services in a new facility.)

Item 315 #1c

Health And Human Resources	
Department Of Health	Language

Language:

Page 293, after line 13, insert:

"The Special Supplemental Nutrition Program for Women, Infants and Children is

Conference Report on House Bill 1500

exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.)."

Explanation:

(This technical amendment adds budget language to exempt the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) administered by the Virginia Department of Health from the Virginia Administrative Process Act (APA). The Department was advised by the Office of the Attorney General that this language is necessary to ensure that the agency is in compliance with federal regulations until the Virginia Department of Health is able to complete the APA process.)

Item 322 #1c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 298, after line 46, insert:

"K. The Department of Medical Assistance Services shall report on the Healthy Returns Disease Management Program to the Joint Commission on Health Care by November 15, 2005."

Explanation:

(This amendment requires the Department of Medical Assistance Services to report on the disease management initiative currently operated by Anthem by November 15, 2005.)

Item 322 #2c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 298, after line 46, insert:

"K. Out of this appropriation, the Department of Medical Assistance Services shall transfer \$119,000 from the general fund the second year to the Department of Health

Conference Report on House Bill 1500

Professions to continue operations of the Certified Nurse Registry.”

Explanation:

(This amendment requires the Department of Medical Assistance Services (DMAS) to provide a one-time general fund transfer of \$119,000 the second year to the Department of Health Professions. Beginning in fiscal year 2007, the Department of Health Professions will have raised fees sufficient enough to fund the current operations of the certified nurse registry and the required transfer from DMAS will cease.)

Item 322 #3c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 298, line 4, after "21" insert:

", and for adults as defined in 12 VAC 30-50-190,".

Page 298, line 10, strike "children" and insert "individuals".

Page 298, line 11, after "basis" insert:

", and to revise the prior authorization requirements for dental services in accordance with industry standards".

Page 298, line 13, strike "have the authority to" and "under".

Page 298, line 14, strike "§ 2.2-4011 of the Administrative Process Act,".

Page 298, line 15, after "provision" insert:

"within 280 days or less from the enactment of this Act".

Page 298, line 17, after "21" insert:

", and for adults as defined in 12 VAC 30-50-190,".

Explanation:

(This technical amendment adds budget language requested by the Office of the Attorney General to revise outdated prior authorization requirements and allow emergency dental services for adults, as defined in regulation (VAC 30-50-190), to be included in the dental services carve-out approved by the 2004 General Assembly consistent with legislative intent.)

Conference Report on House Bill 1500

Item 322 #4c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance Services	\$0	\$125,000	GF

Language:

Page 295, line 40, strike "\$75,395,971" and insert "\$75,520,971".

Page 298, after line 46, insert:

"K. Of this appropriation, \$125,000 from the general fund the second year shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia."

Explanation:

(This amendment makes a one-time general fund appropriation of \$125,000 the second year to the Uninsured Medical Catastrophe Fund to pay for medical treatment of uninsured individuals facing medical catastrophes. Eligible payments from the fund include life-threatening illnesses or injuries requiring specialized medical treatment, hospitalization, or both.)

Item 323 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance Services	(\$2,738,799)	\$0	GF

Language:

Page 298, line 48, strike "\$12,993,349" and insert "\$10,254,550".

Explanation:

(This amendment reduces funding in the introduced budget by \$2.7 million for involuntary mental commitments. The funding was originally included to handle a backlog of claims. However, the Department of Medical Assistance Services has recently resolved the backlog with its third-party claims agency and has reported that the added funding in the introduced budget is no longer needed.)

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	(\$1,878,415)	GF
Services	\$0	(\$3,488,486)	NGF

Language:

Page 299, line 6, strike "\$96,824,636" and insert "\$91,457,735".

Explanation:

(This amendment reduces funding for the Family Access to Medical Insurance Security Plan (FAMIS) program. The introduced budget would have expanded FAMIS eligibility to pregnant women who are over the age of 19 with annual family income in excess of the Medicaid limit but less than or equal to 175 percent of the federal poverty level. Funding remains in this item to expand prenatal care, pregnancy-related services, and 60 days of post-partum care under FAMIS to 380 pregnant women who are over the age of 19 with annual family income less than or equal to 150 percent of the federal poverty level.)

Health And Human Resources	
Department Of Medical Assistance	
Services	

Language

Language:

Page 319, line 46, after "services", insert:

", to include a continuum of day services, including day support and prevocational services"

Explanation:

(This amendment clarifies legislative intent that the day support waiver program being developed by the Department of Medical Assistance Services include a continuum of services for mentally retarded individuals such as day support and prevocational services. These services are intended to assist individuals with mental retardation in gaining independence by receiving an array of support services appropriate to meet their needs.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 310, after line 45, insert:

"3. The Pharmacy and Therapeutics Committee shall schedule meetings at least quarterly and may meet at other times at the discretion of the Chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting."

Page 310, line 46, strike "3." and insert "4."

Page 310, line 51, strike "4." and insert "5."

Page 311, line 4, strike "5." and insert "6."

Page 311, line 10, strike "6." and insert "7."

Page 311, line 22, strike "7." and insert "8."

Explanation:

(This amendment requires the Medicaid Pharmacy and Therapeutics Committee to schedule meetings quarterly and consider newly approved drugs for inclusion on the Preferred Drug List.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 311, after line 38, insert:

"8. The Department shall provide to the Governor; the House Committees on Appropriations, and Health, Welfare and Institutions; the Senate Committees on Finance, and Education and Health; and the Joint Commission on Health Care a report on the Preferred Drug List (PDL) Program no later than November 1 of each year. The report shall include the direct savings attributed to the PDL for the prior fiscal

Conference Report on House Bill 1500

year, an estimated savings of the program for the next fiscal year, and the cost to administer the PDL. The report shall also include an analysis of the impact of the program on patient health including, but not limited to, hospitalizations and emergency outpatient visits."

Explanation:

(This amendment requires the Medicaid Pharmacy and Therapeutics Committee to report on the Preferred Drug List program annually and specifies data to be included in the report.)

Item 326 #4c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 311, strike lines 22 through 38 and insert:

"7. The Department of Medical Assistance Services shall exempt antidepressant and antianxiety medications used for the treatment of mental illness from the Medicaid Preferred Drug List program."

Explanation:

(This amendment exempts antidepressant and antianxiety medications used for the treatment of mental illness from the Medicaid Preferred Drug List (PDL) program. Exempting these drugs from the PDL allows them to be dispensed without being subject to the PDL program's prior authorization requirements.)

Item 326 #5c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 321, after line 16, insert:

"VVV. Within the limits of this appropriation, the Department of Medical Assistance Services shall work with its contracted managed care organizations and fee-for-service

Conference Report on House Bill 1500

health care providers to: (i) raise awareness among the providers who serve the Medicaid population about the health risks of chronic kidney disease; (ii) establish effective means of identifying patients with this condition; and (iii) develop strategies for improving the health status of these patients. The Department shall work with the National Kidney Foundation to prepare and disseminate information for physicians and other health care providers regarding generally accepted standards of clinical care and the benefits of early identification of individuals at highest risk of chronic kidney disease."

Explanation:

(This language amendment allows the Department of Medical Assistance Services to work with managed care organizations, health care providers, and the National Kidney Foundation to develop a plan for early identification and implementation of an appropriate clinical management program for individuals at highest risk for chronic kidney disease.)

Item 326 #6c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance Services	\$0	\$3,022,697	NGF

Language:

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,733,553,549".

Page 319, line 25, after "JJJ." insert "1."

Page 319, after line 37, insert:

"2. Out of this appropriation, \$73,336 the second year from the Virginia Health Care Fund and \$73,336 from federal funds shall be used to increase reimbursements to physicians delivering services to recipients in hospital emergency rooms by three percent effective May 1, 2006. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to effect this change. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Page 319, line 38, after "KKK." insert "1."

Page 319, after line 42, insert:

"2. Out of this appropriation, \$218,539 from the Virginia Health Care Fund and \$218,539 from federal funds the second year shall be used to increase personal care and adult day health care reimbursement rates provided under Medicaid home- and

Conference Report on House Bill 1500

community-based waiver programs by two percent effective May 1, 2006."

Page 319, line 56, after "MMM." insert "1."

Page 320, after line 4, insert:

"2. Out of this appropriation, \$83,333 the second year from the Virginia Health Care Fund and \$83,333 from federal funds shall be used to increase the dispensing fee paid to pharmacists for brand name drugs from \$3.75 to \$4.00 per prescription per month effective May 1, 2006. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to effect this change. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act. "

Page 321, after line 16, insert:

"VVV. Out of this appropriation, \$179,909 the second year from the Virginia Health Care Fund and \$179,909 from federal funds shall be used to increase Medicaid reimbursement paid for obstetrical and gynecological services, by 2.5 percent effective May 1, 2006. The Department of Medical Assistance Services shall promulgate emergency regulations to effect this change within 280 days or less from the enactment date of this act.

WWW. Out of this appropriation, \$506,214 from the Virginia Health Care Fund and \$572,915 from federal matching funds the second year shall be used to increase reimbursement rates paid for pediatric physician services for specific billing codes by five percent effective May 1, 2006. The Department, in consultation with the Virginia Chapter of the American Academy of Pediatrics, shall identify those procedures most appropriate for the rate increase within the funding available. The Department of Medical Assistance Services shall promulgate emergency regulations to effect this change within 280 days or less from the enactment date of this act.

XXX. Out of this appropriation, \$416,667 from the Virginia Health Care Fund and \$416,667 from federal funds the second year shall be used to increase reimbursement rates for preventive and primary care physician services provided to Medicaid recipients over the age of 21, excluding obstetrical and gynecological services, by five percent effective May 1, 2006. The Department, in consultation with the Virginia Primary Care Association, shall identify those preventive and primary care procedures most appropriate for the rate increase within the funding available. The Department of Medical Assistance Services shall promulgate emergency regulations to effect this change within 280 days or less from the enactment date of this act."

Explanation:

(This amendment appropriates revenues from the Virginia Health Care Fund and

Conference Report on House Bill 1500

matching federal funds for provider rate increases in the Medicaid and Family Access to Medical Insurance Security (FAMIS) programs. Increased revenue to the Virginia Health Care Fund in fiscal year 2006 is expected from the assignment of tobacco escrow funds pursuant to House Bill 2919/Senate Bill 1332. The provider rate increases will be effective May 1, 2006. Rate increases are provided for: (i) emergency room physician services at three percent, bringing the total rate increase to five percent by the end of fiscal year 2006; (ii) personal care and adult day health care at two percent, bringing the total rate increase to seven percent by the end of fiscal year 2006; (iii) pharmacists, resulting in a \$4.00 dispensing fee per prescription per month for brand name and generic drugs by the end of fiscal year 2006; (iv) obstetrical and gynecological services, resulting in a 36.5 percent increase by the end of fiscal year 2006; (v) pediatric services, resulting in an increase of five percent; and (vi) preventive and primary care services for adults, resulting in a five percent increase. It is the intent of the General Assembly that this amendment be enrolled in Items 324, 325 and 326 with the proper allocation of funding for expenditures that will be incurred within the Family Access to Medical Insurance Security (FAMIS) program, the Medicaid State Children's Health Insurance Program (SCHIP) and the Medicaid program for those services provided by each program.)

Item 326 #7c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

- Page 312, line 31, strike "1."
- Page 312, line 33, after "2003" insert:
"through June 30, 2005".
- Page 312, line 50, strike "The" and insert:
"Effective January 1, 2003, the".
- Page 312, strike lines 57 through 60.
- Page 313, strike lines 1 through 7.

Explanation:

(This amendment removes language from the introduced budget that changed the current methodology for reimbursing school districts for medical service costs pursuant to changes negotiated with the federal Center for Medicare and Medicaid

Conference Report on House Bill 1500

Services (CMS). Pending further negotiations with CMS on the future reimbursement methodology, the current reimbursement system will remain unchanged through the remainder of this fiscal year. Companion amendments in Items 144 and 3-1.01 eliminate language in the Department of Education and in Part 3 of this act which would implement the change to the current methodology.)

Item 326 #8c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 310, line 15, after "2:1", insert:

"and the Department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population."

Explanation:

(This amendment modifies the composition of the Medicaid Pharmacy and Therapeutics Committee to ensure at least one-half of the Committee is composed of professionals who provide services to Medicaid recipients.)

Item 326 #9c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 321, after line 16, insert:

"VVV. The Department of Medical Assistance Services shall report on the history of Medicaid reimbursement rates for dialysis services by August 15, 2005, to the Chairmen of the House Appropriations and Senate Finance Committees."

Explanation:

(This amendment adds language requiring the Department of Medical Assistance Services to report on the history of reimbursement rates for dialysis services by

Conference Report on House Bill 1500

August 15, 2005.)

Item 326 #10c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	\$250,000	GF
Services	\$0	\$250,000	NGF

Language:

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,731,030,852".

Page 321, after line 16, insert:

"VVV. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance governing Medicaid reimbursements for hospitals to provide an increase in Indirect Medical Education payments for non-state owned hospitals that do not meet the criteria to receive Medicaid payments pursuant to paragraph HHH. of this item, but who have Medicaid Neonatal Intensive Care Unit (NICU) utilization greater than 4,500 Medicaid NICU inpatient days using base year 2003 data, as reported to the Department as of March 1, 2005. Out of this appropriation, \$250,000 from the general fund and \$250,000 from nongeneral funds the second year shall be provided for this purpose. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment provides enhanced Medicaid payments in the second year to inpatient hospitals with Medicaid utilization rates greater than 4,500 inpatient days in their Neonatal Intensive Care Units (NICU) in 2003 who do not receive other enhanced NICU payments provided to hospitals with Medicaid NICU days greater than 50 percent in base year 2002.)

Item 326 #11c

Health And Human Resources	
Department Of Medical Assistance	Language
Services	

Language:

Page 321, after line 16, insert:

Conference Report on House Bill 1500

"VVV. The Director of the Department of Planning and Budget is authorized to transfer amounts, as needed, from the Medical Assistance Services program (program 45600) to the Administrative and Support Services program (program 47900) to fund administrative expenditures associated with contracts between the Department of Medical Assistance Services and companies providing disease state and chronic care management programs services for Medicaid recipients. The Department shall report on its efforts to contract for and implement disease state management programs in the Medicaid program by November 15, 2005, to the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care. The Department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act."

Explanation:

(This amendment authorizes the Department of Medical Assistance Services to transfer funds from the Medicaid program to the agency's administrative program to fund the costs of contracting with a company to implement a disease state and chronic care management program for the Medicaid program. In addition, language requires the Department to report on this effort and grants emergency regulatory authority to implement the program.)

Item 326 #12c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	\$3,316,655	GF
Services	\$0	\$3,316,655	NGF

Language:

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,737,164,162".

Page 319, line 18, after "III." insert "1."

Page 319, line 20, strike "4,700,000" and insert "8,016,655".

Page 319, line 21, strike "4,700,000" and insert "8,016,655".

Page 319, line 22, strike the second "the".

Page 319, strike lines 23 and 24 and insert:

"services provided in the Medicaid home- and community-based mental retardation and developmental disabilities waiver programs, excluding personal care services."

Explanation:

(This amendment provides \$3.3 million from the general fund and \$3.3 million from federal matching funds the second year for an additional two percent increase for

Conference Report on House Bill 1500

services provided through the Medicaid Mental Retardation and Developmental Disabilities waiver programs effective July 1, 2005. Last year, the General Assembly approved a three percent rate increase for these waiver services; this additional funding will provide a five percent on July 1, 2005. This action would not impact personal care rates provided under these waivers since these rates are adjusted when the personal care rates are adjusted. This increase is part of a long-term plan to provide adequate reimbursement rates for waiver services to guarantee service to individuals served through the Mental Retardation and Developmentally Disabled Waiver programs.)

Item 326 #13c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 321, after line 16, insert:

"VVV. The Department of Medical Assistance Services shall have the authority to amend the State Plan of Medical Assistance to make supplemental payments to dentists who are faculty affiliated with the dental pediatric residency programs at the Virginia Commonwealth University (VCU). The amount of the supplemental payment shall be the difference between the upper payment limit for these services, as permitted by federal Medicaid law and regulation, and payments otherwise made for these services. Funding of the state portion of these supplemental payments shall come from nonfederal funds otherwise appropriated to VCU. Contingent upon federal approval, the Department of Medical Assistance Services shall promulgate regulations to implement this amendment within 280 days or less from the enactment date of this act."

Explanation:

(This amendment adds language authorizing Medicaid payments for Virginia Commonwealth University (VCU) faculty-affiliated dentists in the pediatric residency programs. The general fund match for federal Medicaid payments would be made by VCU. In the past, federal Graduate Medical Education funding was available to partially support pediatric dental services for indigent/uninsured patients. Federal budget reductions resulted in a loss of approximately \$1.0 million for the pediatric residency program. This payment arrangement would restore about one-half of the

reduction.)

Item 326 #14c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 321, after line 16, insert:

"VVV.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director of the Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the Director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request. If the agency does not render a decision within 180 days of the receipt of the appeal request, the decision is deemed to be in favor of the provider. An appeal of the Director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. Once a final determination agency case decision has been made, the Director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final determination of agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision determination becomes final."

Conference Report on House Bill 1500

Explanation:

(This amendment adds language to eliminate conflicting uses of the term "initial determination" in the collection of Medicaid provider overpayments and the process for reviewing appeals involving provider reimbursement. The language also revises the timelines for notification to providers of Medicaid overpayments so that the notice would be issued within the earlier of: (i) four years after payment of the claim or other payment request; or (ii) four years after filing by the provider of the complete cost report; or (iii) 15 months after filing by the provider of the final complete cost report subsequent to the sale of the facility or termination of the provider.)

Item 326 #15c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 321, after line 16, insert:

"VVV. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004."

Explanation:

(This amendment adds language to allow for the continued designation of small rural hospitals as critical access hospitals for purposes of receiving Medicare and Medicaid reimbursement under current federal definitions.)

Item 326 #16c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 317, line 22, strike "have the authority to".

Page 317, line 25, after "percent", insert:

Conference Report on House Bill 1500

", effective July 1, 2005".

Explanation:

(This amendment clarifies the authority for the Department of Medical Assistance Services to implement an increase in the hospital adjustment factor for private hospitals from 75 to 76 percent. This is necessary to ensure that the rate increase will become effective on July 1, 2005.)

Item 326 #17c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$11,000,000	\$0	GF
Services	(\$11,000,000)	\$0	NGF

Language:

Page 317, line 55, strike "\$292,117,084" and insert "\$281,117,084".

Explanation:

(This amendment adds \$11.0 million from the general fund and reduces \$11.0 million from the Virginia Health Care Fund (VHCF) the first year to reflect lower than anticipated tobacco tax revenues to the fund. Because the fund's revenues are used to pay for Medicaid spending, a reduction in projected revenue to the fund requires the addition of general fund support to preserve current services for Medicaid clients.)

Item 326 #18c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	(\$3,714,133)	(\$3,893,500)	GF
Services	(\$3,714,133)	(\$3,893,500)	NGF

Language:

Page 301, line 51, strike "\$4,342,397,019" and insert "\$4,334,968,753".

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,722,743,852".

Explanation:

(This amendment reduces forecasted Medicaid spending by \$3.7 million the first year and \$3.9 million the second year from the general fund and an equal amount of

Conference Report on House Bill 1500

federal matching funds. This change reduces forecasted Medicaid spending from the general fund by 4.2 percent from \$183 million to \$175 million for the biennium.)

Item 326 #19c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	(\$750,000)	GF
Services	\$0	\$750,000	NGF
	0.00	4.00	FTE

Language:

Page 317, line 56, strike "\$310,432,161" and insert "\$311,182,161".

Explanation:

(This amendment reduces the general fund appropriation to the Medicaid program by \$750,000 and increases the appropriation from the Virginia Health Care Fund by \$750,000 in anticipation of future Medicaid recoveries. It also adds four positions to assist efforts to reduce fraud, increase recoveries and related administrative activities. A companion amendment in Item 50 adds three FTE positions within the Medicaid Fraud Control Unit in the Office of the Attorney General to pursue additional fraud recoveries. Additional revenues to the Virginia Health Care Fund mean that general fund spending can be reduced by the same amount. Budget language is adjusted to reflect the additional appropriation from the fund the second year.)

Item 326 #20c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	(\$370,000)	GF
Services	\$0	(\$370,000)	NGF

Language:

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,729,790,852".

Page 320, strike lines 33 through 46.

Page 320, line 47, strike "SSS." and insert "RRR."

Page 320, line 57, strike "TTT." and insert "SSS."

Page 321, line 4, strike "UUU." and insert "TTT."

Explanation:

Conference Report on House Bill 1500

(This amendment eliminates language and funding in the introduced budget that establishes a new program to provide up to \$4,000 per person to pay for transition costs for residents of nursing facilities or intermediate care facilities for the mentally retarded who leave facilities to return to their homes.)

Item 326 #21c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Medical Assistance	\$0	\$5,002,578	GF
Services	\$0	\$5,795,261	NGF

Language:

Page 301, line 51, strike "\$4,730,530,852" and insert "\$4,741,328,691".

Page 320, line 30, after "QQQ." insert "1."

Page 320, line 32, strike "ten" and insert "28".

Page 320, line 32, after "2005" insert:

"and an additional two percent on May 1, 2006".

Explanation:

(This amendment provides \$5.0 million from the general fund and \$5.8 million from federal Medicaid matching funds the second year to increase Medicaid and FAMIS reimbursement rates for children's dental services by 20 percent by the end of the biennium. Medicaid reimbursement rates for dental services will increase by 18 percent on July 1, 2005 and an additional 2 percent on May 1, 2006. The introduced budget included funding to increase dental services by 10 percent; this amendment supplements the increase by 20 percent. All children enrolled in the Family Access to Medical Insurance Security (FAMIS) and the Medicaid State Children's Health Insurance Program (SCHIP) programs are eligible for comprehensive dental care, however, only 25 percent of these children actually see a dentist each year. It is the intent of the General Assembly that this amendment be enrolled in Items 324, 325 and 326 with the proper allocation of funding for expenditures that will be incurred within the FAMIS, Medicaid SCHIP and Medicaid programs for those services provided by each program.)

Item 329 #1c

Health And Human Resources	FY 04-05	FY 05-06	
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Conference Report on House Bill 1500

Department Of Medical Assistance Services \$0 \$100,000 GF

Language:

Page 322, line 1, strike "\$14,122,481" and insert "\$14,222,481".

Page 322, line 30, strike "456,702", and insert "556,702".

Explanation:

(This amendment adds \$100,000 from the general fund the second year to expand the Health Premium Assistance Program for HIV-positive individuals to serve up to 15 eligible persons waiting for services, thereby maintaining private health insurance and reducing the overall costs to the Medicaid program for services to eligible persons with HIV/AIDS.)

Item 330 #1c

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 325, after line 58, insert:

"O. In the event an individual agrees to provide private funds for the provision of housing and services to the mentally retarded who are aged, the Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services shall submit a proposal to spend the private funds and an equivalent amount of general fund dollars for consideration by the 2006 General Assembly. The general fund amount shall not exceed \$2,000,000."

Explanation:

(This amendment requires the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services to present a plan for consideration by the 2006 General Assembly to spend up to \$2.0 million in matching state funds in the event an individual agrees to provide \$2.0 million from private funds to provide housing and services for mentally retarded individuals who are aged.)

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 325, after line 58, insert:

"O. The Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall prepare a report to the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2005 on the cost and feasibility of (i) developing community-based alternatives to the state's five mental retardation training centers, (ii) renovating the state's five mental retardation training centers, or (iii) a combination of both to meet the future care and housing needs of these individuals. The report shall contain the cost and feasibility of building community-based residences throughout the state or renovating the existing facilities or a combination of both."

Explanation:

(This amendment requires the Commissioner to prepare a report by October 15, 2005 for the Chairmen of the Senate Finance and House Appropriations Committees on the cost and feasibility of developing community-based alternatives to the state's five mental retardation training centers, renovating the existing training centers, or a combination of both.)

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

FY 04-05

\$0

FY 05-06

(\$115,142) GF

Language:

Page 323, line 3, strike "\$18,064,642" and insert "\$17,949,500".

Page 324, line 10, strike "92,600" and insert "185,200".

Page 324, line 11, strike "160,658" and insert "306,316".

Page 324, line 11, strike "each" and insert "the first".

Conference Report on House Bill 1500

Page 324, line 11, after "year", insert:

"and \$376,390 from the general fund the second year".

Explanation:

(This amendment reduces a proposed general fund increase the second year for the Office of the Inspector General (OIG). The increase in the introduced budget is reduced from a total of \$491,532 to \$376,390, a \$115,142 reduction the second year. The additional appropriation was requested to restore funding after the OIG's fiscal year 2006 appropriation was carried forward to fiscal year 2005 by executive action this fall to fund the office's current staff salaries and add an investigator.)

Item 332 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	\$50,000	GF

Language:

Page 326, line 9, strike "\$17,413,206" and insert "\$17,463,206".

Page 327, after line 13, insert:

"G. Out of this appropriation, \$50,000 from the general fund the second year shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services."

Explanation:

(This amendment provides funding to pay for legal and medical examinations for no less than 25 individuals living in the community and in need of guardianship to allow these individuals to begin receiving guardianship services.)

Item 332 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	(\$75,000)	GF

Language:

Conference Report on House Bill 1500

Page 326, line 9, strike "\$17,413,206" and insert "\$17,338,206".

Page 327, line 9, strike "150,000" and insert "75,000".

Explanation:

(This amendment reduces general funds by \$75,000 the second year that was included in the introduced budget for a public/private partnership with Celebrating Special Children to improve access to resource information for families of children with special needs and for professionals who work with these children. This action leaves \$75,000 GF to be matched with private funds for this purpose.)

Item 333 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Mental Health,	\$0	\$84,475	GF
Mental Retardation And Substance Abuse Services	0.00	1.00	FTE

Language:

Page 327, line 14, strike "\$1,466,000" and insert "\$1,550,475".

Explanation:

(This amendment provides funding and one position for additional staff in the Department of Mental Health, Mental Retardation and Substance Abuse Services to promulgate regulations and implement the licensure of brain injury waiver and residential brain injury services, pursuant to House Bill 2826/Senate Bill 1237.)

Item 334 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Grants To Localities	\$0	\$1,000,000	GF

Language:

Page 327, line 34, strike "\$232,879,878" and insert "\$233,879,878".

Page 330, after line 3, insert:

“R. Out of this appropriation, \$1,000,000 from the general fund the second year shall be used to establish two demonstration projects using evidence-based “systems of care” models for children and adolescents with behavioral health needs. The

Conference Report on House Bill 1500

Commissioner may allocate up to \$50,000 of this appropriation for an evaluation of the pilot projects.”

Explanation:

(This amendment adds \$1.0 million from the general fund in the second year to implement nationally tested and evidence-based models of effective community treatment through two demonstration projects that will serve children with serious emotional disturbances and other related conditions. Each pilot project will serve approximately 150 to 200 children, whose needs are currently unmet by existing programs.)

Item 334 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Grants To Localities	\$0	\$2,750,000	GF

Language:

Page 327, line 34, strike "\$232,879,878" and insert "\$235,629,878".

Page 330, after line 3, insert:

"R. Out of this appropriation, \$3,850,000 the second year from the general fund shall be provided to establish seven crisis intervention and stabilization units. Four units will be located in the following areas: Northern Virginia, the Shenandoah Valley, the Upper Peninsula of Hampton Roads and the Tidewater area. The location of the remaining three units shall be designated by the Commissioner based on the need for services, regional plans submitted by the regional planning teams, and the availability of private inpatient hospital bed purchase funding."

Explanation:

(This amendment adds \$2.8 million from the general fund in the second year for five additional community crisis stabilization units to provide acute and intensive services. The introduced budget included \$1.1 million for two units. Crisis stabilization services have proven effective in assisting consumers in crisis and providing needed stabilization and treatment, averting more costly hospital placements. This amendment earmarks a total of \$3,850,000 for crisis stabilization services, accounting for funds included in the introduced budget for this purpose. Language is added specifying the areas of the state where the units will be established.)

Conference Report on House Bill 1500

Item 334 #3c

Health And Human Resources	FY 04-05	FY 05-06	
Grants To Localities	\$500,000	\$500,000	GF

Language:

Page 327, line 34, strike "\$230,576,495" and insert "\$231,076,495".

Page 327, line 34, strike "\$232,879,878" and insert "\$233,379,878".

Explanation:

(This amendment provides \$500,000 each year from the general fund to continue providing substance abuse treatment services for 800 consumers, including adolescents and pregnant women with substance abuse disorders.)

Item 343 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Mental Retardation Training Centers	\$0	\$400,000	GF

Language:

Page 332, line 48, strike "\$127,413,047" and insert "\$127,813,047".

Page 333, after line 5, insert:

"Out of this appropriation, \$400,000 from the general fund the second year shall be used to establish two Regional Community Support Centers. The centers shall be located at the Southwest Virginia Training Center and the Central Virginia Training Center."

Explanation:

(This amendment provides \$400,000 from the general fund in the second year to establish two new regional community support centers. The centers, patterned after the regional center located at the Northern Virginia Training Center, will provide services that are unavailable in local communities including, but not limited to, dental services, behavioral health services, psychiatric care, program coordination, and clinic services. It is estimated that, on average, 400 individuals will be served through each center.)

Conference Report on House Bill 1500

Item 349 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Rehabilitative Services	\$0	\$100,000	GF

Language:

Page 335, line 10, strike "\$85,549,471" and insert "\$85,649,471".

Page 335, line 23, strike "3,826,210" and insert "3,926,210".

Page, 335, line 30, after "2003.", insert:

"Of the amount allocated for community rehabilitation program activities, \$100,000 the second year shall be provided solely for long-term employment support services."

Explanation:

(This amendment provides \$100,000 from the general fund the second year for long-term employment support services for individuals with severe disabilities. This additional funding, to be allocated based on recommendations from the established Steering Committee, will allow people with severe disabilities to access and maintain employment.)

Item 349 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Rehabilitative Services	\$0	\$150,000	GF

Language:

Page 335, line 10, strike "\$85,549,471" and insert "\$85,699,471".

Page 335, line 35, strike "\$3,914,538" and insert "\$4,214,538".

Explanation:

(This amendment adds \$150,000 the second year from the general fund for Centers for Independent Living (CILs). The introduced budget increased CIL funding by \$150,000; however, this increase was not reflected in budget language. Language is modified to reflect the total increase in funding to the CILs contained in this amendment and the introduced budget.)

Conference Report on House Bill 1500

Item 354 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	\$0	\$200,000	GF

Language:

Page 338, line 28, strike "\$47,154,241" and insert "\$47,354,241".

Page 340, line 44, strike "\$150,000" and insert "\$350,000".

Explanation:

(This amendment adds \$200,000 from the general fund the second year for the Caregivers Grant Program. This program provides up to \$500 each year for caregivers who have income under \$50,000 and who provide unreimbursed care for a person who is aged, infirm, or disabled.)

Item 354 #2c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	\$0	\$250,000	GF

Language:

Page 338, line 28, strike "\$47,154,241" and insert "\$47,404,241".

Page 341, after line 33, insert:

"L. Out of this appropriation, \$250,000 from the general fund the second year is provided for a one-time grant to the Birmingham Green Adult Care Residence Inc."

Explanation:

(This amendment provides \$250,000 from the general fund the second year for a regional public assisted living provider serving low-income aged and disabled who reside in the Counties of Loudoun, Fairfax, Fauquier, and Prince William and the City of Alexandria.)

Item 355 #1c

Health And Human Resources	FY 04-05	FY 05-06	
Department Of Social Services	\$0	\$250,000	GF

Language:

Conference Report on House Bill 1500

Page 341, line 36, strike "\$49,350,837" and insert "\$49,600,837".

Explanation:

(This amendment provides an increase of \$250,000 from the general fund the second year for Community Action Agencies. This new funding shall be distributed according to the formula in Item 355, paragraph A.1.)

Item 356 #1c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 344, after line 31, insert:

"J. Within the limits of this appropriation, the Department of Social Services may implement a pilot program in cooperation with up to six local agencies that will provide universal screening of all applicants for Temporary Assistance to Needy Families (TANF) to identify victims of domestic violence and notify TANF applicants of special programs and services available to domestic violence victims. The pilot programs may include (i) training of local social services workers on the identification and provision of services to domestic violence victims, (ii) implementation of services and employment plans for domestic violence victims, and (iii) provisions to publish related brochures and palm cards to assist victims in obtaining assistance."

Explanation:

(This amendment allows the Department of Social Services to implement six pilot projects to identify and serve TANF recipients who may be victims of domestic violence. Language also provides for the training of local social services workers, the implementation of services, and the publication of related materials including brochures and palm cards.)

Item 356 #2c

Health And Human Resources

Department Of Social Services

Language

Language:

Conference Report on House Bill 1500

Page 343, line 57, after "disregarded.", insert:

"In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph."

Explanation:

(This amendment allows the Commissioner to provide additional federal funding for the TANF child support supplement in the event TANF funding becomes available.)

Item 357 #1c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 346, after line 20, insert:

"L. The Commissioner of Social Services shall work with the Virginia Baptist Home for Children to serve children and youth in need of services, to assist the Commonwealth in meeting state and federal child welfare services to foster care children, and to explore opportunities to restructure their child placing facility."

Explanation:

(This amendment requires the Commissioner of Social Services to assist the Virginia Baptist Home for Children in its transition to a placement facility for children and youth.)

Item 357 #2c

Health And Human Resources

Department Of Social Services

FY 04-05

\$0

FY 05-06

\$500,000 GF

Language:

Page 344, line 33, strike "\$155,928,117" and insert "\$156,428,117".

Page 345, line 53, strike "\$325,000" and insert "\$825,000".

Explanation:

Conference Report on House Bill 1500

(This amendment adds \$500,000 from the general fund the second year to offset a reduction in federal Title IV-E funding due to a delay in the processing of payments from the federal government and a change in the eligibility requirements for these matching funds.)

Item 360 #1c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 349, after line 24, insert:

"G. Contingent upon the availability of federal funding, the Virginia Department of Social Services may continue funding for the Healthy Marriage and Stable Families Initiative grants which provide community-based family preservation and supportive services designed to strengthen marriages and stabilize families. A report on these activities shall be submitted by November 30, 2005, to the Chairmen of the Senate Finance and House Appropriations Committees as well as to the Chairman of the Virginia Commission on Youth."

Explanation:

(This amendment allows the Department of Social Services to continue providing community grants to organizations that deliver community-based family preservation and supportive services designed to strengthen marriages and stabilize families, provided federal funding is made available. In fiscal year 2004, the Department provided \$300,000 in grants to organizations seeking to achieve these goals.)

Item 362 #1c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 351, line 50, after "F.", insert "1."

Page 352, after line 1, insert:

"2. The Department of Social Services, in conjunction with the Virginia Information and Technologies Agency and the Virginia Information and Referral providers, shall

Conference Report on House Bill 1500

review Virginia's current Information and Referral System webpage and propose a plan to make it more comprehensive and user-friendly. This plan shall be submitted by November 30, 2005, to the Chairmen of the Senate Finance and House Appropriations Committees, and the Virginia Commission on Youth.

3. The Department of Social Services shall work with the Information and Referral providers and other public and private partners to develop strategies to market and promote Virginia's Information and Referral System, along with the 2-1-1 phone campaign currently under development. A report on these activities shall be submitted by November 1, 2005, to the Chairmen of the Senate Finance and House Appropriations Committees as well as to the Chairman of the Virginia Commission on Youth."

Explanation:

(This amendment adds language requiring the Department to work with VITA and providers to plan and report on enhancements to the I&R webpage. Language also directs the Department of Social Services to develop and report on efforts to market Virginia's Information and Referral (I&R) System and 2-1-1 phone line for citizens requiring information on human services.)

Item 362 #2c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 351, line 50, after "F.", insert "1."

Page 351, line 56, after "on", insert:

"many of the specialized health and human resource services available in the Commonwealth, including".

Page 351, line 59, after "providers", insert "."

Page 352, strike line 1 and insert:

"2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general funds and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education, and the Secretary of Public Safety shall assist in this effort by requesting all affected agencies within their Secretariats to

Conference Report on House Bill 1500

submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.

3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the Department's electronic mailings to all local and regional offices at least biannually."

Explanation:

(This amendment adds language directing the Department of Social Services, as well as the Secretaries of Health and Human Resources, Education, and Public Safety to assist in ensuring that Virginia's Information and Referral (I&R) System operates as a single source of information clearinghouse on services available for families or those working with children and families. With more extensive information on services, this clearinghouse would be a timesaving and vital link to information on services for youth and families, community members, professionals, and policymakers. The I&R System has existed for almost a quarter of a century. Section 63.2-222 of the Code of Virginia established a statewide I&R system which is designed to collect and maintain accurate and complete resource data on a statewide basis. The I&R System (1) collects and maintains accurate and complete resource data on a statewide basis; (2) links citizens needing human services with appropriate community resources to satisfy those needs; (3) assists in planning for human services delivery at the local, regional and state levels; and (4) provides information to assist decision-makers in allocating financial and other resources to respond to state and local human service priorities. Language is also added to existing budget language on Virginia's I&R System so that it accurately references many of the specialized health and human resource information and referral services available in the Commonwealth.)

Item 362 #3c

Health And Human Resources
Department Of Social Services

FY 04-05
\$0

FY 05-06
\$855,000 GF

Conference Report on House Bill 1500

Language:

Page 350, line 33, strike "\$317,589,196" and insert "\$318,444,196".

Page 353, after line 10, insert:

“P. Out of this appropriation, \$3,604,908 from the general fund and \$1,046,341 from nongeneral funds the second year shall be used to enhance the provision of child welfare services pursuant to the federal Performance Improvement Plan. Funds appropriated under this item shall be provided to local departments of social services for the direct provision of child and family services. Local departments of social services may use funds appropriated under this item for the purchase of child and family services. The allocation of this appropriation under this item shall be jointly determined by the Department of Social Services and the Virginia League of Social Services Executives.”

Explanation:

(This amendment adds \$855,000 from the general fund the second year to enhance funding for child welfare services pursuant to the federally-required performance improvement plan. The amendment also includes budget language to specify how these funds and \$2.7 million GF from the introduced budget shall be used to meet the plan's requirements. Including federal Title IV-E matching funding of \$1.0 million and local matching funds of \$901,227, the combined annual funding for the plan will approximate \$5.5 million in total funds each year and will allow local departments of social services to improve the quality and quantity of face-to-face interactions between caseworkers, parents and children.)

Item 370 #1c

Health And Human Resources
Department For The Blind And
Vision Impaired

FY 04-05
\$0

FY 05-06
\$50,000 GF

Language:

Page 356, line 32, strike "\$509,328" and insert "\$559,328".

Explanation:

(This amendment provides \$50,000 from the general fund the second year to establish operating support for the NFB-Newsline®, a telephone dial-in newspaper service for blind persons made available to state sponsors through the National

Conference Report on House Bill 1500

Federation of the Blind in Baltimore. The service allows blind persons to use a toll-free phone line to access over 100 newspapers and magazines from their home phone. In fiscal year 2005, the Department for the Blind and Visually Impaired provided start-up funding for this service from its endowment funds.)

Item 382 #1c

Natural Resources	FY 04-05	FY 05-06
Department Of Conservation And Recreation	\$439,433	\$0 NGF

Language:

Page 362, line 30, strike "\$31,913,799" and insert "\$32,353,232".

Page 365, after line 48, insert:

"M. Out of the appropriation for Land Management, \$439,433 the first year from special funds derived from the sale of "Friend of the Chesapeake" license tags is allocated to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

Explanation:

(This amendment provides \$439,433 from special funds in the first year to support the funding recommendations of the Chesapeake Bay Restoration Fund Advisory Committee. This committee, composed of three legislators, is charged with developing a plan for the expenditure of the proceeds from the sale of "Friend of the Chesapeake" license plates. The proceeds from the sale of these license plates will be expended in the form of grants to nonprofit organizations, political subdivisions, state agencies, and educational institutions. In total, 54 organizations from across Virginia will receive grants in amounts ranging from \$400 to \$30,000.)

Item 382 #2c

Natural Resources	FY 04-05	FY 05-06
Department Of Conservation And Recreation	\$0	\$6,475,600 GF

Language:

Page 362, line 31, strike "\$46,360,420" and insert "\$52,836,020".

Conference Report on House Bill 1500

Page 363, line 25, strike "\$23,689,000" and insert "\$30,164,600".

Page 363, line 30, strike "each year" and insert:

"the first year and \$20,000,000 the second year".

Page 363, line 30, strike "directed" and insert "allocated".

Page 363, line 33, after "programs", insert:

"; however, beginning July 1, 2005, no more than 60 percent of these amounts shall be allocated for use within the Chesapeake Bay watershed".

Page 363, line 34, strike "\$2,428,350" and insert "\$3,399,690".

Explanation:

(This amendment provides a majority of the proceeds from the Water Quality Improvement Fund (WQIF) in the second year to the Department of Conservation and Recreation (DCR) for the implementation of nonpoint source pollution control practices, especially agricultural best management practices. House Bill 2777 and Senate Bills 810 and 1235 (2005 Session) specify that 70 percent of any deposits made to the WQIF from year-end surpluses be allocated for the control of nonpoint source pollution and that priority be given to the implementation of agricultural best management practices. The bills also direct that no more than 60 percent of any nonpoint source pollution control grants be allocated for use in the Chesapeake Bay watershed. The impact of this legislation is an increase of \$6.5 million in the amount of year-end surplus-related WQIF proceeds allocated to DCR.)

Item 382 #3c

Natural Resources	FY 04-05	FY 05-06	
Department Of Conservation And Recreation	\$0	\$100,000	GF

Language:

Page 362, line 31, strike "\$46,360,420" and insert "\$46,460,420".

Explanation:

(This amendment provides \$100,000 from the general fund in the second year to partially restore budget reductions in the State Natural Area Preserve System. The state has almost 38,000 acres in the System.)

Conference Report on House Bill 1500

Item 382 #4c

Natural Resources	FY 04-05	FY 05-06	
Department Of Conservation And Recreation	\$0	\$5,000	GF

Language:

Page 362, line 31, strike "\$46,360,420" and insert "\$46,365,420".

Explanation:

(This amendment provides \$5,000 from the general fund in the second year to support participation by members of the General Assembly in the Rappahannock River Basin Commission. The Commission works to improve the water quality of the Rappahannock River from the headwaters to the Chesapeake Bay.)

Item 382 #5c

Natural Resources	FY 04-05	FY 05-06	
Department Of Conservation And Recreation	\$0	\$358,000	GF

Language:

Page 362, line 31, strike "\$46,360,420" and insert "\$46,718,420".

Explanation:

(This amendment provides \$358,000 from the general fund in the second year to increase grants to soil and water conservation districts from \$50,000 per year to \$408,000 per year to operate and maintain 104 flood control dams. Funds will be allocated at \$2,000 per dam per year for regular maintenance. The remaining dollars will be allocated to meet periodic small rehabilitation needs such as trash rack replacements, valve replacements, and other such expenses.)

Item 382 #6c

Natural Resources	
Department Of Conservation And Recreation	Language

Conference Report on House Bill 1500

Recreation

Language:

Page 363, line 36, strike "379" and insert "378".

Explanation:

(This amendment corrects an incorrect reference in the budget bill regarding the establishment of the Virginia Water Quality Improvement Fund Reserve.)

Item 382 #7c

Natural Resources	FY 04-05	FY 05-06	
Department Of Conservation And Recreation	\$0	\$125,000	GF

Language:

Page 362, line 31, strike "\$46,360,420" and insert "\$46,485,420".

Page 365, after line 48, insert:

"M. Out of the amounts appropriated for Urban Non-Point Source Pollution Control, \$125,000 the second year from the general fund is provided to add two positions within the Department of Conservation and Recreation's Erosion and Sediment Control Program. These positions will be responsible for reviewing the adequacy of local erosion and sediment control programs."

Explanation:

(This amendment provides \$125,000 from the general fund in the second year to support filling two vacant erosion and sediment control program positions. Hiring additional staff will permit the Department of Conservation and Recreation's Division of Soil and Water Conservation to increase the number of local program reviews and evaluations. More frequent local program reviews will increase the effectiveness of local erosion and sediment control programs and prevent sediment from entering Virginia's streams and rivers.)

Item 383 #1c

Natural Resources

Department Of Conservation And Recreation

Language

Conference Report on House Bill 1500

Language:

Page 368, after line 59, insert:

"N. The Department of Conservation and Recreation shall conduct a study to address the feasibility of establishing day use recreational access and sites along the Clinch River in the vicinity of Pinnacles Natural Area Preserve in Russell County. This study shall include the feasibility of establishing day use, environmental education and recreational activities, recreational access and park sites along the river, establishing a state or regional park, an examination of the resources that would be necessary to operate the facilities and sites, the availability of land for such facilities and sites and for the addition of land to the existing Pinnacles Natural Area Preserve, and any other conditions that may require review. The study shall recognize the value of maintaining and enhancing the existing Pinnacle Natural Area Preserve and develop recommendations that shall be compatible with it. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by no later than December 1, 2005."

Explanation:

(This amendment requires the Department of Conservation and Recreation to study the creation of recreational activities and access sites and day use park opportunities along the Clinch River.)

Item 383 #2c

Natural Resources	FY 04-05	FY 05-06	
Department Of Conservation And Recreation	\$0 0.00	\$2,500,000 30.00	GF FTE

Language:

Page 365, line 50, strike "\$32,504,441" and insert "\$35,004,441".

Page 368, after line 59, insert:

"N. Out of the amounts appropriated for State Park Conservation, Operations, Preservation, and Management, \$60,000 in the second year and one position shall be allocated to hire an executive director for the Cove Ridge Center, an environmental education and meeting facility located within Natural Tunnel State Park."

Page 368, after line 59, insert:

"O. Out of the amounts appropriated for State Park Conservation, Operations, Preservation, and Management, \$35,000 in the second year is provided for the installation and maintenance of fencing on False Cape State Park along the border

Conference Report on House Bill 1500

between Virginia and North Carolina. Such fencing, if necessary to prevent the migration of wild horses from North Carolina into the state park, shall be permitted to extend into the Atlantic Ocean. If fencing is not necessary to prevent the migration of these wild horses, or if any portion of this appropriation has not been spent for the installation and maintenance of fencing within two years, then that amount shall be available to the agency to spend upon other needs within the state park system."

Explanation:

(This amendment provides \$2.5 million and 30.00 positions from the general fund in the second year to the Department of Conservation and Recreation's Division of State Parks to address staffing needs, operational support, and equipment needs. In addition, the amendment provides for the use of one position to hire an executive director for the Cove Ridge Center, the state park system's premier environmental education center. This facility, which includes dormitories, meeting spaces, and other amenities, is currently run by volunteers. The amendment also provides funding for the installation and maintenance of fencing in False Cape State Park to prevent the migration of horses into the park from North Carolina. Any unused portion of the funding provided for this fencing will be available for addressing other needs within the state park system.)

Item 383 #3c

Natural Resources	FY 04-05	FY 05-06
Department Of Conservation And Recreation	\$10,000,000	\$0 GF

Language:

Page 365, line 49, strike "\$29,489,000" and insert "\$39,489,000".

Page 367, line 23, strike "\$2,500,000" and insert "\$12,000,000".

Page 367, line 26, strike "10.1-1012" and insert "10.1-1020".

Explanation:

(This amendment provides a one-time appropriation of \$10.0 million from the general fund the first year to carry out the purposes of the Virginia Land Conservation Foundation.)

Item 385 #1c

Conference Report on House Bill 1500

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	\$35,000	GF

Language:

Page 369, line 38, strike "\$35,764,296" and insert "\$35,799,296".

Page 370, after line 44, insert:

"E. Out of this item, \$35,000 the second year from the general fund shall be used by the Director to waive or forgive the annual VPDES Permit Program Maintenance Fee due either October 1, 2004 or October 1, 2005 for any municipal waste water treatment of drinking water treatment system, publicly owned, that is a Virginia Pollution Discharge Elimination System permit holder with a discharge limit of less than 10 million gallons per day, that paid permit application fees between July 1, 2002 and June 30, 2004 and that submitted a written appeal claiming financial hardship caused by payment of the fee to the Department by December 31, 2004."

Explanation:

(This amendment provides \$35,000 from the general fund in the second year to address a transition issue created when DEQ implemented a new fee structure. The new fee schedule did not result in a net increase for most facilities. However, some smaller operations did not have sufficient time to prepare for the change. The amendment sets up a process for the agency to review these hardships and to waive or forgive the amounts due.)

Item 388 #1c

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	(\$6,475,600)	GF

Language:

Page 371, line 16, strike "\$63,483,021" and insert "\$57,007,421".

Page 372, line 6, strike "\$23,689,000" and insert "\$17,213,400".

Page 372, line 11, strike "2,428,350" and insert "\$1,457,010".

Explanation:

(This amendment redirects the general fund amounts allocated in the second year from the Water Quality Improvement Fund (WQIF) to the Department of

Conference Report on House Bill 1500

Environmental Quality (DEQ), as required by House Bill 2777 and Senate Bills 810 and 1235 (2005 Session). The legislation requires that 70 percent of any deposits made to the WQIF from year-end surpluses be used by the Department of Conservation and Recreation (DCR) for controlling nonpoint source pollution, with priority given to the implementation of agricultural best management practices. The introduced budget had allocated 50 percent of the fiscal year 2004 surplus to both DEQ and DCR.)

Item 388 #2c

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 372, after line 27, insert:

"3. Up to \$300,000 in the second year from the amounts appropriated for deposit to the Water Quality Improvement Fund for the control of nutrient pollution from point sources may be used to provide a grant to the Virginia Nutrient Credit Exchange Association created pursuant to House Bill 2862 and Senate Bill 1275, as adopted by the 2005 Session of the General Assembly. The terms and conditions applicable to this grant shall be established by the Department of Environmental Quality. The purposes for which the Virginia Nutrient Credit Exchange Association may use this grant include, but are not limited to, retaining technical expertise for the development of trading scenarios, analyzing the trading options that may exist within each of Virginia's Chesapeake Bay tributaries, establishing timetables and schedules for upgrading point source facilities, and developing a compliance plan for meeting statutory and regulatory criteria."

Explanation:

(This amendment provides a grant of up to \$300,000 in the second year from the existing general fund amounts provided for the control of nutrient pollution from wastewater treatment plants to the Virginia Nutrient Credit Exchange Association created by legislation approved by the 2005 Session of the General Assembly. This association will facilitate the Commonwealth's ability to improve its water quality in the Chesapeake Bay watershed by allowing for the trading of nutrient credits between the cleanest and dirtiest wastewater treatment plants. Nutrient trading has the potential to reduce Virginia's Chesapeake Bay clean up costs.)

Conference Report on House Bill 1500

Item 388 #3c

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	(\$50,000)	GF

Language:

Page 371, line 16, strike "\$63,483,021" and insert "\$63,433,021".

Explanation:

(This amendment reduces the amounts included in the second year for the provision of grants to localities for local water supply planning efforts by \$50,000.)

Item 388 #4c

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	\$106,000	GF

Language:

Page 371, line 16, strike "\$63,483,021" and insert "\$63,589,021".

Page 373, after line 17, insert:

"H. Out of the amounts appropriated for Financial Assistance for Water Quality, \$106,000 the second year from the general fund shall be used to support citizen water quality monitoring efforts. Of this amount, the Department of Environmental Quality shall provide \$20,000 to the Tri-County Lake Administrative Commission for water quality monitoring and analysis at Smith Mountain Lake."

Explanation:

(This amendment provides \$106,000 from the general fund in the second year to restore funding for citizen water quality monitoring programs. Although state law requires that Virginia's waters be assessed for attainment of state water quality standards annually, only 23 percent of Virginia's rivers and streams were scientifically assessed in 2004. This assessment information is used by the Department of Environmental Quality in developing total maximum daily loads (TMDLs) and in identifying the sources of water pollution. Citizen monitoring is the least costly way to increase water quality monitoring. The amendment also requires that \$20,000 be

Conference Report on House Bill 1500

provided to the Tri-County Lake Administrative Commission for water quality monitoring on Smith Mountain Lake.)

Item 388 #5c

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	\$50,000,000	GF

Language:

Page 371, line 16, strike "\$63,483,021" and insert "\$113,483,021".

Page 372, after line 14, insert:

"2. Out of the amounts for Construction Assistance Loans and Grants, \$50,000,000 the second year from the general fund shall be deposited to the Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia, pursuant to the provisions of House Bill 2777, Senate Bill 810, and Senate Bill 1235 (2005 Session)."

Page 372, line 15, strike "2." and insert "3."

Explanation:

(This amendment provides \$50.0 million from the general fund in the second year to the Department of Environmental Quality for use in providing grants to publicly owned wastewater treatment plants, as required by House Bill 2777 and Senate Bills 810 and 1235 (2005 Session). These grants will support the costs of improving the nutrient removal capabilities of the wastewater treatment plants.)

Item 388 #6c

Natural Resources	FY 04-05	FY 05-06	
Department Of Environmental Quality	\$0	\$4,000,000	GF

Language:

Page 371, line 16, strike "\$63,483,021" and insert "\$67,483,021".

Page 373, after line 17, insert:

"H. Out of the amounts for Environmental Technical and Financial Assistance, \$4,000,000 the second year from the general fund shall be deposited to the Combined

Conference Report on House Bill 1500

Sewer Overflow Matching Fund pursuant to § 62.1-241.12, Code of Virginia. From this Fund, the City of Richmond shall receive \$2,000,000 in the second year and the City of Lynchburg shall receive \$2,000,000 in the second year."

Explanation:

(This amendment provides \$4.0 million from the general fund in the second year for use in assisting the cities of Lynchburg and Richmond to separate their combined sewer overflow systems. The two cities were required to initiate these projects under consent decrees issued by the U.S. Environmental Protection Agency. The amendment would provide \$2.0 million to each city, which may also encourage the federal government to contribute more assistance to the projects.)

Item 393 #1c

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Page 375, after line 39, insert:

"C. The Department of Game and Inland Fisheries shall report on the Black Bear Damage Programs in other states, which may have application to Virginia's Black Bear Management Program. The Department is further directed to review the policies of federal land management agencies within the Commonwealth that may impact Virginia's ability to manage the resident Black Bear population and associated damage. This information shall be made available to the General Assembly by December 1, 2005."

Explanation:

(This amendment requires the agency to report on other states' Black Bear management programs and to work with relevant federal agencies owning land in the Commonwealth to review the impact of federal policies on Virginia's management program.)

Item 393 #2c

Natural Resources

Department Of Game And Inland

FY 04-05

0.00

FY 05-06

20.00 FTE

Conference Report on House Bill 1500

Fisheries

Language:

Explanation:

(This amendment provides an additional 20.00 nongeneral fund positions to the Department of Game and Inland Fisheries' existing maximum employment level. The department will use the additional positions to ensure that sufficient game wardens are deployed throughout the Commonwealth. The source of funding for the additional positions is the Game Protection Fund, which is a nongeneral fund comprised of license revenues and federal funds.)

Item 395 #1c

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Page 376, line 8, strike "\$13,939,880" and insert "\$14,839,880".

Explanation:

(This amendment identifies the amount of revenue originating from the general fund in the second year that is appropriated to the Game Department.)

Item 396 #1c

Natural Resources

Department Of Historic Resources

FY 04-05

\$0
0.00

FY 05-06

\$96,000 GF
1.00 FTE

Language:

Page 376, line 34, strike "\$1,094,062" and insert "\$1,190,062".

Explanation:

(This amendment restores general fund support for the position of state archaeologist within the Department of Historic Resources.)

Conference Report on House Bill 1500

Item 397 #1c

Natural Resources	FY 04-05	FY 05-06	
Department Of Historic Resources	\$0	\$2,845	GF

Language:

Page 376, line 42, strike "\$2,989,782" and insert "\$2,992,627".

Explanation:

(This amendment provides \$2,845 from the general fund in the second year to fund the care and upkeep of Revolutionary War cemeteries in Virginia. The Code of Virginia identifies 569 such grave sites in the Commonwealth.)

Item 397 #2c

Natural Resources	FY 04-05	FY 05-06	
Department Of Historic Resources	\$0	\$131,140	GF
	0.00	2.00	FTE

Language:

Page 376, line 42, strike "\$2,989,782" and insert "\$3,120,922".

Explanation:

(This amendment provides \$131,140 from the general fund the second year to fund two positions: one easement program coordinator and one procurement officer.)

Item 397 #3c

Natural Resources	FY 04-05	FY 05-06	
Department Of Historic Resources	\$0	\$80,000	GF
	0.00	2.00	FTE

Language:

Page 376, line 42, strike "\$2,989,782" and insert "\$3,069,782".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$80,000 from the general fund in the second year and establishes two positions for inventory data sharing. The Department of Historic Resources manages information on over 160,000 historic properties in Virginia. This information includes up to 150 data fields and location information that is used extensively by developers and property owners as well as by public agencies and scholars interested in development and historic preservation.)

Item 397 #4c

Natural Resources	FY 04-05	FY 05-06	
Department Of Historic Resources	\$0	(\$100,000)	GF

Language:

Page 376, line 42, strike "\$2,989,782" and insert "\$2,889,782".
Page 378, strike lines 15 through 19.

Explanation:

(This amendment removes \$100,000 from the general fund in the second year for reviewing military installation projects under the environmental review process. The budget bill, as introduced, did not include any positions to do the special reviews.)

Item 399 #1c

Natural Resources	FY 04-05	FY 05-06	
Marine Resources Commission	\$0	\$40,000	GF

Language:

Page 378, line 52, strike "\$12,351,099" and insert "\$12,391,099".
Page 379, after line 53, insert:

"H. Out of the amounts appropriated for Chesapeake Bay Fisheries Management, \$40,000 the second year from the general fund is provided for transfer to the Virginia Institute of Marine Science for continued research and control of the Veined Rapa Whelk, an invasive species of snail that readily consumes commercially valuable shellfish such as hard clams and oysters."

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$40,000 from the general fund in the second year to VIMS for further study and control of the Veined Rapa Whelk, an invasive species of snail originally native to the Sea of Japan. This snail, recently discovered in the Chesapeake Bay, has no known predators in North America and primarily consumes commercially valuable shellfish. VIMS operates a bounty program to study and control the species and is working with seafood companies to establish a market for the whelk.)

Item 399 #2c

Natural Resources	FY 04-05	FY 05-06	
Marine Resources Commission	\$0	\$175,000	GF
	0.00	2.50	FTE

Language:

Page 378, line 52, strike "\$12,351,099" and insert "\$12,526,099".

Explanation:

(This amendment provides \$175,000 from the general fund in the second year to fund additional Marine Police Officers.)

Item 399 #3c

Natural Resources	FY 04-05	FY 05-06	
Marine Resources Commission	\$0	\$1,000,000	GF

Language:

Page 378, line 52, strike "\$12,351,099" and insert "\$13,351,099".

Explanation:

(This amendment provides \$1.0 million from the general fund in the second year to support oyster replenishment efforts.)

Public Safety

Secretary Of Public Safety

Language

Language:

Page 382, line 11, before "The", insert "A."

Page 382, line 17, strike "October 15" and insert "September 30".

Page 382, line 18, after "FY 2011." insert:

"The Secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast through fiscal year 2011 who may be appropriate for alternative sanctions, including return-to-custody facilities."

Explanation:

(This amendment directs the Secretary of Public Safety to complete the offender population forecast report by September 30 rather than October 15, 2005, and to include an estimate of the number of probation violators included in the forecast.)

Public Safety

Secretary Of Public Safety

Language

Language:

Page 382, line 11, before "The", insert "A."

Page 382, after line 18, insert:

"B. The Secretary of Public Safety, in conjunction with the Department of Corrections, shall develop a plan to expand the future availability and utilization of minimum security facilities for sanctions appropriate for probation and parole violators, or other offenders, identified as having low risk of reoffending, consistent with the sentencing guidelines developed by the Virginia Criminal Sentencing Commission. The plan shall identify potential locations for such facilities, including jails, nonprofit or privately operated facilities, and shall include recommendations to address the punishment, treatment and other needs for such offenders. In developing this plan, the Secretary shall consult with the State Board of Corrections, the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Commonwealth's Attorneys, the State Compensation Board, the Office of the Attorney General, the Executive Secretary of the Supreme Court of

Conference Report on House Bill 1500

Virginia, the Virginia Indigent Defense Commission, and the Virginia Criminal Sentencing Commission. Copies of this plan shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2005."

Explanation:

(This amendment directs the Secretary of Public Safety to develop a plan to provide minimum security facilities for offenders who violate the conditions of their probation or parole and are identified as having low risk of reoffending.)

Item 410 #1c

Public Safety

Department Of Corrections, Central
Activities

Language

Language:

Page 386, line 37, after "available" insert:

", placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C".

Explanation:

(This amendment requires the Department of Corrections to place a priority on transferring certain inmates from local and regional jails into the state correctional system. The intent of this amendment is to provide another mechanism for relieving local and regional jails of the expense of providing high-cost medications to state-responsible inmates who have been diagnosed and are being treated for HIV, mental illnesses requiring medication, or Hepatitis C.)

Item 410 #2c

Public Safety

Department Of Corrections, Central
Activities

FY 04-05

\$0
0.00

FY 05-06

\$130,000 GF
2.00 FTE

Language:

Page 385, line 12, strike "\$35,209,109" and insert "\$35,339,109".

Conference Report on House Bill 1500

Explanation:

(This amendment restores \$130,000 the second year from the general fund and two positions to provide research and program evaluation support.)

Item 410 #3c

Public Safety

Department Of Corrections, Central
Activities

Language

Language:

Page 386, line 54, strike "I." and insert "I.1."

Page 387, after line 9, insert:

"2. The Department shall develop a plan, consistent with the reports required pursuant to Item 403, paragraphs A and B of this act to finance, construct and operate additional correctional facilities for the Department, utilizing either or both construction and operation of such facilities under this act, the Public-Private Education and Infrastructure Act, or such other means as shall be appropriate, as required to meet projected bedspace requirements through fiscal year 2011. The plan shall include capital and operating cost estimates as well as the necessary timetables for financing and construction. Such facilities shall include: as a first priority, a facility to be located in the Mount Rogers Planning District; and as a second priority, a facility to be located in Charlotte County. Copies of this plan shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2005."

Explanation:

(This amendment directs the Department of Corrections to present a plan to finance, construct and operate additional correctional facilities.)

Item 414 #1c

Public Safety

Division Of Community
Corrections

Language

Language:

Conference Report on House Bill 1500

Page 388, line 12, after "centers.", insert:

"In identifying offices to house the new day reporting centers authorized in this paragraph, the Department shall give priority to the District serving the City of Winchester and Counties of Clarke, Frederick, Warren, and Shenandoah."

Explanation:

(This amendment directs the Department of Corrections to give priority for one of the new day reporting centers to the District serving the City of Winchester and Counties of Clarke, Frederick, Warren, and Shenandoah.)

Item 415 #1c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 388, strike lines 54 and 55.

Page 389, strike lines 1 through 38, and insert:

"C.1. The Department of Corrections shall establish a pilot program to achieve effective punishment, control, and rehabilitation of felony offenders who are under parole, post-release, or probation supervision and are found to be in technical violation of their supervisory conditions. No program shall be established without the agreement of the judge, commonwealth's attorney, and sheriff or regional jail superintendent of the relevant jurisdiction. Following a revocation hearing as required by §§ 19.2-295.2, 19.2-306, or 53.1-165, Code of Virginia, a judge, or the Virginia Parole Board, if the offender's supervision is under the Board's control, may order a violator to be confined in jail for thirty days to participate in the pilot program. For felons under probation supervision, candidates for the pilot program shall be those who are recommended by Virginia's sentencing guidelines for an active term of incarceration for the violation. While confined in jail, violators in the pilot program shall be eligible to participate in work-release, educational, or other rehabilitative programs as provided by § 53.1-131 of the Code of Virginia."

Page 389, strike lines 39 through 48, and insert:

"2. The Department and the sheriffs or regional jail superintendents of any jails in which the pilot program is conducted shall enter into an agreement regarding the number of beds and the rate at which the jail will be reimbursed for housing these offenders. The Department shall notify the Compensation Board, in a manner

Conference Report on House Bill 1500

determined by the Compensation Board of the rate agreed upon by the Department and each sheriff or regional jail superintendent participating in the program. Such rate shall not exceed existing rates authorized in this act and the total statewide average daily number of offenders housed in jails under the provisions of this pilot project shall not exceed 150. The Compensation Board shall reimburse each jail participating in the pilot for such offenders housed, based on the agreed-upon rate.

D. 1. The Department shall, effective July 1, 2005, establish a Return-to-Custody Center program, with the capacity to hold a minimum of 100 offenders, utilizing one or more existing community corrections residential facilities. Such program shall provide for a period of residential supervision of 30-60 days, as specified by the sentencing judge, and shall include opportunities for work release, public service, treatment or other rehabilitative programs as provided in § 53.1-131 of the Code of Virginia.

2. Following a revocation hearing as required by § 19.2-295.2 or § 19.2-306 of the Code of Virginia, a judge may order a violator to be confined in a Return-to-Custody Center. For felons under probation or post-release supervision, candidates for placement in such a center shall be those who are recommended by Virginia's sentencing guidelines for an active term of incarceration for the violation. A violator placed into this program who fails to comply with supervision rules established by the Department for the program may be returned to the court for consideration of additional sanctions.

E. The Department shall provide a report on the implementation of the programs set forth in Paragraphs C. and D. of this item to the Chairmen of the Senate Finance and House Appropriations Committees by September 30, 2005."

Explanation:

(This amendment clarifies the procedures for implementing the return-to-custody pilot program in selected jails, and authorizes the conversion of an existing diversion or detention center into a new Return-to-Custody Residential Center. This amendment also eliminates outdated language.)

Item 416 #1c

Public Safety

Division Of Community
Corrections

Language

Language:

Conference Report on House Bill 1500

Page 390, after line 30, insert:

"5. Culpeper County, in order to proceed in planning for a new local jail facility estimated at 150 beds. Notwithstanding the provisions of § 53.1-82.3, Code of Virginia, Culpeper County may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, to the Department of Corrections and State Board of Corrections for review prior to March 1, 2006. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2007 Session. Included within the required submissions to the Department from Culpeper County shall be a report indicating the costs and benefits to the county of developing a regional jail, and documentation that the county has determined whether or not there is interest among surrounding jurisdictions in developing a regional jail project."

Explanation:

(This amendment permits the Board of Corrections to consider the request for Culpeper County to proceed with planning for a new local jail. The amendment also adjusts the deadline for submission of the required plan for this project to March 1, 2006, and requires the county to study the costs and benefits of a regional jail.)

Item 416 #2c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 391, after line 44, insert:

"G. The Department of Corrections may review the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, submitted to the Department of Corrections, prior to March 1, 2005, by the Counties of Franklin and Montgomery. Furthermore, the Counties of Franklin and Montgomery may join, either jointly or separately, Roanoke County and the City of Salem in a regional jail project. The Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2006 Session."

Explanation:

(This amendment permits the Board of Corrections to consider the request for

Conference Report on House Bill 1500

Franklin County and Montgomery County to join Roanoke County and the City of Salem in a regional jail project.)

Item 416 #3c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 391, line 3, strike "D." and insert "D.1."

Page 391, after line 8, insert:

"D.2. The Department of Corrections shall institute a peer review process to evaluate the population projections that are used to justify the need for additional regional and local jail construction. The peer review process shall include, at a minimum, staff from the State Compensation Board, Department of Corrections, Department of Juvenile Justice, Joint Legislative Audit and Review Commission, and the Virginia Criminal Sentencing Commission. The results of the peer review shall be considered by the Board of Corrections prior to the approval of any regional or local jail construction project, for all projects considered by the Board on or after July 1, 2005."

Page 391, line 9, strike "E." and insert "E.1."

Page 391, after line 18, insert:

"2. In the development of the plan as provided in Item 403.B. of this act, the Department shall consult with the following regional jails to determine whether such a minimum security facility might be an appropriate part of the additional capacity as authorized in paragraph C of this item:

- a. The Roanoke County-Salem Regional Jail.
- b. The Riverside Regional Jail.
- c. The Rappahannock Regional Jail.

3. In the development of the plan as provided in Item 403.B. of this act, the Department shall consult with the following regional jails to determine whether it may be appropriate for the Department to contract for a portion of the new bedspace capacity in these facilities for housing state-responsible offenders:

- a. Southwest Virginia Regional Jail.
 - b. Middle River Regional Jail.
 - c. Clarke-Fauquier-Frederick-Winchester Regional Jail.
 - d. Other regional or local jails as the Department may deem appropriate.
4. The Board of Corrections may grant an exception to the provisions of paragraph B

Conference Report on House Bill 1500

of this item for the following regional jails to develop minimum security facilities for housing state-responsible offenders, including probation and parole violators, under contract with the Department of Corrections, consistent with the plan as provided in Item 403.B. of this act. The following authorities may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities to the Department of Corrections for review prior to March 1, 2006. Furthermore, the Governor may include a recommendation for funding such projects for consideration by the General Assembly at its 2007 Session:

- a. Pamunkey Regional Jail Authority.
- b. Virginia Peninsula Regional Jail Authority."

Explanation:

(This amendment consists of three parts. First, the amendment establishes a peer review process for evaluating the offender population forecasts upon which decisions are made by the Board to approve construction projects. Second, the amendment directs the Department of Corrections to determine the feasibility of contracting for minimum security facilities and bedspace for selected state-responsible offenders, including probation and parole violators. Third, the amendment permits the Board to consider certain minimum security projects for the Pamunkey and Virginia Peninsula Regional Jail Authorities.)

Item 416 #4c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 391, after line 44, insert:

"G. Notwithstanding the provisions of § 53.1-82.3, Code of Virginia, the governing bodies of the Roanoke County-Salem Jail may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities to the Department of Corrections and State Board of Corrections for review prior to May 1, 2005. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2006 session. The review by the Board of Corrections of this project shall be consistent with Paragraphs D and E of Item 416 and Item 420

Conference Report on House Bill 1500

D of the Appropriation Act of 2004-06."

Explanation:

(This amendment exempts the Roanoke County-Salem Jail from the moratorium on jail construction or expansion projects.)

Item 416 #5c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 391, after line 2, insert:

"8. The Loudoun County Jail, to increase the scope of its current jail construction project to meet its anticipated jail bed requirements for local and state responsible offenders."

Explanation:

(This amendment authorizes the Board of Corrections to consider an expansion of the existing capital project for the Loudoun County Jail to meet projected bed requirements.)

Item 420 #1c

Public Safety

Division Of Institutions

FY 04-05

0.00

FY 05-06

-5.00 FTE

Language:

Explanation:

(This amendment eliminates five nongeneral fund positions that are no longer required. These positions have been replaced with general fund positions.)

Item 420 #2c

Conference Report on House Bill 1500

Public Safety	FY 04-05	FY 05-06	
Division Of Institutions	\$0	\$200,000	NGF

Language:

Page 393, line 10, strike "\$407,523,989" and insert "\$407,723,989".

Page 393, line 23, strike "\$525,000" and insert "\$725,000".

Page 393, line 29, strike the second "\$300,000" and insert "\$500,000".

Page 393, after line 33, insert:

"4. The Department of Corrections shall review and identify options for providing ongoing sources of nongeneral fund support for providing faith-based services to inmates. In conducting this review, the Department shall consult with organizations that provide such services to inmates as well as correctional systems in other states. A report on the results of this review shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2005."

Explanation:

(This amendment provides an additional \$200,000 the second year from nongeneral funds to expand inmate faith-based service programs. The source of funds is profits from inmate commissary operations.)

Item 420.10 #1c

Public Safety	FY 04-05	FY 05-06	
Division Of Institutions	\$0	\$43,177	GF

Language:

Page 395, line 1, strike "\$0" and insert "\$43,177".

Page 395, line 4, before "Included", insert "A."

Page 395, line 4, after "\$32,589", insert:

"the first year from the general fund".

Page 395, after line 8, insert:

"B. Included in this appropriation is \$43,177 the second year from the general fund to cover the projected state prison bed space impact, as determined in accordance with § 30-19.1:4, Code of Virginia, of House Bill 2248, 2005 Session."

Explanation:

(This amendment provides \$43,177 the second year from the general fund to

Conference Report on House Bill 1500

address the fiscal impact of House Bill 2248, 2005 Session, regarding elimination of the spousal exception in certain sexual offenses.)

Item 420.10 #2c

Public Safety	FY 04-05	FY 05-06	
Division Of Institutions	\$0	\$351,875	GF

Language:

Page 395, line 1, strike "\$0" and insert "\$351,875".

Page 395, line 4, before "Included", insert "A."

Page 395, line 4, after "\$32,589", insert:

"the first year from the general fund".

Page 395, after line 8, insert:

"B. Included in this appropriation is \$351,875 the second year from the general fund to cover the projected state prison bed space impact, as determined in accordance with § 30-19.1:4, Code of Virginia, of House Bill 2564, 2005 Session."

Explanation:

(This amendment provides \$351,875 the second year from the general fund to address the fiscal impact of House Bill 2564, 2005 Session, regarding the penalties for sexual offenses committed by step-parents against their step-children.)

Item 426 #1c

Public Safety	
Department Of Criminal Justice Services	Language

Language:

Page 398, line 4, after "oversee" insert "and conduct".

Page 398, line 8, strike "trainer position" and insert:

"training coordinator position and the leadership role for developing, implementing, organizing, conducting, and promoting train-the-trainer courses".

Page 398, line 9, strike "other".

Explanation:

(This amendment clarifies administrative responsibilities for the Alzheimer's law

Conference Report on House Bill 1500

enforcement and first responder training program.)

Item 427 #1c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice Services	\$0	\$1,000,000	GF

Language:

Page 398, line 13, strike "\$29,198,089" and insert "\$30,198,089".

Page 398, line 23, before "Out", insert "A."

Page 398, after line 29, insert:

"B.1. Included in this item is \$1,000,000 in the second year from the general fund to address salary compression and starting salaries for forensic scientists at the Division of Forensic Science. The Director of the Division of Forensic Science and the Director of the Department of Human Resource Management shall prepare a plan for addressing salary compression and salaries of professional forensic scientists in order to retain and recruit forensic scientists. By June 1, 2005, the Director of the Division of Forensic Sciences and the Director of the Department of Human Resource Management shall present a report to the Secretary of Public Safety, the Secretary of Administration, and the Governor. Prior to implementation of the plan, the Secretary of Public Safety shall communicate the plan to the Chairmen of the Senate Finance and House Appropriations Committees.

2. The Director of the Department of Forensic Science, in conjunction with the Director of the Department of Human Resource Management, shall prepare a report that details the Department of Forensic Science's efforts to recruit forensic scientists to fill the positions authorized by the 2005 Session of the General Assembly. The report shall address the fill rate for the positions authorized by the 2005 Session of the General Assembly and any issues, including pay factors, that limit the ability of the Department to recruit and retain highly qualified forensic scientists. The Director of the Department of Forensic Science and the Director of the Department of Human Resource Management shall report their findings to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005."

Explanation:

(This amendment provides \$1.0 million the second year from the general fund for the Division of Forensic Science to address salary compression and market

Conference Report on House Bill 1500

competition issues for scientific and professional positions.)

Item 427 #2c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice Services	\$0	\$900,000	GF

Language:

Page 398, line 13, strike "\$29,198,089" and insert "\$30,098,089".

Page 398, line 23, insert "A."

Page 398, after line 29, insert:

"B. 1. Included in this appropriation is \$900,000 the second year from the general fund for the Virginia Institute of Forensic Science and Medicine. Prior to the release of these funds, the Governor shall approve a memorandum of understanding between the Division of Forensic Science and the appropriate state agencies and institutions, setting forth the terms and conditions for the operation of the institute. Copies of this memorandum shall be provided to the Auditor of Public Accounts and the Chairmen of the Virginia State Crime Commission and the Senate Finance and House Appropriations Committees, prior to the release of these funds.

2. The Division of Forensic Science shall require the development and use of an employment contract to specify that student fellows receiving stipends pursuant to this item shall agree to work for the Division of Forensic Science for at least two years following the completion of their certification program. The Division shall consult with the Office of the Attorney General in the development of this contract."

Explanation:

(This amendment provides \$900,000 the second year from the general fund for the Virginia Institute of Forensic Science and Medicine to train and certify forensic scientists for the state forensic laboratory.)

Item 427 #3c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice Services	\$0	\$750,000	GF
	0.00	17.00	FTE

Conference Report on House Bill 1500

Language:

Page 398, line 13, strike "\$29,198,089" and insert "\$29,948,089".

Explanation:

(This amendment provides \$750,000 the second year from the general fund and 17.0 FTE positions for the Division of Forensic Science to reduce the backlog in testing evidence in all types of cases.)

Item 427 #4c

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 398, after line 22, insert:

"A. The Secretary of Public Safety shall prepare a report on the transition of the Division of Forensic Science into a new Department of Forensic Science, consistent with Senate Bill 1153 and House Bill 2216, as adopted by the 2005 General Assembly. The report shall address the administrative requirements for the new agency, including a Memorandum of Understanding for the new department to contract with the Department of Criminal Justice Services for administrative support services for an interim period. The report shall also include a Memorandum of Understanding to set forth the appropriate roles and responsibilities of the Virginia Institute of Forensic Science and Medicine and the relevant state agencies and institutions with which it cooperates. Copies of this report shall be provided by May 1, 2005, to the Auditor of Public Accounts and the Chairmen of the Virginia State Crime Commission and the Senate Finance and House Appropriations Committees."

Page 398, line 23, before "Out" insert "B."

Explanation:

(This amendment directs the Secretary of Public Safety to prepare a report on the transition of the Division of Forensic Science into a new Department of Forensic Science. This amendment is contingent upon final passage of Senate Bill 1153 and House Bill 2216 by the 2005 General Assembly.)

Conference Report on House Bill 1500

Item 427 #5c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice	\$0	\$130,000	GF
Services	0.00	1.00	FTE

Language:

Page 398, line 13, strike "\$29,198,089" and insert "\$29,328,089".

Explanation:

(This amendment provides \$130,000 the second year from the general fund to establish a new Director of Administration position for the Department of Forensic Science. This amendment is contingent upon final passage of Senate Bill 1153 and House Bill 2216 by the 2005 General Assembly.)

Item 430 #1c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice	\$0	\$75,000	GF
Services			

Language:

Page 398, line 43, strike "\$67,521,975" and insert "\$67,596,975".

Page 402, after line 6, insert:

"M. The Department of Criminal Justice Services shall provide a grant of \$75,000 the second year to the County of Fairfax for the Fairfax Partnership on Youth."

Explanation:

(This amendment provides \$75,000 the second year from the general fund for the Fairfax Partnership on Youth to address gangs in Fairfax County.)

Item 430 #2c

Public Safety	FY 04-05	FY 05-06	
Department Of Criminal Justice	\$0	\$500,000	GF
Services			

Conference Report on House Bill 1500

Language:

Page 398, line 43, strike "\$67,521,975" and insert "\$68,021,975".

Page 399, line 46, strike "\$20,258,828" and insert "\$20,758,828".

Explanation:

(This amendment provides \$500,000 the second year from the general fund for local-responsible community corrections and pretrial release programs administered by Community Criminal Justice Boards. These funds are intended to expand the use of community supervision to reduce jail crowding.)

Item 430 #3c

Public Safety

FY 04-05

FY 05-06

Department Of Criminal Justice

\$0

\$274,385

GF

Services

\$0

\$558,203

NGF

Language:

Page 398, line 43, strike "\$67,521,975" and insert "\$68,354,563".

Page 399, line 24, strike the second "\$914,585" and insert "\$1,188,970".

Page 399, line 26, strike the second "\$941,797" and insert "\$1,500,000".

Explanation:

(This amendment provides \$274,385 the second year from the general fund to restore state support for regional law enforcement training academies to the level provided in fiscal year 2001. The amendment also adjusts the nongeneral fund appropriation for the second year to reflect the anticipated special fund revenues from court fees.)

Item 436 #1c

Public Safety

FY 04-05

FY 05-06

Department Of Fire Programs

(\$1,000,000)

\$0

GF

Language:

Page 404, line 16, strike "\$20,373,574" and insert "\$19,373,574".

Page 404, strike lines 26 through 40 and insert:

"There is hereby created on the books of the Comptroller a special fund that shall be known as the Staffing for Adequate Firefighters and Emergency Response (SAFER)

Conference Report on House Bill 1500

Matching Grant Fund. Included within this appropriation is \$250,000 the first year from the general fund, which shall be deposited into this fund.

1. The Department of Fire Programs shall develop a plan to allocate these funds to localities in the form of a reimbursement for the first year local matching requirement for federal grants, which may be made available to fire departments in Virginia under the SAFER program.
2. The state reimbursement to localities shall be limited to the first year matching requirement of 10 percent, after which the participating localities shall assume the matching costs as specified by the federal grant requirements.
3. The Department shall provide a report on expected expenditures from this Fund to the Chairmen of the Senate Finance and House Appropriations Committees prior to the 2006 Session of the General Assembly."

Explanation:

(This amendment creates a special fund to reimburse localities for the local share of a new federal grant program to encourage localities to hire more firefighters. The amendment limits the Commonwealth's contribution to the first year local matching share, after which the participating locality would assume the increasing cost of the new firefighters. This amendment also caps the state contribution to the program in the second year at \$250,000. This cap is based on three factors: (i) the actual Congressional appropriation of \$65.0 million for the first year of the program; (ii) the best estimate of the share of this federal appropriation that will likely be awarded to localities in Virginia, which will probably not exceed 3.5 percent or about \$2.3 million; and (iii) the 10 percent local matching requirement the first year, estimated to be \$250,000. Accordingly, the amount of general funds for this purpose in the introduced budget is reduced from \$1.25 million to \$250,000 the first year. Over the succeeding four years the local contribution will increase from 10 to 20 to 50 to 70 to 100 percent of the cost of the new firefighters.)

Item 443 #1c

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 408, line 1, after "A.", insert "1."

Page 408, after line 11, insert:

"2. The Crossroads Community Youth Home operated by the Colonial Group Home

Conference Report on House Bill 1500

Commission shall be exempt from the provisions of paragraph A. The Commission may proceed with the Planning Study as required by the Board of Juvenile Justice regulations promulgated pursuant to § 16.1-309.5, Code of Virginia. The Board is further authorized to consider for approval the replacement of the present facility and the construction of a new facility at a location to be determined by the Commission. Such approval by the Board shall include a statement noting that such approval is subject to the availability of funds and approval of the General Assembly at its next regular session."

Explanation:

(This amendment exempts the Crossroads Community Youth Home (serving Gloucester, James City and York Counties and the City of Williamsburg) from the existing moratorium on the construction, enlargement, or renovation of group homes.)

Item 445 #1c

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 410, line 3, after "D.", insert "1."

Page 410, after line 14, insert:

"2. In implementing the plan for the utilization of the juvenile correctional centers, the Department of Juvenile Justice and the Department of Correctional Education shall coordinate with the Secretary of Public Safety and the Secretary of Administration and shall seek the assistance of the Department of Human Resource Management in addressing issues related to the state work force affected by the implementation of this plan. The Secretary of Public Safety shall report to the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2005, on the status of the plan."

Explanation:

(This amendment requires the Secretary of Public Safety to report on the status of the juvenile correctional center utilization plan.)

Item 448 #1c

Public Safety

FY 04-05

FY 05-06

Conference Report on House Bill 1500

Department Of Military Affairs	\$0	\$650,000	GF
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Language:

Page 410, line 45, strike "\$1,600,001" and insert "\$2,250,001".

Explanation:

(This amendment provides \$650,000 the second year from the general fund for the Virginia National Guard Tuition Assistance Program.)

Item 450 #1c

Public Safety	FY 04-05	FY 05-06	
Department Of Military Affairs	\$0	\$95,200	GF

Language:

Page 411, line 16, strike "\$27,784,458" and insert "\$27,879,658".

Explanation:

(This amendment provides \$95,200 the second year from the general fund for a recruitment incentive program for the Virginia National Guard. This program will provide incentive payments of \$200 to current guard members who refer new members to enlist successfully in the Virginia National Guard.)

Item 450 #2c

Public Safety	FY 04-05	FY 05-06	
Department Of Military Affairs	\$0	\$229,167	GF

Language:

Page 411, line 16, strike "\$27,784,458" and insert "\$28,013,625".

Explanation:

(This amendment provides \$229,167 the second year from the general fund to increase maintenance funding for armories statewide to \$2 per square foot.)

Conference Report on House Bill 1500

Item 450 #3c

Public Safety	FY 04-05	FY 05-06	
Department Of Military Affairs	\$0	\$240,000	GF
	\$0	\$360,000	NGF

Language:

Page 411, line 16, strike "\$27,784,458" and insert "\$28,384,458".

Explanation:

(This amendment provides \$240,000 from the general fund and \$360,000 from federal funds the second year for the Commonwealth Challenge Youth Program at Camp Pendleton, the State Military Reservation in Virginia Beach. These funds will enable the residential program to serve an additional 50 at-risk youth in each five-month cycle. This would enable the program to serve a total of 400 at-risk youth over a 12-month period.)

Item 454 #1c

Public Safety	FY 04-05	FY 05-06	
Department Of State Police	0.00	21.00	FTE

Language:

Page 413, after line 16, insert:

"D. The Virginia Criminal Information Network (VCIN) personnel, related equipment and VCIN activity at the Department of State Police is hereby transferred from the Virginia Information Technologies Agency to the Department of State Police."

Explanation:

(This amendment exempts the Virginia Criminal Information Network (VCIN) from the Virginia Information Technologies Agency. This amendment also adjusts the transfer of data processing positions from State Police to VITA. The intent of the FTE adjustment in this amendment is that only nine FTE positions be transferred to VITA, rather than 30 positions as in the introduced budget. The transfer of nine positions reflects the final agreement between State Police and VITA, as adjusted by the policy decision incorporated within this amendment that five positions dedicated to VCIN remain within State Police.)

Conference Report on House Bill 1500

Item 454 #2c

Public Safety	FY 04-05	FY 05-06	
Department Of State Police	\$0	\$250,000	GF

Language:

Page 412, line 33, strike "\$28,766,329" and insert "\$29,016,329".

Page 413, after line 16, insert:

"D.1. This appropriation includes \$2,510,000 the second year from the general fund for implementing the Statewide Agencies Radio System (STARS) project.

2. The Secretary of Public Safety, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a report on (1) the scope of the STARS contract; (2) projected total costs for the system, including project management costs and expected annual operating costs; (3) proposed communications technologies and system capabilities; (4) the status of site acquisition to support the system; (5) the activities related to in-house and contract project management and a description of the project management plan; (6) an outline of the project timelines for implementing the system; and (7) other matters as the Secretary may deem appropriate. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2005."

Explanation:

(This amendment restores full funding for the second year project management costs of the Statewide Agencies Radio System (STARS) project and requires a status report on system implementation by October 1, 2005.)

Item 454 #3c

Public Safety	FY 04-05	FY 05-06	
Department Of State Police	\$0	\$2,260,000	GF

Language:

Page 412, line 33, strike "\$28,766,329" and insert "\$31,026,329".

Explanation:

(This amendment completes the transfer of project management funding for the

Conference Report on House Bill 1500

State Agencies Radio System (STARS) from Central Appropriations to the Department of State Police. A companion amendment to Item 507 transfers these funds from Central Appropriations.)

Item 456 #1c

Public Safety

Department Of State Police

Language

Language:

Page 414, line 43, after "G.", insert "1."

Page 414, after line 46, insert:

"2. The Department of State Police shall review the use of funds provided from the Rescue Squad Assistance Fund for aviation (Med-Flight) operations. Copies of this report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees and the Emergency Medical Services Advisory Board by September 1, 2005."

Explanation:

(This amendment is self-explanatory.)

Item 457 #1c

Public Safety

Department Of State Police

FY 04-05

FY 05-06

\$0

\$110,000 GF

Language:

Page 414, line 47, strike "\$17,398,644" and insert "\$17,508,644".

Page 414, line 53, before "In", insert "A."

Page 415, after line 3, insert:

"B.1. Included in this appropriation is \$110,000 the second year from the general fund to increase traffic enforcement on Interstate 81. These funds shall be used to enhance existing efforts by providing overtime payments for extended and additional work shifts so as not to reduce the current level of State Police patrols on this and other public highways in the Commonwealth.

2. The Department shall utilize available traffic and crash data and work in cooperation with the Department of Transportation in determining appropriate

Conference Report on House Bill 1500

enforcement strategies and locations. The Department shall provide a report reflecting Interstate 81 enforcement results and crash data to the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2006, with an interim report by December 1, 2005."

Explanation:

(This amendment provides \$110,000 the second year from the general fund to enhance traffic enforcement on Interstate 81.)

Item 462 #1c

Technology

Innovative Technology Authority

Language

Language:

Page 418, after line 54, insert:

"J. By July 1, 2005, the Director, Department of Planning and Budget, shall unallot an amount equivalent to the balance of uncommitted general fund appropriations of the Innovative Technology Authority at the end of fiscal year 2004. Such amounts shall revert to the general fund."

Explanation:

(This amendment unallots the end of fiscal year 2004 carry forward balance of the Center for Innovative Technology. The Department of Planning and Budget had administratively authorized these funds to be retained by CIT, and allowed for its use for new initiatives and ongoing programs, in direct conflict with restrictions on the uses of carryover funding set out in Part 4 of the budget. This language has no impact on the appropriations for fiscal years 2005 and 2006.)

Item 463 #1c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 421, after line 17, insert:

"The Virginia Information Technologies Agency's treasury loan for start-up costs shall

Conference Report on House Bill 1500

be reduced to actual costs incurred as of the effective date of this act and shall be interest free. VITA shall adjust its rates without the Joint Legislative Audit and Review Commission approval for the sole purpose of immediately beginning to repay this loan, which shall occur within 24 months of the effective date of this act; however, all other such rate adjustments shall require the prior approval of the Joint Legislative Audit and Review Commission in accordance with § 2.2-803, Code of Virginia. Should VITA, the Department of Planning and Budget or the Governor determine that some other means exists to repay the treasury loan without incurring an increase in the rates or using direct general fund appropriations to VITA, they shall submit such a plan to the Chairmen of the Senate Finance and the House Appropriations Committees and Chairman of the Joint Legislative Audit and Review Commission for review and approval."

Explanation:

(This amendment captures \$6.1 million from repayment of a treasury loan to the Virginia Information Technologies Agency's treasury loan for start-up costs.)

Item 466 #1c

Technology	FY 04-05	FY 05-06	
Virginia Information Technologies Agency	\$0	(\$319,558)	GF
	\$0	\$319,558	NGF

Language:

Explanation:

(This amendment changes the fund source for the Virginia Information Technologies Agency's Technology Management and Oversight subprogram from General Fund to Non-general funds, which more appropriately fits an internal service fund agency.)

Item 466 #2c

Technology	FY 04-05	FY 05-06	
Virginia Information Technologies Agency	\$0	(\$1,106,152)	GF
	\$0	\$1,106,152	NGF

Conference Report on House Bill 1500

Language:

Page 419, line 15, after "from" strike "the general fund".

Page 419, line 17, after "Center." insert:

"The Virginia information Technologies agency may negotiate a revenue anticipation note from the Comptroller for a term of not more than five years for this purpose."

Explanation:

(This amendment changes the fund source for the Virginia Information Technologies Agency's Physical Plant Services subprogram from General Fund to Non-general funds, which more appropriately fits an internal service fund agency.)

Item 469 #1c

Transportation

Secretary Of Transportation

Language

Language:

Page 428, after line 19, insert:

"C. The Secretary of Transportation shall report to the Governor and the Chairmen of the Senate Finance and Transportation Committees and the House Appropriation and Transportation Committees by December 1, 2005, on the status of implementing the recommendations in the multimodal long-range transportation plan, known as VTrans2025."

Explanation:

(This amendment establishes a due date for the status report on implementing the recommendations of the long-range transportation plan known as VTrans2025.)

Item 469 #2c

Transportation

Secretary Of Transportation

Language

Language:

Page 428, after line 19, insert:

"C.1. The Virginia Department of Transportation, with the approval of the Governor and in a form approved by the Attorney General, is hereby authorized to exchange five +/- acres of Fulton Bottom property, on the north side of Route 5 in the City of

Conference Report on House Bill 1500

Richmond, to the Lehigh Cement Company, in exchange for a parcel of land estimated at two +/- acres on the south side of Route 5 in the City of Richmond, to be used as a trail head facility for the Virginia Capital Trail.

2. The appropriate offices of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the exchange.

3. Included in this effort shall be a review of potential environmental and other liability issues. Prior to the conveyance of the properties, the Commonwealth shall prepare a plan to address any potential liability issues associated with the property owned by Lehigh Cement Company."

Explanation:

(This amendment authorizes the conveyance of state-owned property in the City of Richmond. The transaction would enable the Lehigh Cement Company to move out of a flood plain and to construct a new \$5.0 million plant in Richmond. The state benefits in two ways: 1) the land obtained by the state can be used as a park and provide public access to the James River and 2) Norfolk Southern Railroad can abandon the rail line now serving Lehigh Cement and donate the right-of-way for public use. The right-of-way is some two miles in length, is adjacent to the James River, and is important to the Virginia Capital Trail, a 50-mile bike and pedestrian trail linking Richmond, Jamestown and Williamsburg in the Route 5 corridor.)

Item 474 #1c

Transportation

Department Of Aviation

Language

Language:

Page 429, line 38, strike "\$370,000" and insert "\$500,000".

Explanation:

(This amendment provides an additional \$130,000 from aviation nongeneral funds in the second year to restore funding for the Washington Airports Task Force to 2002 levels. This funding comes from the existing aviation special funds.)

Conference Report on House Bill 1500

Item 474 #2c

Transportation

Department Of Aviation

Language

Language:

Page 430, after line 22, insert:

"D. Included in this item is \$600,000 the second year from the Commonwealth Transportation Fund to be transferred from Item 493.10 of this act."

Explanation:

(This amendment provides an additional \$600,000 nongeneral funds for the Department's share of Transportation Trust Fund allocations. The increment is based on language in Part 3 of the budget bill that clarifies the Governor's authority to transfer accelerated sales tax collections to the TTF.)

Item 475 #1c

Transportation

Department Of Motor Vehicles

Language

Language:

Page 430, line 45, before "The", insert "A."

Page 430, after line 47, insert:

"B. This item includes \$2,400,000 the second year from the Commonwealth Transportation Fund to be transferred from Item 493.10 of this act."

Explanation:

(This amendment provides \$2.4 million in nongeneral funds for DMV to begin detailed planning and engineering to replace a 15 year old computer system affecting the agency's driver, vehicle and motor carrier services. There is also funding to begin phasing out obsolete terminals with personal computers at the customer service centers.)

Item 477 #1c

Transportation

Department Of Motor Vehicles

FY 04-05

\$2,700,000

FY 05-06

\$1,868,949 NGF

Conference Report on House Bill 1500

Language:

Page 431, line 5, strike "\$114,286,764" and insert "\$116,986,764".

Page 431, line 5, strike "\$115,201,802" and insert "\$117,070,751".

Explanation:

(This amendment corrects the appropriation for the Department of Motor Vehicles to reflect the official revenue projections.)

Item 477 #2c

Transportation

Department Of Motor Vehicles

Language

Language:

Page 432, line 17, strike "E." and insert "E.1."

Page 432, line 21, strike "2005" and insert "2006".

Page 432, after line 28, insert:

"2. As part of the effort to develop performance goals and strategies, the Department shall calculate the average wait time and the related average cost per transaction conducted at each customer service center. The calculations shall determine the impact to transportation funding if wait times are reduced or increased by increments of five minutes. For increased wait times, the upper limit shall be an average wait time of 45 minutes. For reduced wait times, the lower limit shall be an average wait time of 10 minutes.

3. In addition, the Department shall calculate the average number of transactions conducted at each customer service center that can now be done by alternative means such as mail, phone, or Internet. The Department shall determine if the average number of such transactions can be redirected away from the customer service centers to alternative services by levying a surcharge in addition to the fee already prescribed by statute or regulation for the transactions. The Department shall develop a schedule of surcharges and the impact of various surcharges on the average number of transactions at customer service centers for those services that can be addressed through alternative means.

4. The Department shall submit the report by December 28, 2005 to the Governor,

Conference Report on House Bill 1500

the Secretary of Transportation, the Chairmen of the Senate Committees on Transportation and Finance, and the Chairmen of the House Committees on Transportation and Appropriations."

Explanation:

(This amendment changes the date for the Department to develop performance goals and objectives. Language also directs the Department to examine the effect of reducing or increasing wait times on revenues available for transportation projects. Lastly, the amendment requires the Department to examine the impact of levying a surcharge on transactions performed at customer service centers that could be done more efficiently through alternative means.)

Item 481 #1c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 433, after line 22, insert:

"The Department of Rail and Public Transportation shall conduct a study of the current communications equipment utilized by organizations that provide transportation services in Virginia and receive funding from the Federal Transit Administration or the Commonwealth Transportation Fund, particularly with respect to the organization's ability to communicate internally and with first responders in the event of a national emergency or natural disaster. In the event that such study concludes that existing communications equipment is outdated or inadequate, the Department shall expand its study to include the future need for upgraded communications equipment, and the availability of state or federal funds, including funds from the Department of Emergency Management and the Virginia Information Technologies Agency, that may be utilized for upgrading such communications equipment."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to conduct a study of the communications equipment used by transit providers to determine if it needs to be upgraded to address national emergency or national disaster issues.)

Item 482 #1c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 434, strike lines 9 through 18, and insert:

"3. From funds appropriated in Item 493.10 in the second year, the Commonwealth Transportation Board shall allocate \$10,000,000 for a bus rapid transit system in Virginia Beach, \$20,000,000 to the Virginia Railway Express for passenger rail car purchases, \$40,000,000 for rail car purchases by the Washington Metropolitan Area Transit Authority, and \$5,000,000 for a statewide bus purchase and bus facilities. All recipients of such funds shall provide a 20 percent match to cover projects or programs financed by this fund. For purposes of this subparagraph, a program shall be considered a special funding project established by a regional transportation authority and endorsed by each Virginia locality participating in the authority."

Explanation:

(This amendment provides \$75.0 million for transit capital purchases. This funding is in addition to the funding providing through DRPT's formula allocations from the Transportation Trust Fund.)

Item 482 #2c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 435, after line 8, insert:

"I. Included in this item is \$3,900,000 the second year from the Commonwealth Transportation Fund to be transferred from Item 493.10 of this act."

Explanation:

(This amendment provides an additional \$3.9 million nongeneral funds for the Department's share of Transportation Trust Fund allocations. The increment is based on language in Part 3 of the budget bill that clarifies the Governor's authority to

Conference Report on House Bill 1500

transfer accelerated sales tax collections to the TTF.)

Item 483 #1c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 435, after line 32, insert:

"C. The Director of the Department of Rail and Public Transportation is directed to develop a plan to identify all available revenue sources to facilitate the extension of the Virginia Railway Express to Gainesville and Haymarket. As part of the plan, the director shall discuss the actions necessary for the Virginia Department of Rail and Public Transportation and Norfolk Southern Corporation to take in order to construct the railroad infrastructure and develop an access agreement for use of such infrastructure. The Director shall examine the potential need to solicit a public-private transportation act proposal for such project and to consider use of Rail Enhancement Funds for the extension. The Director shall submit the plan to the Secretary of Transportation, the Chairmen of the House Transportation and Appropriations Committees, and the Chairmen of the Senate Transportation and Finance Committees by December 1, 2005."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to pursue opportunities to partner to fund the extension of the Virginia Railway Express to Gainesville.)

Item 483 #2c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 435, line 23, strike "B." and insert "B.1."

Page 435, after line 32, insert:

Conference Report on House Bill 1500

"2. It is the General Assembly's intent that the Department continue to strive towards developing a Trans Dominion Rail Pilot Project to demonstrate the capability of passenger rail service to enhance economic development and connectivity among the communities served between Bristol and Richmond.

3. The pilot project should be designed to maximize ridership opportunities for potential riders in the near and distant future."

Explanation:

(This amendment directs the Department of Rail and Public Transportation to work towards development of the Trans Dominion Rail as a pilot project between Bristol and Richmond.)

Item 484 #1c

Transportation

Department Of Transportation

Language

Language:

Page 437, after line 58, insert:

"J. As provided in § 2.2-1127, Code of Virginia, the Virginia Department of Transportation is authorized to donate and transfer permanent ownership of a circa 1861 Civil War cannon, described as a "caliber 3.3 muzzle, Model 1861 bronze Clarke rifle," to the Confederate Memorial Literary Society (The Museum of the Confederacy)."

Explanation:

(This amendment authorizes VDOT to convey ownership of an 1861 cannon to the Museum of the Confederacy. The Museum has maintained the cannon since 1980 when it was moved from Appomattox Wayside for its protection.)

Item 484 #2c

Transportation

Department Of Transportation

Language

Language:

Page 437, line 52, after "research.", insert:

Conference Report on House Bill 1500

"The Department shall report to the Chairmen of the Senate Committees on Finance and Transportation and to the Chairmen of the House Committees on Appropriations and Transportation by December 28, 2005 on its progress in achieving the developed goals and strategies."

Explanation:

(This amendment sets a reporting date for VDOT to inform the General Assembly of the agency's progress towards achieving the goals and strategies of the VDOT performance plan.)

Item 487 #1c

Transportation

Department Of Transportation

Language

Language:

Page 438, line 26, strike "A." and insert "A.1."

Page 438, after line 46, insert:

"2. For the allocation of funds under this item for projects in micropolitan or metropolitan areas, as defined by the federal Office of Management and Budget, east of or adjacent to Route 29, priority shall be given to those local governments that complete a build-out analysis of their comprehensive plans and zoning.

a. The build-out analysis shall include the total number of housing units and commercial development, transportation infrastructure needed to support that development, and the estimated cost of transportation infrastructure. If requested, the Department shall provide technical assistance for the analysis.

b. The build-out report will be shared with the Regional Planning District Commissions (RC or PDC), Metropolitan Planning Organizations (MPO), and the Virginia Department of Transportation (VDOT)."

Explanation:

(This amendment strengthens the linkage between local land use planning and transportation infrastructure by affording a higher priority for localities providing a build-out analysis of the impact of local land use on transportation projects.)

Transportation

Department Of Transportation

Language

Language:

Page 440, after line 12, insert:

"D. By October 1, 2005, the Department of Transportation shall enter into a memorandum of agreement with the Washington Metropolitan Airports Authority to determine the respective cost and responsibility for replacing the existing privacy fence abutting the Hallcrest Heights townhouse subdivision and the Dulles Access/Toll Road Connector to Route 123 in McLean, Virginia, with a sound wall to be built in conjunction with the construction of rail mass transit in the Dulles Access/Dulles Corridor."

Explanation:

(This amendment directs VDOT to enter into a memorandum of agreement with the Washington Metropolitan Airports Authority to determine the cost and responsibility for constructing a sound wall in place of or along the existing privacy wall abutting the Hallcrest Heights townhouse subdivision in McLean in conjunction with the first phase of construction of rail mass transit to Wiehle Avenue in Reston.)

Transportation

Department Of Transportation

Language

Language:

Page 440, after line 12, insert:

"D. If the Virginia Department of Transportation enters into a comprehensive agreement for the construction of high-occupancy toll lanes on Interstate 495 pursuant to the Public-Private Transportation Act of 1995, any such agreement must include as a project element the design and construction of noise barriers from Gallows Road to U.S. Route 7 in Fairfax County as envisioned in the environmental impact statement for the corridor."

Explanation:

(This amendment stipulates that if VDOT enters into a comprehensive agreement for the construction of high-occupancy toll lanes along Interstate 495, such a project

Conference Report on House Bill 1500

shall include sound walls from Gallows Road to Route 7 in Fairfax County as contemplated in the environmental impact statement already completed by the Department.)

Item 488 #3c

Transportation

Department Of Transportation

Language

Language:

Page 440, after line 12, insert:

"D.1. The department shall adhere to the policy set by the 2002 Session of the General Assembly concerning the application of tolls or user fees on Interstate 81 in signing any comprehensive agreement pursuant to the Public-Private Transportation Act of 1995. State law prohibits the imposition of tolls or user fees on Interstate 81 on passenger cars, pickup or panel trucks, and motorcycles as such terms are defined in § 46.2-200, Code of Virginia. Unless the Federal Highway Administration exercises its authority to approve a demonstration project for Interstate 81 permitting the use of tolls on passenger cars, this policy continues.

2. It is the intent of the General Assembly that the Commonwealth Transportation Board proceed with the environmental study of the Interstate 81 reconstruction project and that this study consider and incorporate the mitigating impacts of various rail options."

Explanation:

(This amendment directs the Department of Transportation to follow policy set by the General Assembly to restrict the use of tolls on Interstate 81 in any Public-Private Transportation Act project. This policy can only be overridden by action taken by the federal government. Moreover, the required environmental study will have to consider the impacts of various rail options on the project.)

Item 488 #4c

Transportation

Department Of Transportation

Language

Conference Report on House Bill 1500

Language:

Page 439, line 37, strike "A." and insert "A.1."

Page 439, after line 56, insert:

"2. The Department of Transportation is authorized to issue Federal Reimbursement Anticipation Notes for Coalfields Expressway projects included in the next Six-Year Improvement Plan to be approved in June of 2005."

Explanation:

(This amendment directs the Department of Transportation to issue FRANs for the Coalfields Expressway in the next Six-Year Improvement Plan.)

Item 488 #5c

Transportation

Department Of Transportation

Language

Language:

Page 440, after line 12, insert:

"D. The Department is authorized to use any unexpended funds from the Harrisonburg Bypass project for preliminary engineering for improvements to Port Republic Road and Stone Spring Road in Rockingham County. Expenditures under this appropriation shall not diminish current or future secondary road allocations for Rockingham County."

Explanation:

(This amendment authorizes VDOT to use unexpended funds from the Harrisonburg Bypass project for preliminary engineering for improvements to Port Republic Road and Stone Spring Road in Rockingham County.)

Item 488 #6c

Transportation

Department Of Transportation

Language

Language:

Page 440, after line 12, insert:

"D. In accordance with the intent of Chapter 47 of the 2003 Acts of Assembly, the date included in Enactment 2 of the chapter shall be amended to November 1, 2001."

Conference Report on House Bill 1500

Explanation:

(This amendment allows five condemnation awards rendered between November 1, 2001, and November 1, 2002, to accrue positive interest in accordance with the intent of Chapter 47 of the 2003 Acts of Assembly. The source of funds for these awards is Commonwealth Transportation Funds.)

Item 491 #1c

Transportation

Department Of Transportation

Language

Language:

Page 441, line 12, insert "A." before "Included".

Page 441, after line 15, insert:

"B. From unobligated balances available in the Toll Facilities Revolving Account, \$23,600,000 the second year shall be transferred to Item 493.10 for the Transportation Partnership Opportunity Fund."

Explanation:

(This amendment provides \$23.6 million of nongeneral fund cash to capitalize the Transportation Partnership Opportunity Fund.)

Item 492 #1c

Transportation

Department Of Transportation

Language

Language:

Page 442, after line 9, insert:

"2. The first priority for funding from revenues made available in this item shall be for the development and expansion of a commuter parking lot in Prince William County at State Route 234 and Interstate 95 in Dumfries."

Explanation:

(This amendment prioritizes the development and expansion of commuter parking on five additional acres of land it owns at State Route 234 and I-95 in Dumfries. Prince William County is home to Virginia's largest commuter lot, located at Horner

Conference Report on House Bill 1500

Road and I-95. The existing lot at Route 234 and I-95 in Dumfries fills up beyond capacity on a daily basis. Where this lot is located, VDOT owns an additional five acres of land ready for development into expanded commuter parking.)

Item 492 #2c

Transportation

Department Of Transportation

Language

Language:

Page 442, line 4, strike "\$40,000,000 the first year from the general".

Page 442, line 5, strike "fund and"

Page 442, strike lines 18 through 26.

Page 442, line 27, strike "4." and insert "3."

Page 442, line 32, strike "5." and insert "4."

Page 442, strike lines 35 through 37.

Page 442, after line 45, insert:

"E.1. Notwithstanding the provisions of § 33.1-75.1, Code of Virginia, the revenue sharing program shall be funded at \$50,000,000 from the Transportation Trust Fund in the second year. This amount includes \$35,000,000 from the Transportation Trust Fund included in this item as well as the \$15,000,000 appropriated in Item 488 B. In addition to those localities eligible to participate pursuant to the provisions of § 33.1-75.1, Code of Virginia, any city or town that maintains its roadways may also receive matching funds under this program. Participating localities may identify a project or projects to receive up to \$1,000,000 in dollar for dollar matching funds to assist in the maintenance, operation, or construction of the primary, urban or secondary road system infrastructure. Notwithstanding any other provision of law, such funds may be used to take certain streets into the secondary system as outlined in § 33.1-72.1, Code of Virginia.

2. The Department of Transportation is directed to develop procedures relating to the selection of grant recipients under the local revenue sharing program by September 1, 2005, which shall include policies designed to guide project selection should grant applications exceed the funding made available for the program. When selecting projects, VDOT shall consider whether a locality proposes to provide a match greater than that which is required, if the maximum size of grants should be prorated to expand participation rates, and geographic breadth of grants provided."

Conference Report on House Bill 1500

Explanation:

(This amendment amends language relating to the local revenue sharing program, expands program to cities and towns and increases the funding provided for the program to \$50.0 million. It also provides \$40.0 million to encourage increased local participation in construction projects by providing supplemental funding to those jurisdictions willing to manage their own construction projects.)

Item 492 #3c

Transportation

Department Of Transportation

Language

Language:

Page 442, after line 45, insert:

"8. The Department of Transportation, working with representatives of counties, shall develop and prepare legislative recommendations on the process for any county, at their request, to assume responsibility for their secondary construction program. Such work shall be completed by November 1, 2005 and be provided to the Governor and the Senate and House Transportation Committees for their consideration."

Explanation:

(This amendment requires VDOT to develop and prepare legislative recommendations that will enable a county, at their request, to assume responsibility for their secondary construction program. The intent is for a process similar to that followed for the "First Cities" initiative to be proposed to the 2006 Session of the General Assembly.)

Item 493 #1c

Transportation

Department Of Transportation

Language

Language:

Page 447, strike lines 16 through 18 and insert:

"5. It is the intent of the General Assembly that general fund appropriations to the Priority Transportation Fund shall include the amounts required to offset the debt

Conference Report on House Bill 1500

service payment requirements on the Transportation Trust Fund attributable to the \$317,000,000 of the Federal Highway Reimbursement Notes until such debt has been retired."

Explanation:

(This amendment expresses the intent of the General Assembly to continue providing general fund support for the debt service requirements of the federal highway revenue anticipation notes issued to replace the \$317.0 million in general sales and use taxes diverted from the Transportation Trust Fund in fiscal year 2003 until such debt has been retired.)

Item 493.10 #1c

Transportation	FY 04-05	FY 05-06	
Department Of Transportation	\$240,000,000	\$107,562,000	GF
	\$0	\$500,500,000	NGF

Language:

Page 447, line 19, strike "\$350,000,000" and insert "\$590,000,000".

Page 447, line 19, strike "\$474,007,050" and insert "\$1,082,069,050".

Page 447, line 19, strike "Replacement of Diverted Transportation Funds" and insert: "2005 Transportation Initiative".

Page 447, strike lines 23 through 53, and insert:

"Notwithstanding any other provision of law, \$848,062,000 is appropriated in this item to implement the Transportation Initiative of 2005. This amount shall be transferred in the amounts specified to the items below and shall be used for the purposes detailed below.

1. Out of this appropriation, \$107,562,000 the second year from the general fund shall be deposited into the Priority Transportation Fund. This amount represents the share of insurance premium tax revenues derived from automobile insurance premiums.

2. Out of this appropriation, \$220,000,000 from the general fund in the first year and \$36,400,000 from the Commonwealth Transportation Fund in the second year shall be transferred to Item 488 of this act and deposited into the highway share of the Transportation Trust Fund to fully fund projects on the interstate, primary, secondary and urban systems identified as complete but requiring a deficit payoff in the fiscal

Conference Report on House Bill 1500

year 2005-2010 Six-Year Improvement Program.

3. Out of this appropriation, \$50,000,000 from the Commonwealth Transportation Fund in the second year shall be deposited into the Transportation Partnership Opportunity Fund to support timely and cost-effective construction and acquisition of transportation facilities pursuant to the Public-Private Transportation Act of 1995, as amended, and design-build projects authorized pursuant to § 33.1-12(b), Code of Virginia.

4. Out of this appropriation, \$23,200,000 the second year from the Commonwealth Transportation Fund is provided for the dedicated rail improvement fund created pursuant to legislation adopted by the 2005 Session of the General Assembly.

5. Out of this appropriation, \$20,000,000 the first year from the general fund and \$55,000,000 the second year from the Commonwealth Transportation Fund is provided for transit capital projects as follows: \$10,000,000 for a bus rapid transit system in Virginia Beach, \$20,000,000 for the Virginia Railway Express for passenger rail car purchases, \$5,000,000 for a statewide bus purchase, and \$40,000,000 for rail car purchases by the Washington Metropolitan Area Transit Authority.

6. Out of this appropriation, \$97,400,000 the second year is provided from federal highway administration funds and shall be transferred to Item 489 of this act for maintenance of existing transportation infrastructure.

7. Out of this appropriation, \$20,000,000 in the second year from the Commonwealth Transportation Fund shall be used to support any public-private partnership developed through efforts of the Secretary of Transportation to obtain a waiver from federal law and regulation concerning privatization of the state's welcome centers and rest areas. If no such waiver is obtained, the Department of Transportation shall use the appropriation to repair, improve, construct or replace these facilities. The Department shall prioritize its spending on those facilities in the Interstates 95 and 64 corridors.

8. Out of this appropriation, \$2,400,000 in the second year from the Commonwealth Transportation Fund shall be transferred to Item 475 and be used by the Department of Motor Vehicles to conduct an agency-wide risk assessment, needs analysis and gap analysis for the Department of Motor Vehicles' computer systems. The assessment will identify the specifications and requirements for DMV's integrated system redesign. The services purchased will be performed according to the

Conference Report on House Bill 1500

guidelines set forth by the Virginia Information Technologies Agency. Up to \$1,000,000 of this amount may be used to replace obsolete computer terminals with personal computers at the Department's customer service centers. The Commissioner of the Department of Motor Vehicles shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the uses of the funds and the results of the assessment no later than November 15, 2005.

9. Out of this appropriation, an additional \$35,000,000 in the second year from the Commonwealth Transportation Fund shall be allocated to a local revenue sharing program. Entities eligible for grants under this program shall include all cities and counties in the Commonwealth, as well as towns that maintain their own roadways. The maximum amount of any individual project grant under this program shall be \$1,000,000. In conjunction with funding provided in Item 488 for revenue sharing, this provides \$50,000,000 in the second year for such activities.

10. Out of this appropriation, \$40,000,000 the second year from the Commonwealth Transportation Fund is provided to encourage local governments to expand their involvement in the financing, management and administration of the design, acquisition or construction of transportation facilities within their boundaries. These funds shall be distributed as set out in Item 492, paragraph D, of this act.

11. Out of this appropriation, \$141,100,000 the second year from the Commonwealth Transportation Fund shall be transferred and allocated in accordance with Item 469 of this act and Titles 33.1 and 58.1, Code of Virginia, to address the overall needs of transportation infrastructure."

Page 448, strike lines 1 through 54.

Page 449, strike lines 1 through 23.

Explanation:

(This amendment provides \$848.1 million in additional funding for transportation improvements across the Commonwealth.)

Item 493.10 #2c

Transportation	FY 04-05	FY 05-06	
Department Of Transportation	(\$350,000,000)	(\$23,607,050)	GF
	\$0	(\$450,400,000)	NGF

Conference Report on House Bill 1500

Language:

- Page 447, line 19, strike "\$350,000,000" and insert "\$0".
- Page 447, line 19, strike "\$474,007,050" and insert "\$0".
- Page 447, strike lines 19 through 53.
- Page 448, strike lines 1 through 54.
- Page 449, strike lines 1 through 23.

Explanation:

(This amendment eliminates the transportation initiative included in the introduced budget. A companion amendment replaces it with the initiative agreed to by the General Assembly.)

Item 497 #1c

Transportation

Virginia Port Authority

Language

Language:

Page 452, after line 41, insert:

"D. Included in this item is \$1,100,000 the second year from the Commonwealth Transportation Fund to be transferred from Item 493.10 of this act."

Explanation:

(This amendment provides an additional \$1.1 million nongeneral funds for the Department's share of Transportation Trust Fund allocations. The increment is based on language in Part 3 of the budget bill that clarifies the Governor's authority to transfer accelerated sales tax collections to the TTF.)

Item 505 #1c

Central Appropriations

Central Appropriations

FY 04-05

\$0

FY 05-06

\$16,074,126 GF

Language:

- Page 460, line 9, strike "\$135,080,353" and insert "\$151,154,479".
- Page 465, strike lines 20 to 53.
- Page 466, strike lines 1 to 47.
- Page 467, strike lines 1 to 20.

Conference Report on House Bill 1500

Page 465, line 20 insert:

"Q. Included in the amounts for Compensation supplements is \$57,362,126 which shall be used to provide the following salary increases for public employees in the 2005-2006 fiscal year:

1. 3.00 percent salary increase:

a. The base salary and related employee benefits of employees listed in subparagraphs 5.a. through 5.d. of this paragraph shall be increased by 3.00 percent on November 25, 2005.

b. The base salary and related employee benefits of employees listed in subparagraph 5.e. of this paragraph shall be increased by 3.00 percent on December 1, 2005.

2. 4.40 percent salary increase:

a. The base salary and related employee benefits of employees listed in subparagraphs 6.a. through 6.d. of this paragraph shall be increased by 4.40 percent on November 25, 2005.

b. The base salary and related employee benefits of employees listed in subparagraph 6.e. of this paragraph shall be increased by 4.40 percent on December 1, 2005.

3. The base salary and related employee benefits of employees listed in subparagraphs 7.a. through 7.d. of this paragraph who have five years or more of continuous state service shall be increased by \$50 for each full year of service effective November 25, 2005. The Department of Human Resource Management shall develop guidelines and procedures for implementation of this compensation adjustment.

4. This appropriation includes the following estimated amounts for these purposes:

Employee Group	FY 2006
State Employees	\$41,345,780
State-Supported Local Employees	\$16,017,172

5. Transfers from this item shall be used to effect an increase of 3.00 percent and related increases in employee benefits for:

a. Executive Department

1) Any official whose salary is listed in § 4-6.01 c and d of this act, who received an increase as provided for in Item 505.G. of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;

2) Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

3) Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote; and

4) Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries Offices, including the

Conference Report on House Bill 1500

Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office.

b. Legislative Department

- 1) Heads of agencies in the Legislative Department who received an increase as provided for in Item 505.O. of this act; and
- 2) Full-time employees in the Legislative Department, other than officials elected by popular vote.

c. Judicial Department

- 1) Full-time employees in the Judicial Department.

d. Independent Agencies

- 1) Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the State Lottery Department, the Virginia Workers' Compensation Commission, the Virginia Retirement System, and the Virginia Office for Protection and Advocacy.

e. State-Supported Local Employees

- 1) Locally elected constitutional officers who received an increase as provided for in Item 505.H. of this act; and
- 2) Full-time employees of elected constitutional officers who received an increase as provided for in Item 505.H. of this act.

6. Transfers from this item shall be used to effect an increase of 4.40 percent and related increases in employee benefits for:

a. Executive Department

- 1) Any official whose salary is listed in § 4-6.01 c and d of this act, except those who received an increase as provided for in Item 505.G. of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c.

b. Legislative Department

- 1) Heads of agencies in the Legislative Department, except those who received an increase as provided for in Item 505.O. of this act; and
- 2) Secretaries and administrative assistants as provided for in Item 1 of this act.

c. Judicial Department

- 1) Judges and Justices in the Judicial Department; and
- 2) Heads of agencies in the Judicial Department.

d. Independent Agencies

- 1) Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Executive Directors of the Virginia College Savings Plan and the Virginia Office for Protection and Advocacy, and the Directors of the State Lottery Department and the Virginia Retirement System.

e. State-Supported Local Employees

- 1) Locally elected constitutional officers, except those who received an increase as

Conference Report on House Bill 1500

provided for in Item 505.H. of this act;

2) Full-time employees of locally elected constitutional officers, except those who received an increase as provided for in Item 505.H. of this act;

3) General Registrars and members of local electoral boards; and

4) Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

7. Transfers from this item shall be used to effect an increase of \$50 for each full year of continuous service and related increases in employee benefits, effective November 25, 2005, for the following employees who have five years or more of continuous state service:

a. Executive Department

1) Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act except those employees listed in subparagraph 5 of this paragraph;

2) Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote and any official whose salary is listed in § 4-6.01 c and d of this act; and

3) Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office.

b. Legislative Department

1) Full-time employees in the Legislative Department, other than officials elected by popular vote and employees listed in subparagraph 5 of this paragraph.

c. Judicial Department

1) Full-time employees in the Judicial Department, other than employees listed in subparagraph 5 of this paragraph.

d. Independent Agencies

1) Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the State Lottery Department, the Virginia Workers' Compensation Commission, the Virginia Retirement System, and the Virginia Office for Protection and Advocacy.

8.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases for employees listed in subparagraphs 5.a.2) through 5.a.4), 5.c.1),

Conference Report on House Bill 1500

6.a.1), 6.c.1), 6.c.2), 7.a.2), 7.a.3), and 7.c.1) of this paragraph shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 8.a. of this paragraph.

R. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by 3.00 percent on November 25, 2005. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances where employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

S. The base rates of pay, and related employee benefits, for wage employees may be increased by up to 3.00 percent on November 25, 2005. The cost of such increases for wage employees shall be borne by funds appropriated to each agency."

Explanation:

(This amendment provides an additional \$16.1 million from the general fund the second year to fund: (i) a 3.00 percent salary increase for state classified employees on November 25, 2005, (ii) a 4.40 percent salary increase for a state-supported local employees on December 1, 2005, and (iii) an increase of \$50 per year of service for state employees with five or more years of continuous service. Certain state and state-supported local employees who receive special salary increases in fiscal year 2005 will be limited to the 3.00 percent base salary increase. It is the intent of the General Assembly that the changes necessary to implement the intent of this amendment shall be made to the salaries listed elsewhere in this act during enrolling.)

Item 506 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 467, line 28, unstrike "\$2,000,000" and strike "\$5,000,000".

Explanation:

(This amendment reverts a proposed increase in the amount of the unappropriated balance the Governor is authorized to utilize for business attraction purposes to its

Conference Report on House Bill 1500

current level of \$2.0 million.)

Item 506 #2c

Central Appropriations	FY 04-05	FY 05-06	
Central Appropriations	(\$2,000,000)	\$0	GF

Language:

Page 467, line 22, strike "\$26,531,785" and insert "\$24,531,785".

Page 468, line 14, unstrike "\$13,877,758".

Page 468, line 15, strike "\$15,877,758".

Explanation:

(This amendment eliminates a proposed \$2.0 million increase in the funding for the Governor's Opportunity Fund in the first year. The amount remaining in fiscal year 2005 to support the attraction of new and expanding businesses would be \$12.5 million. In addition, the Governor has access to over \$5.0 million in carryover funding remaining from the fiscal year 2004 appropriation, which totaled \$7.5 million.)

Item 506 #3c

Central Appropriations	FY 04-05	FY 05-06	
Central Appropriations	(\$100,000)	(\$1,500,000)	GF

Language:

Page 467, line 22, strike "\$26,531,785" and insert "\$26,431,785".

Page 467, line 22, strike "\$24,685,016" and insert "\$23,185,016".

Page 471, strike lines 21 through 27.

Explanation:

(This amendment eliminates \$100,000 from the general fund the first year and \$1,500,000 the second year directed to the Center for Innovative Technology for biotechnology commercialization activities, a new initiative included in the introduced budget.)

Item 506 #4c

Conference Report on House Bill 1500

Central Appropriations	FY 04-05	FY 05-06
Central Appropriations	\$0	(\$500,000) GF

Language:

Page 467, line 22, strike "\$24,685,016" and insert "\$24,185,016".

Page 470, strike lines 35 through 50 and insert:

"M. Out of this appropriation, \$1.0 million the second year from the general fund is provided to support the coordinated and cooperative development of postsecondary education opportunities in Southside Virginia. Of this amount, \$100,000 shall be allocated to the State Council of Higher Education for Virginia in order to conduct or contract for an assessment of the postsecondary enrollment and program needed of Southside Virginia. The Director, Department of Planning and Budget, shall allocate the remaining funds in accordance with recommendations from the Secretary of Education, in consultation with the State Council of Higher Education for Virginia and the Secretary of Commerce and Trade. Recommendations by the Secretary of Education shall identify funding opportunities that will: i) allow for the continued coordinated expansion of workforce training and higher education opportunities in the Southside region; ii) benefit all communities in the Southside region; iii) leverage existing resources within the region, including, but not limited to, the community colleges, private colleges and universities, higher education learning and research centers, and private sector assets; and iv) enhance elementary and secondary education to ensure that students are adequately prepared to take advantage of postsecondary education opportunities. Prior to allocating these funds, the Director, Department of Planning and Budget, shall inform the chairmen of the Senate Finance Committee and House Appropriations Committee of their use."

Explanation:

(This amendment redirects \$500,000 from the general fund that had been earmarked for planning the expansion of postsecondary education opportunities in Southside Virginia and clarifies expectations for the use of the \$1.0 million GF remaining in the budget for this purpose.)

Item 506 #5c

Central Appropriations
Central Appropriations

Language

Language:

Conference Report on House Bill 1500

Page 471, after line 27, insert:

"R. The Virginia Biotechnology Research Park Authority is hereby authorized to enter into land option agreements for acquisition of lands to carry out its overall Master Development Plan and strategic initiatives."

Explanation:

(This amendment expresses support by the General Assembly for efforts made by the Research Park Authority to acquire more land to fulfill the Authority's mission.)

Item 506 #6c

Central Appropriations	FY 04-05	FY 05-06	
Central Appropriations	\$0	\$500,000	GF

Language:

Page 467, line 22, strike "\$24,685,016" and insert "\$25,185,016".

Page 471, after line 27, insert:

"R. Out of this appropriation, \$500,000 the second year from the general fund shall be provided to the City of Petersburg for the Appomattox River Dredging Project. As a condition of this appropriation, the City shall enter into a memorandum of agreement with the Virginia Economic Development Partnership to structure a long-term repayment of the appropriation to begin in the second year after the dredging project is completed. Proceeds shall be credited to the Governor's Development Opportunity Fund."

Explanation:

(This amendment provides \$500,000 from the general fund in the second year to support the efforts to restore the navigation channel in the Appomattox River to historic downtown Petersburg. The money will be used by the U.S. Army Corps of Engineers to design a placement site for the dredged materials. The amendment also requires the appropriation to be repaid.)

Item 506 #7c

Central Appropriations	FY 04-05	FY 05-06	
Central Appropriations	\$0	\$720,349	GF

Language:

Conference Report on House Bill 1500

Page 467, line 22, strike "\$24,685,016" and insert "\$25,405,365".

Page 469, line 33, strike "\$169,651" and insert "\$890,000".

Explanation:

(This amendment increases operating support for the Virginia Horse Center Foundation in the second year to \$890,000.)

Item 506 #8c

Central Appropriations

FY 04-05

FY 05-06

Central Appropriations

(\$232,230)

\$0 GF

Language:

Page 467, line 22, strike "\$26,531,785" and insert "\$26,299,555".

Page 471, line 12, after "appropriation," strike "\$223,397" and insert: "\$123,397".

Explanation:

(This amendment provides funding to review Public Private Education Facilities and Infrastructure Act proposals to support any outside consultants required to assist in the review process.)

Item 507 #1c

Central Appropriations

FY 04-05

FY 05-06

Central Appropriations

\$0

(\$2,260,000) GF

Language:

Page 471, line 46, strike "\$2,504,359" and insert "\$244,359".

Page 471, line 49, strike "and \$2,260,000 the second year."

Explanation:

(This amendment eliminates second year funding for the State Agencies Radio System (STARS) project management from Central Appropriations. A companion amendment to Item 454 transfers this amount to the Department of State Police.)

Item 531 #1c

Conference Report on House Bill 1500

Nonstate Agencies	FY 04-05	FY 05-06	
State Grants to Nonstate Entities-Nonstate Agencies	\$0	\$30,644,749	GF

Language:

Page 482, after line 18, insert:

"531. Financial Assistance for Cultural and Artistic Affairs (14300) Fund Sources: General	\$0	\$30,644,749
	\$0	\$30,644,749."

"A. Grants provided for in this item shall be administered by the Department of Historic Resources.

B. Prior to the distribution of any funds, the organization or entity shall make application to the Department in a format prescribed by the Department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay. Unless otherwise specified in this item, the matching amounts for grants funded from this item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds. The Department shall use applicable federal guidelines in assessing the value of in-kind contributions to be used as matching amounts.

C. Any balances not drawn down by recipient organizations on June 30, 2006, from appropriations in this item shall not revert to the general fund, but shall be carried forward on the books of the Comptroller. These balances shall remain available for distribution to affected organizations until June 30, 2007, at which time any undistributed balances shall revert to the general fund, except that, in the case of organizations which have not filed an application to receive their appropriations by December 1, 2005, the Governor may direct that the undistributed balances be reverted to the general fund on that date. The Governor shall report amounts reverted and the affected organizations in the 2006 Budget Bill.

D. The appropriation to those entities in this item that are marked with an asterisk (*) shall not be subject to the matching requirements of § 4-5.05 of this act.

E. Grants are hereby made to the following organizations and entities for the purposes described in paragraphs A. and B. of this item:

	Year 1	Year 2
4-H Educational Centers, to the Virginia 4-H for	\$0	\$150,000

Conference Report on House Bill 1500

Amherst County Museum and Historical Society	0	5,000
Arlington Signature Theatre	0	200,000
National Museum of the U.S. Army, to the Army Historical Foundation for	0	250,000
Art Museum of Western Virginia	0	2,250,000
Arts and Education in Concert	0	25,000
Avoca Museums and Historical Society	0	12,500
Bay School Cultural Arts Center	0	12,500
Beacon Theater	0	50,000
Beaverdam Heritage Days Foundation	0	25,000
Bedford City/County Museum	0	50,000
Belle Grove Plantation	0	50,000
Ben Lomond Manor House	0	37,500
Birthplace of County Music	0	12,500
Black History Museum	0	50,000
Black Women United For Action	0	50,000
Blue Ridge Zoological Society of Virginia	0	87,500
Boys and Girls Clubs of the Peninsula	0	12,500
Breaks Interstate Park	0	50,000
Brentsville Courthouse Historic Centre	0	37,500
Bridging Boundaries International	0	25,000
Camp Baker	0	150,000
Campagna Center Exterior Repairs	0	50,000
Carter House	0	50,000
Center for Excellence in Education	0	25,000
Center in the Square	0	200,000
Championship Horse Show, to the Virginia 4-H for	0	25,000
Chesapeake Arboretum	0	27,500
Children's Museum of Virginia	0	300,000
Christiansburg Institute Museum and Archive	0	25,000
Chrysler Museum	0	500,000
Church Quarter	0	7,500
Coal Miners Memorial	0	12,500
Cold War Museum	0	125,000

Conference Report on House Bill 1500

Committee for the Historic Cavalry Battles	0	50,000
Conner House	0	25,000
Crab Orchard Museum and Pioneer Park, Inc.	0	52,500
Danville Museum of Fine Arts and History	0	12,766
Dinwiddie Institute	0	12,500
DOVES, Inc	0	25,000
E. Trinkle Regional Visitors Center, to the Town of Wytheville for	0	12,500
Ecumenical Community Helping Others (ECHO)	0	25,000
Endview Plantation	0	50,000
ENS Foundation	0	25,000
Environmental Alliance for Senior Involvement	0	5,000
Essex County Museum	0	15,000
Estes Center	0	100,000
Fairfax Station Railroad Museum	0	7,500
Fairfield Foundation	0	12,500
First Freedom Center	0	125,000
Fredericksburg Area Museum and Cultural Center	0	500,000
Freedom Museum	0	100,000
Freedom Park in James City County	0	50,000
French and Indian War Foundation	0	10,000
Friends of the Fairfax Station	0	17,500
Friends of Wilderness Battlefield	0	10,000
General Charles Fenton Mercer Grave Site	0	7,000
General Douglas MacArthur Foundation	0	50,000
George C. Marshall Foundation	0	100,000
George Washington's Ferry Farm	0	150,000
Great Bridge Battlefield Visitor Center	0	125,000
Greenway Court	0	12,500
Hand Workshop Art Center	0	150,000
Hanover Community Center	0	25,000
Henricus Foundation	0	55,000
Historic Jamestowne, to APVA for	0	200,000
Historical Old Stone High School in Louisa	0	50,000

Conference Report on House Bill 1500

History Museum and Historical Society of Western Virginia	0	37,500
Holiday House	0	25,000
Hurrah Players	0	25,000
Jewish Community Center of Northern Virginia	0	50,000
Jewish Council for the Aging	0	12,000
Jewish Foundation for Group Homes	0	45,000
Jewish Foundation for Group Homes - Renovations	0	50,000
Jewish Social Service Agency	0	40,000
Jubal Early Homeplace, to the Jubal A. Early Preservation Trust for	0	12,500
Kerr Place Museum, to the Eastern Shore Historical Society for	0	15,000
King and Queen Marriott School Project	0	50,000
Kinsale Foundation	0	10,000
La Crosse Hotel	0	125,000
Lee Hall Mansion	0	50,000
Lee Hall Train Depot	0	50,000
Lee-Fendall House Repairs	0	50,000
Liberia House	0	62,500
Little England Chapel, to the Newtown Improvement and Civic Club for	0	7,500
Lorton Community Action Center	0	15,000
Lynchburg Academy of Fine Arts	0	400,000
Lynnhaven House	0	35,000
Lyric Theatre	0	5,000
MacCallum More Museum and Gardens	0	22,500
Marine Corps Heritage Foundation	0	600,000
Mary Ball Washington Museum and Library	0	10,000
Menokin Foundation	0	70,000
Merchants Hope Church	0	25,000
Metro Richmond Sports Backers	0	50,000
Montpelier Center for Arts and Education	0	5,000
Montpelier Foundation	0	200,000
Mosby House Museum	0	12,500

Conference Report on House Bill 1500

Moton Community Center	0	25,000
Museum of the Shenandoah Valley	0	350,000
National Rehabilitation & Rediscovery Foundation	0	25,000
Natural Bridge Volunteer Fire Department	0	40,000
Newsome House Museum and Cultural Center	0	37,500
Norfolk Botanical Gardens	0	50,000
NOVA Regional Park Authority	0	100,000
Oakland, to the Nelson County Museum of History for	0	50,000
Oasis Soup Kitchen, to the City of Portsmouth for	0	40,000
Oatlands	0	53,750
Old Brick House Foundation	0	75,000
Our Health, Inc.	0	100,000
Palace Theater in Cape Charles	0	12,500
Paramount Theatre	0	250,000
Patrick County Music Association	0	12,500
Patriot Project	0	5,000
Permanent Marker for the 400th Anniversary, to the Jamestown-Yorktown Foundation for the	0	50,000
Pocahontas, Inc.	0	9,000
Poplar Forest	0	700,000
Portsmouth Library, to the City of Portsmouth for the	0	100,000
Pulaski Fine Arts Center	0	12,500
Pulaski Theater	0	37,500
Railroad Museum -- Chatham, to the Pittsylvania Historical Society for	0	12,500
Railroad Museum of Virginia	0	300,000
Ralph Stanley Museum and Traditional Mountain Music Center	0	50,000
Red Hill Shrine, to the Patrick Henry Memorial Foundation for	0	12,500
Reedville Fisherman's Museum	0	100,000
Remote Area Medical Health Expedition (RAM)	0	25,000
Reston Arts Center	0	125,000
Richmond Ballet	0	75,000
Richmond Korean Senior Citizen Assoc.	0	15,000

Conference Report on House Bill 1500

Riddick's Folly, Inc.	0	4,233
Rippon Lodge	0	50,000
Roanoke Symphony	0	5,000
Rosenwald School Building, to Greensville County for	0	25,000
Rosewell Foundation	0	45,000
Salem Historical Society	0	50,000
Schooner Virginia	0	200,000
Science Museum of Western Virginia	0	75,000
Sedalia Center	0	40,000
Shenandoah Valley Battlefields Foundation	0	140,000
Shenandoah Valley Discovery Museum	0	450,000
Specials Olympics of Virginia, Inc.	0	100,000
St. John's Church Foundation	0	25,000
Staunton Performing Arts Center	0	350,000
Steamboat Museum	0	15,000
Stonewall Camp #380, to Portsmouth Confederate Monument for	0	7,500
Stratford Hall	0	100,000
The Barns at Rosehill	0	5,000
The Barter Foundation	0	1,000,000
Theatre IV	0	12,500
Tidewater Center for Speech and Language Disorders	0	10,000
Tinner Hill Heritage Museum	0	7,500
Todi Festival, to the City of Portsmouth for the	0	40,000
Town of Pocahontas	0	1,000
Trail of the Lonesome Pine	0	10,000
Trevillian Station Battlefield Foundation	0	25,000
USS Monitor Center at the Mariners Museum	0	1,400,000
Virginia Beach Convention & Visitors Bureau	0	75,000
Vienna Volunteer Fire Department	0	50,000
Village View Foundation	0	15,000
Virginia Air and Space Museum	0	37,500
Virginia Aquarium and Marine Science Center	0	1,000,000

Conference Report on House Bill 1500

Virginia Arts Festival	0	250,000
Virginia Beach Performing Arts Center	0	500,000
Virginia Council on Indians	0	25,000
Virginia Foundation for Housing Preservation	0	25,000
Virginia Historical Society	0	200,000
Virginia Living Museum	0	1,400,000
Virginia Museum of Transportation	0	225,000
Virginia Opera	0	75,000
Virginia Performing Arts Foundation	0	6,500,000
Virginia Rural Water Association	0	5,000
Virginia Senior Games	0	37,500
Virginia Space Flight Academy	0	12,500
Virginia Sports Hall of Fame	0	100,000
Virginia War Museum Foundation Historic Services	0	12,500
Virginia War Museum Foundation Historic Services - Causey's Mill	0	15,000
Virginia's Explore Park	0	200,000
Wakefield Foundation	0	15,000
Walton Mountain Museum*	0	17,500
Warwick Courthouse	0	25,000
Wayne Theatre Alliance	0	500,000
Wayside Theater	0	10,000
Westmoreland Poor School Society*	0	25,000
William King Regional Arts Center	0	200,000
Wolf Trap Foundation for the Performing Arts	0	1,500,000
Woodrow Wilson Presidential Library	0	1,250,000
Youth Outreach Services, to the Youth Corporation, Inc. for	0	25,000
TOTAL	\$0	\$30,644,749" .

Explanation:

(This amendment provides \$30.6 million from the general fund in the second year to support grants to nonstate agencies.)

Conference Report on House Bill 1500

Item C-0 #1c

General Conditions

General Conditions

Language

Language:

Page 487, after line 18, insert:

"O. The budget bill submitted by the Governor for the 2006-2008 biennium shall include the authority under which each capital project is included, as is done for operating programs. This citation shall include a synopsis of previous appropriations from the General Assembly and authorizations by the Governor."

Explanation:

(This amendment requires that each capital Item included in the 2006-2008 budget bill submitted by the Governor shall include a synopsis of previous appropriations from the General Assembly and authorizations by the Governor.)

Item C-1 #1c

Administration

Department Of General Services

FY 04-05

\$350,000

FY 05-06

\$0 GF

Language:

Page 487, line 22, strike "\$4,433,000" and insert "\$4,783,000".

Explanation:

(This amendment provides a supplement the second year from the general fund for improvements at the seat of government to replace the electrical supply transformer and supply lines in Darden Garden.)

Item C-1 #2c

Administration

Department Of General Services

FY 04-05

\$625,000

FY 05-06

\$0 GF

Language:

Page 487, line 22, strike "\$4,433,000" and insert "\$5,058,000".

Page 487, after line 23, insert:

Conference Report on House Bill 1500

"Out of this appropriation, \$625,000 the first year from the general fund is provided to replace the west chiller in the General Assembly Office Building."

Explanation:

(This amendment provides general funds in the first year to replace the failed chiller in the General Assembly Office Building. The current chillers are in excess of 50 years old.)

Item C-1.10 #1c

Administration

Department Of General Services

Language

Language:

Page 487, after line 23, insert:

"C-1.10. Improvements: State Capitol
Renovation and Southern Extension

	GF	NGF	Total
Authority: Chapter 955 (2003)	\$ 68,020,000	\$ 5,972,000	\$ 73,992,000
Changes Authorized in Chapter 897 (2004)	<u>\$ 15,031,000</u>	<u>\$ 7,853,000</u>	<u>\$ 22,884,000</u>
Total Authorization	\$ 83,051,000	\$ 13,825,000	\$ 96,876,000

The total appropriation of \$96,876,000 for renovation and southern extension of the Capitol includes:

Renovation of Capitol Building and Southern Extension	\$ 89,331,333
Equipment	
House	\$ 2,450,000
Senate	\$ 2,214,667
Furnishings	
House	\$ 1,600,000
Senate	\$ 1,200,000
Governor	<u>\$ 80,000</u>

Conference Report on House Bill 1500

Total \$ 96,876,000

The Department of Accounts shall advance \$13,151,217 to the Department of General Services in anticipation of revenues to be received for the completion of the renovation and extension of the Capitol. These funds shall be used to finance the nongeneral fund authority for the cost of renovation, landscaping, furnishings, fixtures and equipment authorized in Chapter 897 of the 2004 Acts of Assembly. This revenue anticipation note may be repaid in whole or in part, without interest, at any time from grants, private donations, a general fund appropriation, Virginia Public Building Authority bonds, or such other sources as may be available from the income of the Capitol Square Preservation Foundation."

Explanation:

(This amendment provides a \$13,151,217 Treasury loan to be issued by the Department of Accounts for the renovation and extension of the Capitol as authorized in Chapter 897 of the 2004 Acts of Assembly.)

Item C-2 #1c

Administration

Department Of General Services

Language

Language:

Page 487, after line 25, insert:

"The Department of General Services shall prepare and release a plan to the Chairmen of the House Appropriations and Senate Finance Committees on or before December 1, 2005, on the feasibility of entering into a public-private partnership for the addition of an office structure on the top of the existing parking deck, including, but not limited to, entering into a comprehensive agreement with a private entity for the addition of such structure pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq., Code of Virginia). In addition, the plan shall identify the proposed tenants who will be occupying the structure upon completion."

Explanation:

(This amendment is self-explanatory.)

Item C-3.10 #1c

Administration

FY 04-05

FY 05-06

Conference Report on House Bill 1500

Department Of General Services

\$0 (\$2,497,000) NGF

Language:

Page 487, line 31, strike "\$2,497,000" and insert "\$0".

Page 487, line 30, after "Construction:" strike "Phase I".

Page 487, after line 31 insert:

"1. By July 1, 2005, or as soon thereafter as practical, the Governor shall prepare a plan for development of certain state-owned property bounded by 8th, 9th, Grace and Broad Streets in the City of Richmond, which shall consider the Commonwealth's needs for office and parking facilities at the Seat of Government.

a. The plan shall set forth all feasible options for the real property and improvements known as the 8th and 9th Street State Office Buildings, including those presented by a professional assessment of the historical and architectural worth of these structures or any aspects of them.

b. The plan shall consider a consolidation of office space in the Capitol Square complex for the purpose of relocation and/or co-locations of state office space from offices currently leased from private sources.

c. The plan shall consider alternative disposition of any existing building not essential to this purpose, which may include, but need not be limited to, the sale or lease of the 8th Street Office Building at fair market value as set forth by a licensed appraisal completed according to prevailing professional standards and practices. In such case the proceeds of such sale shall, upon appropriation, be applied to the cost of the project as further set forth in this item.

d. Preparation of the plan provided for in this item, or any part thereof, may be supported from funds provided from non-state sources.

2. Upon release of the plan described in paragraph 1 of this item the Governor is authorized to enter into a comprehensive agreement with a private entity pursuant to The Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq. of the Code of Virginia), or such other agreement as he determines proper and cost-beneficial to the Commonwealth, as otherwise provided for in this item.

3. The improvements authorized in this Item may include up to a 620 vehicle parking deck, estimated to cost up to \$23.7 million, more or less, and up to a 450,000 net square foot office building estimated to cost \$94.0 million, more or less.

4. Any agreement or agreements developed pursuant to this item may include, but need not be limited to, the temporary transfer of the state-owned real property described herein, provided that the real property, and any improvements thereto, ownership shall be retained by the Commonwealth as may seem prudent and cost-beneficial.

5. The General Assembly determines that time is of the essence in making available the

Conference Report on House Bill 1500

facilities described herein, and the Department of General Services is directed to initiate the project as soon as practical following the enactment of this chapter.

6. The Governor shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the plans and status of this project for their review and comment.

7. It is anticipated that sufficient general fund appropriations or Virginia Public Building Authority bond authorization will be provided in future fiscal years to cover all phases of the project as specified in the final contract."

Explanation:

(This amendment provides for the replacement of the 8th and 9th Street Office Buildings with a new structure to be constructed under the Public-Private Education Facilities and Infrastructure Act of 2002. The total estimated cost is up to \$117.7 million depending on the exact combination of parking, historic renovation and new construction.)

Item C-3.30 #1c

Administration

FY 04-05

FY 05-06

Department Of General Services

\$0

(\$7,600,000) GF

Language:

Page 487, line 37, strike "\$7,600,000" and insert "\$0".

Explanation:

(This amendment removes funding for the purchase of Old City Hall.)

Item C-3.50 #1c

Administration

FY 04-05

FY 05-06

Department Of General Services

\$50,000

\$0 GF

Language:

Page 487, after line 23, insert:

"C-3.50. Planning: Supreme Court Building

\$50,000

Fund Sources: General

\$50,000".

The Department of General Services shall conduct a study of the structural and other building systems as well as security requirements for the Supreme Court Building and

Conference Report on House Bill 1500

report its findings and recommendations for action to the Chief Justice, the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005."

Explanation:

(This amendment provides \$50,000 from the general fund the first year to the Department of General Services for a study of the structural and systems conditions in the Supreme Court Building.)

		Item	C-3.50 #2c
Administration	FY 04-05	FY 05-06	
Department Of General Services	\$150,000	\$0	GF

Language:

Page 487, after line 23, insert:

"C-3.50. Planning: General Assembly Building

Fund Sources: General \$150,000".

The Department of General Services shall conduct a study of the structural and other building systems in the General Assembly Building as well as parking requirements for the General Assembly and report its findings and recommendations for action to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005."

Explanation:

(This amendment provides \$150,000 from the general fund the first year to the Department of General Services for a study of the structural and systems conditions in the General Assembly Building.)

		Item	C-3.50 #3c
Administration			
Department Of General Services			Language

Language:

Page 488, after line 4, insert:

"C-3.50. New Construction: Suffolk Human Services Building

Conference Report on House Bill 1500

The Department of General Services shall conduct a study of the feasibility of constructing a new human services building in Suffolk to house the Departments of Social Services and Health and report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2005. All agencies of the Commonwealth shall provide such assistance as the Department shall require in the completion of this study."

Explanation:

(This amendment requires a study of the feasibility of constructing a new human services building in Suffolk.)

Item C-4.10 #1c

Administration

Department Of Veterans Services

Language

Language:

Page 488, after line 15, insert:

"C-4.10. New Construction: Construct New
Veterans' Care Center (16249)

The Governor is authorized to request federal funds to expand the capacity of the Sitter-Barefoot Veterans' Care Center located in Richmond, Virginia, by an additional 80 beds. After the United States Department of Veterans Affairs has confirmed that it has officially accepted the application of the 80-bed expansion, the State Treasurer shall advance a loan of \$2,800,000 to the Department of Veterans Services for the state share of the expansion's construction in the form of a short-term treasury loan, with no interest. The purpose of these funds shall be to move Virginia forward on the priority list of the United States Department of Veterans Affairs for approval of the application."

Explanation:

(This amendment authorizes the Governor to submit a request for federal funds in support of adding an additional 80 beds to the new Veterans' Care Center. The total cost of adding the 80 beds is estimated at \$8 million, of which the state share is \$2.8 million. The amendment provides for a treasury loan of \$2.8 million for the state share in order to move the project forward without delay.)

Item C-4.1 #2c

Conference Report on House Bill 1500

Administration	FY 04-05	FY 05-06
Department Of Veterans Services	\$50,000	\$0 GF

Language:

Page 487, after line 23, insert:

"C-4.1. Planning: Hampton Roads Veterans' Care Center	\$50,000
Fund Sources: General	\$50,000".

Explanation:

(This amendment provides \$50,000 GF the first year to plan for a new Veterans' Care Center in Hampton Roads.)

Item C-5.1 #1c

Commerce And Trade	FY 04-05	FY 05-06
Department Of Agriculture And Consumer Services	\$0	\$392,000 GF

Language:

Page 488, after line 35, insert:

"C-5.1. Improvements: Harrisonburg Lab Cost Overruns	\$392,000
Fund Sources: General	\$392,000".

Explanation:

(This amendment provides additional general funds in the second year for cost overruns related to the Harrisonburg Lab project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-6.20 #1c

Commerce And Trade	FY 04-05	FY 05-06
Department Of Forestry	\$0	\$133,000 GF

Language:

Page 489, line 5, strike "\$0" and insert "\$133,000".

Conference Report on House Bill 1500

Explanation:

(This amendment provides additional general funds for cost overruns related to the Area Offices in Grayson and Carroll Counties project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-11.20 #1c

Education: Higher Education

Christopher Newport University

Language

Language:

Page 490, after line 22, insert:

"C-11.20. Improvements: Nongeneral Fund
Capital Outlay Blanket Authorization

Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Item C-15.20 #5c

Education: Higher Education

The College Of William And Mary
In Virginia

FY 04-05

\$3,500,000

FY 05-06

\$0 NGF

Language:

Page 491, line 48, strike "\$2,821,000" and insert "\$6,321,000".

Conference Report on House Bill 1500

Explanation:

(This amendment provides an additional \$3.5 million in 9(d) revenue bond authority to supplement the parking deck project due to cost overruns resulting from price increases in steel and concrete.)

Item C-15.50 #1c

Education: Higher Education

The College Of William And Mary
In Virginia

Language

Language:

Page 492, after line 1, insert:

"C-15.50. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Item C-15.50 #2c

Education: Higher Education

The College Of William And Mary
In Virginia

FY 04-05

\$3,250,000

FY 05-06

\$0 NGF

Language:

Page 492, after line 1, insert:

"C-15.50. Improvements: Football Field
Practice Facility

\$3,250,000

Conference Report on House Bill 1500

Fund Sources: Higher Education Operating \$3,250,000".

Explanation:

(This amendment provides authority to use \$3.3 million in private funds to cover an increase in scope and cost for the Football Field Practice Facility.)

	Item	C-15.50 #3c
Education: Higher Education	FY 04-05	FY 05-06
The College Of William And Mary In Virginia	\$1,700,000	\$0 NGF

Language:

Page 492, after line 1, insert:
"C-15.50. Improvements: Historic Campus Buildings
Fund Sources: Higher Education Operating \$1,700,000".

Explanation:

(This amendment provides authority to use \$1.7 million in private funds for infrastructure improvements on the historic campus buildings.)

	Item	C-15.50 #4c
Education: Higher Education	FY 04-05	FY 05-06
The College Of William And Mary In Virginia	\$2,750,000	\$0 NGF

Language:

Page 492, after line 1, insert:
"C-15.50. Improvements: Renovation and Expansion of Rec Sports Center
Fund Sources: Bond Proceeds \$2,750,000".

Explanation:

(This amendment provides \$2.8 million in 9(d) revenue bond authority for anticipated cost increases in the renovation and expansion of the Recreational Sports

Conference Report on House Bill 1500

Center.)

	Item	C-15.50 #5c
Education: Higher Education	FY 04-05	FY 05-06
The College Of William And Mary In Virginia	\$0	\$250,000 NGF

Language:

Page 492, after line 1, insert"

"C-15.50. Acquisition: Williamsburg
Community Hospital

Fund Sources: Higher Education Operating

Page 492, after line 1, insert:

"C-15.50. Acquisition: Williamsburg Community Hospital

The College of William and Mary in Virginia is hereby granted authority to purchase the former Williamsburg Community Hospital, consisting of real property and improvements described generally as 24 acres, more or less, and 217,000 square feet of facilities, more or less, that constitute the current physical location of the majority of the hospital's operation. It is the intent of the Governor and the General Assembly that sufficient appropriations totaling \$8,700,000 from all sources will be provided to The College of William and Mary to support this purchase over a three year period beginning July 1, 2005.

To the extent necessary in connection with this purchase, The College of William and Mary in Virginia is hereby granted authority to enter into a written agreement to lease said property to Sentara Healthcare if such a lease is necessary to allow sufficient time for the completion of construction and transfer of Sentara Healthcare operations to a new hospital facility."

Explanation:

(This amendment provides \$250,000 in nongeneral funds the second year as the College's first payment in acquiring the former Williamsburg Community Hospital.)

	Item	C-15.50 #6c
Education: Higher Education	FY 04-05	FY 05-06
The College Of William And Mary	\$0	\$12,000,000 NGF

Conference Report on House Bill 1500

In Virginia

Language:

Page 492, after line 1, insert:

"C-15.50. New Construction: Integrated Science Center	\$12,000,000
Fund Sources: Higher Education Operating	\$2,000,000
Bond Proceeds	\$10,000,000".

"The General Assembly authorizes the College of William and Mary to merge the renovation and expansion of Millington Hall (16296) and the renovation and expansion of Rogers Hall (16581), two previously authorized capital projects. Through the merger of these two capital projects, it is the intent of the General Assembly that the College develop an integrated science center."

Explanation:

(This amendment authorizes the consolidation of two previously authorized capital projects to renovate and expand Millington Hall, which currently houses the College's biology department, and Rogers Hall, which currently houses the College's chemistry department. The amendment also provides a \$12.0 million nongeneral fund supplement to the project to reflect design changes resulting from the merger of the two projects.)

Item C-17.30 #1c

Education: Higher Education

George Mason University

FY 04-05

\$0

FY 05-06

\$3,200,000 GF

Language:

Page 493, line 3, strike "\$0" and insert "\$3,200,000".

Explanation:

(This amendment provides \$3.2 million from the general fund in the second year for the Arlington Academic II project. The additional funds are needed to cover anticipated cost overruns associated with the increasing price of steel and concrete. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-20 #1c

Conference Report on House Bill 1500

Education: Higher Education	FY 04-05	FY 05-06
George Mason University	\$0	\$5,000,000 NGF

Language:

Page 494, line 2, strike "\$0" and insert "\$5,000,000".

Explanation:

(This amendment provides an additional \$5.0 million in nongeneral funds the second year to expand the scope of the existing project for the Prince William Performing Arts Center at George Mason University.)

	Item	C-26.10 #1c
Education: Higher Education	FY 04-05	FY 05-06
George Mason University	\$0	\$1,800,000 NGF

Language:

Page 495, after line 4, insert:

"C-26.10. New Construction: Child Development Center	\$1,800,000
Fund Sources: Bond Proceeds	\$1,800,000".

Explanation:

(This amendment provides \$1.8 million in 9(d) revenue bond authority to construct an 8,500 square foot facility that will provide child development for up to 100 children of George Mason University faculty, staff and students.)

	Item	C-29.30 #1c
Education: Higher Education	FY 04-05	FY 05-06
George Mason University	\$0	\$1,000,000 NGF

Language:

Page 496, line 14, strike "\$0" and insert "\$1,000,000".

Explanation:

Conference Report on House Bill 1500

(This amendment provides an additional \$1.0 million in 9(d) revenue bond authority to supplement the renovation of the Patriot Center.)

		Item	C-29.50 #1c
Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	\$378,000	GF

Language:

Page 496, line 19, strike "\$0" and insert "\$378,000".

Explanation:

(This amendment provides \$378,000 in additional general fund support in the second year to supplement the North Loop Utility Infrastructure project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-29.60 #1c
Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	\$600,000	NGF

Language:

Page 496, line 25, strike "\$0" and insert "\$600,000".

Explanation:

(This amendment provides an additional \$600,000 in nongeneral funds the second year to supplement the Field House Addition project.)

		Item	C-29.70 #1c
Education: Higher Education	FY 04-05	FY 05-06	
George Mason University	\$0	\$2,000,000	NGF

Language:

Page 496, after line 51, insert:

"C-29.70. Acquisition: Property Acquisition \$2,000,000

Conference Report on House Bill 1500

Fund Sources: Higher Education Operating

\$2,000,000".

Explanation:

(This amendment provides \$2.0 million in nongeneral funds in the second year for the purchase of 4.5 acres of real estate along Roberts Road at the periphery of the Fairfax campus.)

Item C-29.70 #2c

Education: Higher Education

George Mason University

Language

Language:

Page 496, after line 51, insert:

"C-29.70. New Construction: New School of Information Technology and Engineering

\$0

\$0

1. The General Assembly authorizes George Mason University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide a New School of Information Technology and Engineering. This project must be consistent with the Virginia Uniform Statewide Building Code 7 of October 1, 2003, and comply with the Treasury Board Guidelines issued pursuant to § 23-19 (d) (4), Code of Virginia, and subsequent amendments thereto.

2. The General Assembly authorizes George Mason University to enter into a written agreement with a public or private entity or to use up to \$3,500,000 of nongeneral funds to design, construct, and finance a facility to provide a New School of Information Technology and Engineering. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item.

3. In the event that the New School of Information Technology and Engineering project is financed through alternative financing and is constructed on land owned by or leased to a private university-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinances, and such projects shall be subject only to review of compliance with the Virginia Uniform Statewide Building Code."

Explanation:

(This amendment is self-explanatory.)

Conference Report on House Bill 1500

Item C-31 #1c

Education: Higher Education	FY 04-05	FY 05-06
James Madison University	\$0	\$180,000 GF

Language:

Page 497, line 13, strike "\$0" and insert "\$180,000".

Explanation:

(This amendment provides \$180,000 from the general fund in the second year for cost overruns related to the Harrison Hall project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-32 #1c

Education: Higher Education	FY 04-05	FY 05-06
James Madison University	\$0	\$90,000 GF

Language:

Page 497, line 19, strike "\$0" and insert "\$90,000".

Explanation:

(This amendment provides \$90,000 from the general fund in the second year for cost overruns related to the storm sewer project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-32.10 #1c

Education: Higher Education	FY 04-05	FY 05-06
James Madison University	\$0	\$90,000 GF

Language:

Page 497, after line 21, insert:
"C-32.10. Improvements: Steam \$90,000
Infrastructure Cost Overruns
Fund Sources: General \$90,000".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$90,000 from the general fund in the second year for cost overruns related to the steam infrastructure project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-34.30 #1c
Education: Higher Education	FY 04-05	FY 05-06
James Madison University	\$8,000,000	\$0 GF

Language:

Page 498, line 27, strike "\$10,000,000" and insert "\$18,000,000".

Page 498, strike lines 2 through 25.

Page 498, strike lines 29 through 35 and insert:

- "1. James Madison University, with the approval of the Governor as otherwise provided by law, is hereby granted authority to enter into a written agreement with Rockingham Memorial Hospital for the acquisition of certain real property and improvements described generally as 15 acres, more or less, and improved by several structures totaling 600,000 gross square feet, more or less, situated on Cantrell Avenue, South Main Street, and South Mason Street that constitute the current physical location of the majority of the hospital's operations in the amount of \$50,600,000.
2. The acquisition may be accomplished over a period of up to five years, and the payment in year one shall not exceed \$8,000,000.
3. In connection with this acquisition, James Madison University is hereby granted authority to enter into a written agreement to lease said property to Rockingham Memorial Hospital (RMH) for the amount of \$1 (one dollar) per annum for a period of five years from the date of closing, with the option to extend the lease for one additional year for all or a portion of said property, in order to provide sufficient time for the completion of construction and transfer of RMH operations to a new hospital facility.
4. For this acquisition and related lease agreements, James Madison University is delegated all post-appropriation review, approval, administrative, policy and procedural functions previously performed by the Department of Planning and Budget

Conference Report on House Bill 1500

and the Department of General Services. This authority is granted with the express requirement that the acquisition and related lease agreements are conducted using the policies, procedures, and guidelines contained and referenced within the Memorandum of Understanding on the Delegation of Capital Outlay Responsibilities between James Madison University and the Secretaries of Administration and Finance and the Memorandum of Understanding on the Delegation of Certain Real Estate Approvals between James Madison University and the Secretary of Administration.

5. The nongeneral funds provided in this item are for the auxiliary portion of the acquisition. The authorization and the issuance of bonds in this item related to the acquisition are contingent on the execution of an agreement for the acquisition of the property."

Explanation:

(This amendment provides \$8.0 million from the general fund in addition to the \$10.0 million in 9(d) bond authority provided in the introduced budget to acquire the Rockingham Memorial Hospital's current physical location. This general fund amounts represent the first installment of the purchase which has a total cost of \$50.6 million of which \$10 million will be paid from nongeneral fund sources. This acquisition will enable the university to increase its capacity for future enrollment growth.)

Item C-34.40 #1c

Education: Higher Education

James Madison University

Language

Language:

Page 496, after line 35, insert:

"C-34.40. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01,

Conference Report on House Bill 1500

sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

	Item	C-35.10 #1c
Education: Higher Education	FY 04-05	FY 05-06
Longwood University	\$0	\$1,000,000 GF

Language:

Page 498, after line 45, insert:

"C-35.10. Improvements: Bedford Wygal

\$1,000,000

Connector Cost Overruns

Fund Sources: General

\$1,000,000".

Explanation:

(This amendment provides \$1.0 million from the general fund in the second year for cost overruns related to the Bedford Wygal Connector project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-38.01 #1c
Education: Higher Education		
Longwood University		Language

Language:

Page 499, line 8, strike "Higher Education Operating" and insert "Bond Proceeds".

Explanation:

(This amendment corrects the fund source for the construction of soccer fields. The university will use 9(d) revenue bonds to fund this project.)

	Item	C-38.03 #1c
Education: Higher Education		
Longwood University		Language

Conference Report on House Bill 1500

Language:

Page 499, line 11, strike "Higher Education Operating" and insert "Bond Proceeds".

Explanation:

(This amendment corrects the fund source for the renovation of Lancer Gymnasium and Willett Hall. The university will use 9(d) revenue bonds to fund this project.)

	Item	C-38.20 #1c
Education: Higher Education	FY 04-05	FY 05-06
University Of Mary Washington	\$500,000	\$0 GF

Language:

Page 500, line 20, strike "\$0" and insert "\$500,000".

Explanation:

(This amendment provides \$500,000 from the general fund in the first year for equipment at the James Monroe Center.)

	Item	C-41.40 #1c
Education: Higher Education	FY 04-05	FY 05-06
University Of Mary Washington	\$0	\$3,574,000 GF

Language:

Page 501, after line 1, insert:
"C-41.40. Improvements: Lee Hall
Supplement
Fund Sources: General

\$3,574,000
\$3,574,000".

Explanation:

(This amendment provides \$3.6 million from the general fund in the second year to supplement the Lee Hall renovation project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Conference Report on House Bill 1500

Item C-41.40 #2c

Education: Higher Education

FY 04-05

FY 05-06

University Of Mary Washington

\$0

\$1,100,000 GF

Language:

Page 501, after line 1, insert:

"C-41.40. Improvements: James Monroe

\$1,100,000

Center # 2 Supplement

Fund Sources: General

\$1,100,000".

Explanation:

(This amendment provides \$1.1 million from the general fund in the second year to supplement the James Monroe Center's second building project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-43.05 #1c

Education: Higher Education

FY 04-05

FY 05-06

Norfolk State University

\$0

(\$2,000,000) GF

Language:

Page 501, line 33, strike "\$4,000,000" and insert "\$2,000,000".

Explanation:

(This amendment reduces the general fund dollars provided for in the introduced budget in the second year to reflect the institution's previous requests for equipment for this project and equipment funding previously provided by the 2004 Session of the General Assembly.)

Item C-43.20 #1c

Education: Higher Education

Old Dominion University

Language

Language:

Conference Report on House Bill 1500

Page 502, after line 11, insert:

"1. The General Assembly authorizes Old Dominion University to increase the gross square footage of the Physical Science Building from 50,000 to 57,798 provided that this cost of the project not increase beyond the amounts previously appropriated for this project."

Page 502, line 12, before "Additional", insert "2."

Explanation:

(This amendment is self-explanatory.)

	Item	C-43.20 #2c
Education: Higher Education	FY 04-05	FY 05-06
Old Dominion University	\$0	\$1,080,000 GF

Language:

Page 502, line 10, strike "\$3,867,000" and insert "\$4,947,000".

Explanation:

(This amendment provides \$1.1 million from the general fund in the second year for cost overruns related to the Physical Science Building project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-44.10 #1c
Education: Higher Education	FY 04-05	FY 05-06
Old Dominion University	\$0	\$735,000 GF

Language:

Page 502, after line 18, insert:

"C-44.10. Improvements: Batten Arts and Letters Building Cost Overruns \$735,000

Fund Sources: General

\$735,000".

Explanation:

(This amendment provides \$735,000 from the general fund in the second year for cost overruns related to the Batten Arts and Letters Building project. This is a

Conference Report on House Bill 1500

companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-44.10 #2c
Education: Higher Education	FY 04-05	FY 05-06	
Old Dominion University	\$0	\$446,000	GF

Language:

Page 502, after line 18, insert:

"C-44.10. Improvements: Hughes Hall Cost \$446,000

Overruns

Fund Sources: General \$446,000".

Explanation:

(This amendment provides \$446,000 from the general fund in the second year for cost overruns related to the Hughes Hall project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-52.30 #1c
Education: Higher Education	FY 04-05	FY 05-06	
Old Dominion University	\$0	\$170,000	GF

Language:

Page 503, line 42, strike "\$0" and insert "\$170,000".

Explanation:

(This amendment provides \$170,000 from the general fund in the second year for cost overruns related to the Health and Physical Education Building project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-52.40 #1c
Education: Higher Education			
Old Dominion University			Language

Conference Report on House Bill 1500

Language:

Page 503, line 44, before "Old", insert "1."

Page 503, line 45, after "lease", insert "or other written agreements".

Page 503, line 46, after "development", insert:

", design, construction and financing".

Page 504, after line 8, insert:

"2. Old Dominion University, with approval from the Governor, is further authorized to enter into written agreements with a public or private entity to support such parking structure; the support may include agreements to (i) include the parking structure in the University's parking system; (ii) manage the operation and maintenance of the facility, including collection of parking fees; and (iii) otherwise support the parking facility consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

Explanation:

(This amendment provides Old Dominion University the authority to enter into written agreements necessary to manage its parking garage capital project.)

Item C-52.50 #1c

Education: Higher Education

Old Dominion University

Language

Language:

Page 504, line 9, before "Old", insert "1."

Page 504, line 10, after "lease", insert "or other written agreements".

Page 504, line 10, strike "the Old Dominion University Real" and insert:

"a public or private entity".

Page 504, line 11, strike "Estate Foundation (ODUREF)".

Page 504, line 11, after "development", insert:

", design, construction and financing".

Page 504, after line 22, insert:

"2. Old Dominion University, with approval from the Governor, is further authorized to enter into written agreements with a public or private entity to support such a research/office building. The support may include agreements to: (i) manage the operation and maintenance of the facility, including collection of rental fees; and (ii)

Conference Report on House Bill 1500

otherwise support the research/office consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

Explanation:

(This amendment provides Old Dominion University the authority to enter into written agreements necessary to manage its research/office building capital project.)

		Item	C-52.60 #1c
Education: Higher Education	FY 04-05	FY 05-06	
Old Dominion University	\$0	\$23,745,125	NGF

Language:

Page 504, after line 22, insert:

"C-52.60. New Construction: New
Dormitory

\$23,745,125

Fund Sources: Bond Proceeds

\$23,745,125".

Explanation:

(This amendment provides \$23.7 million in 9(d) revenue bond authority to construct a 400-bed dormitory.)

		Item	C-52.60 #2c
Education: Higher Education			
Old Dominion University			Language

Language:

Page 504, after line 22, insert:

"C-52.60. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

Conference Report on House Bill 1500

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Item C-55 #2c

Education: Higher Education	FY 04-05	FY 05-06
Radford University	\$0	\$715,000 GF

Language:

Page 504, line 36, strike "\$0" and insert "\$715,000".

Explanation:

(This amendment provides \$715,000 from the general fund in the second year for cost overruns related to the Russell Hall project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-55.05 #1c

Education: Higher Education	FY 04-05	FY 05-06
Radford University	\$0	\$1,924,000 GF

Language:

Page 504, after line 39, insert:

"C-55.05. Improvements: Fine Arts Center

\$1,924,000

Cost Overruns

Fund Sources: General

\$1,924,000".

Explanation:

(This amendment provides \$1.9 million from the general fund in the second year for cost overruns related to the Fine Arts Center project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Conference Report on House Bill 1500

Item C-55.05 #2c

Education: Higher Education

Radford University

FY 04-05

\$0

FY 05-06

\$160,000 GF

Language:

Page 504, after line 39, insert:

"C-55.05. Improvements: Porterfield Hall

\$160,000

Cost Overruns

Fund Sources: General

\$160,000".

Explanation:

(This amendment provides \$160,000 from the general fund in the second year for cost overruns related to the Porterfield Hall project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-55.20 #1c

Education: Higher Education

Radford University

Language

Language:

Page 504, after line 41, insert:

"C-55.20. New Construction: Nongeneral

Fund Capital Outlay Blanket Authorization

Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Conference Report on House Bill 1500

Item C-56.10 #1c

Education: Higher Education	FY 04-05	FY 05-06
University Of Virginia	\$0	\$2,300,000 GF

Language:

Page 505, after line 6, insert:

"C-56.10. Improvements: Fayerweather Hall \$2,300,000

Renovation

Fund Sources: General \$2,300,000".

Explanation:

(This amendment provides a total of \$2.3 million from the general fund in the second year for cost overruns related to the renovation of Fayerweather Hall. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-56.10 #2c

Education: Higher Education	FY 04-05	FY 05-06
University Of Virginia	\$0	\$850,000 GF

Language:

Page 505, after line 6, insert:

"C-56.10. Improvements: Campbell Hall \$850,000

Chiller Cost Overruns

Fund Sources: General \$850,000".

Explanation:

(This amendment provides \$850,000 from the general fund in the second year for cost overruns related to the Campbell Hall chiller project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-56.10 #3c

Education: Higher Education	FY 04-05	FY 05-06
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Conference Report on House Bill 1500

University Of Virginia \$0 \$2,940,000 GF

Language:

Page 505, after line 6, insert:

"C-56.10. Improvements: Studio Art \$2,940,000

Building Cost Overruns

Fund Sources: General \$2,940,000".

Explanation:

(This amendment provides a total of \$2.9 million from the general fund in the second year for cost overruns related to the Studio Art Building project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-67.30 #1c

Education: Higher Education

FY 04-05

FY 05-06

University Of Virginia

\$0

\$23,870,000 NGF

Language:

Page 506, line 29, strike "\$0" and insert "\$23,870,000".

Explanation:

(This amendment provides \$23.9 million in additional 9(d) revenue bond authority to supplement the acquisition of a research facility to be constructed by the University of Virginia Foundation at its Fontaine Research Park. This will allow the university to expand the building size from 55,000 square feet to 85,000 square feet.)

Item C-67.50 #1c

Education: Higher Education

FY 04-05

FY 05-06

University Of Virginia

\$6,400,000

\$0 NGF

Language:

Page 506, line 35, strike "\$21,600,000" and insert "\$28,000,000".

Explanation:

Conference Report on House Bill 1500

(This amendment provides an additional \$6.4 million in 9(d) revenue bond authority to add a 44,000 square foot office building on the North Health System Parking Garage.)

		Item	C-67.55 #1c
Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$2,600,000	NGF

Language:

Page 506, line 38, strike "\$0" and insert "\$2,600,000".

Explanation:

(This amendment provides \$2.6 million in additional 9(d) revenue bond authority to expand the Arts Grounds Parking Garage from a capacity of 400 cars to 480 cars.)

		Item	C-67.80 #1c
Education: Higher Education	FY 04-05	FY 05-06	
University Of Virginia	\$0	\$2,000,000	NGF

Language:

Page 507, after line 4, insert:

"C-67.80. Improvements: Cocke Hall

\$2,000,000

Fund Sources: Higher Education Operating

\$2,000,000".

Explanation:

(This amendment provides \$2.0 million in nongeneral funds the second year to supplement the renovation of Cocke Hall.)

		Item	C-67.80 #2c
Education: Higher Education			
University Of Virginia			Language

Language:

Page 507, after line 4, insert:

Conference Report on House Bill 1500

"C-67.80. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

	Item	C-71.11 #1c
Education: Higher Education	FY 04-05	FY 05-06
University Of Virginia Medical Center	\$8,500,000	\$0 NGF

Language:

Page 507, after line 27, insert:

"C-71.11. Improvements: General Clinical Research Center

Fund Sources: Higher Education Operating \$8,500,000".

Explanation:

(This amendment provides \$8.5 million in additional nongeneral fund authority in the first year to relocate and renovate the General Clinic Research Center. The fund source of the nongeneral funds is hospital operating revenues.)

	Item	C-74.10 #1c
Education: Higher Education	FY 04-05	FY 05-06
University Of Virginia's College At Wise	\$0	\$1,200,000 NGF

Conference Report on House Bill 1500

Language:

Page 58, after line 19, insert:

"C-74.10. Acquisition: Buffer Properties \$1,200,000
Fund Sources: Bond Proceeds \$1,200,000".

Explanation:

(This amendment provides \$1.2 million in 9(d) revenue bond authorization to acquire 23 acres of real estate located on the periphery of the campus at the University of Virginia's College at Wise.)

Item C-77 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Commonwealth University

\$6,000,000

\$0 NGF

Language:

Page 508, line 40, strike "\$2,901,000" and insert "\$8,901,000".

Explanation:

(This amendment provides \$6.0 million in additional 9(d) revenue bond authority for the Massey Cancer Center project.)

Item C-77.05 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Commonwealth University

\$2,000,000

\$0 NGF

Language:

Page 509, line 5, strike "\$18,225,000" and insert "\$20,225,000".

Explanation:

(This amendment provides additional nongeneral fund 9(d) bond authority for the School of Engineering Phase II project.)

Item C-77.20 #1c

Conference Report on House Bill 1500

Education: Higher Education	FY 04-05	FY 05-06
Virginia Commonwealth University	\$7,000,000	\$0 NGF

Language:

Page 509, after line 15, insert:

"C-77.20. Acquisition: University Ad Center \$7,000,000
Fund Sources: Bond Proceeds \$7,000,000".

"As an alternative to debt financing, Virginia Commonwealth University, with approval of the Governor as provided by law, is hereby authorized to enter into a capital lease with the Virginia Commonwealth University Real Estate Foundation for development of the Central Belting Building, located on the University's Monroe Park Campus Addition, as the University's Ad Center. Under terms of the capital lease, the University may provide up to \$3,000,000 to defray the cost of the renovation."

Explanation:

(This amendment authorizes VCU to issue \$7.0 million of 9(d) bonds or enter into a capital lease for the acquisition and renovation of the Central Belting Building, located on the University's Monroe Park Campus Addition. The building will be used for the University's Ad Center.)

Item C-80.10 #1c

Education: Higher Education	FY 04-05	FY 05-06
Virginia Commonwealth University	\$2,000,000	\$0 NGF

Language:

Page 509, line 27, strike "\$43,808,000" and insert "\$45,808,000".

Explanation:

(This amendment provides additional nongeneral fund 9(d) bond authority for the New School of Business project.)

Item C-82 #1c

Education: Higher Education	FY 04-05	FY 05-06
Virginia Commonwealth University	\$1,131,000	\$0 GF
	\$1,200,000	\$0 NGF

Conference Report on House Bill 1500

Language:

Page 510, line 2, strike "\$14,308,000" and insert "\$16,639,000".

Explanation:

(This amendment provides \$1.1 million from the general fund and \$1.2 million in nongeneral funds the first year to supplement the new School of Nursing project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-85.10 #1c

Education: Higher Education

Virginia Commonwealth University

Language

Language:

Page 510, after line 24, insert:

"C-85.10. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Item C-93.08 #1c

Education: Higher Education

Virginia Community College
System

FY 04-05

\$1,236,000

FY 05-06

\$0 NGF

Language:

Conference Report on House Bill 1500

Page 511, after line 38, insert:

"C-93.08. New Construction: Construct \$1,236,000

Workforce Services Development Center,

Lord Fairfax (Middletown) (16851)

Fund Sources: Trust and Agency \$1,236,000".

This item provides supplemental funds to increase the scope of an existing project."

Explanation:

(This amendment provides \$1.2 million in nongeneral funds the first year to expand the scope of a previously authorized project. The College's foundation has raised nongeneral funds from the local community to incorporate a community center into the planned workforce center project.)

	Item	C-117.05 #1c
Education: Higher Education	FY 04-05	FY 05-06
Virginia Community College System	\$0	\$1,700,000 NGF

Language:

Page 517, after line 40, insert:

"C-117.05. Improvements: Relocate Parking \$1,700,000

Lot, Blue Ridge Community College

Fund Sources: Trust and Agency \$1,700,000".

Explanation:

(This amendment provides \$1.7 million in nongeneral fund authority in the second year to relocate a faculty parking lot at Blue Ridge Community College. The source of the nongeneral funds are private contributions and local government support.)

	Item	C-118.10 #1c
Education: Higher Education	FY 04-05	FY 05-06
Virginia Military Institute	\$1,900,000	\$0 GF

Language:

Page 518, after line 6, insert:

"C-118.10. Improvements: Renovate and \$1,900,000 \$0

Conference Report on House Bill 1500

Expand Old Barracks
Fund Sources: General

\$1,900,000".

\$0".

Explanation:

(This amendment provides \$1.9 million from the general fund in the first year to plan the renovation and expansion of the Old Barracks at Virginia Military Institute.)

Item C-119.10 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Military Institute

\$3,700,000

\$0 GF

Language:

Page 518, line 11, strike "\$18,200,000" and insert "\$21,900,000".

Explanation:

(This amendment provides \$3.7 million from the general fund the first year to renovate Kilbourne Hall and replace federal funding which was not received.)

Item C-119.20 #1c

Education: Higher Education

FY 04-05

FY 05-06

Virginia Polytechnic Institute And
State University

\$0

(\$2,250,000) GF

Language:

Page 519, line 12, strike "\$4,987,000" and insert "\$2,737,000".

Explanation:

(This amendment reduces the equipment provided for in the introduced budget to reflect the institution's previous requests for equipment for this project and equipment funding previously provided during the 2004 Session.)

Item C-120.05 #1c

Education: Higher Education

FY 04-05

FY 05-06

Conference Report on House Bill 1500

Virginia Polytechnic Institute And State University \$0 \$5,000,000 NGF

Language:

Page 519, line 23, strike "\$5,000,000" and insert "\$10,000,000".

Explanation:

(This amendment provides \$5.0 million from 9(d) bond proceeds to supplement the Performing Arts project.)

	Item	C-122.30 #1c
Education: Higher Education	FY 04-05	FY 05-06
Virginia Polytechnic Institute And State University	\$0	\$8,500,000 NGF

Language:

Page 520, after line 23, insert:

"C-122.30. New Construction: Surge Space \$8,500,000
Fund Sources: Bond Proceeds \$8,500,000".

Explanation:

(This amendment provides \$8.5 million in 9(d) revenue bond authorization to construct a building to serve as temporary swing space while permanent facilities are being renovated.)

	Item	C-122.30 #2c
Education: Higher Education	FY 04-05	FY 05-06
Virginia Polytechnic Institute And State University	\$0	\$3,000,000 NGF

Language:

Page 520, after line 23, insert:

"C-122.30. Improvements: Graduate Student Center \$3,000,000
Fund Sources: Bond Proceeds \$3,000,000".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$3.0 million in 9(d) revenue bond authority to create a Graduate Student Center.)

Item C-122.30 #3c

Education: Higher Education

Virginia Polytechnic Institute And
State University

Language

Language:

Page 520, after line 23, insert:

"C-122.30. New Construction: Nongeneral
Fund Capital Outlay Blanket Authorization
Higher Education Operating....a sum sufficient.

This blanket authorization provides a sum sufficient nongeneral fund appropriation for projects initiated under § 4-4.01 o.3. of this act."

Explanation:

(This amendment establishes a sum sufficient nongeneral fund appropriation under which the institution can initiate "unforeseen" capital projects without first seeking approval from the General Assembly. A companion amendment in Part IV, § 4-4.01, sets forth the conditions under which the institution can use this appropriation. This language is the result of work by the Joint Subcommittee Studying the Relationship Between the State and Its Higher Education Institutions and is consistent with the decentralization efforts contained in House Bill 2866/Senate Bill 1327, 2005 Session.)

Item C-124 #1c

Education: Higher Education

Virginia State University

Language

Language:

Page 520, line 45, before "It", insert "1."

Page 520, after line 48, insert:

"2. Virginia State University may use up to 50 percent of its maintenance reserve funds to address critical health and safety deficiencies in its Student Village residence

Conference Report on House Bill 1500

halls."

Explanation:

(This amendment provides Virginia State University the authority to earmark up to half of its maintenance reserve funds to address a recurring mold problem in some of its dormitories.)

	Item	C-124.05 #1c
Education: Higher Education	FY 04-05	FY 05-06
Virginia State University	\$0	\$2,600,000 NGF

Language:

Page 520, after line 48, insert:

"C-124.05. Improvements: Renovate Rogers Stadium (16121)

Fund Sources: Bond Proceeds \$0. \$2,600,000".

This item contains supplemental funding to complete renovations to Rogers Stadium."

Explanation:

(This amendment provides \$2.6 million in 9(d) bond revenues to address higher costs associated with the completion of renovations to Rogers Stadium at Virginia State University.)

	Item	C-124.05 #2c
Education: Higher Education	FY 04-05	FY 05-06
Virginia State University	\$0	\$74,000 GF

Language:

Page 520, after line 48, insert:

"C-124.05. Improvements: Handicapped Accessibility Cost Overruns

Fund Sources: General \$74,000".

Explanation:

(This amendment provides \$74,000 from the general fund in the second year for cost overruns related to the Handicapped Accessibility project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced

Conference Report on House Bill 1500

budget.)

		Item	C-124.05 #3c
Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	\$780,000	GF

Language:

Page 520, after line 48, insert:

"C-124.05. Improvements: Storm Sewer \$780,000

Infrastructure Cost Overruns

Fund Sources: General \$780,000".

Explanation:

(This amendment provides \$780,000 from the general fund in the second year for cost overruns related to the Storm Sewer Infrastructure project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-124.10 #1c
Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	\$1,999,000	GF

Language:

Page 520, line 50, strike "\$1,986,000" and insert "\$3,985,000".

Explanation:

(This amendment provides \$2.0 million from the general fund in the second year for cost overruns related to the Science and Technology Building project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

		Item	C-125 #1c
Education: Higher Education	FY 04-05	FY 05-06	
Virginia State University	\$0	\$25,000	GF

Conference Report on House Bill 1500

Language:

Page 521, line 6, strike "\$0" and insert "\$25,000".

Explanation:

(This amendment provides \$25,000 from the general fund in the second year for cost overruns related to the Gandy Hall Temporary Facilities project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-125.05 #1c
Education: Higher Education	FY 04-05	FY 05-06
Virginia State University	\$0	\$1,400,000 NGF

Language:

Page 521, after line 7, insert:
"C-125.05. Improvements: Student Housing \$1,400,000
Fund Sources: Bond Proceeds \$1,400,000".

Explanation:

(This amendment provides \$1.4 million in 9(d) revenue bond authorization in the second year to address any additional improvements associated with heating and cooling repairs to student housing.)

	Item	C-125.05 #2c
Education: Higher Education	FY 04-05	FY 05-06
Virginia State University	\$750,000	\$0 GF
	\$250,000	\$0 NGF

Language:

Page 521, after line 7, insert:
"C-125.05. Improvements: Emergency \$1,000,000
Generators
Fund Sources: General \$750,000
Higher Education Operating \$250,000".

Conference Report on House Bill 1500

Explanation:

(This amendment provides \$750,000 from the general fund and \$250,000 in nongeneral funds to acquire emergency generators for backup power.)

	Item	C-125.05 #3c
Education: Higher Education	FY 04-05	FY 05-06
Virginia State University	\$689,000	\$0 GF

Language:

Page 521, after line 7, insert:

"C-125.05. Acquisition: Gandy Hall Equipment Fund Sources: General	\$689,000	\$0
	\$689,000".	

Explanation:

(This amendment provides \$689,000 from the general fund in the first year to acquire equipment for Gandy Hall.)

	Item	C-126.10 #1c
Education: Other	FY 04-05	FY 05-06
Jamestown-Yorktown Foundation	\$358,000	\$0 NGF

Language:

Page 521, line 26, strike "\$950,000" and insert "\$1,308,000".

Explanation:

(This amendment provides a \$358,000 nongeneral fund supplement in the second year to replace the Jamestown Ships. Private gifts are the source of the nongeneral funds.)

	Item	C-126.10 #2c
Education: Other	FY 04-05	FY 05-06

Conference Report on House Bill 1500

Jamestown-Yorktown Foundation	\$0	\$645,000 GF
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Language:

Page 521, line 26, strike "\$0" and insert "\$645,000".

Explanation:

(This amendment provides \$645,000 from the general fund in the second year for cost overruns related to the Jamestown Ships project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-131.30 #1c
Education: Other	FY 04-05	FY 05-06
Jamestown-Yorktown Foundation	\$0	\$1,369,000 NGF

Language:

Page 522, after line 7, insert:

"C-131.30. Acquisition: Land Adjacent to Jamestown Settlement
Fund Sources: Special

	\$1,369,000
	\$1,369,000".

It is the intent of the General Assembly that should land become available adjacent to property at Jamestown Settlement, the Governor may authorize the expenditure of up to \$3.0 million from general fund revenues collected in fiscal year 2005 above the official estimate contained in this act, after meeting other statutory requirements."

Explanation:

(This amendment provides \$1.4 million in nongeneral funds the second year for acquisition of ten acres adjacent to the Jamestown Settlement and provides authority to use up to \$3.0 million of any fiscal year 2005 general fund surplus.)

	Item	C-131.80 #1c
Education: Other	FY 04-05	FY 05-06
The Library Of Virginia	\$0	\$100,000 GF

Language:

Page 522, after line 12, insert:

Conference Report on House Bill 1500

"§ 2-27.10. LIBRARY OF VIRGINIA (202)"

"C-131.80. Improvements: Exhibition Gallery	\$0	\$100,000
Fund Sources: General	\$0".	\$100,000".

Explanation:

(This amendment provides general funds the second year to renovate the Exhibition Gallery in the Library of Virginia in preparation for the 2007 exhibition of Virginia history.)

Item C-134 #1c

Education: Other

Virginia Museum Of Fine Arts

FY 04-05

\$0

FY 05-06

\$1,500,000 GF

Language:

Page 522, line 33, strike "\$0" and insert "\$1,500,000".

Explanation:

(This amendment provides additional general funds for cost overruns related to the museum expansion project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

Item C-137 #1c

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

FY 04-05

\$0

FY 05-06

(\$1,348,000) GF

Language:

Page 523, line 31, strike "\$1,348,000" and insert "\$0".

Page 523, after line 31, insert:

"The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the concurrence of the Secretary of Health and Human Resources, is hereby authorized to design and construct, or permit the design and construction of, a permanent facility for the Sexually Violent Predator Program on state-owned property

Conference Report on House Bill 1500

identified by the Department. The Department is authorized to enter into a comprehensive agreement pursuant to the Public-Private Partnership Educational Facilities and Infrastructure Act of 2002 for the design and construction of the facility. The comprehensive agreement shall provide for an operating or capital lease agreement, the term of which shall not exceed 20 years, or financing through the Virginia Public Building Authority in a principal amount not to exceed \$33 million. The details of the financial arrangement shall be provided in writing to the Chairmen of the House Appropriations and Senate Finance Committees at least 15 days prior to the Department entering into the comprehensive agreement."

Explanation:

(This amendment is self-explanatory.)

	Item	C-139.10 #1c
Health And Human Resources	FY 04-05	FY 05-06
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	(\$901,000) GF

Language:

Page 523, line 44, strike "\$901,000" and insert "\$0".

Page 523, after line 44, insert:

"The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the concurrence of the Secretary of Health and Human Resources, is hereby authorized to design and construct, or permit the design and construction of, a replacement facility for the existing Hancock Geriatric Treatment Center to be located on state-owned property at Eastern State Hospital. The Department is authorized to enter into a comprehensive agreement pursuant to the Public-Private Partnership Educational Facilities and Infrastructure Act of 2002 for the design and construction of the facility under a capital lease agreement, the term of which shall not exceed 20 years, or by financing through the Virginia Public Building Authority or other appropriate mechanism for a principal amount not to exceed \$23 million."

Explanation:

(This amendment is self-explanatory.)

Item C-139.15 #1c

Conference Report on House Bill 1500

Health And Human Resources	FY 04-05	FY 05-06
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$3,100,000	\$0 GF

Language:

Page 524, after line 1, insert:

"C-139.15. Improvements: Southeastern Virginia Training Center Equipment Fund Sources: General	\$3,100,000 \$3,100,000".	\$0 \$0".
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Explanation:

(This amendment provides general funds the first year to secure and install cook/chill equipment in the training center to address health and safety issues.)

	Item	C-139.20 #1c
Health And Human Resources	FY 04-05	FY 05-06
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$150,000	\$0 GF

Language:

Page 524, after line 1, insert:

"C-139.20. Maintenance Reserve: Western State Hospital Administrative Building Roof Repairs Fund Sources: General	\$150,000 \$150,000".
----------------------------------------------------------------------------------------------------------------------------	--------------------------

Explanation:

(This amendment provides \$150,000 from the general fund the first year to repair the roof on the administration building at Western State Hospital.)

	Item	C-143 #1c
Health And Human Resources		
Woodrow Wilson Rehabilitation		Language

Conference Report on House Bill 1500

Center

Language:

Page 524, after line 18, insert:

"In the event the Woodrow Wilson Rehabilitation Center property is selected as the site for a new School for the Deaf, Blind and Multi-disabled, the public-private partnership authorized in Item 135 of this act shall include an additional amount estimated at \$1,200,000 for expansion and completion of the water and sewer distribution system."

Explanation:

(This amendment allows for expansion of the water and sewer systems at Woodrow Wilson Rehabilitation Center if the site is selected for construction of the new School for the Deaf, Blind and Multi-disabled.)

Item C-146 #1c

Natural Resources	FY 04-05	FY 05-06
Department Of Conservation And Recreation	\$0	\$2,400,000 GF

Language:

Page 525, line 15, strike "\$1,600,000" and insert "\$4,000,000".

Explanation:

(This amendment provides \$2.4 million of general funds in the second year for maintenance projects at state parks.)

Item C-147.05 #1c

Natural Resources	FY 04-05	FY 05-06
Department Of Conservation And Recreation	\$0	(\$8,487,882) GF

Language:

Page 527, line 24, strike "\$15,500,000" and insert "\$7,012,118".

Explanation:

Conference Report on House Bill 1500

(This amendment redirects parks funding to parks capital maintenance and adjusts the funding included in the introduced budget for cost overruns to reflect actual bid amounts.)

Item C-147.10 #1c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 527, line 38, strike "nine +/- acres of".

Explanation:

(This amendment provides the Department of Conservation and Recreation with flexibility in its efforts to acquire land owned by the Margaret Lyons Jones Land Trust. Work done by the agency's surveyor and title company shows that the land under discussion contains more acreage than courthouse records indicate.)

Item C-151 #1c

Natural Resources

Department Of Game And Inland
Fisheries

FY 04-05

\$400,000

FY 05-06

\$0 NGF

Language:

Page 528, line 8, strike "\$932,000" and insert "\$1,332,000".

Explanation:

(This amendment provides authorization to adjust the scope of a previously authorized central warehouse facility based on the results of a feasibility study of the site and the desire to add an armory facility for storage of the agency's weapons. The additional funding is needed to address issues identified in the study regarding the site in relationship to the size of the facility and site conditions as well as the additional armory. The square footage of the facility will be decreased by more than five percent. The fund source will be nongeneral funds from the agency.)

Conference Report on House Bill 1500

Item C-153.10 #1c

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Page 528, after line 18, insert:

"C-153.10. Acquisition: Feather and Fin
Farm

"The Department of Accounts shall provide a treasury loan of up to \$6,000,000 to the Department of Game and Inland Fisheries for the acquisition of the Feather and Fin Farm, a 2,400-acre parcel of land adjacent to the Appomattox River. Such loan shall be without interest and shall be repaid in equal annual installments over a period of four years, beginning July 1, 2006. The source of loan repayments shall be the Game Protection Fund."

Explanation:

(This amendment authorizes the State Comptroller to issue a treasury loan in the amount of \$6.0 million to the Department of Game and Inland Fisheries for the purchase of a 2,400-acre farm located on the Appomattox River. This property, one of the last large tracts of land adjacent to the Appomattox River, includes seven miles of river frontage. The Department of Game and Inland Fisheries will use the property as a wildlife management area.)

Item C-153.10 #2c

Natural Resources

Department Of Game And Inland
Fisheries

FY 04-05

\$250,000

FY 05-06

\$1,750,000 NGF

Language:

Page 528, after line 18, insert:

"C-153.10. New Construction: Reconstruct
Upper and Lower Powhatan Lakes
Fund Sources: Trust and Agency

\$250,000

\$1,750,000

\$250,000".

\$1,750,000".

"The Department of Game and Inland Fisheries is authorized to reconstruct the damaged Upper and Lower Powhatan Lakes and associated facilities (roads, parking areas) based on Dam Safety Standards and Engineering Practices. This project cost

Conference Report on House Bill 1500

for the reconstruction of the two dams will be paid from insurance proceeds to the extent these two dams are covered by the state's commercial property insurance, including the deductible amount covered by the State Insurance Reserve Trust Fund. The balance of the repair cost not covered by insurance for renovations and improvements will be paid from funds of the Department of Game and Inland Fisheries. All state agencies associated with this project shall cooperate to the fullest extent with the Department during the planning and construction phases of the project. The project is to be completed on or before June 30, 2008. Planning and design shall be initiated in fiscal year 2005. If necessary to meet the schedule for planning and design work, the State Treasurer is authorized to issue a no-interest treasury loan for the project in anticipation of the state receiving the insurance proceeds."

Explanation:

(This amendment authorizes \$2.0 million for a capital project to reconstruct two lakes owned by the Department of Game and Inland Fisheries in Powhatan County.)

	Item	C-155.10 #1c
Public Safety	FY 04-05	FY 05-06
Department Of Corrections, Central Activities	\$0	\$310,000 GF

Language:

Page 529, after line 10, insert:

"C-155.10. Improvements: Water and Sewer Line Cost Overruns	\$310,000
Fund Sources: General	\$310,000".

Explanation:

(This amendment provides general funds in the second year to supplement the renovation of the water and sewer line repair project. This is a companion amendment to Item C-196.10 where the funds were held centrally in the introduced budget.)

	Item	C-164.10 #1c
Public Safety	FY 04-05	FY 05-06
Department Of Corrections, Central Activities	(\$1,000,000)	\$0 GF

Conference Report on House Bill 1500

Language:

Page 530, line 22, strike "\$1,300,000" and insert "\$300,000".

Explanation:

(This amendment reduces the proposed appropriation for correction of environmental deficiencies by the Department of Corrections by \$1.0 million GF to correctly reflect the amount needed in the first year. A total of \$2.5 million remains for this purpose for the biennium.)

	Item	C-164.40 #1c
Public Safety	FY 04-05	FY 05-06
Department Of Criminal Justice Services	\$1,991,800	\$0 GF

Language:

Page 531, after line 4, insert:

"C-164.40. Acquisition: New Northern Virginia Forensics Lab
Fund Sources: General \$1,991,800".

"1. Included in this item is \$1,991,800 the first year for purchase of the site for the new Northern Virginia Forensic Laboratory in Prince William County.

2. Upon completion of the land acquisition authorized in paragraph 1. the Governor may enter into a public-private partnership for the planning, design and construction of a replacement facility for the Northern Virginia Forensic Laboratory pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq. of the Code of Virginia). The Department of General Services and other state agencies and institutions shall cooperate in the development of this plan, as needed."

Explanation:

(This amendment provides \$1,991,800 from the general fund in the first year for the purchase of a site for the new Northern Virginia Forensics Laboratory in Prince William County, and provides flexibility for the Governor, through the Department of General Services, to initiate a public-private partnership to develop the new Northern Virginia Forensic Laboratory project.)

Item C-168.10 #1c

Conference Report on House Bill 1500

Public Safety	FY 04-05	FY 05-06
Department Of State Police	\$0	\$500,000 GF

Language:

Page 532, after line 18, insert:

"C-168.10. New Construction: Vansant \$500,000

Area Office

Fund Sources: General \$500,000".

Explanation:

(This amendment provides general funds the second year to build a State Police area office in Vansant to replace the current office.)

Item C-194 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 537, line 8, strike "\$2,325,000" and insert "\$2,075,000".

Page 537, line 50, strike "\$225,000" and insert "\$475,000".

Explanation:

(This amendment corrects the allocation of maintenance reserve funding.)

Item C-194 #2c

Central Appropriations

Central Capital Outlay

FY 04-05
(\$2,525,000)

FY 05-06
\$0 GF

Language:

Page 536, line 26, strike "\$60,050,000" and insert "\$57,525,000".

Page 536, line 29, strike \$60,050,000" and insert "\$57,525,000".

Page 536 strike lines 36 to 43.

Page 537, strike lines 1 to 64.

Page 538, strike lines 1 to 11.

Page 538, line 52, strike "\$80,050,000" and insert "\$77,525,000".

Page 538, after line 12, insert:

Conference Report on House Bill 1500

"2004-2006 Appropriations

Agency Name	Project Code	FY 2005	FY 2006
Department of Military Affairs	10893	\$459,817	\$160,000
Department of Emergency Management	15989	\$71,846	\$25,000
Department of Criminal Justice Services	16320	\$71,846	\$25,000
The Science Museum of Virginia	13634	\$747,202	\$260,000
Department of State Police	10886	\$215,539	\$75,000
Department of Taxation	15994	\$198,296	\$69,000
Department of General Services	14260	\$2,227,238	\$775,000
Department of Conservation And Recreation	16646	\$574,771	\$200,000
Woodrow Wilson Rehabilitation Center	10885	\$1,005,849	\$350,000
The College of William And Mary In Virginia	12713	\$2,299,084	\$800,000
University of Virginia	12704	\$7,141,530	\$2,485,000
Virginia Polytechnic Institute and State University	12707	\$7,144,404	\$2,486,000
Virginia Military Institute	12732	\$1,207,019	\$420,000
Longwood University	12722	\$1,321,973	\$460,000
University of Mary Washington	12723	\$574,771	\$200,000
James Madison University	12718	\$2,155,391	\$750,000
Radford University	12731	\$890,895	\$310,000
Old Dominion University	12710	\$1,436,928	\$500,000
Virginia Commonwealth University	12708	\$4,598,168	\$1,600,000
Virginia Museum of Fine Arts	13633	\$689,725	\$240,000
Frontier Culture Museum of Virginia	15045	\$114,954	\$40,000
Richard Bland College	12716	\$71,846	\$25,000
Christopher Newport University	12719	\$488,555	\$170,000
University of Virginia's College at Wise	12706	\$373,601	\$130,000
George Mason University	12712	\$2,586,470	\$900,000
Virginia Community College System	12611	\$5,460,325	\$1,900,000
Virginia Institute of Marine Science	12331	\$431,078	\$150,000
Department of Agriculture and Consumer	12253	\$215,539	\$75,000

Conference Report on House Bill 1500

Services			
Marine Resources Commission	16498	\$71,846	\$25,000
Department of Mines, Minerals and Energy	13096	\$71,846	\$25,000
Department of Forestry	13986	\$215,539	\$75,000
Gunston Hall	12382	\$86,216	\$30,000
Jamestown-Yorktown Foundation	13605	\$574,771	\$200,000
Department for the Blind and Vision Impaired	13942	\$215,539	\$75,000
Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	\$5,790,818	\$2,015,000
Department of Juvenile Justice	15081	\$1,724,313	\$600,000
Department of Corrections	10887	\$3,807,858	\$1,325,000
Department of Veterans Services	17073	\$47,898	\$0
Virginia Museum of Natural History	14439	\$71,846	\$25,000
Southwest Virginia Higher Education Center	16499	\$71,846	\$25,000
Total		\$57,525,000	\$20,000,000''

Explanation:

(This amendment reduces the amount for Central Maintenance Reserve by \$2.5 million from the general fund, which is required for critical maintenance projects at the VMI Barracks and the General Assembly Building. The increase in each agency's Maintenance Reserve allocation that was proposed in the introduced budget is proportionately reduced by 3.7 percent to cover the expense of these two projects.)

Item C-194.10 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, after line 58, insert:

“C. A study committee consisting of representatives from the Department of Planning and Budget, Department of Accounts, State Council of Higher Education in Virginia,

Conference Report on House Bill 1500

the Auditor of Public Accounts, House Appropriations and Senate Finance Committees, and the Offices of the Secretaries of Administration and Finance shall develop procedures to implement the recommendations relating to budgeting and funding from the Auditor of Public Accounts' Interim Report on Deferred Maintenance in the Commonwealth issued December 2004. The recommendations shall be in alignment with the real estate initiative objectives set out in Executive Order 75. The study committee shall report its recommendations to the Governor and the General Assembly by September 1, 2005. Representatives from the Office of the Secretary of Administration will ensure coordination with the Governor's real estate initiative.

D.1. In connection with the audit of deferred maintenance authorized in this Item, institutions of higher education and other agencies of the Commonwealth shall perform facility condition assessments of their facilities as quickly and as comprehensively as is feasibly possible. By July 1, 2005, the Directors of the Departments of General Services and Planning and Budget shall issue criteria defining facilities for which condition assessments are not necessary.”

Explanation:

(This amendment requires development of a plan for implementation of the Auditor of Public Accounts' recommendations on deferred maintenance.)

Item C-194.10 #2c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, after line 58, insert:

“C. Upon completion of the pilot phase of implementation of the Facility Inventory and Condition Assessment System as required by Item 194.10 of the 2004 of this Act, on or about May 1, 2006 the Auditor of Public Accounts shall transfer responsibility for the system and oversight for implementation of the system at the remaining agencies in the Commonwealth to the Department of General Services. The Auditor of Public Accounts shall notify the Chairmen of the Senate Finance and House Appropriations Committees of the transfer of the Facility Inventory and Condition Assessment System to the Department of General Services. No later than October 1, 2005 the Director of the Department of General Services shall report to the Governor and the Chairmen of the House Appropriation and Senate Finance Committees an

Conference Report on House Bill 1500

estimate of the additional resources and personnel requirements, if any."

Explanation:

(This amendment transfers the deferred maintenance system developed by the Auditor of Public Accounts to the Department of General Services.)

Item C-194.20 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 539, after line 58, insert:

“C-194.20 Planning: Implementation of the Capital Outlay Recommendations

A study committee consisting of representatives from the Department of Planning and Budget, State Council of Higher Education in Virginia, the Auditor of Public Accounts, House Appropriations and Senate Finance Committees, and the Offices of the Secretaries of Administration and Finance shall develop procedures to implement the recommendations relating to budgeting and funding from the Auditor of Public Accounts’ Interim Report on Capital Outlay in the Commonwealth issued December 2004. The recommendations shall be in alignment with the real estate initiative objectives set out in Executive Order 75. The study committee should report its recommendations to the Governor and the General Assembly in time to be used in developing the by September 1, 2005. The representatives from the Office of the Secretary of Administration will ensure coordination with the Governor’s real estate initiative.”

Explanation:

(This amendment requires development of a plan for implementation of the Auditor of Public Accounts' recommendations on capital outlay.)

Item C-196.10 #1c

Central Appropriations

Central Capital Outlay

FY 04-05

\$0

FY 05-06

(\$28,817,000) GF

Language:

Page 540, line 9, strike "\$28,817,000" and insert "\$0".

Conference Report on House Bill 1500

Page 540, strike lines 10 through 55, and insert:

"A. Once a capital project is under contract, the Department of Planning and Budget shall transfer to this item any unobligated general fund balances appropriated for individual capital projects in this act, except items C-108.85 and C-147.05, to address anticipated cost overruns.

B. To the extent funds become available from the transfers authorized in paragraph A., the Director of the Department of Planning and Budget shall give first consideration to the following projects:

Agency/Institution	Project Title
Old Dominion University	Tri-Cities Center
Old Dominion University	TELETECHNET Classroom Expansion
University of Virginia	Cavalier Substation
Virginia Institute of Marine Science	Marine Research Building Complex
Virginia Polytechnic Institute and State University	Building Construction Lab
Virginia Polytechnic Institute and State University	Institute for Critical Technology and Applied Science

C. To the extent funds are not needed for the projects identified in paragraph B., the Department of Planning and Budget shall establish criteria for ranking the priority of other capital projects to receive supplemental funding from this item. Such criteria shall give first priority to life safety, and shall also include, but not be limited to, the continued operation of current facilities and programs. The Director shall report his criteria to the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2005. Allocations of funds from this item shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees quarterly beginning on July 1, 2005."

Explanation:

(This amendment requires the transfer of any unused general funds provided for cost overruns of capital projects at four-year institutions of higher education to support anticipated cost overruns of other projects that may go to bid over the next year.)

Item C-196.10 #2c

Central Appropriations

Central Capital Outlay

Language

Conference Report on House Bill 1500

Language:

Page 540, after line 55, insert:

"C. The Director of the Department of Planning and Budget may supplement the following capital projects from unused bond proceeds:

Christopher Newport University	Library/Information Technology Center	\$ 2,728,000
Norfolk State University	RISE Center	\$ 7,991,153
Old Dominion University	Renovation of Technology Building	\$ 1,140,000
Virginia State University	Gandy Hall Renovation	\$ 1,020,000."

Explanation:

(This amendment sets out those capital projects that may be supplemented from unused bond proceeds.)

Item C-199 #1c

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 542, line 41, strike "\$602,665,000" and insert "\$608,666,000".

Page 543, after line 35, insert:

"Construct Soccer Fields	C-38.01	17146	\$1,751,000	\$0	\$1,751,000		
Renovate Lancer Gymnasium and Willett Hall				C-38.03	17147	\$1,650,000	\$0

\$1,650,000".

Page 544, after line 49, insert:

"Virginia State University Renovate Rogers Stadium C-124.05 16121 \$2,600,000 \$0 \$2,600,000".

Page 544, line 55, strike "\$602,665,000" and insert "608,666,000".

Page 544, line 55, strike "\$757,370,000" and insert "\$763,371,000".

Page 544, after line 55, insert:

"The appropriation for James Madison University to "Acquire Property on Cantrell Avenue" in this item constitutes the first phase of this acquisition. It is anticipated that sufficient general fund and nongeneral fund appropriations will be provided in future

Conference Report on House Bill 1500

fiscal years to cover all phases of the project as specified in the final contract."

Explanation:

(This amendment corrects the fund sources for two Longwood University capital projects, adds a capital project for Virginia State University, and provides clarifying language for a capital project at James Madison University.)

Item C-199 #2c

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 542, line 53, strike both instances of "\$15,000,000", and insert: "\$38,870,000" in both instances.

Page 543, line 4, strike both instances of "\$21,600,000", and insert: "\$28,000,000" in both instances.

Page 543, line 6, strike both instances of "\$8,000,000", and insert: "\$10,600,000" in both instances.

Page 543, line 19, strike both instances of "\$2,821,000", and insert: "\$6,321,000" in both instances.

Page 543, after line 22, insert:

"Expand Recreational Sports Center C-15.50 xxxxx \$2,750,000 \$0 \$2,750,000
Construct Integrated Science Center C-15.50 xxxxx \$10,000,000 \$2,000,000
\$12,000,000."

Page 543, after line 54, insert:

"Construct Student Dormitory C-52.50 xxxxx \$23,745,125 \$0 \$23,745,125".

Page 543, line 61, strike "\$28,508,000" and insert "\$30,508,000".

Page 544, line 7, strike both instances of "\$18,225,000" and insert "\$20,225,000" in both instances."

Page 544, after line 8, insert:

"Expand Massey Cancer Center C-77 xxxxx \$6,000,000 \$0 \$6,000,000
Acquire Ad Center Facility C-77.20 xxxxx \$7,000,000 \$0 \$7,000,000."

Page 544, after line 32, insert:

Patriot Center C-29.30 xxxxx \$1,000,000 \$0 \$1,000,000
"Construct Child Development Center C-26.10 xxxxx \$1,800,000 \$0
\$1,800,000".

Page 544, after line 36, insert:

"Construct Surge Space C-122.30 xxxxx \$8,500,000 \$0 \$8,500,000".

Conference Report on House Bill 1500

Page 544, after line 36, insert

"Construct Performing Arts Center C-120.05 xxxxx \$5,000,000 \$0 \$5,000,000
Construct Graduate Student Center C-122.30 xxxxx \$3,000,000 \$0
\$3,000,000".

Page 544, after line 49, insert:

"Virginia State University

Renovate Student Housing C-125.01 xxxxx \$1,400,000 \$0 \$1,400,000".

Page 544, after line 49, insert:

"University of Virginia-Wise

Acquire Land C-74.10 xxxxx \$1,200,000 \$0 \$1,200,000".

Explanation:

(This amendment provides a compilation of the additional 9(d) revenue bond authorizations contained in other Items of this Act. The appropriation for each project included separately under each agency's capital outlay appropriation.)

Item C-203 #1c

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 548, strike line 24.

Page 549, line 23, strike "\$261,714,000" and insert "\$259,217,000".

Explanation:

(This amendment corrects the Virginia Public Building Authority authorization table to reflect cancellation of bonds authorized for the demolition of the 8th Street Office Building.)

Item 3-1.01 #1c

Transfers

Interfund Transfers

Language

Language:

Page 556, after line 49, insert:

"MM. On or before June 30, 2006, the State Comptroller shall transfer \$952,807 the second year from newborn screening test kit fee revenue collected by the Division of

Conference Report on House Bill 1500

Consolidated Laboratories in the Department of General Services to Item 313 in the Department of Health for newborn screening and follow-up services."

Explanation:

(This amendment requires the Division of Consolidated Laboratories in the Department of General Services to transfer fee revenue from the newborn screening test kit fee revenue to the Department of Health for education, diagnosis, follow-up, medical management and treatment. A companion amendment in Item 313 appropriates the nongeneral fee revenue for the Department of Health. House Bill 1824 and Senate Bill 1184 provide for the expansion of newborn screening to test for additional conditions. The expanded tests are estimated to generate added costs for the Health Department to respond to positive test results. The Division of Consolidated Laboratories transfers \$384,000 from this fee revenue to support the current screening program. This amendment recognizes this transfer plus the additional amount needed to support the expansion of the newborn screening program. It is estimated that testing kit fees will increase from \$32 per filter to approximately \$57 per filter in order to cover the costs of the expanded newborn screening services.)

Item 3-1.01 #2c

Transfers

Interfund Transfers

Language

Language:

Page 556, strike lines 47 through 49.

Explanation:

(This amendment removes language authorizing the State Comptroller to transfer to the general fund of the state treasury prior to the close of each quarter any balance in the Special Education Recovery Fund created pursuant to Item 144, paragraph 1 of the budget bill, as introduced. The amount of the transfer for the second year was estimated to be \$3,347,287. The language is unnecessary because the proposed change to the methodology for reimbursing school districts for Medicaid-related school health services costs contained in the introduced budget will not meet with federal approval. Pending further negotiations with the federal Centers for Medicare and Medicaid Services on the future reimbursement methodology, the current reimbursement system will remain unchanged through the remainder of this fiscal year. Companion amendments in Items 144 and 326 also remove language in the introduced budget that

Conference Report on House Bill 1500

would have changed the reimbursement methodology.)

Item 3-1.01 #3c

Transfers

Interfund Transfers

Language

Language:

Page 556, line 44, strike "10,753,052" and insert "12,433,814"

Explanation:

(This amendment transfers an additional \$1,680,762 of unobligated balances from the Tax Technology Partnership Fund to the general fund.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 553, line 41, strike "\$3,414,755" and insert "\$4,314,755".

Explanation:

(This amendment increases the general fund dollars transferred to the Game Protection Fund by \$900,000. Currently, language contained in the Appropriation Act limits the amounts that may be transferred to the Game Protection Fund from the general fund. The amount included in this amendment reflects the amounts that could have been transferred to the fund without the limiting language.)

Item 3-1.01 #5c

Transfers

Interfund Transfers

Language

Language:

Page 554, line 53, strike "\$418,100 \$418,100" and insert "\$68,324 \$68,324".

Conference Report on House Bill 1500

Page 556, after line 49, insert:

"MM. On or before June 30, 2005, and June 30, 2006, the State Comptroller shall transfer to the general fund \$349,776 the first year and \$349,776 the second year representing the 20.0 percent for statewide and regional educational program grants made pursuant to § 10.1-1422.01 B.2. of the Code of Virginia. Thereafter, it is the intent of the General Assembly that the funds designated by statute for statewide and regional educational grants shall be used exclusively for this purpose and that the Governor shall reflect the legislative intent in his budget submission for the 2006-2008 biennium."

Explanation:

(This amendment directs the Governor to include litter control and recycling funds in his 2006-2008 budget submission for their intended purposes. The General Assembly in the 2005 Session approved actions to restore 100.0 percent of the formula grants for localities and nonprofit organizations.)

Item 3-5.05 #1c

Adjustments and Modifications to Tax Collections

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I

Language

Language:

Page 559, strike lines 40 through 46 and insert:

"C. The date of July 1, 2004, in Enactment No. 8 of Chapter 1042 of the 2003 Acts of Assembly is hereby changed to July 1, 2006, to clarify the Governor's authority under Enactment No. 5 of Chapter 1042, as follows: That the State Comptroller shall make the distributions of the collections in accordance with § 58.1-638 unless the Governor makes a formal determination, no later than August 31 each year, that insufficient funds are available to make such a distribution. The Governor will report such determination to the Chairmen of the House Appropriations, House Finance and Senate Finance Committees in August of each year."

Explanation:

(This amendment clarifies that the Governor shall transfer to the Transportation Trust Fund the amount of accelerated sales tax collections generated by the one-half cent share of the general sales and use tax dedicated to the Transportation Trust Fund pursuant to § 58.1-638 no later than August 31, 2005.)

Item 4-1.03 #1c

Appropriations

Appropriation Transfers

Language

Language:

Page 562, line 9, unstrike "from" and strike "between".

Page 562, line 10, unstrike "to" and strike "and".

Page 562, line 13, unstrike "from" and strike "between".

Page 562, line 14, unstrike "to" and strike "and".

Explanation:

(This amendment unstrikes the stricken language and strikes the new language to revert to current law by only allowing the Department of Planning and Budget to transfer appropriations from the Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Office of Comprehensive Services to the Department of Medical Assistance Services to match federal Medicaid funding. The introduced budget requested the authority to allow transfers between the Department of Mental Health, Mental Retardation, and Substance Abuse Services and the Office of Comprehensive Services and the Department of Medical Assistance Services, but this authority is rarely if ever necessary.)

Item 4-4.01 #1c

Capital Projects

General

Language

Language:

Page 575, after line 53, insert:

"aa. Any new construction project developed by or for the Chippokes Plantation Farm Foundation, with an estimated cost of \$750,000 or less, shall be exempt from the capital outlay review and approval process."

Explanation:

(This amendment excludes small construction projects undertaken by the Chippokes Plantation Farm Foundation from the capital outlay review and

Conference Report on House Bill 1500

approval process managed by the Department of General Services (DGS). The DGS process is designed to review major construction projects and adds excessive costs to the small scale facilities installed at Chippokes.)

Item 4-4.01 #2c

Capital Projects

General

Language

Language:

Page 574, after line 6, insert:

"3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

a. In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the eligibility criteria set forth in Senate Bill 1327/House Bill 2866 for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Education for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 n. 1. of this act.

b. At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c. The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision."

Explanation:

(This amendment delegates authority to the boards of visitors at eligible institutions to initiate "unforeseen" nongeneral fund projects without prior approval by the General Assembly. It also clarifies that the initiation of such projects shall not imply or obligate future general fund appropriations for the operation and

Conference Report on House Bill 1500

maintenance of the facilities. This language is the result of work by the joint subcommittee studying the relationship between the state and its public higher education institutions and is contingent upon the passage of House Bill 2866 / Senate Bill 1327. Companion amendments setting forth sum sufficient nongeneral fund appropriations are provided for Christopher Newport University, the College of William and Mary, James Madison University, Old Dominion University, Radford University, the University of Virginia, Virginia Commonwealth University, and Virginia Tech, which would be eligible to participate immediately based on existing memoranda of understanding with the Secretary of Administration.)

Item 4-4.01 #3c

Capital Projects

General

Language

Language:

Page 574, strike lines 22 through 27, and insert:

"6.a. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Senate Bill 1327/House Bill 2866, any repair, renovation, or new construction project costing up to \$1,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the \$1,000,000 maximum."

Page 574, line 28, strike "c." and insert "b."

Explanation:

(This amendment allows all public institutions of higher education to address capital repairs, renovations, and construction costing up to \$1 million through operating revenues. This language is the result of work by the Joint Subcommittee studying the relationship between the state and its public higher education institutions and is consistent with the provisions of Senate Bill 1327/House Bill 2866, 2005 Acts of Assembly.)

Item 4-5.01 #1c

Special Conditions and Restrictions on Expenditures

Transactions with Individuals

Language

Language:

Page 576, after line 34, insert:

"d) Effective July 1, 2005, new grant awards for non-Virginia graduate students shall be made entirely through the use of nongeneral funds. An institution may use general fund appropriations only to continue awards for non-resident students who have received an award prior to July 1, 2005 and are in the process of completing their degree requirements.

e) As part of the six-year financial plans required in the provisions of Senate Bill 1327/House Bill 2866, 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees."

Page 576, line 35, strike "d)" and insert "f)".

Page 576, line 38, strike "e)" and insert "g)".

Page 576, line 40, strike "f)" and insert "h)".

Page 576, line 42, strike "g)" and insert "i)".

Page 576, line 43, strike "h)" and insert "j)".

Page 577, strike lines 24 through 25.

Explanation:

(This amendment requires that institutions of higher education allocate graduate aid grants supported from the general fund to Virginia students only. The Appropriation Act currently allows institutions to use up to 50 percent of these funds for out-of-state students. This amendment further requires institutions to identify how tuition and fee revenues are used in support of graduate aid as part of the six-year financial plan required under Senate Bill 1327/House Bill 2866.)

Item 4-5.01 #2c

Special Conditions and Restrictions on Expenditures

Transactions with Individuals

Language

Language:

Conference Report on House Bill 1500

Page 576, line 19, strike "~~and or~~" and insert "and".

Explanation:

(This amendment reinserts language that was stricken in error in the introduced budget. The language will allow for eligible students who are enrolled in dual or concurrent undergraduate and graduate programs to receive student financial aid.)

Item 4-5.04 #1c

Special Conditions and Restrictions on Expenditures

Good and Services

Language

Language:

Page 580, line 15, after "System", insert:
", Longwood University,"

Explanation:

(This amendment includes Longwood University among a list of 10 other institutions of higher education, to provide additional administrative flexibility with respect to the procurement of information technology and telecommunications goods and services.)

Item 4-6.01 #1c

Positions and Employment

Employee Compensation

Language

Language:

Page 593, after line 26, insert:

"p. Any public institution of higher education that has met the eligibility criteria set out in Senate Bill 1237/House Bill 2866 may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements."

Explanation:

Conference Report on House Bill 1500

(This amendment allows public colleges and universities to supplement salaries of classified employees with private funds. This language is the result of work by the joint subcommittee studying the relationship between the state and its public higher education institutions and is consistent with the provisions of Senate Bill 1237/House Bill 2866, 2005 Acts of Assembly.)

Item 4-6.01 #2c

Positions and Employment

Employee Compensation

Language

Language:

Page 568, line 48, strike "\$156,636" and insert "\$155,636".

Page 586, line 49, strike "\$161,335" and insert "\$175,000".

Explanation:

(This amendment increases the salary of the Commonwealth Transportation Commissioner as it is listed in § 4-6.01 appropriations act to \$175,000.)

Item 4-6.01 #3c

Positions and Employment

Employee Compensation

Language

Language:

Page 586, strike lines 5 to 12 and insert:

“4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.”

Explanation:

(This amendment clarifies the authority of the Board of Commissioners of the

Conference Report on House Bill 1500

Virginia Port Authority to supplement the salary of its Executive Director, with the prior approval of the Governor.)

Item 4-6.03 #1c

Positions and Employment

Employee Benefits

Language

Language:

Page 594, after line 29, insert:

"i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

- 1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and
- 2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service."

Explanation:

(This amendment allows the VRS to avoid penalizing employees called to active duty in the armed forces of the United States when calculating retirement benefits due under the VRS retirement programs.)

Item 4-6.03 #2c

Positions and Employment

Employee Benefits

Language

Language:

Page 594, after line 29, insert:

"i. "In lieu of any benefits that might otherwise be payable under Title 51.1,

Conference Report on House Bill 1500

Chapter 11 of the Code of Virginia, any employee of the Commonwealth who: i) had at least 20 years of creditable service as of January 1, 2005, ii) served in the Legislative Branch of Government between January, 1986 and February 28, 2005, and iii) who was hospitalized in December 2004 shall receive a VRS retirement allowance in the amount set out in § 51.1-1112.B. and shall receive the retiree health care credit that would normally attach thereto."

Explanation:

(This amendment allows certain VRS members to retire due to a disability.)

Item 4-6.03 #3c

Positions and Employment

Employee Benefits

Language

Language:

Page 594, after line 29, insert:

"i. Any employee with 15 years of full-time or part-time service, and employed prior to 1985 in the Legislative Branch of Government, shall be entitled to a compilation of all full-time or part-time service to be counted toward that person's creditable service in the Virginia Retirement System. Part-time service is defined as a minimum of a total of five months of service over two consecutive calendar years."

Explanation:

(This amendment allows additional individuals to receive service credit for retirement purposes only.)

Item 4-6.03 #4c

Positions and Employment

Employee Benefits

Language

Language:

Page 594, after line 29, insert:

"i. Any full-time salaried employee of the Executive Branch of Government appointed to his or her current position by the Governor between January 12, 2002

Conference Report on House Bill 1500

and July 1, 2003 shall be entitled to the benefits conferred under Title 2.2, Chapter 32 of the Code of Virginia, The Workforce Transition Act of 1995."

Explanation:

(This amendment allows additional appointed officials to receive benefits under the Workforce Transition Act.)

Item 4-6.03 #5c

Positions and Employment

Employee Benefits

Language

Language:

Page 594, after line 23, strike "and confirmed by the General Assembly,".

Explanation:

(This amendment allows appointed officials who are not confirmed by the General Assembly to purchase VRS service credit at 15 percent of salary upon separation from state service. This privilege is currently restricted to those confirmed by the General Assembly)

Item 4-12.00 #1c

Effective Date

Effective Date

Language

Language:

Page 598, line 30, after "19.2-163.2", insert "and 58.1-615".

Page 605, after line 45, insert:

"§ 58.1-615. Returns by dealers.

A. Every dealer required to collect or pay the sales or use tax 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. In the case of dealers regularly keeping

Conference Report on House Bill 1500

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 monthly 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.

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. 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

Conference Report on House Bill 1500

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.

C. 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."

Explanation:

(This amendment raises the threshold on taxable sales from \$1.3 million to \$50.0 million for fiscal year 2006, before a dealer is required to make accelerated sales tax payments, and reduces the required payment to 20 percent of the prior June liability. Further, the accelerated sales tax requirement is repealed for fiscal year 2007 and thereafter.

The number of retailers affected in fiscal year 2006 will decrease from 9,860, to 222, or a reduction of 98 percent at a total cost of \$200.1 million in revenues.)

Item 4-12.00 #2c

Effective Date

Effective Date

Language

Language:

Page 606, line 3, strike "and third" and insert:

"third, and sixth"

Page 606, after line 4, insert:

"6. That the seventh enactment of Chapter 1042 of the Acts of Assembly of 2003 is repealed."

Conference Report on House Bill 1500

Explanation:

(This amendment repeals language related to phasing out the accelerated sales tax that is superceded by Item 4-12.00.)