

Revenues

Revenues

Language

Language:

Page 2, line 8, strike "\$10,200,000" and insert "\$16,590,839".

Page 2, line 9, strike "\$28,906,384" and "\$39,106,384" and insert "\$33,493,355" and "\$50,084,194".

Page 2, line 11, strike "\$10,780,807,733" and "\$11,337,857,887" and "\$22,118,665,620" and insert "\$10,806,551,319" and "\$11,365,623,097" and "\$22,172,174,416".

Page 2, line 13, strike "\$665,571,182" and "\$304,780,424" and "\$970,351,606" and insert "\$680,383,491" and "\$324,374,445" and "\$1,004,757,936".

Page 2, line 19, strike "\$12,154,880,726" and "\$12,152,757,084" and "\$24,307,637,810" and insert "\$12,200,023,592" and "\$12,206,507,154" and "\$24,406,530,746".

Page 2, line 26, strike "\$13,341,766,365" and "\$14,004,124,883" and "\$27,345,891,248" and insert "\$13,531,735,470" and "\$14,236,007,643" and "\$27,767,743,113".

Page 2, line 28, strike "\$761,379,371" and "\$210,615,000" and "\$971,994,371" and insert "\$817,535,371" and "\$276,685,000" and "\$1,094,220,371".

Page 2, line 31, strike "\$15,812,784,704" and "\$14,214,739,883" and "\$30,027,524,587" and insert "\$16,058,909,809" and "\$14,512,692,643" and "\$30,571,602,452".

Page 2, line 33, strike "\$27,967,665,430" and "\$26,367,496,967" and "\$54,335,162,397" and insert "\$28,258,933,401" and "\$26,719,199,797" and "\$54,978,133,198".

Explanation:

(This amendment reflects revenue adjustments included in approved amendments to House Bill 1400/Senate Bill 700.)

Legislative Department

General Assembly Of Virginia

Language

Language:

Conference Report on House Bill 1400

Page 9, after line 19, insert:

"I. The General Government Subcommittee of the House Appropriations Committee and the Revenue Resources Subcommittee of the Senate Finance Committees shall jointly review the issues related to compensation of exonerated criminal defendants and provide any recommendations to the appropriate chairmen of the respective full committees."

Explanation:

(This amendment establishes a review of the methodology used to determine the appropriate level of payment to exonerated criminals who file claims against the Commonwealth.)

Item 1 #2c

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 8, line 26, strike the first "and".

Page 8, line 27, after "policy", strike ".", and insert:

", and (f) the viability of statewide articulation agreements between four-year and two-year public institutions".

Explanation:

(This amendment requires the Joint Subcommittee Studying Higher Education Funding Policies to study the viability of state articulation agreements.)

Item 1 #3c

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, line 16, strike "Reimbursement" and insert "Allowance".

Explanation:

(This amendment clarifies that the funding provided to members of the General Assembly for office expenses and supplies represents an allowance for such purchases and is not made on a reimbursement basis.)

Item 1 #4c

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, line 10, after "thereof.", insert:

"The Clerk of the House of Delegates and the Clerk of the Senate are authorized to provide reimbursements to legislative commissions for per diem payments made for studies requested by the chairmen of standing committees of the respective bodies."

Explanation:

(This amendment clarifies that the Clerks of the House of Delegates and the Senate are authorized to pay per diems to members for attendance at meetings of studies authorized by chairmen of standing committees of the respective bodies.)

Item 1 #5c

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, strike lines 52 through 59.

Page 7, line 1, strike "to the Lieutenant Governor."

Explanation:

(This amendment eliminates language concerning a transfer of funds to the Office of the Lieutenant Governor.)

Item 2 #1c

Legislative Department

Auditor Of Public Accounts

Language

Language:

Page 10, after line 4, insert:

"The Auditor of Public Accounts shall, with the assistance of the Secretary of

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Transportation, the Department of Motor Vehicles, and other appropriate agencies, develop a cost accounting system which will accurately and completely document the true total costs, both direct and indirect, of the activities and services provided by the Department of Motor Vehicles. The system shall provide for full allocation of all incurred costs including the administrative and operating costs of the central office and customer services centers. The system shall compare the true costs of the Department's services to the fees, penalties and other sources of revenue available to the Department. The activities to be assessed include but are not limited to driver services (e.g., driver's licenses, learner's licenses, identification cards, revocation/suspension, reinstatements, information maintenance and distribution), vehicle services, motor carrier services, transportation safety services, dealer services, financial assistance to localities, and support services. The Auditor shall submit his findings and any recommendations by January 5, 2004 to the Governor and the Secretary of Transportation and to the Chairmen of the House Committees on Transportation and Appropriations and to the Chairmen of the Senate Committees on Transportation and Finance."

Explanation:

(This amendment directs the Auditor of Public Accounts to develop a cost accounting system to determine the true costs of the activities undertaken by the Department of Motor Vehicles.)

Item 16 #1c

Legislative Department	FY 02-03	FY 03-04	
Virginia Code Commission	(\$24,000)	(\$24,000)	GF
	\$24,000	\$24,000	NGF

Language:

Explanation:

(This amendment switches the fund source from general funds to nongeneral funds, based on a revenue generating program established between the Virginia Code Commission and certain other noncontract publishers of the Code of Virginia, so as to enable those publishers to publish their version of the Code in a timely manner.)

Item 16 #2c

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Legislative Department	FY 02-03	FY 03-04	
Virginia Code Commission	\$0	(\$220,000)	GF

Language:

Page 14, line 11, strike "\$282,538" and insert "\$62,538".

Explanation:

(This amendment reduces funding for the Division of Legislative Services by \$220,000 the second year from the general fund, to represent savings generated by centralizing the purchase of Lexis Nexis services.)

Item 18 #1c

Legislative Department	FY 02-03	FY 03-04	
Virginia Crime Commission	(\$36,481)	(\$96,658)	NGF
	2.00	2.00	FTE

Language:

Page 14, line 36, strike "\$591,380" and insert "\$554,899".

Page 14, line 36, strike "\$591,380" and insert "\$494,722".

Explanation:

(This amendment adjusts the appropriation for the Virginia Crime Commission to reflect the current availability of federal grant funding.)

Item 20 #1c

Legislative Department	FY 02-03	FY 03-04	
Virginia Housing Study	\$0	(\$153,180)	GF
Commission	\$0	\$153,180	NGF

Language:

Page 15, after line 25, insert:

"The amounts for this item include \$153,180 the first year from the general fund and \$153,180 the second year from special funds."

Explanation:

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(This amendment switches the fund source for the Virginia Housing Study Commission from general funds to nongeneral funds in the second year.)

Item 23 #1c

Legislative Department

Legislative Department Reversion
Clearing Account

Language

Language:

Page 17, after line 41, insert:

"E. Out of this appropriation, the Joint Rules Committee shall release \$10,000 from the balances of the Dr. Martin Luther King, Jr. Memorial Commission in the second year to coordinate and fund the statewide commemoration of the 50th anniversary of the Brown v. Board of Education decision in the Commonwealth."

Explanation:

(This amendment directs the Joint Rules Committee to release \$10,000 of the balances of the Dr. Martin Luther King, Jr. Memorial Commission to help fund the Brown v. Board of Education 50th anniversary commemoration in 2004.)

Item 23 #2c

Legislative Department

Legislative Department Reversion
Clearing Account

FY 02-03

(\$500,000)

FY 03-04

(\$434,000) GF

Language:

Page 17, line 5, strike "\$544,000" and insert "\$44,000".

Page 17, line 5, strike "\$113,000" and insert "\$547,000".

Page 17, strike lines 8 through 21.

Page 17, line 22, strike "B" and insert "A".

Page 17, line 27, strike "C" and insert "B".

Page 17, strike lines 32 through 38.

Page 17, line 39, strike "2" and insert "C".

Page 17, after line 41, insert:

"D. On or before June 30, 2003, the House Committee on Rules shall authorize the reversion to the general fund of \$800,000 from the Clerk of the House, and the Senate

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Committee on Rules shall authorize the reversion to the general fund of \$735,000 from the Clerk of the Senate. On or before June 30, 2004, The House Committee on Rules shall authorize the reversion to the general fund of \$900,000 from the Clerk of the House, and the Senate Committee on Rules shall authorize the reversion of \$910,000 from the Clerk of the Senate, representing savings generated by the respective bodies in each year.

E. On or before June 30, 2003, the Joint Rules Committee shall authorize the reversion of \$1,663,373 to the general fund, representing savings generated by the legislative agencies. On or before June 30, 2004, the Joint Rules Committee shall authorize the reversion of \$1,790,839 to the general fund, representing savings generated by the legislative agencies in the second year.

F. Balances from legislative accounts as of June 30, 2002, estimated to total \$1,388,598, are hereby transferred to this account for reversion to the general fund.

G. On or before June 30, 2004, the Joint Rules Committee shall authorize a reversion of \$1,500,000 from the reversion clearing account to the general fund."

Explanation:

(This amendment transfers funds from legislative appropriations in order to reflect budget reduction savings for the agencies in the Legislative Department. Legislative reductions offered in this item total \$10.6 million.)

	Item 24.10 #1c	
Legislative Department	FY 02-03	FY 03-04
Legislative Department Reversion Clearing Account	\$1,300,000	\$1,300,000 GF

Language:

Page 18, line 6, strike "\$1,300,000" and insert "\$0".

Page 18, line 6, strike "\$1,300,000" and insert "\$0".

Page 18, strike lines 5 through 20.

Explanation:

(This amendment eliminates a separate clearing account for Legislative Department budget reductions in order to consolidate legislative savings actions into Item 23.)

Item 25 #1c

Judicial Department

FY 02-03

FY 03-04

Supreme Court

\$0

\$104,000 GF

Language:

Page 19, line 4, strike "\$10,864,768" and insert "\$10,968,768".

Page 19, after line 42, insert:

"F. Out of this appropriation, \$104,000 in the second year from the general fund is provided for the estimated costs of a Judicial Performance Evaluation pilot project."

Explanation:

(This amendment provides funds for a Judicial Performance Evaluation pilot project, a year-long program designed to evaluate 25 judges.)

Item 32 #1c

Judicial Department

Circuit Courts

Language

Language:

Page 23, line 9, strike "18.2-31.6" and insert "18.2-36.1"

Page 23, line 12, after "\$100", insert, "effective May 1, 2003".

Page 23, line 15, strike "the Executive Secretary of" and insert:

"effective May 1, 2003, the fixed fee".

Page 23, strike line 16.

Page 23, line 18, after "17.1-275.9" strike "." and insert:

", Code of Virginia, is increased by two dollars and the Executive Secretary of the Supreme Court shall adjust the distribution formula set out in those sections accordingly."

Explanation:

(This amendment clarifies language increasing the court fee for the Intensified Drug Enforcement Jurisdictions Act (IDEA) fund by two dollars. Because the IDEA fee is one component of a consolidated fixed fee, the fixed fee also needs to be increased to ensure that the distribution of the remainder of the fixed fee is not affected. This amendment also clarifies that the IDEA and DUI fee increases are effective May 1, 2003, and corrects an incorrect Code citation.)

Judicial Department

General District Courts

Language

Language:

Page 24, line 15, strike "The" and insert:

"Effective July 1, 2002, through June 30, 2003, the"

Page 24, line 20, strike "The" and insert:

"Effective May 1, 2003, the".

Page 24, line 22, strike "three" and insert "four".

Page 24, strike lines 24 through 26 and insert:

"To reflect this latter fee, effective May 1, 2003, the fixed fee set out in § 16.1-69.48:1, Code of Virginia, is increased by two dollars and the Executive Secretary of the Supreme Court shall adjust the distribution formula set out in that section accordingly."

Page 24, line 33, strike "18.2-31.6" and insert "18.2-36.1".

Page 24, line 36, after "\$100", insert ", effective May 1, 2003".

Explanation:

(This amendment clarifies that the IDEA and DUI fee increases are effective May 1, 2003, and corrects an incorrect Code citation.)

Judicial Department

General District Courts

FY 02-03

FY 03-04

\$0

\$311,000 GF

Language:

Page 23, line 26, strike "\$72,745,390" and insert "\$73,056,390".

Explanation:

(This amendment provides \$311,000 the second year from the general fund to restore one-half of the reduction in the budget, as introduced.)

Judicial Department

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Juvenile And Domestic Relations
District Courts

Language

Language:

Page 25, line 33, after "E.", strike "The" and insert:
"Effective July 1, 2002 through June 30, 2003, the"

Page 25, line 38, after "fund.", insert:
"Effective May 1, 2003, the".

Page 25, line 40, strike "three" and insert "four"

Page 25, strike lines 42 through 44 and insert:

"To reflect this latter fee, effective May 1, 2003, the fixed fee set out in § 16.1-69.48:1, Code of Virginia, is increased by two dollars and the Executive Secretary of the Supreme Court shall adjust the distribution formula set out in that section accordingly."

Page 26, line 18, strike "18.2-31.6" and insert "18.2-36.1".

Page 26, line 21, after "\$100", insert ", effective May 1, 2003".

Explanation:

(This amendment clarifies that the IDEA and DUI fee increases are effective May 1, 2003, and corrects an incorrect Code citation.)

Item 34 #2c

Judicial Department

FY 02-03

FY 03-04

Juvenile And Domestic Relations
District Courts

\$0

\$226,000 GF

Language:

Page 24, line 45, strike "\$54,241,738" and insert "\$54,467,738".

Explanation:

(This amendment provides \$226,000 the second year from the general fund to restore one-half of the reduction in the budget, as introduced.)

Item 35 #1c

Judicial Department

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Combined District Courts

Language

Language:

Page 27, line 9, strike "The" and insert:

"Effective July 1, 2002 through June 30, 2003, the".

Page 27, line 14, strike "The" and insert:

"Effective May 1, 2003, the".

Page 27, line 16, strike "three" and insert "four".

Page 27, strike lines 18 through 20 and insert:

"To reflect this latter fee, effective May 1, 2003, the fixed fee set out in § 16.1-69.48:1, Code of Virginia, is increased by two dollars and the Executive Secretary of the Supreme Court shall adjust the distribution formula set out in that section accordingly."

Page 27, line 27, strike "18.2-31.6" and insert "18.2-36.1".

Page 27, line 30, after "\$100", insert ", effective May 1, 2003."

Explanation:

(This amendment clarifies that the IDEA and DUI fee increases are effective May 1, 2003, and corrects an incorrect Code citation.)

Item 35 #2c

Judicial Department

FY 02-03

FY 03-04

Combined District Courts

\$0

\$64,000 GF

Language:

Page 26, line 31, strike "\$16,281,498" and insert "\$16,345,498".

Explanation:

(This amendment provides \$64,000 the second year from the general fund to restore one-half of the reduction in the budget, as introduced.)

Item 42 #1c

Judicial Department

FY 02-03

FY 03-04

Virginia State Bar

\$501,814

\$525,500 NGF

2.00

2.00 FTE

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Language:

Page 30, line 36, strike "\$7,991,879" and insert "\$8,493,693".

Page 30, line 36, strike "\$7,487,764" and insert "\$8,013,264".

Explanation:

(This amendment increases the nongeneral fund appropriation for the Virginia State Bar, based on projected revenues from existing dues.)

Item 47.10 #1c

Executive Offices

	FY 02-03	FY 03-04	
Office Of The Governor	\$0	(\$159,599)	GF
	\$0	(\$134,753)	NGF
	0.00	-3.00	FTE

Language:

Page 33, line 19, strike "\$294,352" and insert "\$0".

Page 33, strike lines 19 through 35.

Explanation:

(This amendment eliminates \$159,599 and two positions the second year from the general fund and \$134,753 and one position the second year from nongeneral funds for the Virginia Liaison Office.)

Item 48 #1c

Executive Offices

	FY 02-03	FY 03-04	
Lieutenant Governor	\$0	(\$50,000)	GF
	0.00	-1.00	FTE

Language:

Page 33, line 49, strike "\$351,232" and insert "\$301,232".

Page 34, line 13, after "3.", insert:

"Salaries and benefits for compensation of up to three staff positions in the Office of the Lieutenant Governor."

Explanation:

(This amendment adjusts the budget of the Lieutenant Governor to provide for up

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to three staff positions.)

Item 49 #1c

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0	\$268,924	GF

Language:

Page 34, line 26, strike "\$20,624,509" and insert "\$20,893,433".

Explanation:

(This amendment makes a technical adjustment to fund the current rent calculations for the Office of the Attorney General.)

Item 49 #2c

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0 0.00	\$1,000,000 20.00	GF FTE

Language:

Page 34, line 26, strike "\$20,624,509" and insert "\$21,624,509".

Explanation:

(This amendment provides \$1,000,000 and 20.0 FTE positions the second year from the general fund to restore part of the 15 percent budget reduction in the Office of the Attorney General. In addition, these funds and positions may be used to support legal services required for the violent sexual predator program pursuant to House Bill 2445 and Senate Bill 1149 of the 2003 Session.)

Item 49 #3c

Executive Offices

Attorney General And Department
Of Law

Language

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Language:

Page 35, strike lines 2 through 14 and insert:

"C. The provisions of Article 1.1, Chapter 2, of Title 37.1, Code of Virginia, shall be effective upon passage of House Bill 2445 of the 2003 General Assembly Session, Senate Bill 1149 of the General Assembly Session, or this act, whichever is first to be enacted."

Explanation:

(This amendment establishes the effective date for legislation concerning the civil commitment of violent sexual predators.)

Item 50 #1c

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0 0.00	\$300,000 14.00	GF FTE

Language:

Page 35, line 30, strike "\$1,234,762" and insert "\$1,534,762".

Explanation:

(This amendment provides \$300,000 and 14.0 FTE positions the second year from the general fund to expand the Medicaid fraud control unit in the Office of the Attorney General. These funds will be matched with federal Medicaid funds. A companion amendment to the revenue page increases general fund revenues by \$350,000 the second year as a result of these efforts.)

Item 51 #1c

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0 0.00	(\$195,865) -2.00	GF FTE

Language:

Page 35, line 36, strike "\$2,089,797" and insert "\$1,893,932".

Page 36, strike lines 3 through 18, and insert:

"B. Effective July 1, 2003, the Office of the Attorney General shall provide office space and associated support services to the Human Rights Council, which shall be

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located within such space as is allocated by the Department of General Services to the Office of the Attorney General. The cost of such office space and support services shall be borne by the Office of the Attorney General. The Human Rights Council shall maintain its status as an independent agency of the Executive Branch within the Secretariat of Administration."

Explanation:

(This amendment removes two positions and funding for the Human Rights Council, which was transferred to the Office of the Attorney General in the budget, as introduced. A companion amendment to Item 91 restores two positions and funds to maintain the Council as an independent agency under the Secretary of Administration. This language directs the Attorney General to provide office space and support services to the Human Rights Council.)

Item 53 #1c

Executive Offices	FY 02-03	FY 03-04	
Division Of Debt Collection	\$0	\$235,811	NGF
	0.00	4.00	FTE

Language:

Page 36, line 39, strike "\$1,126,076" and insert "\$1,361,887".

Page 36, line 44, after "state agencies.", insert:

"The Division of Debt Collection is authorized to contract with private collection agents for the collection of debts amounting to less than \$1,000."

Explanation:

(This amendment provides \$235,811 and four positions from special funds the second year to expand debt collection efforts in the Office of the Attorney General. A companion amendment to the revenue page increases general fund revenues by \$720,000 the second year as a result of these efforts.)

Item 59.15 #1c

Office of Administration

Secretary Of Administration

Language

Language:

Page 41, line 8, after "C.", insert "1."

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Page 41, after line 20, insert:

"2.A. No later than June 15, 2003 the Virginia Public Broadcasting Board and the Secretary of Administration shall develop an appropriate and equitable formula for distributing the Community Service Grants in the second year. To assist in this effort, the Auditor of Public Accounts shall develop a comparative revenue and financial report covering the Greater Washington Educational Television Association (WETA), the Hampton Roads Educational Telecommunications Association, Shenandoah Valley Educational Television Corporation, Blue Ridge Public Television, Inc., and Commonwealth Public Broadcasting, and provide such information to the Secretary and the Board so the findings of such report can be used to assist the Board and the Secretary of Administration in their work. The report shall include a review of any Corporation for Public Broadcasting, or related federal agency, audits or assessments of the Virginia public broadcasting organizations.

B. The Virginia Public Broadcasting Board, with the assistance of the Secretary of Administration, shall develop a plan for the distribution of state support for public television in future biennial budgets. Such plan shall include: 1) a pool of funds designated for support of the basic operating needs of Virginia's public television stations, which shall be based primarily on the stations' costs and ability to raise local funds, but which should result in a grant of not less than \$200,000 for any public broadcasting corporation, and 2) a separate pool of funds, to be distributed on a competitive basis, designated to support the costs of developing original programming on Virginia's people, communities, economy, history, government or geography. The Board shall make its recommendations to the Governor and the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than October 1, 2003."

Explanation:

(This amendment directs the Virginia Public Broadcasting Board, based in part on the results of a study to be conducted by the Auditor of Public Accounts, to revise the formulas for the community service grants.

Item 61 #1c

Office of Administration

Commission On Local Government

Language

Language:

Page 43, strike lines 44 through 49 and insert:

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"Notwithstanding Title 15.2, Chapter 29, and § 30-19.03, Code of Virginia, the staff, facilities, assets, and obligations of the Commission on Local Government are hereby consolidated with the Department of Housing and Community Development effective July 1, 2003. All powers and duties conferred on the Executive Director of the Commission on Local Government shall thereafter be exercised by the Director of the Department of Housing and Community Development. The Commission on Local Government shall continue in existence as a commission in the Department of Housing and Community Development. Staff support for the Commission on Local Government shall be provided by the Director and employees of the Department of Housing and Community Development. The Commission shall otherwise continue to exercise all powers and duties conferred upon it by the Code of Virginia. The Commissioners shall be compensated as provided in § 15.2-2904, Code of Virginia, from funds appropriated to the Department of Housing and Community Development."

Explanation:

(This amendment makes clear the intent of the General Assembly that the staff, assets and obligations of the Commission on Local Government are to be consolidated with the Department of Housing and Community Development. Further, the language specifically continues the Commission on Local Government as a commission and clarifies that staff support for the commission will be provided by the Department of Housing and Community Development.)

Item 63 #1c

Office of Administration

Compensation Board

Language

Language:

Page 49, strike lines 18 through 24.

Page 49, line 25, strike "Q" and insert "P".

Explanation:

(This amendment removes proposed language from the budget bill, as introduced, that would have required the Compensation Board to distribute the funding received on behalf of those constitutional officers agreeing to function as licensed DMV agents. A companion amendment for DMV requires such funding to go directly to the constitutional officer's county or city and not to the Compensation Board.)

Office of Administration

Compensation Board

Language

Language:

Page 54, after line 19, insert:

"H. In the second year, the pilot program that has been conducted through the Department of Taxation shall be expanded to include any private debt collection firms with whom the selected Commonwealth's Attorneys have contracted for the collection of unpaid fines and court costs pursuant to § 19.2-349, Code of Virginia, to collect unpaid fines and court costs in the same manner and means as provided to the Department of Taxation in § 58.1-1804, Code of Virginia. The Compensation Board shall monitor the program and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for Clerks of the Courts and Commonwealth's Attorneys, the amount of unpaid fines and costs collected by this program."

Explanation:

(This amendment expands the pilot program for court debt collection to allow Commonwealth's Attorneys to contract with any private debt collection firm and give such firms authority to utilize all remedies available to the Department of Taxation under the Code of Virginia.)

Office of Administration

Compensation Board

FY 02-03

(\$892,191)

FY 03-04

\$0 GF

Language:

Page 52, line 40, strike "\$44,140,624" and insert "\$43,248,433".

Explanation:

(This amendment leaves reductions for Commonwealth's Attorneys at 7 percent for fiscal year 2003, as imposed by the Compensation Board as part of the October reductions. The introduced budget had proposed to lower this reduction to 5 percent for fiscal year 2003 and fiscal year 2004; however, the Compensation Board has continued to administer the reductions at the 7 percent level. The reduction will be

lowered to 5 percent in fiscal year 2004.)

Item 66 #1c

Office of Administration

Compensation Board

Language

Language:

Page 56, after line 14, insert:

"I. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this item may elect to relinquish any portion of their state funded salary established in paragraph A.1. of this item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff."

Explanation:

(This amendment authorizes Circuit Court Clerks to elect to relinquish a portion of their state-funded salaries to help fund salaries of other office staff.)

Item 66 #2c

Office of Administration

Compensation Board

FY 02-03

\$0

FY 03-04

(\$460,000) GF

Language:

Page 54, line 21, strike "\$37,473,370" and insert "\$37,013,370".

Page 56, after line 14, insert:

"I. The Department of Corrections shall provide the Compensation Board, by the tenth workday of each month, a report identifying all felony sentencing orders which were not submitted within the 30-day period prescribed by § 19.2-310, Code of Virginia. The Compensation Board shall reduce the monthly reimbursement due any circuit court clerk by \$100 for each instance of noncompliance in accordance with the provisions of § 19.2-310, Code of Virginia."

Explanation:

(This amendment implements the provisions of current law, which requires the clerk to forfeit \$100 for each sentencing order not submitted within the time period required by law. The amount of the reduction in funds is based on the number of felony sentencing orders that were not received by the Department of Corrections

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within 35 days of sentencing during the past year, multiplied by \$100.)

Item 67 #1c

Office of Administration

Compensation Board

Language

Language:

Page 56, line 31, strike "the Compensation Board" and insert:

"any amount remaining as of June 1, 2003, and June 1, 2004, may be reallocated among localities on a pro rata basis according to such deficiency."

Page 56, strike lines 32 through 46.

Explanation:

(This amendment restores deleted language associated with local and regional jail per diem reimbursements and deletes language that gave priority to state responsible inmates.)

Item 67 #2c

Office of Administration

Compensation Board

FY 02-03

\$0

FY 03-04

(\$1,000,000) GF

Language:

Page 56, line 17, strike "\$56,018,693" and insert "\$55,018,693".

Page 60, after line 43, insert:

"L. The State Compensation Board is authorized to transfer to the Department of Criminal Justice Services an amount not to exceed \$1,500,000 from this item for reimbursement to localities for inmates who participate in the Community Corrections pilot program established pursuant to Item 432 C.4. of this act. Localities shall be reimbursed at a rate of \$4 per inmate day. Information concerning all inmates participating in this program shall be maintained in the Local Inmate Data System for the duration of their participation in the program."

Explanation:

(This amendment provides reimbursement to localities which participate in a pilot Community Corrections program. A companion amendment to Item 432 establishes the program.)

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Item 69 #1c

Office of Administration	FY 02-03	FY 03-04	
Compensation Board	\$0	(\$523,534)	GF

Language:

Page 61, line 7, strike "\$21,292,317" and insert "\$20,768,783".

Page 62, after line 19, insert:

"D. In allocating funding to treasurers' offices, the Compensation Board shall not consider activities related to the collection and processing of income taxes in determining staffing needs of treasurers' offices in localities with populations of 100,000 and above, as reported in the 2000 Census."

Explanation:

(This amendment reduces Compensation Board reimbursements to treasurers to reflect amounts paid for state tax duties in localities with populations of 100,000 and above, as reported in the 2000 Census. These duties can be more cost-effectively undertaken by the Department of Taxation which already receives 71 percent of the returns filed by citizens of the Commonwealth.)

Item 70 #1c

Office of Administration	FY 02-03	FY 03-04	
Compensation Board	\$0	(\$594,943)	GF

Language:

Page 62, line 21, strike "\$15,689,889" and insert "\$15,094,946".

Page 62, after line 47, insert:

"C. In allocating funding to commissioners of revenue offices, the Compensation Board shall not consider activities related to the collection and processing of income taxes in determining staffing needs of commissioners of revenue offices in localities with populations of 100,000 and above, as reported in the 2000 Census."

Explanation:

(This amendment reduces Compensation Board reimbursements to commissioners of revenue to reflect amounts paid for state tax duties in localities with populations of 100,000 and above, as reported in the 2000 Census. These duties can be more cost-effectively undertaken by the Department of Taxation which already receives 71 percent of the returns filed by citizens of the Commonwealth.)

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Item 72 #1c

Office of Administration	FY 02-03	FY 03-04
Department Of General Services	\$0	\$271,000 GF

Language:

Page 63, line 37, strike "\$3,389,104" and insert "\$3,660,104".

Explanation:

(This amendment restores funds for the operation of the Department of General Service's internal mail system for state agencies at the seat of government.)

Item 75 #1c

Office of Administration	
Department Of General Services	Language

Language:

Page 65, after line 55, insert:

"D. Under the internal service fund, the Department of General Services shall review 85 percent of all capital outlay projects within 14 calendar days, 95 percent within 21 calendar days, and 100 percent within 28 days of submission. The Department of General Services also shall work with its client agencies and institutions to develop estimated budgetary standards for the hours and associated costs of review that will be required for difference project types. The Department shall report its performance in meeting these standards to the chairmen of the Senate Finance and House Appropriations Committees by July 15, 2004."

Explanation:

(This amendment provides additional criteria for the administration and performance of the Bureau of Capital Outlay Management's internal service fund.)

Item 75 #2c

Office of Administration	
Department Of General Services	Language

Language:

Page 65, after line 55, insert:

“D. In administering this internal service fund, the Department of General Services may dedicate a full-time position to conduct fire and life safety code reviews for any institution of higher education that generates a high volume of capital outlay projects on a routine basis. This dedicated reviewer shall report to the Director of the Bureau of Capital Outlay Management but may be located at the institution of higher education. The cost of the dedicated reviewer shall be borne by the higher education institution.”

Explanation:

(This amendment is part of the General Assembly's efforts to delegate additional authority to institutions of higher education and to improve the effectiveness and efficiency of government oversight. This amendment provides an alternative method for ensuring timely, third-party reviews of fire and life safety code compliance for capital projects at selected higher education institutions.)

Item 77 #1c

Office of Administration

Department Of General Services

Language

Language:

Page 68, after line 29, insert:

"F. The Department of General Services shall compile an inventory of all state-owned office space and other facilities by jurisdiction that includes the type and square footage of vacant space available by facility. All state agencies shall provide information regarding space under their control in the form and manner prescribed by the Department of General Services. This inventory shall be made available to all state agencies via the Department of General Services' web site and the existence of such list shall be communicated to all state entities. Upon the expiration of any existing lease, all state entities shall review the office space inventory to determine if suitable state-owned facilities exist prior to entering into any contract or lease for any privately held space."

Explanation:

(This amendment directs DGS to develop an office space inventory list to be used to promote the co-location of state agencies in facilities where feasible.)

Office of Administration

Department Of General Services

Language

Language:

Page 68, line 1, after "C.", insert "1."

Page 68, line 16, strike the second "\$312,521" and insert "\$158,513".

Page 68, after line 19, insert:

"2. The Secretary of Administration shall review the service charge described in Title 58, Chapter 33, Code of Virginia, as it is levied on the Virginia Museum of Fine Arts and shall recommend any changes to the Governor and the General Assembly no later than October 1, 2003."

Explanation:

(This amendment reduces the payment in lieu of taxes provided to the City of Richmond by the Virginia Museum of Fine Arts from \$312,521 to \$158,513 in the second year. This amendment also requires the Secretary of Administration to study the payment in lieu of taxes made to the City of Richmond by the Virginia Museum of Fine Arts.)

Office of Administration

Department Of General Services

Language

Language:

Page 69, at the beginning of line 4, insert "A."

Page 69, after line 7, insert:

"B. The Department of General Services shall seek consultation from within or outside of state government in order to modify agency operations of the Virginia Distribution Center to reflect modern procurement, operation, warehousing and distributional methods.

C. The Department of General Services, in consultation with the Auditor of Public Accounts, shall undertake a comparative analysis of the total costs associated with procuring, purchasing, warehousing, delivering and maintaining the food, janitorial and other commodities required to operate a major correctional facility in the Commonwealth run by the Department of Corrections which utilizes the services of

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the Virginia Distribution Center with the costs associated with the same activities for a comparable prison not currently utilizing the Virginia Distribution Center.

D. A summary report of findings and recommendations made pursuant to paragraphs B and C of this item shall be submitted to the chairmen of the House Appropriations and Senate Finance Committees no later than December 1, 2003."

Explanation:

(This amendment direct DGS to review the operations of the Virginia Distribution Center.)

Item 83 #1c

Office of Administration

Department Of Human Resource
Management

Language

Language:

Page 71, after line 11, insert:

"E. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01)."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. The amendment exempts institutions from centralized advertising for position recruitments.)

Item 90.15 #1c

Office Of Administration

Department Of Veterans' Affairs

Language

Language:

Page 74, after line 8, insert:

"Pursuant to the provisions of House Bill 1774, 2003 Session of the General Assembly, the Department of Veteran's Affairs, the Virginia Veteran's Care Center Board of Trustees, the Board on Veteran's Affairs and the Virginia Veteran's Cemetery Board are consolidated within a newly created Department of Veteran's Services under the direction of a Commissioner of Veteran's Services, effective July

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1, 2003. The Director, Department of Planning and Budget, shall include implementation of the actions set forth in House Bill 1774, including the required changes to this item and to Item 95, in the Budget Bill submitted to the 2004 Session of the General Assembly. "

Explanation:

(This amendment directs the Department of Planning and Budget to reflect the consolidation and renaming of the former Department of Veteran's Affairs in the Governor's budget submission in December 2003.)

Item 91 #1c

Office of Administration	FY 02-03	FY 03-04	
Human Rights Council	\$0	\$195,865	GF
	\$0	\$43,498	NGF
	0.00	3.00	FTE

Language:

Page 74, line 11, strike "\$0" and insert "\$239,363".
Page 74, strike lines 21 through 26.

Explanation:

(This amendment restores the Human Rights Council as an independent agency. A companion amendment to Item 51 in the Office of the Attorney General eliminates the transfer to that office as proposed in House Bill 1400/Senate Bill 700 as introduced.)

Item 92 #1c

Office of Administration	
State Board Of Elections	Language

Language:

Page 75, line 11, strike "the United States Bureau of the Census".
Page 75, line 12, strike "or".

Explanation:

(This amendment requires that in determining the salary and normal days of service per week for general registrars, the Board of Elections shall use the most recent

population estimate from the Center for Public Service at the University of Virginia.)

Item 96 #1c

Office of Commerce and Trade

Secretary Of Commerce And Trade

Language

Language:

Page 83, after line 3, insert:

"C. The Secretary shall review the existing Regional Competitiveness Program as defined under §§ 15.2-1306 through 15.2-1310, Code of Virginia, and propose a plan that can be used to reestablish the Regional Competitiveness Program. In completing the plan, the Secretary is encouraged to identify and review the structure and relationships that have been established under the Regional Competitiveness Act. The Secretary shall also identify existing options that will continue the Commonwealth's efforts to encourage regional strategic economic development planning which identifies and addresses critical issues of economic competitiveness for the regions of Virginia. All agencies of the Commonwealth shall provide assistance to the Secretary in the development of this plan, upon request. The Secretary shall submit his final report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 14, 2003."

Explanation:

(This amendment requires the Secretary of Commerce and Trade to develop a plan to reestablish the Regional Competitiveness Program.)

Item 98 #1c

Office of Commerce and Trade

FY 02-03

FY 03-04

Department Of Agriculture And
Consumer Services

\$0

\$75,000 GF

Language:

Page 83, line 32, strike "\$6,736,909" and insert "\$6,811,909".

Page 84, line 4, after "year" insert "and \$75,000 the second year".

Page 84, line 4, after "fund" strike "for" and insert "to support".

Explanation:

(This amendment restores funding to support agriculture education specialists in

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Southwest and Southside Virginia.)

Item 101 #1c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Agriculture And Consumer Services	\$0	\$35,000	GF

Language:

Page 85, line 42, strike "\$4,254,709" and insert "\$4,289,709".

Explanation:

(This amendment restores \$35,000 the second year from the general fund for the Coyote Control Program in order to continue to receive federal match funding for the program.)

Item 105 #1c

Office of Commerce and Trade	
Department Of Agriculture And Consumer Services	Language

Language:

Page 87, line 14, before "Notwithstanding", insert "A.1."

Page 87, line 16, strike "\$10" and insert "\$9".

Page 87, line 19, strike ",until" and insert "."

Page 87, strike lines 20 through 22.

Page 87, after line 22 insert:

"2. The department shall report to the Secretary of Commerce and Trade and the Chairmen of the Senate Finance, Agriculture, and Conservation and Natural Resources and House Appropriations, Agriculture, Chesapeake and Natural Resources Committees regarding (i) the status of the implementation of the weights and measures fee program; (ii) the number of devices by type subject to the fee requirement; and (iii) recommendations for the program including proposed legislation. The report shall be submitted by January 7, 2004."

Explanation:

(This amendment reduces the weights and measures fee from \$10 per device to \$9

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and requires the Department of Agriculture and Consumer Services to report by January 7, 2004 regarding implementation of the program.)

Item 106 #1c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Agriculture And	\$31,396	\$1,000,000	GF
Consumer Services	0.00	49.00	FTE

Language:

Page 87, line 24, strike "\$5,966,513" and insert "\$5,997,909".

Page 87, line 24, strike "\$4,292,870" and insert "\$5,292,870".

Page 88, unstrike lines 23 through 27.

Explanation:

(This amendment restores general fund support for Virginia's meat and poultry inspection program.)

Item 106 #2c

Office of Commerce and Trade
Department Of Agriculture And
Consumer Services

Language

Language:

Page 88, line 7, after "Trade.", insert:

"Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.1, Chapter 10, Code of Virginia, shall be exempt from this inspection fee."

Explanation:

(This amendment exempts nonprofit food banks from the annual food safety inspection fee but not from inspections.)

Item 107.15 #1c

Office of Commerce and Trade

Department Of Agriculture And
Consumer Services

Language

Language:

Page 89, delete lines 3 through 13 and insert:

"A. In developing the operating plan for the structure and operation of the Milk Commission, the Director of the Department of Planning and Budget shall seek input from representatives of the affected industry and the Commissioner of the Department of Agriculture and Consumer Services. The Secretary of Commerce and Trade shall review and approve the final plan. The approved plan shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by June 1, 2003.

B. It is the intent of the General Assembly that proposed legislation to effectuate the merger shall ensure that the Milk Commission's current core operations continue in form and function separate from those of the Virginia Department of Agriculture and Consumer Services."

Explanation:

(This amendment provides additional guidance regarding the consolidation of the Milk Commission with the Department of Agriculture and Consumer Services.)

Item 108 #1c

Office of Commerce and Trade

Department Of Business Assistance

Language

Language:

Page 91, after line 11, insert:

"3. Contingent upon passage of Senate Bill 695 (2003 Session), any monies remaining in the Industrial Employee Training Program at the end of fiscal years 2003 and 2004 shall not revert to the general fund of the state treasury but shall be deposited to the Workforce Retraining Fund and be available for allocation in the ensuing fiscal years."

Explanation:

(This amendment authorizes the carry forward and deposit of unexpended general fund appropriations at the close of fiscal years 2003 and 2004 from the Industrial Employee Training Program to the Workforce Retraining Fund. The amendment is

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contingent upon passage of Senate Bill 695.)

Item 108 #2c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Business Assistance	\$0	(\$150,000)	GF

Language:

Page 89, line 35, strike "\$12,406,814" and insert "\$12,256,814".

Page 90, line 15, strike "\$560,000" and insert "\$410,000".

Explanation:

(This amendment reduces funding for the incubator grant program by \$150,000 the second year.)

Item 108 #3c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Business Assistance	\$0	(\$500,000)	GF

Language:

Page 89, line 35, strike "\$12,406,814" and insert "\$11,906,814".

Explanation:

(This amendment sweeps savings remaining from the Department of Business Assistance transfer of the Small Business Development Center Program to George Mason University.)

Item 108 #4c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Business Assistance	\$0	\$148,700	GF

Language:

Page 89, line 35, strike "\$12,406,814" and insert "\$12,555,514".

Page 90, line 7, after "year", insert "and \$148,700 the second year".

Explanation:

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(This amendment provides \$148,700 the second year from the general fund to restore state support for the Virginia-Israel Advisory Board.)

Item 109 #1c

Office of Commerce and Trade

Department Of Forestry

Language

Language:

Page 93, line 24, strike "The appropriation to the Reforestation of" and insert:

"The provisions of § 58.1-1604, Code of Virginia, shall be used to determine the tax rate for the Forestry and Reforestation Incentives program."

Page 93, strike lines 25 through 27.

Explanation:

(This amendment clarifies language in the introduced budget bill concerning the use of private funds for forest and reforestation incentives.)

Item 111 #1c

Office of Commerce and Trade

Department Of Housing And
Community Development

Language

Language:

Page 95, strike lines 19 through 53 and insert:

"G.1. The Director of the Department of Housing and Community Development shall enter into an agreement with the Virginia Housing Development Authority, whereby the Authority shall purchase the portfolio of outstanding loans and other assets comprising the Virginia Housing Partnership Revolving Loan Fund upon such terms as shall be mutually agreed to by the Department and the Authority.

2. The Authority shall contract with a third party, subject to approval by the Secretary of Commerce and Trade, to review the underwriting and pricing of the portfolio with the costs of such review to be paid by the Authority. In selecting the third-party reviewer, the Secretary shall take into consideration the candidates' experience in the underwriting, pricing or sale of community development loan portfolios.

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3. The agreement shall set out the details of the transfer of the responsibilities and functions of the housing finance activities of the Department to the Authority. As part of the agreement, any residual balances from the sale of the Virginia Housing Partnership Revolving Loan Fund shall be transferred to the Authority to be used in conjunction with existing resources to provide affordable housing to low-income Virginians not currently served by existing Authority programs.

4. Before the execution of such agreement, the Secretary of Commerce and Trade shall provide the House Appropriations and Senate Finance Committees the opportunity to review the agreement. For this review, the Secretary shall also include information identifying the options and alternatives reviewed for carrying out the purposes of § 36-142, Code of Virginia, as well as the rationale for selecting the option incorporated in the draft agreement. In developing and assessing options, the Secretary shall consult with representatives of the housing industry, including the Virginia Housing Coalition.

5. The draft agreement submitted by the Secretary of Commerce and Trade shall also include the discount rate to be applied in calculating the market value of the loan portfolio, and other pertinent items.

6. Upon execution of the agreement, the Authority shall deposit the proceeds of the sale into the Virginia Housing Partnership Revolving Loan Fund. Notwithstanding the provisions of §§ 36-141 through 36.151, Code of Virginia, the Director of the Department of Housing and Community Development is directed to pay from the proceeds of the sale of the Virginia Housing Partnership Revolving Loan Fund the amount of \$40,822,000 to the general fund prior to June 30, 2003.

7. The Secretary of Commerce and Trade shall review the need to amend state statutes concerning the Virginia Housing Partnership Revolving Loan Fund. If he concludes that the sale of the portfolio or that the use of any residual balances warrant changes to the Code of Virginia, he shall submit legislation in the 2004 Session to effect such changes.”

Explanation:

(This amendment sets out the policies and procedures for the sale of the Virginia Housing Partnership Revolving Loan portfolio.)

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Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Housing And Community Development	\$0	\$500,000	GF

Language:

Page 94, line 6, strike "\$44,569,040" and insert "\$45,069,040".

Page 94, line 30, strike "\$4,000,000" and insert "\$4,500,000".

Explanation:

(This amendment partially restores general fund support for the homeless intervention program.)

Item 112 #1c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Housing And Community Development	\$0	(\$300,000)	GF

Language:

Page 95, line 56, strike "\$41,596,393" and insert "\$41,296,393".

Explanation:

(This amendment reduces funding for the Virginia Enterprise Initiative Program.)

Item 123 #1c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Mines, Minerals And Energy	\$0	(\$1,647,636)	GF

Language:

Page 103, line 40, strike "\$2,274,404" and insert "\$626,768".

Page 103, line 52, after "Services", insert "and from carry forwards of unexpended balances".

Page 103, line 53, strike "\$1,647,616" and insert "up to \$1,554,000".

Page 104, line 3, strike "Notwithstanding § 45.1-392, Code of Virginia,".

Page 104, strike lines 4 through 9.

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Page 104, line 3, after "Virginia.", insert:

"The Commonwealth shall fulfill the commitments made under the solar photovoltaic manufacturing incentive grant program as stipulated in § 45.1-392, Code of Virginia."

Explanation:

(This amendment clarifies intent concerning the payment of economic development incentives authorized by state law, reduces the second year appropriation by \$1.6 million, and authorizes the use of carry forward balances to meet any program costs in fiscal year 2004.)

Item 125 #1c

Office of Commerce and Trade

Department Of Minority Business
Enterprise

Language

Language:

Page 105, after line 4, insert:

"The Department of Minority Business Enterprise, in conjunction with the Department of General Services, the Virginia Employment Commission and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities or private industry in the acquisition of goods and services. To carry out such analyses, the Department is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the Department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Department is further authorized to create and hold an institutional fund for its exclusive use and purposes into which it may deposit the proceeds of any gift, grant, bequest, allotment, or devise of any nature received from private sources. Such fund shall be subject to the Uniform Management of Institutional Funds Act (§ 55-268.1 et seq., Code of Virginia). The fund and the income from such fund shall not be subject to the provisions of § 2.2-1802, Code of Virginia. The availability of such fund shall not be taken into consideration in, nor be used to reduce, state appropriations or payments, but such funds shall be used in accordance with the wishes of the donors thereof to offset the costs of conducting analyses of the availability and utilization of minority

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business enterprises or otherwise strengthen the services rendered by the Department to minority business enterprises in the Commonwealth. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this program."

Explanation:

(This amendment authorizes the Department to accept and receive donations in effectuating the purposes of this amendment.)

Item 127 #1c

Office of Commerce and Trade

Milk Commission

Language

Language:

Page 106, strike lines 22 through 26 and insert:

"Notwithstanding Title 3.1, Chapter 21, Article 2, Code of Virginia, the Milk Commission will be merged into the Department of Agriculture and Consumer Services effective July 1, 2003. The powers and duties heretofore exercised by such agency shall hereafter be vested in the Department of Agriculture and Consumer Services."

Explanation:

(This amendment clarifies language regarding the merger of the Milk Commission into the Virginia Department of Agriculture and Consumer Services.)

Item 129 #1c

Office of Commerce and Trade

FY 02-03

FY 03-04

Virginia Economic Development
Partnership

\$0

(\$2,500,000) GF

Language:

Page 107, line 3, strike "\$16,986,241" and insert "\$14,486,241".

Page 108, strike lines 43 through 53.

Explanation:

(This amendment removes second-year funding for the operations of the Virginia Advanced Shipbuilding and Carrier Integration Center.)

Item 135 #1c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	\$93,500	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$10,451,258".

Page 113, line 26, after "year" insert:

"and from Tourist Promotion \$93,500 the second year".

Page 113, line 29, after "Virginia." insert:

"In fiscal year 2004, the Outdoor Advertising Association of Virginia shall provide a total of at least \$187,000 in promoting tourism in Virginia."

Explanation:

(This amendment provides \$93,500 of general fund support in the second year for the "See Virginia First" campaign. Budget language requires the Outdoor Advertising Association of Virginia to match state dollars at a ratio of at least 2 nonstate dollars for every state dollar of support.)

Item 135 #2c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	\$150,000	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$10,507,758".

Page 115, line 34, after "year", insert "and \$150,000 the".

Page 115, line 35, unstrike "second year".

Explanation:

(This amendment restores \$150,000 the second year for the Tredegar National Civil War Center. The Center is scheduled to open in 2005, and will tell the story of the Civil War from Union, Confederate and African-American perspectives in Richmond's Tredegar Iron Works.)

Item 135 #3c

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Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	\$200,000	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$10,557,758".

Page 113, unstrike lines 30 through 34.

Page 113, line 30, strike " the cooperative" and insert "Tourist Promotion,".

Page 113, line 31, strike "advertising program,".

Page 113, line 31, strike "first" and insert "second".

Page 113, line 34, after "Broadcasters.", insert:

"The "See Virginia First" program shall be operated under the guidelines in effect June 30, 2000."

Explanation:

(This amendment restores \$200,000 the second year from the general fund for the "See Virginia First" advertising program managed by the Virginia Association of Broadcasters.)

Item 135 #4c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	(\$500,000)	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$9,857,758".

Explanation:

(This amendment reduces the increase of general fund support for the Virginia Tourism Authority's core advertising program from \$1.0 million to \$500,000.)

Item 135 #5c

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	\$50,000	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$10,407,758".

Page 114 line 52, strike "\$100,000" and insert "\$150,000".

Explanation:

(This amendment limits the reduction to the African-American Heritage Trails in Virginia program to 25 percent.)

Item 136 #1c

**Education: Elementary &
Secondary**

Secretary Of Education

Language

Language:

Page 119, strike lines 56 and 57.

Page 120, strike lines 1 through 16.

Explanation:

(This amendment removes the language requiring a study of the feasibility of consolidating Richard Bland College into the Virginia Community College System.)

Item 136 #2c

**Education: Elementary &
Secondary**

Secretary Of Education

Language

Language:

Page 117, strike lines 12 through 31, and insert:

"A.1. It is the intent of the General Assembly that institutions of higher education develop strategic plans, at least every four years, that promote and sustain the quality, access, accountability, and affordability of Virginia's public institutions of higher education.

2. Each four-year public institution of higher education, Richard Bland College, and the Virginia Community College System shall submit to the State Council of Higher Education, pursuant to Item 166, paragraph B.1., a progress report on implementing its current strategic plan, including the progress it has made in meeting the following statewide goals: a) enhancing instructional quality; b) accommodating projected enrollment growth through 2010; and c) increasing Virginia's national standing with

regard to sponsored research.

3. In implementing these statewide goals and their institutional goals, Virginia public colleges and universities shall apply the following guiding principles: a) maximize student access to higher education and minimize the cost to students and the state; b) enhance administrative efficiency and productivity; and c) streamline operations as a means for improving managerial flexibility."

Explanation:

(This amendment replaces the current systemwide strategic planning language to reflect the 2003 plan adopted by the State Council of Higher Education for Virginia.)

Item 136 #3c

**Education: Elementary &
Secondary**

Secretary Of Education

Language

Language:

Page 118, strike lines 24 through 33, and insert:

"E.1. a) Consistent with the authorization provided in § 4-2.01 b. of this act, the boards of visitors or other governing bodies of institutions of higher education shall determine tuition, fees, and charges for each fiscal year of the 2002-2004 biennium, provided that increases for in-state, undergraduate tuition and mandatory educational and general fees for the 2003-04 academic year not exceed five percent of the annualized tuition rates set by the boards for the 2002-03 academic year.

b) Institutions shall apply comparable increases to all in-state, undergraduate students. Institutions may charge all other student groups a free market-determined tuition and fee rate.

c) For purposes of determining the annualized 2002-03 base tuition rate upon which the five percent threshold shall be calculated, boards of visitors may apply mid-year increases approved for the Spring 2003 semester to each semester of the 2003-04 academic year. The tuition rates for 2003-04 shall not exceed 105 percent of the annualized 2002-03 base tuition level.

d) Institutions that adopted mid-year increases for the Spring 2003 semester that were less than \$225 and resulted in less than a \$450 cumulative increase in tuition over

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2001-02 rates may adopt an adjusted annualized tuition rate upon which the five percent threshold shall be calculated. For those institutions, boards can apply up to \$225 per semester for the 2003-04 academic year rather than continuing the mid-year Spring 2003 increase for both semesters of the 2003-04 academic year. The tuition rates for 2003-04 shall not exceed 105 percent of the adjusted annualized base tuition level.

e) In calculating increases for the 2003-04 academic year, Mary Washington College and Virginia State University may exclude auxiliary fees that were reclassified as part of the 2002-03 tuition actions.

f) The provisions herein shall not apply to increases in tuition used to support the nongeneral fund share of the second year salary increases provided in Item 511.J. of this act, health insurance costs included in Item 504 of this act, or related costs associated with the University of Virginia's self-insured health plan. To the extent institutions increase tuition to support these items, increases shall be applied proportionately to all in-state and out-of-state students."

Page 119, strike lines 11 through 20 and insert:

"6. Each institution shall communicate its tuition and fee charges, as approved by its board of visitors, to the Secretary of Education, the State Council of Higher Education, and the Chairmen of the House Appropriations and Senate Finance Committees by May 15 of each fiscal year. In addition, each institution shall report to the State Council of Higher Education, in a format prescribed by the Council, the amount of nongeneral fund revenues derived annually, including the amounts derived in accordance with paragraph E.1.(f) of this item. The State Council of Higher Education shall report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1 of each fiscal year the results of the nongeneral fund revenue survey. This report shall serve as the foundation for nongeneral fund appropriation adjustments made by the Department of Planning and Budget.

7. In accordance with Item 1.E. of this act and prior to the 2004 General Assembly Session, the Joint Subcommittee Studying Higher Education Funding Policies shall recommend a cost-sharing policy that includes a tuition policy as part of the General Assembly's ongoing efforts to fund higher education pursuant to the base adequacy guidelines. The Joint Subcommittee shall also address funding and policy issues related to student financial aid."

Explanation:

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(This amendment modifies the existing tuition policy and directs the Joint Subcommittee Studying Higher Education Funding Policies to make recommendations to the 2004 General Assembly on tuition and financial aid policies.)

Item 137 #1c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	\$0	\$2,000,000	NGF

Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$36,886,678".

Explanation:

(This amendment provides additional federal funding of \$2.0 million under Title II-A Teacher/Principal Training and Recruitment to reflect continuation of the grant in fiscal year 2004.)

Item 137 #2c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	\$0	\$550,000	NGF

Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$35,436,678".

Explanation:

(This amendment provides additional federal funding of \$550,000 under Title II-D Technology to reflect continuation of the grant in fiscal year 2004.)

Item 137 #3c

Education: Elementary &	FY 02-03	FY 03-04	
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Secondary

Department Of Education, Central Office Operations	\$0	\$460,000	NGF
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Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$35,346,678".

Explanation:

(This amendment provides additional federal funding of \$460,000 under Title IV-B 21st Century Community Learning Centers due to a new federal grant award in fiscal year 2004.)

Item 137 #4c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Department Of Education, Central Office Operations	\$0	\$2,000,000	NGF
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Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$36,886,678".

Explanation:

(This amendment provides additional federal funding of \$2.0 million under IDEA Special Education due to an increase in the grant amounts for Virginia in fiscal year 2004.)

Item 137 #5c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Department Of Education, Central Office Operations	\$0	\$979,085	NGF
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Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$35,865,763".

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Explanation:

(This amendment provides additional federal funding of \$979,085 under Title IV-A Community Service for Expelled or Suspended Students due to a new federal grant award in fiscal year 2004.)

Item 137 #6c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Department Of Education, Central
Office Operations

\$0
0.00

\$65,000 GF
1.00 FTE

Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$34,951,678".

Explanation:

(This amendment restores one general fund position and the associated funding. The introduced budget eliminated an additional 12.0 general fund positions, beyond the October reductions, to be identified by the department, for a total reduction of 34.0. This amendment leaves the department with a reduction of 33.0 general fund positions.)

Item 137 #7c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Department Of Education, Central
Office Operations

0.00

1.00 FTE

Language:

Explanation:

(This amendment corrects an error in the budget as introduced.)

Item 138 #1c

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Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	(\$175,000)	\$175,000	GF

Language:

Page 121, line 11, strike "\$41,721,069" and insert "\$41,546,069".

Page 121, line 11, strike "\$31,355,176" and insert "\$31,530,176".

Explanation:

(This amendment corrects an error in the budget as introduced. The balance from the eliminated Algebra Readiness Diagnostic test was taken twice from the second year, rather than once from each year.)

Item 138 #2c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	\$0	\$8,200,000	NGF

Language:

Page 121, line 11, strike "\$31,355,176" and insert "\$39,555,176".

Explanation:

(This amendment updates federal funds for the continuation of the State Assessment grant.)

Item 138 #3c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	\$0	\$2,834,904	GF

Language:

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Page 121, line 11, strike "\$31,355,176" and insert "\$34,190,080".

Page 122, line 23, strike "\$19,096,966" and insert "\$21,931,870".

Page 124, strike lines 50 through 54.

Page 124, line 55, strike "R" and insert "Q".

Explanation:

(This amendment provides funding to administer separate History Standards of Learning tests in grades 6 through 8. Funding for development of the tests (\$977,985) was removed in the introduced budget. No funding was provided for the administration of the tests in Chapter 899 of the Acts of Assembly of 2002. Both the development and administration costs would be covered with the adoption of this amendment. In addition, language in the introduced budget overriding the Code of Virginia, which currently requires the separate tests, is removed.)

Item 138 #4c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Department Of Education, Central
Office Operations

\$0

\$425,000 GF

Language:

Page 121, line 11, strike "\$31,355,176" and insert "\$31,780,176".

Explanation:

(This amendment restores funding for the state-supplied Algebra Readiness diagnostic test. Second-year funding for the test was eliminated in the introduced budget. The amount restored (\$425,000) is less than the amount removed in the introduced budget (\$600,000) because the contract for the test was recently renegotiated and the renegotiated price is lower. A companion amendment in Item 147 restores the language concerning the test in the Standards of Learning Algebra Readiness program.)

Item 138 #5c

**Education: Elementary &
Secondary**

Department Of Education, Central

Language

Office Operations

Language:

Page 124, after line 58, insert:

"S. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia."

Explanation:

(This amendment would require the Board of Education to consider caseload standards for speech-language pathologists in its current review of the adequacy of the Standards of Quality.)

Item 138 #6c

**Education: Elementary &
Secondary**

Department Of Education, Central
Office Operations

Language

Language:

Page 124, after line 58, insert:

"S.1. The Board of Education shall convene a task force to develop a plan for consolidating services for the deaf and/or blind and multi-disabled students served by Virginia's two schools for these students. The task force shall include at least one member of the Board of Education; the Superintendent of Public Instruction; the Superintendent of the Virginia School for the Deaf and the Blind at Staunton; the Superintendent of the Virginia School for the Deaf, Blind, and Multi-Disabled at Hampton; the co-chairmen of the Advisory Commission on the Virginia Schools for the Deaf and the Blind; one parent of a currently enrolled student from each of the schools; and one representative each from the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard-of-Hearing, the Department of Rehabilitative Services, and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

2. The plan shall include an examination of appropriate academic programs, staffing requirements, facilities requirements, student transportation requirements, and individual arrangements necessary for all students currently receiving services to continue receiving services. All options for serving students shall be considered. The

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plan shall also include the steps necessary to achieve consolidation, funding requirements and/or savings, alternative uses of facilities, and a suggested timeline for achieving consolidation.

3. All agencies of the Commonwealth shall provide assistance to the task force in its development of the plan, upon request. The task force shall submit its plan to the Governor and the Chairmen of the House Appropriations and Education, and the Senate Finance and Education and Health Committees by November 1, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 142 #1c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	\$0	\$1,100,000	NGF

Language:

Page 125, line 20, strike "\$9,490,641" and insert "\$10,590,641".

Explanation:

(This amendment updates federal funds for the Teacher Quality Enhancement grant.)

Item 142 #2c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central Office Operations	(\$160,000)	(\$297,500)	GF

Language:

Page 125, line 20, strike "\$4,259,909" and insert "\$4,099,909".
Page 125, line 20, strike "\$9,490,641" and insert "\$9,193,141".
Page 126, line 61, strike "\$1,032,500" and insert "\$872,500".
Page 126, line 61, strike "\$1,677,500" and insert "\$1,380,000".

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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 the bonuses is lower than had been projected.)

Item 145 #1c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$49,626

\$0 GF

Language:

Page 128, line 18, strike "\$448,891,723" and insert "\$448,941,349".

Explanation:

(This amendment corrects an error in the budget bill as introduced based on the calculation of the fiscal year 2003 special education homebound payment. This error would result in underpaying the reimbursement to Washington County.)

Item 145 #2c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$4,000,000 NGF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$434,859,009".

Explanation:

(This amendment provides additional federal funding of \$4.0 million to local school divisions under Title III-A English Language Acquisition due to an increase in federal funding for fiscal year 2004.)

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Item 145 #3c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$449,810)	GF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,409,199".

Page 129, line 40, strike "\$23,198,581" and insert "\$22,748,771".

Explanation:

(This amendment captures balances in state operated programs (hospitals, clinics and detention homes). Actual contracts indicate that the additional funding will not be needed to fully fund the program.)

Item 145 #4c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$18,000,000	NGF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$448,859,009".

Explanation:

(This amendment provides additional federal funding of \$18.0 million to local school divisions under IDEA Special Education due to an increase in federal funding for fiscal year 2004.)

Item 145 #5c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$8,750,000	NGF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$439,609,009".

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Explanation:

(This amendment provides additional federal funding of \$8.75 million to local school divisions under Title IV-B 21st Century Community Learning Centers to reflect a new federal grant award for fiscal year 2004.)

Item 145 #6c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

(\$49,060) GF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,809,949".

Page 130, line 31, strike "\$849,060" and insert "\$800,000".

Explanation:

(This amendment would reduce state funding for Project Discovery in fiscal year 2004.)

Item 145 #7c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

(\$107,700) GF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,751,309".

Page 130, line 52, strike "\$307,700" and insert "\$200,000".

Explanation:

(This amendment reduces state funding for the Southwest Virginia Public Education Consortium in fiscal year 2004.)

Item 145 #8c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

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Direct Aid To Public Education	\$0	(\$82,750)	GF
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Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,776,259".
 Page 131, line 8, strike "\$182,750" and insert "\$100,000".

Explanation:

(This amendment reduces state funding for the Southside Virginia Public Education Consortium in fiscal year 2004.)

Item 145 #9c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$63,750)	GF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,795,259".
 Page 131, line 15, strike "\$63,750" and insert "\$0".

Explanation:

(This amendment eliminates state funding for the Western Virginia Public Education Consortium in fiscal year 2004.)

Item 145 #10c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$300,000)	GF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$430,559,009".
 Page 129, line 22, strike "in each" and insert "the first".

Explanation:

(This amendment would eliminate second-year state funding for Migrant Education grants. The funding is not a match for Virginia's federal Migrant Education funding.)

Education: Elementary & Secondary

Direct Aid To Public Education

Language

Language:

Page 132, line 3, strike "Effective July 1, 2003, these funds".

Page 132, strike lines 4 through 6.

Explanation:

(This amendment includes dropout prevention services as one of the allowable uses of funding from the new Student Achievement Grants. The Student Achievement block grant, included as a policy change in the Governor's proposed budget, was composed of funds previously directed towards Dropout Prevention, School Health Incentive, and Technology Support. Under the block grant, it is at the discretion of the school division to use the funding for one or more of the following: K-3 Class Size Reduction, Early Reading Intervention, At-Risk Four-Year-Olds, SOL remediation, or Dropout Prevention. There is a companion amendment in Item 147.)

Education: Elementary & Secondary

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$7,250,000

GF

\$0

(\$7,250,000)

NGF

Language:

Page 134, line 28, strike "\$125,704,700" and insert "\$118,454,700".

Explanation:

(This amendment restores \$7.25 million to the general fund to pay for teacher retirement, freeing up \$7.25 million in Literary Fund revenue to flow back into the Fund. A companion amendment in Item 147 uses this Literary Fund revenue (and \$2.75 million from other sources) for a \$10.0 million Virginia Public School Authority (VPSA) interest rate subsidy program.)

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Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$277,196)	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,071,585".

Page 156, line 15, strike "\$8,572,920" and insert "\$8,295,724".

Explanation:

(This amendment captures savings in the Algebra Readiness account by assuming a one percent improvement in 8th grade SOL Math scores in the Spring of 2003.)

Item 147 #2c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$487,664)	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,698,861,117".

Page 153, line 41, strike "\$10,226,881" and insert "\$9,739,217".

Explanation:

(This amendment captures anticipated savings in the Early Intervention Reading Initiative based on assuming a one percent decline in children identified as demonstrating reading deficiencies based on performance on the Phonological Awareness Literacy Screening instrument.)

Item 147 #3c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$10,100,000	NGF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,709,448,781".

Explanation:

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(This amendment provides additional federal funding of \$10.1 million to local school divisions under Title II-D Technology to reflect continuation of the federal funding for fiscal year 2004.)

Item 147 #4c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$78,331	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,427,112".

Page 146, line 6, strike "\$20,864,410" and insert "\$20,942,741".

Explanation:

(This amendment would allow Winchester City Public Schools to receive the state share of payments for a Summer School program. The school division indicated that it intended to participate in the program after the budget was introduced.)

Item 147 #5c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$48,635)	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,300,146".

Page 153, line 41, strike "\$10,226,881" and insert "\$10,178,246".

Explanation:

(This amendment captures anticipated balances in the Early Reading Intervention program payments to reflect the decision of a school division not to participate in the program in fiscal year 2004. Normally, these balances would be higher, but Prince William County has indicated it plans to participate in the program for the first time in fiscal year 2004.)

Item 147 #6c

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Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	(\$6,157)	(\$12,071)	GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,667,073,164".

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,336,710".

Explanation:

(This amendment adjusts enrollment loss payments based on a correction to Fairfax County's count of school-aged children for the Triennial Census. Another amendment in this item makes the necessary adjustment to basic aid payments.)

Item 147 #7c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	(\$1,376,324)	(\$2,783,403)	GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,665,702,997".

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,696,565,378".

Explanation:

(This amendment adjusts basic aid payments based on a correction to Fairfax County's count of school-aged children for the Triennial Census.)

Item 147 #8c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$50,200,000	NGF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,749,548,781".

Page 158, line 11, after "year", insert:

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"and \$50,200,000 the second year".

Explanation:

(This amendment provides additional federal funding of \$50.2 million to local school divisions under Title II-A Teacher/Principal Training and Recruitment to reflect continuation of the federal funding for fiscal year 2004.)

Item 147 #9c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 144, after line 33, insert:

"In the second year, to receive these funds, each local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division."

Explanation:

(This amendment requires Highland County and Norton City to enter into certain cost-sharing arrangements as a condition of receiving Small School Division grants of \$200,000 each.)

Item 147 #10c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 141, line 8, unstrike "by December 1 of each".

Page 141, line 9, unstrike "year of the biennium".

Page 141, line 9, strike "annually, prior to the".

Page 141, line 10, strike "commencement of the General Assembly."

Explanation:

(This amendment restores the original due date for the report by the Superintendent

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of Public Instruction to the General Assembly on teacher salaries. The introduced budget pushed the due date of the report back from "December 1 of each year" to "prior to the commencement of the General Assembly.")

Item 147 #11c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$69,725	\$0	GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,667,149,046".

Explanation:

(This amendment updates the at-risk four-year-old account for actual participation.)

Item 147 #12c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	(\$530)	(\$5,626)	NGF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,667,078,791".

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,343,155".

Explanation:

(This amendment makes a correction to the introduced budget to the amounts of Trust and Agency funds for VPSA debt service in the Educational Technology Payments subprogram.)

Item 147 #13c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
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Direct Aid To Public Education \$0 (\$2,948,370) GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,696,400,411".

Explanation:

(This amendment provides the offset to Basic Aid of \$2,948,370 based on an increase in the one-cent sales tax distribution for fiscal year 2004. There are companion amendments that increase the estimated sales tax distribution in Item 148 and that provide the offset to Enrollment Loss payments in Item 147.)

Item 147 #14c

Education: Elementary & Secondary

FY 02-03

FY 03-04

Direct Aid To Public Education \$0 (\$7,073) GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,341,708".

Explanation:

(This amendment provides the offset to Enrollment Loss based on an increase in the one-cent sales tax distribution for fiscal year 2004. There are companion amendments that increase the estimated sales tax distribution in Item 148 and that provide the offset to Basic Aid payments in Item 147.)

Item 147 #15c

Education: Elementary & Secondary

FY 02-03

FY 03-04

Direct Aid To Public Education (\$69,735) (\$70,000) GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,667,009,586".
 Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,278,781".
 Page 146, line 34, strike "\$62,552,437" and insert "\$62,482,702".
 Page 146, line 34, strike "\$62,889,931" and insert "\$62,819,931".

Explanation:

(This amendment captures balances in the K-3 Reduced Class Size payments to reflect updated actual enrollment. All certifications from school divisions have now been submitted and the funding will not be needed to fully fund the program.)

Item 147 #16c

Education: Elementary & Secondary

Direct Aid To Public Education

Language

Language:

- Page 156, line 20, unstrike ", as".
- Page 156, unstrike lines 21 through 33.
- Page 156, line 46, unstrike "to such".
- Page 156, unstrike lines 47 and 48.
- Page 156, line 49, unstrike "school year".

Explanation:

(This amendment restores language under the Standards of Learning Algebra Readiness program concerning the state-provided diagnostic test used to determine which children need the intervention. A companion amendment in Item 138 restores the funding for the state-provided test.)

Item 147 #17c

Education: Elementary & Secondary

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

(\$1,749,673) GF

Language:

- Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,697,599,108".
- Page 155, line 23, strike "and \$1,749,673 the second year".
- Page 156, strike lines 2 through 12.

Explanation:

(This amendment reduces funding for the Student Achievement Block Grant proposed in the introduced budget. The School Health Incentive Payments was one

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of three programs that the introduced budget proposed moving the funding from to redirect it to the new block grant.)

Item 147 #18c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	(\$5,072,127)	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,694,276,654".

Page 157, line 3, strike "and \$5,072,127 the".

Page 157, line 4, strike "second year".

Page 157, strike lines 26 through 36.

Explanation:

(This amendment reduces funding for the Student Achievement Block Grant proposed in the introduced budget. Technology Support Payments was one of three programs that the introduced budget proposed removing the funding from to redirect it to the new block grant.)

Item 147 #19c

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$27,546,945	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,726,895,726".

Page 159, after line 4, insert:

"19. Compensation Supplements

a. The appropriations contained in this item include an amount estimated at \$27,546,945 from the general fund in the second year for a Standards of Quality salary account to be known as compensation supplements. These compensation supplements shall be distributed to school divisions for the purpose of providing the state share of salary increases along with the related fringe benefit costs to public school instructional and support staff positions funded through the Standards of Quality and other state-funded accounts.

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b. These compensation payments shall be made in the second year on the basis of an amount equivalent to the state share of a 2.25% salary increase effective January 1, 2004.

c. It is the intent of the General Assembly that the average classroom teacher salary throughout the state be improved in the second year by an amount equivalent to at least 2.25% in the second half of the year. Sufficient funds are appropriated in this item to finance the state share of such salary increases.

d. These compensation payments shall be paid to school divisions that certify to the Department of Education, no later than March 1, 2004, that equivalent increases have been granted in the second year.

e. For the purposes of calculating required local effort pursuant to this Item, these Compensation Supplement funds shall not be included; however, local governments shall match these funds based upon the composite index of local ability-to-pay.

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

g.1) In the event that the salary increases authorized in paragraph a. above are not implemented due to the revenue reforecast required by Item 511, Paragraph Q., the total amount available for compensation supplements shall be reduced to \$6,821,800 in the second year. To this amount, \$1,193,313 shall be added from the amounts transferred from the Student Achievement Grants program.

2) These payments shall be made to school divisions in a manner that would generate the same level of funding for each division that they would have received in the second year from an unprorated distribution of the School Health Incentive program, the Technology Support Payments program, and the amounts from the Student Achievement Grants program.

3) This funding is provided to address a portion of the compensation-related concerns identified by the Joint Legislative Audit and Review Commission's report, *Review of Elementary and Secondary School Funding*, dated February 2002.

4) For the purposes of calculating required local effort pursuant to this Item, these Compensation Supplement funds shall not be included; however, local governments shall match these funds based upon the composite index of local ability-to-pay."

Explanation:

(This amendment provides \$27.5 million for the state share of a salary increase equivalent to 2.25 percent effective January 1, 2004. In the event that the general fund revenues for fiscal year 2004 are revised downward, the Governor may reduce the salary increase authorized in this item. Language is added that specifies in the event that a second-year salary increase for teachers is not provided, then \$8.0 million (\$6.8 million of this funding and \$1.2 million from the Student Achievement Block Grant) would be used to help address compensation-related concerns raised by the Joint Legislative Audit and Review Commission's February 2002 Report, *Review of Elementary and Secondary School Funding*. However, in this event, each school division will receive the same amount of funding as it would have under the block grant or the underlying programs' original distribution.)

Item 147 #20c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 158, strike lines 15 through 40, insert:

"a. From the amounts transferred to this Item from the Dropout Prevention program a total estimated at \$10,093,313 in the second year shall be disbursed to school divisions in the same manner as it would have been paid to school divisions under the originating program. These payments to school divisions shall constitute the state's share of funding for a Student Achievement Grants program.

b. Funds received by school divisions shall be used at the discretion of the local school divisions for one or more of the following purposes:

- 1) reducing class sizes in grades kindergarten through three;
- 2) increasing services in the Early Reading Intervention program;
- 3) serving at-risk four-year-old students including those served by Title I programs;
- 4) providing additional remediation to students who have failed or who are at risk of failing the Standards of Learning tests; and
- 5) providing dropout prevention services.

c. In the event that salary increases authorized in Paragraph k 1) a of this item are not implemented due to the revenue reforecast required by Item 511 Paragraph Q, \$1,193,313 shall be transferred from the Student Achievement Grants program to the Standards of Quality accounts for Compensation Supplements created in this Item to

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address compensation-related concerns raised by the Joint Legislative Audit and Review Commission's February 2002 Report, *Review of Elementary and Secondary School Funding*. The transferred amounts shall be distributed in the same proportion as they would have been paid under the Student Achievement Grants program."

Page 158, strike lines 45 through 52.

Page 159, strike lines 1 and 2.

Page 159, line 3, strike "e." and insert "d."

Explanation:

(This amendment includes dropout prevention services as one of the allowable uses of funding from the new Student Achievement Grants. The Student Achievement block grant, included as a policy change in the Governor's proposed budget, was composed of funds previously directed towards Dropout Prevention, School Health Incentive, and Technology Support. Under the block grant, it is at the discretion of the school division to use the funding for one or more of the following: K-3 Class Size Reduction, Early Reading Intervention, At-Risk Four-Year-Olds, SOL remediation, or Dropout Prevention. There is a companion amendment in Item 145. Language is added that specifies in the event that a second-year salary increase for teachers is not provided, then \$8.0 million (\$1.2 million of this funding and \$6.8 million from the second-year salary increase) of the funding would be transferred to Basic Aid for compensation-related concerns raised by the Joint Legislative Audit and Review Commission's February 2002 Report, *Review of Elementary and Secondary School Funding*. However, in this event, each school division will receive the same amount of funding as it would have under the block grant or the underlying programs' original distribution.)

Item 147 #21c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 141, line 15, strike "and".

Page 141, line 16, strike "Standards of Learning remediation".

Page 155, after line 20, insert:

"e. Funds provided through the Standards of Learning Remediation program are subject to the reporting requirements established by § 22.1-199.2, Code of Virginia, and set out in the Board of Education's regulations (8-VAC-20-630)."

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Explanation:

(This amendment would remove the provision that allowed Standards of Learning Remediation funding to be block granted with the Standards of Quality remediation funding school divisions receive, in order to restore reporting requirements on the use of the Standards of Learning Remediation funding.)

Item 148 #1c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$5,289,036 GF

Language:

Page 159, line 8, strike "\$1,195,910,149" and insert "\$1,201,199,185".

Explanation:

(This amendment adjusts the estimate of the one-cent sales tax distribution to localities for education from \$824.6 million to \$829.1 million. This includes the expected impact from vendor registration, compliance, and amnesty initiatives. There are companion amendments that provide the associated offsets in Basic Aid and Enrollment Loss in Item 147.)

Item 150 #1c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$21,171 GF

Language:

Page 161, line 23, strike "\$11,852,830" and insert "\$11,874,001".

Page 162, line 20, after "D." , insert "1."

Page 162, line 24, after "students", insert:

"the first year and 1,300 students the second year".

Page 162, after line 38, insert:

"2. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2002-2003 school year."

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Explanation:

(This amendment increases the cap on Governor's Schools' enrollment for funding purposes from 1,275 to 1,300. The only school that would be immediately affected is the Thomas Jefferson High School for Science and Technology in Fairfax. Increasing the cap would allow the school to receive the state share of funding for more of its students. In addition, it inserts a "maintenance of effort" requirement for local funding.)

Item 150 #2c

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$19,542

\$32,478 GF

Language:

Page 161, line 23, strike "\$11,102,408" and insert "\$11,121,950".

Page 161, line 23, strike "\$11,852,830" and insert "\$11,885,308".

Explanation:

(This amendment updates Governor's Schools based on corrected enrollment data submitted for New Horizons, including \$19,542 for fiscal year 2003 and \$28,246 in fiscal year 2004 for Isle of Wight and \$4,232 for fiscal year 2004 for James City County.)

Item 159 #1c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 165, line 20, unstrike "in the second year".

Page 165, line 20, after "first year", insert "and \$10,000,000".

Explanation:

(This amendment restores \$10.0 million for a Virginia Public School Authority interest rate subsidy program. Funding for a \$20.0 million program had been

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eliminated in the introduced budget.)

Item 164 #1c

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 170, after line 10, reinsert:

"6. Students at the Virginia Women's Institute for Leadership at Mary Baldwin College are not eligible for Tuition Assistance Grants."

Explanation:

(This amendment makes students at the Virginia Women's Institute for Leadership (VWIL) at Mary Baldwin College ineligible to participate in the Tuition Assistance Grant Program, in light of the restoration of funding for the VWIL program contained in a separate amendment.)

Item 164 #2c

Education: Higher Education

State Council Of Higher Education
For Virginia

FY 02-03

\$0

FY 03-04

(\$170,000) GF

Language:

Page 168, line 26, strike "\$41,039,854" and insert "\$40,869,854".

Page 169, line 12, strike "and \$170,000 the".

Page 169, line 13, strike "second year".

Explanation:

(This amendment eliminates state support of the Virginia Space Grant Consortium in the second year. The consortium offers educational programs for K-12 students and provides postsecondary education scholarships.)

Item 164 #3c

Education: Higher Education

FY 02-03

FY 03-04

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State Council Of Higher Education \$0 \$2,500,000 GF
For Virginia

Language:

Page 168, line 26, strike "\$41,039,854" and insert "\$43,539,854".

Page 170, after line 22, insert:

"The State Council of Higher Education shall attempt to minimize any reductions to the Tuition Assistance Grant Award for undergraduate students while avoiding significant impact on the graduate award".

Explanation:

(This amendment restores budget reductions to the Tuition Assistance Grant Program in order to maintain the current award amount for the 2003-2004 academic year.)

Item 165 #1c

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 175, after line 3, insert:

"H. Out of this appropriation, \$300,000 in nongeneral funds the second year is provided to support higher education coordination and review services, including expenses incurred in regulating the private and out-of-state postsecondary institutions operating in Virginia. These funds may be generated through fee schedules developed pursuant to § 23-276.9, Code of Virginia."

Explanation:

(This amendment is self-explanatory.)

Item 165 #2c

Education: Higher Education

State Council Of Higher Education
For Virginia

FY 02-03

FY 03-04

\$0 \$200,000 GF

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Language:

Page 170, line 38, strike "\$7,175,065" and insert "\$7,375,065".

Page 171, line 31, after "year", insert:

"and \$200,000 the second year".

Explanation:

(This amendment restores funding for optometry scholarships.)

Item 166 #1c

Education: Higher Education	FY 02-03	FY 03-04	
State Council Of Higher Education For Virginia	\$0	\$546,986	GF

Language:

Page 172, line 41, strike "\$6,833,113" and insert "\$7,380,099".

Page 173, line 3, after "year" insert:

"and \$546,986 the second year".

Page 173, line 4, after "fund", insert:

"based on an estimated participation of 94 in-state students in the program each year."

Page 173, unstrike lines 10 through 15.

Explanation:

(This amendment restores general fund support for the Virginia Women's Institute for Leadership at Mary Baldwin College.)

Item 166 #2c

Education: Higher Education	FY 02-03	FY 03-04	
State Council Of Higher Education For Virginia	\$0 0.00	\$200,000 2.00	GF FTE

Language:

Page 172, line 41, strike "\$6,833,113" and insert "\$7,033,113".

Page 175, after line 3, insert:

"H.1. The State Council shall conduct a study of the factors contributing to changes over time in the mission of Virginia's public institutions of higher education and shall report its findings, along with any recommendations for strengthening the current

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mission review process, to the Governor and Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2003.

2. In accordance with Items 1.E. and 136.E.7. of this act, the State Council shall recommend tuition and financial aid policies to the Joint Subcommittee Studying Higher Education Funding Policies for its consideration and deliberation in making recommendations to the 2004 General Assembly.

3. The State Council shall evaluate how institutions of higher education are utilizing their academic space and how utilization standards established by the Council compare to those in other states. The State Council shall report its findings to the Chairmen of the Senate Finance and House Appropriations Committees no later than May 15, 2004."

Explanation:

(This amendment restores funding and two general fund positions at the State Council of Higher Education for Virginia.)

Item 166 #3c

Education: Higher Education	FY 02-03	FY 03-04	
State Council Of Higher Education For Virginia	\$0	(\$113,610)	GF

Language:

Page 172, line 41, strike "\$6,833,113" and insert "\$6,719,503".
Page 174, line 8, strike "and \$113,610 the second year".

Explanation:

(This amendment eliminates the technology grants program in the second year.)

Item 170 #1c

Education: Higher Education	FY 02-03	FY 03-04	
Christopher Newport University	\$1,784,685	\$1,800,000	NGF

Language:

Page 176, line 3, strike "\$30,994,570" and insert "\$32,779,255".

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Page 176, line 3, strike "\$30,768,278" and insert "\$32,568,278".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 174 #1c

Education: Higher Education

FY 02-03

FY 03-04

The College Of William And Mary
In Virginia

\$6,350,000

\$4,700,000 NGF

Language:

Page 177, line 42, strike "\$84,672,404" and insert "\$91,022,404".

Page 177, line 42, strike "\$85,793,882" and insert "\$90,493,882".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 174 #2c

Education: Higher Education

FY 02-03

FY 03-04

The College Of William And Mary
In Virginia

(\$198,000)

(\$150,000) NGF

Language:

Page 177, line 42, strike "\$84,672,404" and insert "\$84,474,404".

Page 177, line 42, strike "\$85,793,882" and insert "\$85,643,882".

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Page 179, strike lines 14 through 17.

Page 179, line 18, strike "I" and insert "H".

Explanation:

(This amendment reduces unused nongeneral fund authorization.)

Item 178 #1c

Education: Higher Education

FY 02-03

FY 03-04

Richard Bland College

\$168,000

\$76,000 NGF

Language:

Page 180, line 50, strike "\$6,479,622" and insert "\$6,647,622".

Page 180, line 50, strike "\$6,394,563" and insert "\$6,470,563".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 182 #1c

Education: Higher Education

FY 02-03

FY 03-04

Virginia Institute Of Marine Science

\$41,000

\$0 NGF

Language:

Page 182, line 16, strike "\$17,492,139" and insert "\$17,533,139".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year surcharge. The amendment is technical in nature and is intended only to reflect the total resources available to the institution for fiscal year 2003.)

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Item 184 #1c

Education: Higher Education	FY 02-03	FY 03-04	
George Mason University	\$0	\$535,000	GF

Language:

Page 184, line 17, strike "\$186,457,101" and insert "\$186,992,101".

Explanation:

(This amendment provides operating support for a new academic building opening in the summer of 2003.)

Item 184 #2c

Education: Higher Education	FY 02-03	FY 03-04	
George Mason University	\$14,520,183	\$6,640,366	NGF

Language:

Page 184, line 17, strike "\$180,133,590" and insert "\$194,653,773".

Page 184, line 17, strike "\$186,457,101" and insert "\$193,097,467".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 188 #1c

Education: Higher Education	FY 02-03	FY 03-04	
James Madison University	\$9,917,632	\$4,036,000	NGF

Language:

Page 186, line 49, strike "\$111,862,811" and insert "\$121,780,443".

Page 186, line 49, strike "\$115,165,758" and insert "\$119,201,758".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 188 #2c

Education: Higher Education

James Madison University

Language

Language:

Page 187, after line 40, insert:

"C. The University is authorized to continue offering its existing doctoral degree in psychology and a limited number of other doctoral programs in specialized areas with approval from the State Council of Higher Education for Virginia. These doctoral programs are niche programs, consistent with the comprehensive mission of the University, and are targeted to meet critical needs in the Commonwealth."

Explanation:

(This amendment is self-explanatory.)

Item 192 #1c

Education: Higher Education

FY 02-03

FY 03-04

Longwood University

\$0

\$200,000 GF

Language:

Page 188, line 39, strike "\$28,067,618" and insert "\$28,267,618".

Explanation:

(This amendment provides \$200,000 of general funds to continue funding the Southside Virginia Higher Education Center as provided in fiscal year 2002-03.)

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Item 192 #2c

Education: Higher Education	FY 02-03	FY 03-04	
Longwood University	\$1,792,304	\$2,232,000	NGF

Language:

Page 188, line 39, strike "\$28,565,281" and insert "\$30,357,585".

Page 188, line 39, strike "\$28,067,618" and insert "\$30,299,618".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 196 #1c

Education: Higher Education	FY 02-03	FY 03-04	
Mary Washington College	\$1,913,320	\$1,826,640	NGF

Language:

Page 191, line 7, strike "\$31,390,700" and insert "\$33,304,020".

Page 191, line 7, strike "\$33,020,257" and insert "\$34,846,897".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 202 #1c

Education: Higher Education	FY 02-03	FY 03-04	
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Norfolk State University	\$3,076,130	\$0 NGF
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Language:

Page 194, line 21, strike "\$65,771,037" and insert "\$68,847,167".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase. The amendment is technical in nature and is intended only to reflect the total resources available to the institution for fiscal year 2003.)

Item 202 #2c

Education: Higher Education	FY 02-03	FY 03-04
Norfolk State University	\$0	\$250,000 NGF

Language:

Page 194, line 21, strike "\$67,961,966" and insert "\$68,211,966".

Page 196, after line 14, insert:

"I. Out of this appropriation, \$250,000 the second year from nongeneral funds is designated to support the development of a SkillTek unit designed to familiarize and attract at-risk youth into construction industry jobs. Norfolk State University is authorized to seek Federal Surface Transportation Funds from the Virginia Department of Transportation subject to the conditions outlined in Federal Law (23 USC 140(b)) for use in this program."

Explanation:

(This amendment is self-explanatory.)

Item 206 #1c

Education: Higher Education	FY 02-03	FY 03-04
Old Dominion University	\$0	\$385,000 GF
	0.00	4.00 FTE

Language:

Page 197, line 6, strike "\$132,046,576" and insert "\$132,431,576".

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Explanation:

(This amendment provides additional general fund support for operations and maintenance costs for the new Engineering and Computational Science facility and partially restores funding for the TELETECHNET site at Paul D. Camp Community College.)

Item 206 #2c

Education: Higher Education	FY 02-03	FY 03-04	
Old Dominion University	\$0	\$1,848,362	NGF

Language:

Page 197, line 6, strike "\$132,046,576" and insert "\$133,894,938".

Explanation:

(This amendment provides additional nongeneral fund authority to cover the annualization of the mid-year Spring 2003 tuition increase. The University already has sufficient nongeneral fund authority to cover the tuition increases approved for fiscal year 2003.)

Item 210 #1c

Education: Higher Education	FY 02-03	FY 03-04	
Radford University	\$3,267,944	\$3,700,000	NGF

Language:

Page 200, line 40, strike "\$57,267,770" and insert "\$60,535,714".

Page 200, line 40, strike "\$56,827,921" and insert "\$60,527,921".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 215 #1c

Education: Higher Education	FY 02-03	FY 03-04	
University Of Virginia	\$21,271,496	\$11,742,992	NGF

Language:

Page 202, line 39, strike "\$304,349,148" and insert "\$325,620,644".

Page 202, line 39, strike "\$313,315,351" and insert "\$325,058,343".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 223 #1c

Education: Higher Education	FY 02-03	FY 03-04	
University Of Virginia's College At Wise	\$540,440	\$420,000	NGF

Language:

Page 209, line 3, strike "\$13,003,626" and insert "\$13,544,066".

Page 209, line 3, strike "\$12,903,742" and insert "\$13,323,742".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 227 #1c

Education: Higher Education

Virginia Commonwealth University

Language

Language:

Page 211, line 28, after "designated", insert "solely".

Page 211, line 30, after "programs.", insert:

"Any changes in this appropriation are at the sole discretion of the Governor and the General Assembly. To the extent the University chooses to reduce general fund support for these programs as part of its budget reduction strategies for fiscal year 2004, the reduction shall be proportional to the percentage reduction in general fund support applied to the University's Educational and General budget; however, no reductions shall be made to the Shenandoah Family Practice Program."

Explanation:

(This amendment provides direction to Virginia Commonwealth University regarding the family practice program and the distribution of budget reductions for fiscal year 2004. Shenandoah Family Practice is exempted from the reductions since it has not been fully funded.)

Item 227 #2c

Education: Higher Education

Virginia Commonwealth University

FY 02-03

\$11,500,000

FY 03-04

\$9,000,000 NGF

Language:

Page 211, line 6, strike "\$270,315,523" and insert "\$281,815,523".

Page 211, line 6, strike "\$272,963,515" and insert "\$281,963,515".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 232 #1c

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Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	\$20,125,000	\$27,621,200	NGF

Language:

Page 218, line 11, strike "\$422,159,910" and insert "\$442,284,910".

Page 218, line 11, strike "\$415,697,370" and insert "\$443,318,570".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 232 #2c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	(\$39,949)	(\$62,024)	GF

Language:

Page 218, line 11, strike "\$422,159,910" and insert "\$422,119,961".

Page 218, line 11, strike "\$415,697,370" and insert "\$415,635,346".

Explanation:

(This amendment reduces funding for the operation and maintenance of new facilities coming online due to anticipated delays in building openings.)

Item 232 #3c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	\$0 0.00	\$417,000 2.00	GF FTE

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Language:

Page 218, line 11, strike "\$415,697,370" and insert "\$416,114,370".

Explanation:

(This amendment provides operating support to provide security at the new Medical Education Campus of the Virginia Community College System.)

Item 232 #4c

Education: Higher Education

Virginia Community College
System

Language

Language:

Page 222, after line 56, insert:

"V. The State Board for Community Colleges is authorized to establish procedures whereby community college foundations will be eligible to create endowments for which the investment earnings on qualified gifts by donors would be eligible for up to a 100 percent match by the state, if such endowments are created for the purpose of enhancing selected academic offerings to provide education and training for high cost or demand occupations identified as critical to the economic vitality of the Commonwealth."

Explanation:

(This amendment is self-explanatory.)

Item 239 #1c

Education: Higher Education

Virginia Military Institute

FY 02-03

\$940,416

FY 03-04

\$480,000 NGF

Language:

Page 224, line 11, strike "\$20,800,041" and insert "\$21,740,457".

Page 224, line 11, strike "\$20,233,897" and insert "\$20,713,897".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue

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generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 242 #1c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Military Institute	\$0	\$586,412	GF

Language:

Page 225, line 12, strike "\$4,357,795" and insert "\$4,944,207".

Page 225, line 41, unstrike "705" and strike "353".

Page 225, line 48, strike "\$586,412" and insert "\$1,172,824".

Page 225, line 50, unstrike "705" and strike "353".

Explanation:

(This amendment restores funding in fiscal year 2004 for unique military activities at Virginia Tech. Funds are provided through Virginia Military Institute for this purpose.)

Item 242 #2c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Military Institute	\$0	\$99,830	GF

Language:

Page 225, line 12, strike "\$4,357,795" and insert "\$4,457,625".

Page 225, line 47, strike "\$99,830" and insert "\$199,660".

Explanation:

(This amendment restores funding for unique military activities at Mary Baldwin College. Funds are provided through Virginia Military Institute's budget for this purpose.)

Item 244 #1c

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Education: Higher Education	FY 02-03	FY 03-04	
Virginia Polytechnic Institute And State University	\$20,673,970	\$16,547,940	NGF

Language:

Page 226, line 39, strike "\$306,338,018" and insert "\$327,011,988".

Page 226, line 39, strike "\$312,705,014" and insert "\$329,252,954".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase and the mid-year increase. The amendment also increases the fiscal year 2004 nongeneral fund appropriation to reflect the annualization of the mid-year increases. The budget, as introduced, only included the revenue from the Spring 2002 increase for fiscal year 2004. This amendment is technical in nature.)

Item 244 #2c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Polytechnic Institute And State University	(\$9,562)	(\$39,628)	GF

Language:

Page 226, line 39, strike "\$306,338,018" and insert "\$306,328,456".

Page 226, line 39, strike "\$312,705,014" and insert "\$312,665,386".

Explanation:

(This amendment reduces funding for the operation and maintenance of new facilities coming online due to anticipated delays in building openings.)

Item 248 #1c

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Cooperative Extension And Agricultural Experiment Station	\$0	\$1,050,000	GF

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Language:

Page 230, line 48, strike "\$68,165,098" and insert "\$69,215,098".

Explanation:

(This amendment restores funding for 21 extension agents and 4 extension specialists throughout the state.)

Item 249 #1c

Education: Higher Education

FY 02-03

FY 03-04

Virginia State University

\$1,793,010

\$0 NGF

Language:

Page 232, line 17, strike "\$42,521,262" and insert "\$44,314,272".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in fiscal year 2003 from the authorized Spring 2002 increase. The amendment is technical in nature and is intended only to reflect the total resources available to the institution for fiscal year 2003.)

Item 256 #1c

Education: Other

FY 02-03

FY 03-04

Jamestown-Yorktown Foundation

\$0

\$350,000 GF

0.00

3.00 FTE

Language:

Page 237, line 15, strike "\$10,146,553" and insert "\$10,496,553".

Explanation:

(This amendment provides general fund support for the operation and maintenance of the new visitor services wing and the theater/special exhibition wing.)

Item 257 #1c

Education: Other

Jamestown 2007

Language

Language:

Page 239, strike lines 39 through 59 and insert:

"F. In addition to all other fees required by law, there is imposed a one dollar annual fee on the registration by the Department of Motor Vehicles to be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle under subdivisions A1 through A12 of § 46.2-694, Code of Virginia, to support a special license plate program and other activities in commemoration of the 400th anniversary of Jamestown Settlement in 2007. The Commissioner of Motor Vehicles shall cause appropriate language and symbols calling attention to the anniversary to be placed on all standard license plates issued by the Department of Motor Vehicles. The funds collected under this provision shall be applied first to cover the costs of the Department of Motor Vehicles in administering the commemorative license program. All other funds collected under this provision shall be paid monthly to the Virginia 400th Anniversary Fund to support educational programs sponsored or approved by the Jamestown-Yorktown Foundation, community programs, facility operations and other activities related to the planning, promotion and commemoration of the 400th anniversary of Jamestown and Virginia in 2007, subject to the provisions of Item 381, paragraph K. of this act. It is the intent of the General Assembly that this program shall expire in 2008."

Page 240, strike lines 1 through 5.

Explanation:

(This amendment is self-explanatory.)

Item 262 #1c

Education: Other

The Science Museum Of Virginia

FY 02-03

FY 03-04

\$0	(\$1,513,966)	GF
\$0	(\$444,601)	NGF
0.00	-31.00	FTE

Language:

Page 243, line 8, strike "\$8,524,354" and insert "\$6,565,787".

Page 243, strike lines 34 through 49 and insert "Omitted."

Explanation:

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(This amendment removes the Museum of Natural History from the administration of the Science Museum. A companion amendment to Item 400 restores the Museum of Natural History under the Secretary of Natural Resources.)

Item 263 #1c

Education: Other	FY 02-03	FY 03-04	
Virginia Commission For The Arts	\$0	\$100,000	GF
	0.00	2.00	FTE

Language:

Page 244, line 16, strike "\$2,922,350" and insert "\$3,022,350".

Explanation:

(This amendment partially restores budget reductions for the Commission of the Arts.)

Item 270 #1c

Education: Higher Education

Virginia College Building Authority

Language

Language:

Page 250, line 27, strike "\$35,000,000" and insert "\$39,500,000".

Page 250, line 33, strike the second "\$2,016,731" and insert "\$6,516,731".

Explanation:

(This amendment allocates \$4.5 million through the Equipment Trust Fund for the Prince William III academic building project approved in the 2002 Session of the General Assembly.)

Item 271 #1c

Finance

Secretary Of Finance

Language

Language:

Conference Report on House Bill 1400

Page 252, after line 33, insert:

"Notwithstanding other provisions of law, the Secretary of Finance shall develop a financing plan to determine the status of minority-owned business participation in the State's procurement transactions as authorized by Senate Joint Resolution 359. This financing plan shall be established before the disparity assessment is initiated and shall contain the elements of private sector contributions as well as a fair and equitable distribution of remaining costs among all state agencies and institutions."

Explanation:

(This amendment requires the Secretary of Finance to develop a plan for funding the costs of the assessment to determine the status of minority-owned business participation in the State's procurement transactions as authorized by Senate Joint Resolution 359.)

Item 272 #1c

Finance

Department Of Accounts

Language

Language:

Page 253, after line 6, insert:

"The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs. Revenues included in this fund will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions."

Explanation:

(This amendment directs the Comptroller to establish a fund detail code for moneys donated to the Virginia Museum of Fine Arts by private donors.)

Item 276 #1c

Finance

Department Of Accounts

FY 02-03

\$67,500

FY 03-04

\$135,000 GF

Language:

Page 255, line 15, strike "\$3,682,604" and insert "\$3,750,104".

Page 255, line 15, strike "\$3,436,126" and insert "\$3,571,126".

Explanation:

(This amendment eliminates the proposed fees charged to state employees for the cost of providing miscellaneous payroll deductions and provides general fund appropriations to cover the costs of administering the deductions.)

Item 278.10 #1c

Finance

Department Of Accounts

Language

Language:

Page 257, strike line 33 and insert:

"A.1. For purposes of determining a transfer from the Revenue Stabilization Fund to the general fund as a result of a downward revision in general fund revenues, the general fund revenues appropriated shall be those that are contained in the revenue forecast on which the Appropriation Act in effect was based. Anticipated shortfalls in general fund revenues for fiscal years ending June 30, 2003, and June 30, 2004, shall be computed by comparing the revised general fund forecast presented to the General Assembly to total general fund revenues appropriated in Chapter 899 of the 2002 Acts of Assembly.

A.2. In accordance with Article 10 § 8, Virginia Constitution, and § 2.2-1830, Code of Virginia, the amount of the transfer shall not exceed more than one-half of the balance of Revenue Stabilization Fund or more than one-half of the forecasted shortfall in revenues."

Page 257, at the beginning of line 34, insert:

"B. One-half of the balance of the Revenue Stabilization" .

Page 257, line 40, strike "B." and insert "C."

Explanation:

(This amendment clarifies the calculation of revenues available for deposit to and transfer from the revenue stabilization fund.)

Item 283 #1c

Finance

Conference Report on House Bill 1400

Department Of Taxation

Language

Language:

Page 260, strikes lines 3 through 5 and insert:

"The General Assembly declines to appropriate funds for the continuance of the lease of office space at 11166 Main Street, Fairfax, Virginia, by the Commonwealth of Virginia, Virginia Department of Taxation after June 30, 2003."

Explanation:

(This amendment clarifies language relating to the cancellation of a lease by the Department of Taxation to ensure that the Commonwealth could, if it chose, use the facility for an alternative purpose.)

Item 285 #1c

Finance

FY 02-03

FY 03-04

Department Of Taxation

(\$148,575)

(\$372,000) GF

Language:

Page 260, line 40, strike "\$48,815,737" and insert "\$48,667,162".

Page 260, line 40, strike "\$54,956,986" and insert "\$54,584,986".

Explanation:

(This amendment reduces the appropriation for enhanced tax compliance efforts by \$520,575 to reflect lower assumed starting salaries than had been included in the introduced budget. House Bill 1400/Senate Bill 700 amounts were based on the assumption that average starting salary would be at the mid-point of the range of the salary scale.)

Item 285 #2c

Finance

Department Of Taxation

Language

Language:

Page 265, after line 48, insert:

"K. For individual income tax returns filed on or after January 1, 2004, by taxpayers using the Department of Taxation's Internet filing system (iFile for Individual), the

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Department is prohibited from using data provided by taxpayers and saved as draft, except for the sole purpose of providing user assistance. Once a final return is completed and submitted by a user, all draft information shall be removed from the system. In providing assistance to taxpayers using the iFile system, the information provided by Department of Taxation on-line shall be the same type of information and questions that are contained in the tax booklets published annually by the Department or that information required to minimize taxpayer errors in the filing of their return."

Explanation:

(This amendment clarifies the responsibilities of the Department of Taxation regarding on-line income tax services. These are limited to providing information that is of the same type found in printed materials, or assistance necessary to minimize filing errors.)

Item 285 #3c

Finance

Department Of Taxation

Language

Language:

Page 265, after line 48, insert:

"K. Notwithstanding the provisions of § 58.1-306, Code of Virginia, the Department of Taxation shall include as the primary mailing address on both the printed and electronic versions of the instruction booklets and forms accompanying Form 760, 760PY, 763, and 760ES: P.O. Box 1478, Richmond Virginia 23218-1478."

Explanation:

(This amendment directs the Department of Taxation to include its address on individual income tax forms provided to the general public.)

Item 285 #4c

Finance

Department Of Taxation

FY 02-03

\$0
0.00

FY 03-04

\$250,000 GF
3.50 FTE

Language:

Page 260, line 40, strike "\$54,956,986" and insert "\$55,206,986".

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Explanation:

(This amendment provides \$250,000 and 3.5 FTE positions the second year from the general fund for Department of Taxation compliance activities. These positions will be used to pursue compliance opportunities not included in the Governor's introduced budget by applying various computerized methods to increase tax compliance. A companion amendment in Item 285 provides additional collector positions to support these programs.)

Item 285 #5c

Finance	FY 02-03	FY 03-04	
Department Of Taxation	\$0	\$250,000	GF
	0.00	4.00	FTE

Language:

Page 260, line 40, strike "\$54,956,986" and insert "\$55,206,986".

Explanation:

(This amendment provides \$250,000 and four FTE positions for the Department of Taxation to pursue compliance opportunities not included in the Governor's introduced budget. These tax collectors will support compliance efforts funded under a companion budget amendment in Item 285.)

Item 287 #1c

Finance

Department Of Taxation

Language

Language:

Page 266, following line 39, insert:

"Provided however, that any enlargement of the scope and cost of any public/private partnership contract authorized by § 58.1-202.2, Code of Virginia, shall be reported to the Chairmen of the Senate Finance and House Appropriations Committees prior to execution of said contract revision."

Page 267, line 11, following the word "Fund.", insert:

"A copy of the spending plan shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees by August 1 of each year."

Explanation:

(This amendment requires that information relative to the public/private partnership be provided to the Chairmen of the Senate Finance and House Appropriations Committees.)

Item 287 #2c

Finance

Department Of Taxation

Language

Language:

Page 266, line 52, after the word "partners.", insert:

"In order to avoid the payment of interest to the private partner, a treasury loan shall be advanced to the Partnership Fund in the amount of any invoice submitted by the private partner that is deemed payable, if sufficient funds are not available in the Partnership Fund to pay the invoice. Any such treasury loan advanced shall be repaid immediately from the next deposit to the Partnership Fund. However, the interest payable on any funds that the Department holds back as a guarantee against operational defects can be paid from interest earned on the hold-back, combined with any other funds that are available to the Department."

Explanation:

(This amendment eliminates the possibility that a high interest rate will be charged on unpaid invoices.)

Item 290 #1c

Finance

Department Of The Treasury

Language

Language:

Page 269, after line 10, insert:

"D.1. Any payments for the relief of Marvin Lamont Anderson, including any annuity payments specified by Senate Bill 686 of the 2003 Session as enacted, shall be paid from the general fund amounts appropriated for Insurance Services upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision, The amount and timing of payments, including any annuity payments, shall be as specified in Senate Bill 863

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(2003 Session) as enacted.

2. Any annuity purchased by the State Treasurer for Marvin Lamont Anderson shall be at the lowest cost available from any A+ rated company, including any A+ rated company from which the State Lottery Department may purchase an annuity, and such annuity shall contain beneficiary provisions providing for the annuity's continued disbursement in the event of the death of Marvin Lamont Anderson."

Explanation:

(This amendment funds a claim for Marvin Lamont Anderson, who was wrongly incarcerated from 1983 to 1997 and was on probation until 2002. Mr. Anderson was granted a full and absolute pardon in 2002 by Governor Warner, based on DNA testing which confirmed that Mr. Anderson was not a perpetrator of the crimes for which he was convicted.)

Item 296 #1c

Finance	FY 02-03	FY 03-04	
Treasury Board	(\$30,000)	(\$2,570,000)	GF

Language:

Page 273, line 8, strike "\$257,060,687" and insert "\$257,030,687".
Page 273, line 8, strike "\$286,714,948" and insert "\$284,144,948".

Explanation:

(This amendment reduces funding for debt service as a result of a refunding of previously issued bonds of the Virginia Public Building Authority.)

Item 296 #2c

Finance	FY 02-03	FY 03-04	
Treasury Board	\$0	(\$2,000,000)	GF
	\$0	\$2,000,000	NGF

Language:

Page 273, line 15, strike "278,419,540" and insert "276,419,540".
Page 273, line 17, strike "2,422,604" and insert "4,422,604".
Page 274, after line 52, insert:

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

Institution	FY 2004
George Mason University	\$114,035
Old Dominion University	\$108,790
University of Virginia	\$376,300
Virginia Tech	\$386,400
Virginia Commonwealth University	\$94,125
College of William and Mary	\$133,950
Christopher Newport University	\$7,190
University of Virginia's College at Wise	\$3,790
James Madison University	\$219,230
Norfolk State University	\$75,375
Longwood University	\$9,130
Mary Washington College	\$55,465
Radford University	\$51,190
Virginia Military Institute	\$36,135
Virginia State University	\$68,770
Richard Bland College	\$1,165
Virginia Community College System	\$258,960
TOTAL	\$2,000,000".

Explanation:

(This amendment provides for the transfer of \$2 million from nongeneral funds from institutions of higher education from a capital fee charged on out-of-state students for debt service costs on the recently approved capital bond package. The amounts are based on a \$1.67 per credit fee on out-of-state students at four-year institutions and a \$1.50 per credit fee on out-of-state students at two-year institutions.)

Item 296 #3c

Finance	FY 02-03	FY 03-04	
Treasury Board	\$0	\$300,000	GF

Language:

Page 273, line 8, strike "\$286,714,948" and insert "\$287,014,948".

Explanation:

(This amendment provides debt service on Virginia Public Building Authority bonds issued for renovation of the Capitol.)

Item 298 #1c

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 282, after line 12, insert:

"H.1. In order to assist the courts and other participating parties in the uniform and effective operation of the Commonwealth's involuntary civil commitment statutes, the Secretary of Health and Human Resources, in consultation with the Secretary of Public Safety and the Executive Secretary of the Supreme Court, shall appoint a committee on civil commitment procedures to establish statewide policies and guidelines that identify the party or parties responsible for the safety and security of individuals who are the subject of or who participate in involuntary detention and admission activities. These activities include transportation; custody of persons under judicial orders; medical evaluation, screening and treatment; and detention services. Such policies and guidelines shall recognize the varying resources of localities and the varying conditions and needs of individuals subject to temporary detention orders and protect their security; protect the security of patients, staff and employees of facilities providing emergency medical evaluation, treatment or detention services; and be consistent with the requirements of the Emergency Medical Treatment and Active Labor Act, 42 U.S.C. 1395dd, as amended, and its implementing regulations.

2. The committee shall include representatives of the agencies in the secretariats and the Supreme Court who are involved in these activities; community services boards; general district courts, including magistrates and special justices; law-enforcement agencies, including police and sheriff's departments; facilities and practitioners providing emergency medical evaluations, treatment or temporary detention; state mental health facilities; local governments; and other entities as necessary.

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3. The committee shall report these policies and guidelines to the Secretaries and to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2003, and include recommendations for any legislative actions needed to implement the policies and guidelines. These policies and guidelines shall be used by the applicable local representatives or counterparts of the agencies and organizations represented on the committee to develop local procedures."

Explanation:

(This amendment adds language to develop policies and guidelines to determine how custody for patients involuntarily committed is handled to ensure safety and security during all phases of the detention and involuntary civil commitment process. Language is also added to require a report by November 1, 2003, of any recommendations for legislative actions needed to implement the policies and guidelines.)

Item 298 #2c

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 281, line 14, after "D.", insert "1."

Page 281, after line 36, insert:

"2. The Secretary of Health and Human Resources shall provide a progress report on the implementation of the 2002 plan for improving services and containing costs in the treatment and care of children under the Comprehensive Services Act for At-Risk Youth and Families to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 298 #3c

Health And Human Resources

Secretary Of Health And Human
Resources

Language

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Language:

Page 282, after line 12, insert:

"H. The Secretaries of Health and Human Resources and Education shall report on the cost trends and funding options for indigent health care services provided through the state academic health systems and academic health systems that operate under a state authority. The report shall identify opportunities for efficiencies in the delivery of such health care services. The Secretaries shall submit the report including recommended funding options to the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2003."

Explanation:

(This amendment is self-explanatory).

Item 299 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Comprehensive Services For At-Risk Youth And Families	\$0	(\$1,000,000)	GF

Language:

Page 282, line 27, strike "\$204,399,398" and insert "\$203,399,398".

Page 287, after line 3, insert:

"K. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Comprehensive Services Act for At-risk Children and Youth."

Explanation:

(This amendment requires the use Medicaid funded services whenever they are available for the appropriate treatment of children and youth receiving Comprehensive Services Act (CSA) services. Currently, some localities do not use appropriate Medicaid-funded services when available, resulting in increased general fund costs for the CSA program.)

Item 300 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department For The Aging	\$0	\$5,000	GF

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Language:

Page 287, line 12, strike "\$2,197,951" and insert "\$2,202,951".

Explanation:

(This amendment adds funding in the Department for the Aging for the Alzheimer's Disease and Related Disorders Commission where the authority for the Commission has been transferred pursuant to House Bill 2519. A companion amendment in Item 331 transfers the funding from Department of Mental Health, Mental Retardation and Substance Abuse Services.)

Item 301 #1c

Health And Human Resources

FY 02-03

FY 03-04

Department For The Aging

\$0

\$105,000 GF

Language:

Page 287, line 30, strike "\$25,699,574" and insert "\$25,804,574".

Page 288, line 7, strike "\$400,000" and insert "\$505,000".

Page 288, line 9, after "Program.", insert:

"Up to \$5,000 of this appropriation the second year may be used for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meeting per year."

Explanation:

(This amendment restores the reduction of \$105,000 from the general fund for the Virginia Public Guardian and Conservator program that was approved by the 2002 General Assembly. Included in this appropriation is \$5,000 for the Virginia Public Guardian and Conservatorship Advisory Board.)

Item 303 #1c

Health And Human Resources

Department For The Aging

Language

Language:

Page 290, line 1, strike "25" and insert "40".

Explanation:

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(This amendment authorizes the Director of the Department of Planning and Budget, at the request of the Commissioner of the Department for the Aging, to transfer up to 40 percent of funds from one category of elderly services to another, as allowed under federal regulation. No transfers from services to administration would be permitted. Currently, transfers of up to 25 percent are authorized. This is a recommendation of the Joint Commission on Health Care.)

Item 304 #1c

Health And Human Resources

Department For The Deaf And
Hard-Of-Hearing

Language

Language:

Page 290, line 31, before "The", insert "A."

Page 290, after line 37, insert:

"B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Connie Reasor Deaf Resource Center in Planning District 1."

Explanation:

(This amendment is self-explanatory.)

Item 304 #2c

Health And Human Resources

Department For The Deaf And
Hard-Of-Hearing

Language

Language:

Page 290, line 37, after "Virginia", insert:

"and that the Center maintain at least 105 full time equivalent positions".

Explanation:

(This amendment requires the Relay Center in Norton, Virginia to maintain at least 105 FTE positions.)

Item 305 #1c

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Health And Human Resources	FY 02-03	FY 03-04
Department Of Health	\$0	(\$125,000) GF

Language:

Page 290, line 49, strike "\$10,850,674" and insert "\$10,725,674".

Page 291, after line 16, insert:

"Out of this appropriation, \$912,609 from the general fund the second year is provided toward the costs of the required relocation of the agency's central office staff to the James Madison Building. General and special fund appropriations in this item that are unexpended at the end of the first year shall be reappropriated to offset the impact of second year funding reductions in this item."

Explanation:

(This amendment reduces the amount of general funds appropriated in fiscal year 2004 on a one-time basis for the Department of Health's required move to the James Madison Building. The savings are based on assumptions regarding the timing of equipment lease payments. Language is added to reappropriate any fiscal year 2003 unexpended balances to offset the impact of this one-time reduction if assumptions regarding the lease payments do not materialize. In addition, unexpended balances could be used to mitigate fiscal year 2004 reductions of \$3.3 million associated with estimated information technology savings, should the actual savings be delayed until fiscal year 2005.)

Item 305 #2c

Health And Human Resources

Department Of Health

Language

Language:

Page 291, after line 16, insert:

"As part of the Department's ongoing suicide prevention efforts, the Department of Health, in cooperation with the Departments of Mental Health, Mental Retardation, and Substance Abuse Services; Social Services; Education; Juvenile Justice; Criminal Justice Services; State Police; Corrections; Aging and other state agencies shall lead an effort to formulate a comprehensive suicide prevention plan. The plan shall address suicide prevention across the life span with an emphasis on adolescents, the elderly, and high-risk populations. The plan shall establish Virginia's public policy regarding the prevention of suicide, identify the lead agency responsible for carrying

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out that policy, propose initiatives and interventions to effectively operationalize that policy, identify the sources and amounts of resources to implement the initiative, and propose the creation of a permanent oversight body to monitor implementation. The plan should be completed by June 30, 2004, and presented to the Governor and General Assembly for their consideration and possible action during the 2005 legislative session."

Explanation:

(This amendment requires the Department of Health to lead a multi-agency effort to develop a comprehensive suicide prevention plan for the Commonwealth no later than June 30, 2004.)

Item 306 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$200,000	GF

Language:

Page 291, line 18, strike "\$1,651,884" and insert "\$1,851,884".

Page 292, line 20, strike "\$100,000" and insert "\$300,000".

Page 292, line 23, after "Centers.", insert:

"General fund appropriations in this item shall be used for the recruitment and retention, practice support, and training of health care professionals in medically underserved areas or areas with medically underserved populations."

Explanation:

(This amendment restores \$200,000 from the general fund to the Virginia Statewide Area Health Education Centers (AHECs) and modifies how AHEC funding is to be used. The Governor's October budget reduction actions had reduced the second year funding for the program by 90 percent, leaving only \$100,000 from the general fund for the AHECs, and eliminated language directing how these funds were to be used.)

Item 307 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$3,185,823	GF

Language:

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Page 293, line 44, strike "\$12,346,789" and insert "\$15,532,612".

Explanation:

(This amendment restores \$3.2 million from the general fund the second year for Emergency Medical Services that were reduced in the budget as introduced.)

Item 307 #2c

Health And Human Resources

FY 02-03

FY 03-04

Department Of Health

\$1,045,375

\$0 NGF

Language:

Page 293, line 44, strike "\$12,651,410" and insert "\$13,696,785".

Page 294, strike lines 47 through 51 and insert:

"F. From the fund balance of the Rescue Squad Assistance Fund, \$1,045,375 the first year shall be provided to the Department of State Police for aviation (med-flight) operations."

Explanation:

(This amendment directs \$1.0 million the first year from the fund balance of the Rescue Squad Assistance Fund to the Department of State Police for med-flight operations. Unlike the introduced budget, this amendment does not reduce the appropriation to the Rescue Squad Assistance Fund. A companion amendment in Item 459 restores the general fund appropriation for med-flight operations, eliminates this transfer in the second year to the Department of State Police, and requires the Department to explore second-party billing for med-flight operations.)

Item 307 #3c

Health And Human Resources

Department Of Health

Language

Language:

Page 294, unstrike lines 24 through 29.

Page 294, line 29, strike "The".

Page 294, strike lines 30 through 37.

Explanation:

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(This amendment restores language which provides funding to the Virginia Association of Volunteer Rescue Squads from the emergency medical services special fund. It also strikes language in the introduced budget that would have capped at \$257,125 each year the amount of funding distributed to the Virginia Association of Volunteer Rescue Squads pursuant to § 46.2-694 A 13 a, Code of Virginia.)

Item 311 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$67,250	NGF
	0.00	1.00	FTE

Language:

Page 296, line 36, strike "\$2,194,571" and insert "\$2,261,821".

Explanation:

(This amendment provides special funds for the Certificate of Public Need (COPN) review associated with the submission of a single COPN application by cancer care centers for diagnostic imaging and radiation services pursuant to House Bill 1621/Senate Bill 1226. The cost of the COPN reviews projected in fiscal year 2004 would be funded from the COPN application fees charged to these centers.)

Item 312 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$125,000	GF
	\$0	(\$125,000)	NGF

Language:

Page 297, line 49, before "from", insert:

"and \$125,000 the second year".

Page 297, line 53, strike "\$2,370,155" and insert "\$2,245,155".

Explanation:

(This amendment restores \$125,000 from the general fund the second year for the Comprehensive Health Investment Project (CHIP) of Virginia and reduces federal Temporary Assistance to Needy Families block grant funding by \$125,000 that was substituted for the general fund appropriation in the introduced budget. A companion

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amendment in Item 354 adjusts the federal TANF appropriation downward to reflect this action.)

Item 313 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	(\$60,000)	NGF

Language:

Page 300, line 2, strike "\$31,848,080" and insert "\$31,788,080".

Page 301, line 2, strike "400,000" and insert "340,000".

Explanation:

(This amendment reduces Temporary Assistance to Needy Families (TANF) funding in the second year for the Virginia Fatherhood Campaign by 15 percent. This action is part of a larger effort to return structural balance to the TANF program by fiscal year 2005.)

Item 316 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$1,125,000	GF

Language:

Page 302, line 49, strike "\$33,021,095" and insert "\$34,146,095".

Page 303, after line 21, insert:

"C. Out of the general fund appropriation for the Drinking Water State Revolving Fund, \$600,000 the second year shall be divided equally among Planning Districts 1, 2, and 3 for planning water projects needed to improve the health of the region."

Explanation:

(This amendment is self-explanatory.)

Item 322 #1c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 307, after line 28, insert:

"J. The Department of Medical Assistance Services shall monitor the impact of all new prior authorization requirements implemented in the fee-for-service program for Family Access to Medical Insurance Security (FAMIS) and Medicaid services that take effect on or after July 1, 2003. The Department shall maintain data including the number of service denials, the number of prior authorization requests submitted, the number of requests approved and denied, the number of appeals from prior authorization denials, the outcome of those appeals, and all associated administrative costs. Such information shall be reported to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on an annual basis. The first annual report for fiscal year 2004 shall be submitted no later than 45 days after the end of the fiscal year."

Explanation:

(This amendment requires Department of Medical Assistance Services to maintain and report data necessary to evaluate implementation of the new FAMIS and Medicaid prior authorization requirements.)

Item 322 #2c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 307, after line 28, insert:

"J. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia."

Explanation:

(This amendment is self-explanatory.)

Item 323.10 #1c

Health And Human Resources

FY 02-03

FY 03-04

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Department Of Medical Assistance	\$0	(\$29,997,437)	GF
Services	\$0	(\$30,153,830)	NGF

Language:

Page 307, line 42, strike "\$60,151,267" and insert "\$0".
Page 307, strike lines 42 through 54 and insert "Omitted."
Page 308, strike lines 1 through 10.

Explanation:

(This amendment eliminates language and funding for the new Protecting Access to Healthcare program. The funding is redirected in Item 325 to restore a portion of the reductions to Medicaid providers contained in House Bill 1400, as introduced.)

Item 324 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$897,714	GF
Services	\$0	\$1,674,532	NGF

Language:

Page 308, line 13, strike "\$54,440,764" and insert "\$57,013,010".
Page 310, after line 50, insert:
"N. Out of this appropriation, \$897,714 from the general fund and \$1,674,532 from nongeneral funds shall be provided to managed care organizations for fiscal year 2004 inflation adjustments. The inflation adjustment provided to managed care organizations on July 1, 2003, shall be calculated in a manner to assure that the increase in payments does not exceed the funding provided in this amendment."

Explanation:

(This amendment restores almost 50 percent of the funding which was reduced for managed care organizations in House Bill 1400, as introduced. The funds will provide an inflation adjustment in fiscal year 2004 of approximately 4.7 percent.)

Item 324 #2c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$56,964	GF
Services	\$0	\$68,292	NGF

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Language:

Page 308, line 13, strike "\$54,440,764" and insert "\$54,566,020".

Explanation:

(This amendment implements the provisions of Senate Bill 1218/House Bill 2287 that include 1) establishing a single, umbrella program that incorporates FAMIS and the Medicaid Program for Medically Indigent Children to be known as "FAMIS Plus," and 2) reducing from six to four months the length of time that children must be uninsured before qualifying for FAMIS.)

Item 324.10 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$6,000,000	GF
Services	\$0	\$12,000,000	NGF

Language:

Page 310, after line 50, insert:

"324.10. Medical Assistance Services for	\$18,000,000
Low-Income Children	
Fund Sources: General	\$6,000,000."
Special	\$12,000,000

Explanation:

(This amendment is a technical amendment related to funding services for low-income children in the Medicaid program. It establishes a new Item 324.10 which contains funding for medical assistance services for low-income children from ages 7 to 19 in families with incomes between 100 percent and 133 percent of the federal poverty level. In the past, these children would have been served through the Family Access to Medical Insurance Security (FAMIS) Plan. Last year, the General Assembly simplified Medicaid and FAMIS eligibility to allow all children in families with incomes up to 133 percent of the federal poverty level to be served in the Medicaid program. In making this change, the Commonwealth was able to draw down additional federal matching funds at the FAMIS rate to serve the additional children in Medicaid. Transferring funding to a separate item will allow the Department of Medical Assistance Services to better track funding for this group of children in the new Medicaid management information system.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 326, line 51, after "using", insert "state".

Page 326, line 52, after "data.", insert:

"If a provider's cost report data are not available, the most recent year's available cost report data shall be used."

Explanation:

(This amendment clarifies that the Department of Medical Assistance Services shall use the most current available cost report data if the fiscal year 2002 cost report data are not available at the time the rebasing calculation is being completed.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 323, line 37, after "responsibility.", insert:

"These maximum amounts shall not be lower than the highest amounts reimbursed by Medicare or Medicaid for the same non-covered medical service."

Explanation:

(This amendment clarifies that out-of-pocket medical expenditures that count toward Medicaid eligibility for nursing facility services or that Medicaid recipients contribute toward their cost of care in a nursing facility are recognized as the highest amount paid by either Medicare or Medicaid for reimbursement of those services. Currently, Medicaid-eligible nursing facility residents may keep \$30 of their monthly income as a personal needs allowance, for miscellaneous personal expenses. The rest of their income is paid to the nursing facility towards the cost of their care. When nursing facility residents have expenses for medical services which are not covered by Medicaid, they are allowed to use additional amounts of their income to cover those expenses. The introduced budget allows the Department to recognize these expenses

as the amount that Medicaid would have paid for the services instead of the gross charge for these services.)

Item 325 #3c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 7, after "stakeholders.", insert:

"In the event a recipient of a waiver slot under the Independence Plus Home and Community Based Services Waiver exits the program, funding for the slot shall revert to the waiver program from which the recipient came."

Explanation:

(This amendment ensures that funding for the Independence Plus waiver slot will return to either the Mental Retardation Home- and Community-based Waiver program or the Individual and Family Developmental Disabilities Support Waiver program in the event that an individual exits the waiver program. Currently, no additional funding is provided for the new Independence Plus Home and Community Based Services Waiver; therefore, these new waiver services would only be available to individuals currently receiving services under an existing waiver program who voluntarily choose to transfer to the new waiver program.)

Item 325 #4c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, strike lines 56 through 58 and insert:

"ZZ.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List program no later than January 1, 2004. In

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developing the modifications, the Department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2. The Department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services, or his designee. Other members shall be selected or approved by the Department. The membership shall include a ratio of physicians to pharmacists of 2:1. Physicians on the Committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the Committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the Department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

3. The Department shall establish a process for acting on the recommendations made by the Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the Committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review

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process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.

5. The Preferred Drug List program shall generate savings as determined by the Department that are net of any administrative expenses to implement and administer the program of not less than \$9,000,000 in general funds in fiscal year 2004 and not less than \$18,000,000 in general funds in each fiscal year thereafter. The final design of the program, including all operational components, shall be completed no later than April 2, 2003. The Department shall submit a report on the final main design components of the program to the Chairmen of the House Appropriations and Senate Finance Committees no later than April 1, 2003.

6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the Department shall work with the Department of Mental Health, Mental Retardation, and Substance Abuse Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients."

Page 323, strike lines 1 through 23.

Explanation:

(This amendment adds language setting forth criteria for the design of the Medicaid Preferred Drug List program. The preferred drug list will be implemented no later than January 1, 2004. It directs the Department of Medical Assistance Services to use a Pharmacy and Therapeutics Committee composed of physicians and pharmacists to recommend (a) the therapeutic categories to be included on the Preferred Drug List, (b) appropriate exclusions for certain medications used to treat serious mental illnesses, brain disorders, cancer, and HIV-related conditions, and (c) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective. It requires the department to document any decisions regarding the development of the Preferred Drug List that deviate from the recommendations of the Pharmacy and Therapeutics

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Committee. It also adds language allowing for a limited supply of an individual's prescription to be covered in an emergency and requires immediate prior authorization decisions and notification of negative decisions to patients and their physicians. It requires patient and physician education and training, and ongoing communications on the program. The design of the program requires savings to the Medicaid pharmacy program of approximately \$18 million in general funds annually, net of administrative expenses; however, only \$9 million in general fund savings are assumed in fiscal year 2004, since the program would not be implemented until January 1, 2004. Nothing in this language prohibits the Department of Medical Assistance Services from using reference pricing or negotiating supplemental rebates. Language is added to allow for the issuance of emergency regulations to implement the program. Finally, language is added directing the Department of Medical Assistance Services to work with the Department of Mental Health, Mental Retardation, and Substance Abuse Services to consider utilizing a preferred drug list for its non-Medicaid clients.)

Item 325 #5c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	(\$750,000)	GF
	\$0	(\$753,910)	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,461,923,454".

Page 327, after line 3, insert:

"UUU. The Department of Medical Assistance Services shall develop, with eligible not-for-profit hospitals whose Medicare disproportionate share adjustment percentages are greater than 11.75 percent, memoranda of understanding that enable these hospitals to qualify under the federal statute and participate in the federal 340B drug-pricing program. The memoranda of understanding shall be established so that an eligible hospital becomes government-affiliated in accordance with federal guidelines (see Criteria For Hospital Participation in the 340B Drug-Pricing Program: PHSA § 340(B)(a)(4)(L)(i); 42 U.S.C. § 256b(4)(L)(i)). The Department shall report on completion of these efforts or the status of these efforts to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2003."

Explanation:

(This amendment requires the Department of Medical Assistance Services to establish formal relationships with interested not-for-profit hospitals to enable them to

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become eligible to purchase drugs through the federal 340B Drug Pricing Program to receive discount prices, estimated to save the Medicaid program \$750,000 in general funds and \$753,910 in matching federal Medicaid funds in the second year. Additional savings will accrue to hospitals because hospitals can apply the 340B drug discount price, which averages 20 percent less than Medicaid, to their non-Medicaid outpatient services; these additional savings have not been quantified. This is a recommendation of the Joint Legislative Audit and Review Commission from their special report "State Spending on Medical Supplies and Pharmaceuticals" in response to House Joint Resolution 773, 2001 General Assembly.)

Item 325 #6c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 313, line 31, after "increased.", insert:

"Efforts to maximize federal upper payment limits for the state academic health systems and academic health systems that operate under a state authority that result in savings above the amounts assumed in this Appropriation Act to the Medicaid program shall be passed through to those health systems so long as they demonstrate a financial need for the costs of providing indigent health care services."

Explanation:

(This amendment requires the Department of Medical Assistance Services to pass through any cost savings in Medicaid that are achieved through efforts to maximize the federal upper payment limits above the amounts assumed in the Appropriation Act for the Medicaid program to the academic health systems.)

Item 325 #7c

Health And Human Resources

Department Of Medical Assistance
Services

FY 02-03

FY 03-04

\$0	(\$1,000,000)	GF
\$0	(\$1,005,214)	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,461,422,150".

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Page 327, after line 3, insert:

"UUU. The Department of Medical Assistance Services shall work with the Virginia Pharmacists Association and the Medical Society of Virginia to begin an initiative with pharmacies and physicians to encourage the utilization of over-the-counter products when non-sedating antihistamines are needed. Savings yielded by this effort, estimated at \$1,000,000 from the general fund and \$1,005,214 from nongeneral funds, the second year shall be used to restore a portion of the pharmacy dispensing fee to \$3.75 per prescription per month."

Explanation:

(This amendment directs the Department of Medical Assistance Services to work with pharmacists and physicians to obtain savings in the Medicaid pharmacy program through greater use of over-the-counter non-sedating antihistamines. The savings from this effort will be used to restore a portion of the dispensing fees which were reduced in House Bill 1400, as introduced. A companion amendment in Item 325 provides funding using these savings and other funds to restore one-half of the pharmacy dispensing fee reduction.)

Item 325 #8c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 327, after line 3, insert:

"UUU. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the Department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The Department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services."

Explanation:

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(This amendment adds language that would prohibit the Department of Medical Assistance Services from offering or paying incentives to any potential contractor for pharmacy benefit management services based on denying or delaying medically appropriate prescription drug therapy, should the Department decide to contract for these services.)

Item 325 #9c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$325,000	GF
Services	\$0	\$326,694	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,079,058".

Page 325, strike lines 34 through 42 and insert:

"LLL. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance governing Medicaid reimbursement for nursing facilities to eliminate coverage of rehabilitation services and complex care services from the Specialized Care program, except for pediatric Specialized Care and except for specialized Traumatic Brain Injury Units. The Department shall amend the ventilator services component of the Specialized Care program to include individuals who have a tracheostomy and who meet certain additional criteria. The Department shall clarify that continuous positive airway pressure and bilevel positive airway pressure, except for pediatric specialized care, are not included in ventilator services for Specialized Care. Such amendments to the State Plan shall become effective within 280 days or less from the enactment of this act. Contingent upon federal approval, a nursing facility that operates a Traumatic Brain Injury Unit in Virginia Beach may transfer funding and beds to another facility."

Explanation:

(This amendment restores funding for a facility that operates a Traumatic Brain Injury Unit and provides an increase to hire two additional specialized care providers and ensures that the Department of Medical Assistance Services continues the Specialized Care program for pediatric specialized care and for certain Medicaid recipients who have a tracheostomy and meet additional criteria. The Specialized Care program provides additional reimbursement for patients with special care needs. The new reimbursement methodology for nursing facilities will factor in patient acuity levels and their attendant care costs, alleviating the need for a additional reimbursement under the Specialized Care program for many nursing home patients.

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Continuous positive airway pressure and bilevel positive airway pressure devices would be excluded in most instances, as they are non-continuous ventilators and are generally used to assist individuals with sleep apnea.)

Item 325 #10c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$16,040,280	GF
Services	\$0	\$16,123,907	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,495,591,551".

Page 327, after line 3, insert:

"UUU.1. Out of this appropriation, \$16,040,280 from the general fund and \$16,123,907 from nongeneral funds the second year shall be provided to managed care organizations for fiscal year 2004 inflation adjustments. The inflation adjustment provided to managed care organizations on July 1, 2003, shall be calculated in a manner to ensure that the increase in payments does not exceed the funding provided in this amendment.

2. Out of the amounts appropriated to managed care organizations, the Department may expend up to \$300,000 in fiscal year 2004 for costs associated with developing managed care rates in compliance with federal law and regulation."

Explanation:

(This amendment restores almost 50 percent of the funding to managed care organizations for an inflation adjustment in fiscal year 2004, which was reduced in House Bill 1400, as introduced. The Medicaid forecast had assumed payments to these organizations would grow about 10 percent in fiscal year 2004. This amendment provides an inflation adjustment of approximately 4.7 percent. Language is also added to allow the Department to expend up to \$300,000 in fiscal year 2004 for the costs associated with setting rates and contracting with managed care organizations in compliance with federal regulations implementing the Balanced Budget Act of 1997. Federal regulations adopted in 2002 require state Medicaid agencies to provide actuarial certification of the rate setting methodology employed with respect to managed care organizations.)

Item 325 #11c

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Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$8,768,125	GF
Services	\$0	\$8,813,838	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,481,009,327".

Page 325, strike lines 43 through 50 and insert:

"MMM. 1. Out of this appropriation, \$8,768,125 from the general fund and \$8,813,838 from nongeneral funds the second year shall be provided to nursing facilities for fiscal year 2004 direct care inflation adjustments. The inflation adjustment provided to nursing facilities effective on July 1, 2003, shall be calculated in a manner to ensure that the increase in payments does not exceed the funding provided in this amendment."

Explanation:

(This amendment restores 100 percent of the reduction in funding to nursing facilities for an inflation adjustment for direct care services in fiscal year 2004. House Bill 1400, as introduced, eliminated this adjustment for fiscal year 2004. This amendment provides an inflation adjustment of approximately 5.1 percent.)

Item 325 #12c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$2,325,094	GF
Services	\$0	\$2,337,216	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,468,089,674".

Page 325, strike lines 43 through 50 and insert:

"MMM. 2. Out of this appropriation, \$2,325,094 from the general fund and \$2,337,216 from nongeneral funds the second year shall be provided to nursing facilities for fiscal year 2004 for indirect care inflation adjustments. The inflation adjustment provided to nursing facilities effective on July 1, 2003, shall be calculated in a manner to ensure that the increase in payments does not exceed the funding provided in this amendment."

Explanation:

(This amendment restores 30 percent of the reduction in funding to nursing facilities for an inflation adjustment for indirect care services in fiscal year 2004.

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House Bill 1400, as introduced, eliminated this adjustment in fiscal year 2004. This amendment provides an inflation adjustment of approximately 1.53 percent.)

Item 325 #13c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$5,417,565	GF
Services	\$0	\$5,445,810	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,474,290,739".

Page 323, strike lines 40 through 49 and insert:

"CCC. Out of this appropriation, \$5,417,565 from the general fund and \$5,445,810 from nongeneral funds shall be provided to private inpatient hospitals for fiscal year 2004 for inflation adjustments. The inflation adjustment provided to private inpatient hospitals effective on July 1, 2003, shall be calculated in a manner to ensure that the increase in payments does not exceed the funding provided in this amendment."

Explanation:

(This amendment restores the funding to private inpatient hospitals for an inflation adjustment in fiscal year 2004 which was eliminated in House Bill 1400, as introduced. This amendment provides an inflation adjustment of approximately five percent. Public hospitals received an inflationary increase in the introduced budget and are not affected by this change.)

Item 325 #14c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$2,004,590	GF
Services	\$0	\$2,015,041	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,467,446,995".

Page 322, line 53 strike "\$3.25" and insert "\$3.75".

Explanation:

(This amendment reduces the dispensing fee paid to pharmacists from \$4.25 to \$3.75 per prescription per month. It provides funding to restore one-half of the

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dispensing fee reduction. A companion amendment in Item 325 captures savings from an initiative to increase the use of over-the-counter non-sedating antihistamines, which will be used to fund a portion of this restored amount.)

Item 325 #15c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 13, after "period.", insert:

"Over-the-counter prescriptions shall not count as a unique prescription for the purposes of prior authorization."

Page 322, line 21, after "period.", insert:

"Over-the-counter prescriptions shall not count as a unique prescription for the purposes of prior authorization."

Explanation:

(This amendment clarifies that over-the-counter prescriptions will not be counted as one of nine unique prescription drugs dispensed within a 30 or 180-day time period as proposed in the introduced budget.)

Item 325 #16c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 27, after "cost", insert "non-emergency".

Explanation:

(This amendment clarifies that emergency high cost outpatient procedures will not be subject to prior authorization requirements.)

Item 325 #17c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 13, after "period.", insert:

"For the purposes of prior authorization, non-institutionalized recipients do not include recipients of services at Hiram Davis Medical Center."

Page 322, line 21, after "period.", insert:

"For the purposes of prior authorization, nursing facility residents do not include residents of the Commonwealth's mental retardation training centers."

Explanation:

(This amendment clarifies that residents of mental retardation training centers and recipients of services at Hiram Davis Medical Center are not subject to the prior authorization requirements of prescription drugs beyond nine in a given time period.)

Item 325 #18c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 327, after line 3, insert:

"UUU. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that per diem rates of freestanding psychiatric facilities licensed as hospitals shall not be rebased effective July 1, 2003. The Department shall provide that the per diem rates for these facilities in effect in fiscal year 2003 will continue to apply. Such amendments to the state plan shall become effective within 280 days or less from the enactment of this act."

Explanation:

(This amendment maintains the same payment levels in fiscal year 2004 as in fiscal year 2003 for freestanding psychiatric facilities.)

Item 325 #19c

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Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$77,431	GF
Services	\$0	\$77,835	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,463,582,630".

Page 327, after line 3, insert:

"UUU. Out of the appropriation in fiscal year 2004, \$77,431 from the general fund and \$77,835 from nongeneral funds shall be used to increase the rates paid for adult day health care services from \$45.00 per day to \$47.25 per day in Northern Virginia and from \$41.00 per day to \$43.05 per day in the rest of the state."

Explanation:

(This amendment provides \$155,266 in fiscal year 2004 for a five percent rate increase for adult day health care services.)

Item 325 #20c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$475,229	GF
Services	\$0	\$477,705	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,380,298".

Page 327, after line 3, insert:

"UUU. Out of this appropriation, \$475,229 from the general fund and \$477,705 from nongeneral funds shall be used to provide a rate increase for personal care providers."

Explanation:

(This amendment provides \$952,934 in fiscal year 2004 to increase the rates paid for personal care services by one percent.)

Item 325 #21c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	(\$3,900,000)	GF
Services			

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Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,459,527,364".

Explanation:

(This amendment reduces \$3.9 million in funding from the introduced budget in fiscal year 2004. The introduced budget restored \$7.8 million to the Department of Medical Assistance Services for, as yet, unrealized federal revenue maximization efforts approved by the 2002 General Assembly. By reducing the appropriation, the Department will need to continue pursuing federal revenue maximization efforts with the federal Centers for Medicare and Medicaid Services.)

Item 325 #22c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 326, strike lines 56 and 57.
Page 327, strike lines 1 through 3.

Explanation:

(This amendment eliminates language that would have implemented enhanced reimbursements for Type II hospitals under the Protecting Access to Health Care (PATH) program. A companion amendment in Item 323.10 eliminates funding and language for PATH.)

Item 325 #23c

Health And Human Resources

Department Of Medical Assistance
Services

FY 02-03

FY 03-04

\$0	\$3,500,000	GF
\$0	\$3,518,239	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,470,445,603".
Page 311, line 48, strike "\$130,308,375" and insert "\$133,808,375".
Page 311, line 49, "\$130,987,745" and insert "\$134,505,984".

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Explanation:

(This amendment provides \$3.5 million from the general fund and \$3.5 million from matching federal funds the second year for an additional 175 mental retardation waiver slots. The slots will be used to provide services to individuals on the urgent care waiting list. Currently, there are more than 800 individuals on the urgent care waiting list who are in immediate need of community residential or other supportive services and at risk of institutionalization.)

Item 325 #24c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$475,000	GF
Services	\$0	\$477,475	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,379,839".

Page 311, line 36, strike "\$107,516,696" and insert "\$107,991,696".

Page 311, line 37, strike "\$114,151,176" and insert "\$114,628,651".

Explanation:

(This amendment provides \$475,000 from the general fund and \$477,475 in federal matching funds to restore direct care services to patients that were reduced at the Commonwealth's mental retardation training centers as a result of the Governor's October 2002 budget reductions.)

Item 325 #25c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$387,595	GF
Services	\$0	\$389,616	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,204,575".

Explanation:

(This amendment provides \$777,211 the second year for additional assisted living residents who become eligible for Medicaid as a result of implementing a rate increase

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for the Auxiliary Grant Program. A companion amendment in Item 357 increases the auxiliary grant payment from \$841 to \$854 per month (\$967 to \$980 per month in Northern Virginia) beginning in fiscal year 2004.)

Item 325 #26c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$200,000	GF
Services	\$0	\$201,043	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,463,828,407".

Explanation:

(This amendment restores \$200,000 from the general fund and \$201,043 from nongeneral funds to offset the proposed reduction included in the introduced budget for durable medical equipment.)

Item 325 #27c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	(\$6,000,000)	GF
Services	\$0	(\$12,000,000)	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,445,427,364".

Explanation:

(This amendment reduces funding in Medicaid in Item 325 for services for low-income children in the Medicaid program. A companion amendment transfers the funding to a new Item 324.10 to better track funding for this group of children in the new Medicaid management information system. Last year, the General Assembly simplified Medicaid and Family Access to Medical Insurance Security (FAMIS) eligibility to allow all children in families with income up to 133 percent of the federal poverty level to be served in the Medicaid program. Previously, children ages 7 to 19 in families with income greater than 100 percent of the poverty level were served through the FAMIS program. However, if the family income was between 100

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percent and 133 percent of the federal poverty level, a sibling younger than age 7 would have been served in the Medicaid program. In simplifying the eligibility for the programs so all children in one family would be treated consistently, the Commonwealth was able to draw down additional federal matching funds at the FAMIS rate to serve the additional children in Medicaid. Transferring funding to a separate item will allow the Department of Medical Assistance Services to better track funding for this group of children in the new Medicaid management information system.)

Item 326 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	(\$714,169)	GF

Language:

Page 327, line 4, strike "\$10,000,000" and insert "\$9,285,831".
Page 327, strike lines 24 through 34.

Explanation:

(This amendment reduces general funds for the Indigent Health Care Trust Fund by \$714,169. Companion amendments in Item 325 appropriate these funds along with funds from Item 323.10 to mitigate reductions contained in the introduced budget and optimize federal Medicaid reimbursement for private inpatient hospitals.)

Item 328 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	(\$183,563)	GF

Language:

Page 327, line 49, strike "\$14,306,044" and insert "\$14,122,481".

Explanation:

(This amendment decreases state funding for the State and Local Hospitalization program by 1.3 percent in fiscal year 2004. The program has had balances in the past because localities have not spent their entire allocations.)

Item 329 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Mental Health,	\$0	\$13,000	GF
Mental Retardation And Substance Abuse Services	0.00	1.00	FTE

Language:

Page 329, line 3, strike "\$15,706,594" and insert "\$15,719,594".

Page 330, line 22, after "F.", insert "1."

Page 330, after line 26, insert:

"2. The agency shall provide \$92,600 from the general fund and \$160,658 from nongeneral funds the second year to support the activities of the Office of Inspector General."

Explanation:

(This amendment restores \$13,000 from the general fund the second year for the Office of Inspector General (OIG) to maintain its current complement of three full-time equivalent positions. The introduced budget reduced the OIG's appropriation by \$50,000. Language is added to ensure funding for the Office of the Inspector General after it is moved from the Secretary's Office to the Department of Mental Health, Mental Retardation, and Substance Abuse Services.)

Item 329 #2c

Health And Human Resources

Department Of Mental Health, Mental Retardation And Substance Abuse Services	Language
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Language:

Page 332, after line 24, insert:

"P. 1. It is the intent of the General Assembly that the Governor and the Department of Mental Health, Mental Retardation, and Substance Abuse Services continue working to restructure the mental health, mental retardation, and substance abuse system. Restructuring shall include collaboration with communities and other stakeholders to develop community reinvestment plans for addressing the care needs

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of individuals discharged or diverted from state facility care with appropriate services and supports in accordance with the provisions of § 37.1-48.2, Code of Virginia. The Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall report quarterly to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on progress in implementing mental health restructuring, including, but not limited to, the progress of community reinvestment projects shown in paragraph P. 2.

2. Appropriations to the following mental health treatment centers shall be made available to community services boards serving the given facility for implementation of regional restructuring projects to expand community mental health, mental retardation, and substance abuse programs to serve patients in the community who are discharged or diverted from admission during fiscal year 2004 in the following approximate amounts:

		FY 2004
703	Central State Hospital	\$4,200,000
704	Eastern State Hospital	\$6,518,605
706	Western State Hospital	\$1,197,500

Any unexpended funds remaining at the end of each fiscal year for these regional reinvestment projects shall be carried over to finance these projects in the next fiscal year and shall not revert to the general fund. Any funds identified through reinvestment projects shall be retained in the same geographic service area for enhancing and expanding community services for persons with mental disabilities.

3. In addition to the amounts shown in paragraph P. 2., the department shall identify up to \$2,000,000 in bridge funding, including an estimated \$500,000 per facility shown in paragraph P. 2., to ensure continuity of care in transitioning patients to community care and to address one-time, non-recurring expenses associated with the implementation of these reinvestment projects in fiscal year 2004. Out of the total bridge funding, an estimated \$500,000 may be used to prepare for subsequent community reinvestment projects serving southwest Virginia. The Governor and the Department may propose reinvestment projects to the 2004 Session of the General Assembly involving community services boards serving the Southwest Virginia Mental Health Institute.

4. Before any reinvestment project or portion of a reinvestment project which will eliminate any currently filled permanent full-time state facility positions is implemented,

the Department of Mental Health, Mental Retardation, and Substance Abuse Services, the Department of Human Resources Management, and the affected facility and community services boards shall prepare a detailed State Facility Employee Transition Plan. This plan shall identify all available employment options for each affected position including transfers to vacant positions in the same or any other state agency site within 50 miles of the affected employee's home, temporary outstationing or permanent placement of the employee at a community services board program within 50 miles of the employees home, employment at a comparable position within any local program, or early retirement under the Workforce Transition Act. The plan shall also include specified timeframes for the transition of each affected position and employee as the project is implemented.

5. Local governments shall not become financially responsible for the regional reinvestment projects funded through this item. Local governments shall not be required to provide matching funds for regional reinvestment projects. The Commonwealth retains its long-standing financial responsibility for public acute inpatient psychiatric services. The Governor, in recommending future funding levels for reinvestment, shall address projected increases in numbers of consumers served and operating costs in budgeting future funding levels for regional reinvestment projects in order to avoid a shift of financial responsibility to local governments."

Explanation:

(This amendment modifies the Governor's proposal to restructure mental health services. It requires that restructuring include collaboration with communities and other stakeholders to develop community reinvestment plans for addressing the care needs of individuals discharged or diverted from state facility care with appropriate services and supports in accordance with the provisions of § 37.1-48.2, Code of Virginia. It requires the Commissioner to report quarterly on the implementation of mental health restructuring, including new community reinvestment projects. It allows funding to be transferred from the mental health treatment centers to community services boards serving that facility to expand community mental health, mental retardation, and substance abuse services to patients who are discharged or diverted from state facility care. Language allows unexpended funds for regional reinvestment projects to be carried forward and not revert to the general fund. Funds that are identified through reinvestment projects shall be retained in the same geographic service area to enhance and expand community based services. Language provides up to \$500,000 for each of three regional reinvestment projects to facilitate the transition of patients to community care. Up to \$500,000 may also be used to prepare for subsequent community reinvestment projects serving southwest Virginia. Prior to

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the implementation of reinvestment projects that affect current, full-time employees at state facilities, a plan shall be prepared identifying available employment options at the facility or in the community. Language clarifies that local governments are not financially responsible nor required to contribute to regional reinvestment projects.)

Item 331 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$200,000	\$300,000	GF

Language:

Page 332, line 33, strike "\$18,461,078" and insert "\$18,661,078".

Page 332, line 33, strike "\$14,440,834" and insert "\$14,740,834".

Page 333, strike lines 17 through 28 and insert:

"C.1. The provisions of Title 37.1, Chapter 2, Article 1.1, Code of Virginia, shall be effective upon passage of House Bill 2445 of the 2003 General Assembly Session, Senate Bill 1149 of the 2003 General Assembly Session, or this act, whichever is first to be enacted."

Page 333, line 46, strike "\$300,000" and insert:

"\$200,000 the first year and \$300,000 the second year from the general fund".

Page 334, strike lines 1 through 12.

Explanation:

(This amendment adds \$200,000 in the first year and \$300,000 in the second year for the treatment of violent sexual predators who have been civilly committed pursuant to § 37.1-70.1, et. seq., Code of Virginia, and establishes the effective date for legislation concerning the civil commitment of violent sexual predators.)

Item 331 #2c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	(\$5,000)	GF

Language:

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Page 332, line 33, strike "\$14,440,834" and insert "\$14,435,834".

Explanation:

(This amendment reduces funding in the Department of Mental Health, Mental Retardation and Substance Abuse Services for the Alzheimer's Disease and Related Disorders Commission. A companion amendment in Item 300 transfers the funding to the Department for the Aging where the authority for the Commission has been transferred pursuant to House Bill 2519.)

Item 334 #1c

Health And Human Resources	FY 02-03	FY 03-04
Grants To Localities	\$2,000,000	\$0 GF

Language:

Page 335, line 3, strike "\$221,415,566" and insert "\$223,415,566".

Explanation:

(This amendment restores \$2.0 million in general funds in fiscal year 2003 for community substance abuse services. House Bill 1400, as introduced, reduced funding for these services by \$3.7 million in fiscal year 2003 and \$4.3 million in fiscal year 2004. The added general funds are necessary to ensure that Virginia does not lose matching federal block grant dollars for substance abuse treatment. Currently, Virginia receives \$41.0 million in federal substance abuse treatment funding.)

Item 334 #2c

Health And Human Resources	FY 02-03	FY 03-04
Grants To Localities	\$0	\$2,250,000 GF

Language:

Page 335, line 3, strike "\$207,253,750" and insert "\$209,503,750".

Explanation:

(This amendment restores approximately \$2.3 million in general funds in the second year to the community service boards for services to mentally disabled individuals.)

Item 334 #3c

Health And Human Resources

Grants To Localities

Language

Language:

Page 336, delete line 58.

Page 337, delete lines 1 through 43.

Explanation:

(This amendment removes language for the Governor's Mental Health Restructuring Initiative; it is replaced with language in Item 329. A companion amendment removes duplicate language in Item 335.)

Item 335 #1c

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 338, delete line 52.

Page 339, delete lines 1 through 32.

Explanation:

(This amendment removes language for the Governor's Mental Health Restructuring Initiative; it is replaced with language in Item 329. A companion amendment removes duplicate language in Item 334.)

Item 347 #1c

Health And Human Resources

Department Of Rehabilitative
Services

FY 02-03

\$0

FY 03-04

\$291,000 GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,139,925".

Page 343, line 37, strike the second "3,385,210" and insert "3,676,210".

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Page 343, line 39, after "allocated for", strike "sheltered".

Page 343, line 40, strike "workshop" and insert "economic development".

Page 343, line 40, strike "600,000" and insert "628,000".

Page 343, line 41, after "recipients of", insert:

"Extended Employment Services and".

Explanation:

(This amendment restores \$291,000 in fiscal year 2004 for extended employment services provided in the community. House Bill 1400, as introduced, reduced funding for these services by \$486,450 in fiscal year 2003 and \$486,450 in fiscal year 2004. This amount will restore approximately 60 percent of the second year reduction. Language is also added to restore funding to Extended Employment Services and Long Term Employment Support Services from the Department of Rehabilitative Services Economic Development Fund, which is reserved for employment service organizations.)

Item 347 #2c

Health And Human Resources

Department Of Rehabilitative
Services

Language

Language:

Page 344, after line 6, insert:

"E. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department of Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee."

Explanation:

(This amendment clarifies the role of the established ESO/LTESS Steering Committee for the allocation of employment service funds provided to the Department of Rehabilitative Services.)

Item 347 #3c

Health And Human Resources

Department Of Rehabilitative
Services

Language

Language:

Page 344, after line 6, insert:

"E. The Commissioner of the Department of Rehabilitative Services is directed to work with the Employment Services Organizations (ESOs) to develop recommendations for administration and program efficiencies, to ensure the funding provided to the ESOs serves the maximum number of eligible citizens. The recommendations shall address the expenditure of funds for Extended Employment Services, Long Term Employment Support Services and Economic Development within the Department of Rehabilitative Services and the appropriate role of the established ESO/LTESS Steering Committee. The Commissioner shall report to the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance Committees on the recommendations by September 1, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 347 #4c

Health And Human Resources

Department Of Rehabilitative
Services

Language

Language:

Page 343, line 35, after "A.", insert "1."

Page 343, after line 43 insert:

"2. In fiscal year 2004, recovery of administrative costs for the Long Term Employment Support Services program shall be limited to \$80,000."

Explanation:

(This amendment restores funding to the long-term employment support services (LTESS) program by limiting the amount that the Department of Rehabilitative Services can recover for administrative overhead for the LTESS program to no more than \$80,000 per year or approximately two percent. In implementing across-the-board reductions contained in Chapter 899, the agency had increased the amount recovered from the LTESS program for administrative overhead, thus reducing the amount available for direct services.)

Item 347 #5c

Health And Human Resources

Department Of Rehabilitative Services

Language

Language:

Page 344, after line 6, insert:

"E. The Department of Rehabilitative Services shall work with the disAbility Resource Center to phase out funding that has been provided by the State Independent Living Council so as not to impose an undue hardship on persons with disabilities who receive services from the Center."

Explanation:

(This amendment requires the Department of Rehabilitative Services to work with the disAbility Resource Center to phase out funding that has been provided by the State's Independent Living Council within the Department of Rehabilitative Services.)

Item 347 #6c

Health And Human Resources

Department Of Rehabilitative Services

FY 02-03

\$0

FY 03-04

\$170,037 GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,018,962".

Page 344, line 3, strike "\$1,119,926" and insert "\$1,263,638".

Explanation:

(This amendment restores 75 percent of the Governor's proposed reductions of \$226,074 in fiscal year 2004 for specialized services (\$26,325) and community support services and outreach (\$143,712) that are provided to persons with brain injuries to assist them in returning to work and community living.)

Item 347 #7c

Health And Human Resources

Department Of Rehabilitative Services

FY 02-03

\$0

FY 03-04

\$142,752 GF

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Services

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$78,991,677".
Page 343, line 45, strike "\$3,611,786" and insert "\$3,754,538".

Explanation:

(This amendment provides \$142,752 from the general fund to restore 50 percent of the reduction in the second year to Centers for Independent Living.)

Item 347 #8c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$195,000	GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,043,925".

Explanation:

(This amendment provides \$195,000 from the general fund the second year to restore 60 percent of the reduction to long-term employment support services (LTESS) to enable individuals with significant disabilities to maintain employment.)

Item 352 #1c

Health And Human Resources	
Department Of Social Services	Language

Language:

Page 348, after line 38, insert:
"J. When preparing the 2004-2006 biennial budget and implementing any new federal TANF legislation, the Governor shall consider providing additional child day care funding for the following priority areas as follows: (i) provide an additional 12 months of day care assistance for those no longer receiving TANF financial assistance, (ii) revise eligibility policies to reflect the high cost of child day care in certain areas of the Commonwealth, and (iii) adjust reimbursement rates to reflect current market rates."

Explanation:

(This amendment is self-explanatory.)

Item 352 #2c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 348, delete lines 19 through 25 and insert:

"G. As a condition of this appropriation, effective July 1, 2003, the Department of Social Services shall, to the extent permitted by federal law, implement semi-annual reporting. Households subject to semi-annual reporting shall have 12-month certification periods; however, if a household subject to semi-annual reporting includes (i) able-bodied adults without dependents who are subject to the food stamp time limit, (ii) homeless persons, or (iii) migrants, it may be assigned to a shorter certification period. Households not included in semi-annual reporting shall have certification periods based on guidelines from federal regulations."

Explanation:

(This amendment permits reporting on food stamp eligibility every six months instead of every time income changes, providing administrative relief for local departments of social services and reducing federal food stamp error rates. This is a new option under the federal Food Stamp Reauthorization Act of 2002 (Title IV of Public Law 107-171)).

Item 352 #3c

Health And Human Resources

Department Of Social Services

FY 02-03

\$0

FY 03-04

\$100,000 GF

Language:

Page 345, line 46, strike "\$49,155,438" and insert "\$49,255,438".

Page 348, after line 38, insert:

"J. Of this appropriation, \$100,000 from the general fund in the second year is for the Virginia Caregivers Grant Program."

Explanation:

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(This amendment provides \$100,000 from the general fund in fiscal year 2004 for the Caregivers Grant Program. This program provides up to \$500 each year for caregivers who have income under \$50,000 and who are taking care of a person who is aged, infirm, or disabled.)

Item 352 #4c

Health And Human Resources

Department Of Social Services

Language

Language:

Page 348, after line 38, insert:

"J. In consultation with the appropriate subcommittees of the Senate Finance and House Appropriations Committees, the Secretary of Health and Human Resources shall develop a plan to bring the federal TANF block grant into structural balance for the fiscal year beginning July 1, 2004. At a minimum, the Secretary shall evaluate the effectiveness of the project or program funded with federal TANF block grant moneys and how the project or program satisfies one of the four purposes of the federal TANF block grant program as described in § 401 of the Social Security Act. The Secretary shall provide quarterly updates on the development of the plan to the chairmen of the appropriate subcommittees of the Senate Finance and House Appropriation Committees."

Explanation:

(This amendment is self-explanatory.)

Item 353 #1c

Health And Human Resources

Department Of Social Services

FY 02-03

FY 03-04

\$0	\$1,000,000	GF
\$0	(\$1,000,000)	NGF

Language:

Explanation:

(This amendment provides \$1.0 million from the general fund the second year and reduces an equivalent amount of federal TANF block grant dollars for community action agencies. The introduced budget substituted \$3.1 million from the federal

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TANF block grant for the community action agencies' general fund appropriation.)

Item 353 #2c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	(\$37,500)	NGF

Language:

Page 348, line 41, strike "\$60,861,758" and insert "\$60,824,258".

Page 349, line 47, strike "\$250,000" and insert "\$212,500".

Explanation:

(This amendment reduces the appropriation from the federal TANF block grant to expand food bank services by \$37,500 (or 15 percent) in the second year. This action is part of a larger effort to return structural balance to the federal TANF block grant program by fiscal year 2005.)

Item 353 #3c

Health And Human Resources	
Department Of Social Services	Language

Language:

Page 351, line 53, strike "\$1,700,000" and insert "\$1,575,000".

Explanation:

(This amendment adjusts the language earmarking funds from the federal Temporary Assistance to Needy Families (TANF) block grant for Comprehensive Health Improvement Projects (CHIP) of Virginia in the Department of Social Services budget. A companion amendment in Item 312 in the Department of Health restores \$125,000 in general funds and reduces \$125,000 in TANF funds for CHIP of Virginia.)

Item 354 #1c

Health And Human Resources	
Department Of Social Services	Language

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Language:

Page 348, after line 38, insert:

"J. As a condition of this appropriation, effective July 1, 2003, the Department of Social Services shall, to the extent permitted by federal law, provide five months of Transitional Food Stamps for households whose TANF cash assistance is terminated."

Explanation:

(This amendment would allow TANF recipients who lose eligibility for cash assistance to receive five months of federally funded food stamp assistance upon termination of their cash assistance.)

Item 354 #2c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	(\$112,500)	NGF

Language:

Page 350, line 33, strike "\$135,810,176" and insert "\$135,697,676".

Page 351, line 59, strike "\$750,000" and insert "\$637,500".

Explanation:

(This amendment reduces the appropriation from the federal TANF block grant to Centers for Employment Training by \$112,500 (or 15 percent) in the second year. This action is part of a larger effort to return structural balance to the federal TANF block grant program by fiscal year 2005.)

Item 355 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	\$125,000	GF
	\$0	(\$125,000)	NGF

Language:

Page 353, line 26, after "and", insert:

"\$125,000 from the general fund and".

Page 353, line 27, strike "\$4,499,800" and insert "\$4,374,800".

Page 353, line 27, after "from", insert "the".

Explanation:

(This amendment restores \$125,000 in general funds in the second year and reduces an equivalent amount of federal TANF block grant dollars for Healthy Families Virginia. The introduced budget eliminated the entire general fund appropriation in each year of the biennium for Healthy Families and substituted federal TANF funds for this activity.)

Item 357 #1c

Health And Human Resources	FY 02-03	FY 03-04
Department Of Social Services	\$0	\$1,062,672 GF

Language:

Page 354, line 40, strike "\$20,036,083" and insert "\$21,098,755".

Page 354, line 51, strike "833" and insert "854".

Explanation:

(This amendment provides funds to increase the auxiliary grant paid to assisted living facilities from the current \$841 per month to \$854 per month, effective July 1, 2003. The grant was increased from \$833 to \$841 per month in December 2002.)

Item 358 #1c

Health And Human Resources
Department Of Social Services

Language

Language:

Page 356, after line 57, insert:

"H. The Department of Social Services shall contract with community employment service organizations for the provision of employment services to disabled Temporary Assistance to Needy Families (TANF) recipients, rather than using the Department of Rehabilitative Services as an intermediary."

Explanation:

(This amendment requires the Department of Social Services (DSS) to contract directly with community employment service organizations to provide employment services to TANF recipients. DSS uses an intermediary, the Department of Rehabilitative Services, to contract for these services. Currently, \$837,500 in federal

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TANF funds in fiscal year 2003 and \$711,875 in fiscal year 2004 are allocated for these services.)

Item 358 #2c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	(\$15,000)	NGF

Language:

Page 355, line 24, strike "\$63,087,684" and insert "\$63,072,684".

Page 356, line 50, strike "100,000" and insert "85,000".

Explanation:

(This amendment reduces Temporary Assistance to Needy Families (TANF) funding in the second year for St. Paul's College. This action is part of a larger effort to return structural balance to the federal TANF block grant program by fiscal year 2005.)

Item 360 #1c

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	(\$187,500)	NGF

Language:

Page 358, line 3, strike "\$250,247,524" and insert "\$250,060,024".

Page 360, line 26, strike "1,250,000" and insert "1,062,500".

Explanation:

(This amendment reduces Temporary Assistance to Needy Families (TANF) funding in the second year for local domestic violence grants. This action is part of a larger effort to return structural balance to the federal TANF block grant program by fiscal year 2005.)

Item 363 #1c

Health And Human Resources	
Department Of Social Services	

Language

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Language:

Page 362, line 26, strike "0", and insert "4,000,000".

Page 362, line 30, strike "4,929,845" and insert "4,190,368".

Page 362, line 49, strike "each year" and insert:

"the first year and \$2,550,000 the second year".

Page 362, line 54, strike "2,900,000" and insert "2,992,500".

Page 362, line 58, strike "5,000,000" and insert "4,910,128".

Page 362, line 59, strike "each year" and insert:

"the first year and \$2,125,000 the second year".

Page 362, after line 59, insert:

"4. The Department of Social Services shall implement reductions in TANF grants included under Expanded TANF Programming estimated at \$4,000,000 for fiscal year 2004."

Page 362, line 60, strike "4" and insert "5".

Page 362, line 60, after "annually" insert "on September 15".

Page 363, line 9, strike "63.1-133.54" and insert "63.2-619".

Explanation:

(This amendment reduces the federal Temporary Assistance to Needy Families (TANF) grants to community organizations in fiscal year 2004 and provides for a TANF balance totaling \$4,000,000 on June 30, 2004. This action is part of a larger effort to return structural balance to the federal TANF block grant program by fiscal year 2005.)

Item 376 #1c

Natural Resources

Secretary Of Natural Resources

Language

Language:

Page 369, after line 3, insert:

"C. The Secretary of Natural Resources may consider an unsolicited proposal to develop a public-private educational and infrastructure facilities (PPEA) project associated with the Virginia Recreational Authority's Explorer Park facilities. Any such proposal shall conform to § 56-575.1 Et. Seq. of the Code of Virginia, and shall provide for a continuing interest in the facilities by the Commonwealth, and for enhanced educational and recreational opportunities to be provided by the non-state participants in the project. The proposal shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2003. Nothing

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in this paragraph shall be construed as to obligate the Commonwealth to enter into any resulting PPEA project."

Explanation:

(This amendment permits the Secretary of Natural Resources to receive a PPEA project proposal from the County of Roanoke regarding Explorer Park, owned by the Virginia Recreational Facilities Authority. The PPEA is to ensure that the facilities will continue to provide educational services to the community.)

Item 377 #1c

Natural Resources	FY 02-03	FY 03-04	
Chesapeake Bay Local Assistance	\$0	\$130,000	GF
Department	0.00	2.00	FTE

Language:

Page 369, line 18, strike "\$1,259,644" and insert "\$1,389,644".

Explanation:

(This amendment provides \$130,000 and 2.0 FTE the second year from the general fund to restore a reduction in the Chesapeake Bay Local Assistance Department (CBLAD) included in the budget as introduced. These funds and positions are to remain with CBLAD as it is merged into the Department of Conservation and Recreation (DCR) pursuant to Senate Bill 1116 of the 2003 Session.)

Item 377 #2c

Natural Resources

Chesapeake Bay Local Assistance	Language
Department	

Language:

Page 370, strike lines 1-14.

Explanation:

(This amendment removes language in the introduced budget that calls for an operational plan to merge the Chesapeake Bay Local Assistance Department into the Department of Conservation and Recreation (DCR). A companion amendment under

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Item 379 requires DCR to draft the merger plan.)

Item 378 #1c

Natural Resources	FY 02-03	FY 03-04	
Chippokes Plantation Farm	\$0	\$151,057	GF
Foundation	\$0	\$67,103	NGF
	0.00	2.00	FTE

Language:

Page 370, line 30, strike "\$0" and insert "\$218,160".
Page 370, strike lines 39 through 44.

Explanation:

(This amendment restores a portion of funds and positions to the Chippokes Plantation Farm Foundation that were transferred to the Department of Conservation and Recreation (DCR) in the introduced budget. A companion amendment to Item 381.15 requires the Director of DCR to develop an operating plan to merge Chippokes as a subordinate agency under DCR.)

Item 379 #1c

Natural Resources

Department Of Conservation And Recreation Language

Language:

Page 371, after line 22 insert:
"The Director of the Department of Conservation and Recreation shall develop a plan for the integration of the Chesapeake Bay Local Assistance Department into the Department of Conservation and Recreation pursuant to Senate Bill 1116 (2003 Session). The plan shall identify any operational savings from the merger that would not reduce the ability of the newly combined agency to achieve the goals of the Chesapeake Bay Agreement of 2000. The Director shall submit the plan to the Chairmen of the House Appropriations and Senate Finance Committees no later than July 1, 2003."

Explanation:

(This amendment requires the Director of the Department of Conservation and

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Recreation (DCR) to develop the necessary plan for merging the Chesapeake Bay Local Assistance Department into DCR as a new division.)

Item 380 #1c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$200,000	\$1,200,000	GF

Language:

Page 371, line 24, strike "\$23,755,473" and insert "\$23,955,473".

Page 371, line 24, strike "\$18,674,631" and insert "\$19,874,631".

Explanation:

(This amendment restores funding for grants to 47 local Soil and Water Conservation Districts throughout the Commonwealth. These grants support local staff and basic district operations to deliver nonpoint pollution control programs to landowners and to provide technical and educational programs.)

Item 380 #2c

Natural Resources

Department Of Conservation And Recreation

Language

Language:

Page 373, after line 10 insert:

"I. Notwithstanding § 10.1-552 of the Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to, and for use of district-owned conservation equipment used by, landowners within the district. Such recoveries shall not exceed the amounts expended by a District on these services and equipment."

Explanation:

(This amendment grants local Soil and Water Conservation Districts the authority to recover a portion of their costs for services delivered to landowners and for district-owned equipment used by landowners in lieu of charging rental fees.)

Item 380 #3c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$0	\$100,000	NGF

Language:

Page 371, line 24, strike "\$18,674,631" and insert "\$18,774,631".

Page 373, after line 10 insert:

"I. The Department of Conservation and Recreation is authorized to develop a cost recovery system, the funds from which shall be used to support the direct costs of providing inspections, plan review, administrative review, and certifications of non-Soil and Water Conservation District dams. The system shall employ a sliding scale, if practical, and shall be based on factors that directly relate to the costs of the dam inspection program. Total costs recovered from the new system shall not exceed 90 percent of the actual program cost."

Explanation:

(This amendment permits the Department of Conservation and Recreation to recover up to 90 percent of the costs of inspection, plan and administrative review, and certifications of non-Soil and Water Conservation District dams.)

Item 380 #4c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$370,879	\$0	NGF

Language:

Page 371, line 24, strike "\$23,755,473" and insert "\$24,126,352".

Page 373, after line 10, insert:

"I. Out of the appropriation for Land Management, \$370,879 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 \$370,879 in special funds derived from the sale of "Friend of the Chesapeake" license tags to the Department of Conservation and

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Recreation to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.)

Item 380 #5c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 373, line 5, after "sources.", insert:

"If the Commission elects as its chairman a member of the General Assesbly, the Division of Legislative Services is hereby authorized to provide reasonable staff and technical assistance to the Commission."

Explanation:

(This amendment provides staffing and technical support for the Rappahannock River Basin Commission to address issues of common and regional interest.)

Item 380 #6c

Natural Resources

Department Of Conservation And
Recreation

FY 02-03

\$0

FY 03-04

\$1,000,000 NGF

Language:

Page 371, line 24, strike "\$18,674,631" and insert "\$19,674,631".

Page 373, after line 10, insert:

"I. Included in this appropriation is an amount estimated at \$1,000,000 the second year in nongeneral funds for the Best Management Practices cost-share program. The source of the nongeneral funds is from dredging royalties collected by the Marine Resources Commission pursuant to § 28.2-1206, Code of Virginia, and deposited into the Marine Habitat and Waterways Improvement Fund."

Explanation:

(This amendment provides support in the second year from nongeneral funds for the Best Management Practices cost-share program to support statewide efforts to curb nonpoint-source pollution and enhance water quality and marine habitat through a voluntary incentive-based approach. Under this program, the costs for conservation

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measures are shared between the state and individual landowners.)

Item 381 #1c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$0	(\$121,057)	GF
	\$0	(\$67,103)	NGF
	0.00	-2.00	FTE

Language:

Page 373, line 12, strike "\$22,504,718" and insert "\$22,316,558".

Explanation:

(This amendment removes funding and positions that were transferred to the Department of Conservation and Recreation. A companion amendment to Item 378 restores these funds and positions to the Chippokes Plantation Farm Foundation.)

Item 381 #2c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$50,000	\$100,000	GF

Language:

Page 373, line 12, strike "\$22,337,903" and insert "\$22,387,903".

Page 373, line 12, strike "\$22,504,718" and insert "\$22,604,718".

Page 374, line 28, strike italicized "\$400,000" and insert "\$450,000".

Page 374, line 29, strike italicized "\$400,000" and insert "\$500,000".

Explanation:

(This amendment restores a portion of the Virginia Outdoors Foundation's (VOF) introduced budget for the support of land conservation activities. The introduced budget reduced VOF funding by one-third.)

Item 381 #3c

Natural Resources

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Department Of Conservation And
Recreation

Language

Language:

Page 375, after line 8, insert:

"L. The Upper Valley Regional Park Authority shall submit a plan for the inclusion of the Grand Caverns and Natural Chimneys Parks into the state park system to the Secretary of Natural Resources and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2003. The plan shall include an update of the projected capital improvement and operational costs to the Commonwealth as stated in Senate Document No. 23 (2000). The plan shall propose conditions for conveyance of the properties to the Commonwealth and continued possible local support for operation of the facilities. The Department of Conservation and Recreation shall cooperate with the Authority in developing the plan. Nothing in this paragraph shall be construed as to obligate the Commonwealth to accept conveyance of the properties."

Explanation:

(This amendment is self-explanatory.)

Item 381 #4c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 375, after line 8, insert:

"L. On or before June 30, 2003, the Department of Conservation and Recreation shall complete the transfer of title to a minimum of 1,500 acres, to include river frontage, of property adjacent to the Beaumont Juvenile Correctional Center in Powhatan County from the Department of Juvenile Justice for the development of a state park as previously authorized by Item 440 of Chapter 899 of the 2002 Acts of Assembly. The transfer shall be accomplished pursuant to the Department's report dated December 3, 2003, to the Secretaries of Natural Resources and Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees. The Department of Conservation and Recreation shall notify the Chairmen of the House Appropriations and Senate Finance Committees once the transfer is complete."

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Explanation:

(This amendment completes transfer of property from the Department of Juvenile Justice to the Department of Conservation and Recreation as previously authorized by the 2002 Appropriation Act.)

Item 381 #5c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$333,000	\$1,000,000	GF

Language:

Page 373, line 12, strike "\$22,337,903" and insert "\$22,670,903".

Page 373, line 12, strike "\$22,504,718" and insert "\$23,504,718".

Explanation:

(This amendment restores funding for operations and 15 wage positions for False Cape, Sky Meadows, Southwest Virginia Museum and Caledon State Parks and the operation of the campground at Clinch Mountain Wildlife Management Area. These parks' hours of operation were substantially reduced in House Bill 1400, as introduced. This amendment will allow these parks to reopen on their previous schedules. The amendment restores an additional portion of the total cuts proposed to statewide park operations. House Bill 1400, as introduced, reduced general fund support for state parks by \$1.8 million the first year and \$2.4 million the second year.)

Item 381 #6c

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$25,000	\$25,000	GF

Language:

Page 373, line 12, strike "\$22,337,903" and insert "\$22,362,903".

Page 373, line 12, strike "\$22,504,718" and insert "\$22,529,718".

Page 373, line 38, strike "\$200,000" and insert "\$225,000".

Page 373, line 39, strike "\$200,000" and insert "\$225,000".

Explanation:

(This amendment restores \$25,000 each year in operational funding for Breaks Interstate Park that was cut in House Bill 1400, as introduced.)

Item 381 #7c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 375, after line 8, insert:

"L. The Director of the Department of Conservation and Recreation is authorized to accept on the behalf of the Commonwealth a gift of property know as Walnut Valley Farm, which is adjacent to the Chippokes Plantation State Park in Surry County."

Explanation:

(This amendment authorizes DCR to accept a gift of property contiguous to Chippokes State Park. The property, known as Walnut Valley Farm, is a 265-acre historic farm between Chippokes and Bacon's Castle.)

Item 381.15 #1c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 375, line 17, strike "A."

Page 375, line 20, strike "Planning and Budget" and insert "Conservation and Recreation".

Page 375, line 23, after "2003." insert:

"The operating plan shall identify any operating savings that do not reduce services provided by the newly-merged agency."

Page 375, strike lines 24 through 27.

Explanation:

(This amendment makes the Director of the Department of Conservation and

Recreation (DCR) responsible for submitting a plan to merge the Chippokes Plantation Farm Foundation into DCR. The operational plan, including recommended savings from the merger, will be submitted to the Chairmen of the House Appropriations and Senate Finance Committees. Companion amendments to Items 378 and 381 return funds and positions transferred from Chippokes to DCR.)

Item 382 #1c

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 376, line 26, after "B." insert "1."

Page 376, line 31, after "projects.", insert:

"These local matching funds shall include, but not be limited to, costs for ongoing maintenance, personnel, inspection functions, outside service contracts, administrative functions, purchase or value of land or easements, debt service payments and any other costs related to the Combined Sewer Overflow projects for which the U.S. Environmental Protection Agency will accept to meet match requirements.

2. The Department of Environmental Quality shall give highest priority ranking consideration to applications for loans from the Waste Water Treatment Revolving Loan Fund by the City of Richmond and the City of Lynchburg for combined sewer overflow projects. The Director of DEQ shall establish a repayment plan to ensure prompt repayment of the loans after the cities receive the associated federal matching funds."

Explanation:

(This amendment broadens the definition of local matching funds to be considered by the EPA to meet the match requirement for federal CSO grants. This amendment also provides that DEQ shall give a high priority ranking for loans to the Cities of Richmond and Lynchburg to use as required matching funds to draw down federal appropriations. The federal funding will be used for renovations to their sewer systems.)

Item 382 #2c

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 376, line 23 strike "In no event, however, shall".

Page 376, strike lines 24 and 25.

Page 378, line 8 strike "In no event, however, shall any funds be".

Page 378, strike lines 9-10.

Explanation:

(This amendment removes the restriction that the Department of Environmental Quality maintain a minimum balance in the Virginia Environmental Emergency Response Fund of at least \$2,000,000.)

Item 383 #1c

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 378, after line 10, insert:

"F.1. The Department of Environmental Quality shall initiate, beginning January 1, 2004, a program for on-road testing of motor vehicle emissions pursuant to § 46.2-1178.1, Code of Virginia, in all areas designated nonattainment for the 1-hour ozone air quality standard as of January 1, 2003. The Department shall develop a plan for implementation of this program and shall include a schedule to phase in on-road testing to enhance the current emissions inspection program, consistent with the federal Clean Air Act. The Department may also initiate programs for on-road testing of motor vehicle emissions as part of a plan developed pursuant to an Early Action Compact for Ozone. The State Air Pollution Control Board may promulgate any regulations necessary to implement these provisions. Such regulations shall be adopted as final prior to the January 1, 2004, implementation.

2. The Department shall also develop a plan to implement a program for on-road testing of motor vehicle emissions pursuant to § 46.2-1178.1, Code of Virginia, in all areas designated nonattainment for the 8-hour ozone air quality standard as of July 1,

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2004. This plan may also include on-road testing of emissions in areas that opt into Early Action Compacts for ozone and jurisdictions that are contiguous to designated ozone nonattainment areas. The plan shall include recommendations as to any amendments necessary to the Code of Virginia to implement and provide adequate funding for the program.

3. The Department shall work with the U.S. Environmental Protection Agency to secure approval of on-road sensing to enhance the current emissions inspection program and shall identify any barriers to such approval.

4. In completing these plans and implementing the provisions of subparagraph 1, the Department is authorized to expend such funds as may be required from the Vehicle Emissions Inspection Program Fund. In completing these plans, DEQ shall contract with a private sector vendor which has experience in remote vehicle emission testing.

5. The Department shall provide these plans to the Governor, the Chairmen of the House Agriculture, Chesapeake and Natural Resources, Appropriations, Science and Technology and Transportation Committees and the Senate Agriculture, Conservation and Natural Resources, Finance and Transportation Committees, and the Joint Commission on Technology and Science by October 1, 2003."

Explanation:

(This amendment requires DEQ to implement a remote vehicle emission testing program in current ambient air quality nonattainment areas and develop a plan for implementing a similar program in areas that will likely become nonattainment areas in the next year. The goal of the program is to more efficiently identify those vehicles violating emission standards and causing the most pollution while phasing out the requirement for biennial testing of all other vehicles operating in compliance with standards in the current nonattainment areas of Northern Virginia. The program is further proposed to avoid imposing a requirement to test all vehicles in those areas that are likely to be declared nonattainment in the future. The remote on-road testing program can be accomplished utilizing the latest technology and equipment while vehicles are in their normal operation and without any inconvenience or requirement for the driver to stop for the test.)

Item 385 #1c

Natural Resources	FY 02-03	FY 03-04	
Department Of Environmental	\$0	\$225,000	NGF

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Quality

Language:

Page 378, line 30, strike "\$7,431,316" and insert "\$7,656,316".

Page 378, line 49, after "fund", insert "and \$225,000 the second year from nongeneral funds."

Page 378, line 55, after "practices." insert:

"The source of the nongeneral funds is from dredging royalties collected by the Marine Resources Commission pursuant to § 28.2-1206, Code of Virginia, and deposited into the Marine Habitat and Waterways Improvement Fund."

Explanation:

(This amendment restores funding for the clean up and monitoring of the Elizabeth River that was eliminated in House Bill 1400, as introduced.)

Item 386 #1c

Natural Resources	FY 02-03	FY 03-04	
Department Of Environmental Quality	\$1,272,750	\$1,272,750	NGF

Language:

Page 379, line 7, strike "\$37,320,953" and insert "\$38,593,703".

Page 379, line 7, strike "\$37,690,101" and insert "\$38,962,851".

Page 379, after line 55, insert:

"E. This appropriation includes \$1,272,750 from the Virginia Environmental Emergency Response Fund for litter control and recycling grants for fiscal year 2004."

Explanation:

(This amendment restores funding in the second year for the Litter Control and Recycling Grant program. Funds for this restoration result from a transfer from the Virginia Environmental Emergency Response Fund. Contingencies for environmental emergencies will be met by a companion amendment, (Item 3-2.03), that provides the Department of Environmental Quality with a line of credit from the Treasury. This amendment also corrects fiscal year 2003 appropriations to reflect the fact that fiscal year 2003 litter grants have already been awarded.)

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 379, after line 55, insert:

"E. The Department of Environmental Quality is authorized to make a loan to the City of Staunton from the Wastewater Treatment Revolving Loan Fund to assist in the environmental clean-up for the reuse of the property at the former Staunton Correctional Center."

Explanation:

(This amendment is self-explanatory.)

Natural Resources

Department Of Environmental
Quality

FY 02-03

\$0

FY 03-04

\$106,000 NGF

Language:

Page 379, line 7, strike "\$37,690,101" and insert "\$37,796,101".

Page 379, after line 55, insert:

"E. Included in this appropriation is \$106,000 the second year in nongeneral funds for citizen water quality monitoring. The source of the nongeneral funds is from dredging royalties collected by the Marine Resources Commission pursuant to § 28.2-1206, Code of Virginia, and deposited into the Marine Habitat and Waterways Improvement Fund."

Explanation:

(This amendment restores funding for citizen water quality monitoring.)

Natural Resources

Department Of Environmental

Language

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Quality

Language:

Page 381, line 15, before "It", insert "A."

Page 381, line 15, after "intent", insert "of the General Assembly".

Page 381, after line 18, insert:

"B. It is the intent of the General Assembly that all qualified environmental remediation costs for redevelopment of the former Staunton Correctional Center property in the City of Staunton shall be a high priority for any such funds available through the Brownfield Restoration and Land Renewal Act of 2002."

Explanation:

(This amendment is self-explanatory.)

Item 391 #1c

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Page 382, after line 55, insert:

"C. The Department of Game and Inland Fisheries shall continue to operate the Montebello Fish Hatchery in Nelson County."

Explanation:

(This amendment requires DGIF to continue operation of the Montebello Fish Hatchery with existing resources. The Governor's October reduction plans indicated the fish hatchery was to be closed to meet budget reductions.)

Item 391 #2c

Natural Resources

Department Of Game And Inland
Fisheries

FY 02-03

\$0

FY 03-04

\$363,000 NGF

Language:

Page 382, line 24, strike "\$29,594,490" and insert "\$29,957,490".

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Explanation:

(This amendment appropriates funds anticipated from the passage of House Bill 1663.)

Item 395 #1c

Natural Resources	FY 02-03	FY 03-04	
Department Of Historic Resources	\$0	\$100,000	NGF
	0.00	2.00	FTE

Language:

Page 384, line 10, strike "\$2,372,429" and insert "\$2,472,429".

Page 385, after line 11, insert:

"E. Included in this appropriation is \$100,000 the second year in nongeneral funds from the Transportation Trust Fund to support the Department of Historic Resources' required reviews of transportation projects."

Explanation:

(This amendment restores funding for the agency that was eliminated in House Bill 1400, as introduced. The funds provided are from the Transportation Trust Fund to allow the agency to perform necessary reviews of transportation projects.)

Item 395 #2c

Natural Resources	FY 02-03	FY 03-04	
Department Of Historic Resources	\$0	\$65	GF

Language:

Page 384, line 10, strike "\$2,372,429" and insert "\$2,372,494".

Explanation:

(This amendment provides funding for the care of additional confederate graves as identified in House Bill 1419.)

Item 397 #1c

Natural Resources	FY 02-03	FY 03-04	
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Natural Resources shall approve the proportional distribution of these funds for appropriations provided pursuant to Items 380, 385, 386 and 397 of this Act. "

Explanation:

(This amendment provides guidance for VMRC to set royalty fees at the lower end of the scale provided by code that may be assessed for acquiring a permit to dredge more than 7.0 million cubic yards of state-owned bottom land when the dredge material has no commercial value. The amendment also requires the Secretary of Natural Resources to proportion the funds pursuant to companion amendments in Items 380, 385, 386 and 397 immediately upon their deposit into the fund.)

Item 398 #1c

Natural Resources	FY 02-03	FY 03-04	
Marine Resources Commission	\$0	\$155,000	GF

Language:

Page 387, line 29, strike "\$1,207,923" and insert "\$1,362,923".

Page 387, line 40, after "that", insert "beginning July 1, 2004,".

Page 387, line 42, after "Commission", insert:

"for the use of state-owned bottom lands".

Page 387, line 44, after "Virginia.", insert:

"Prior to resuming the collection of any such fees, the Secretary of Natural Resources shall review the report of the Virginia Delegation of the Chesapeake Bay Commission made pursuant to House Joint Resolution 633 (2003) and shall submit a plan for the collection of such fees to the Chairmen of the House Appropriations and Senate Finance Committees."

Explanation:

(This amendment delays the resumption of the collection of any fees for use of state-owned submerged bottomland and requires the Secretary of Natural Resources to submit a plan to the General Assembly prior to collecting any fees.)

Item 400 #1c

Natural Resources

Virginia Museum Of Natural History

Language

Language:

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Page 388, unstrike lines 38 through 44.

Page 388, strike lines 45 through 49.

Explanation:

(This amendment reverses the elimination of the Virginia Museum of Natural History from the Office of Natural Resources in the introduced budget. Companion amendments in Items 262 and 400 restore second year funding to the Museum, and remove an identical amount from the Science Museum of Virginia.)

Item 400 #2c

Natural Resources	FY 02-03	FY 03-04	
Virginia Museum Of Natural History	\$0	\$1,513,966	GF
	\$0	\$444,601	NGF
	0.00	31.00	FTE

Language:

Page 388, line 23, strike "\$0" and insert "\$1,958,567".

Explanation:

(This amendment restores funding and positions for the Virginia Museum of Natural History that were transferred to the Science Museum of Virginia in the introduced budget. The amendment does not restore targeted funding reductions proposed in the introduced budget.)

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, strike lines 19 through 27 and insert:

"B. The Secretary of Public Safety, in consultation with the Secretary of Administration and with local governments in the region, shall report on options for future utilization of the Culpeper Juvenile Correctional Center. Copies of the report shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 401 #2c

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, strike lines 28 through 46.

Explanation:

(This amendment eliminates language which would have required the development of a plan to permit the sale of alcoholic beverages by the private sector.)

Item 401 #3c

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, after line 46, insert:

"D. The Secretary of Public Safety shall develop a plan, including any necessary proposed legislation, to merge the Bureau of Law Enforcement Operations of the Department of Alcoholic Beverage Control into the Department of State Police, effective July 1, 2004. The plan shall take into account the savings to the Commonwealth from the consolidation of regional offices, chains of command, human resources and training operations with existing State Police operations. The plan shall be submitted to the Governor and the Chairmen of the Senate Committees on Finance, Courts of Justice, and Rehabilitation and Social Services, and the House Committees on Appropriations and Militia, Police and Public Safety, by October 15, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 401 #4c

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, after line 46, insert:

"D. The Secretary of Public Safety, with the assistance of the Departments of General Services and the Treasury, shall examine the feasibility of public-private partnerships, pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et. seq., Code of Virginia) to finance required facilities and related capital expenses for the Departments of Corrections, Juvenile Justice, Military Affairs, and State Police. The Secretary shall include within this examination an analysis of the costs and benefits of public-private partnerships compared to traditional bond financing and cash appropriations on a net present value basis. The Secretary shall provide a report on his findings to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2003."

Explanation:

(This amendment directs the Secretary of Public Safety to study the feasibility of public-private partnerships to finance essential public safety facilities.)

Item 402 #1c

Public Safety

Commonwealth's Attorneys'
Services Council

Language

Language:

Page 391, line 16, insert:

"The Secretary of Public Safety shall develop a plan, including any necessary legislation, to provide for the consolidation of the Commonwealth's Attorneys' Services Council within the Department of Criminal Justice Services, effective July 1, 2004. A status report shall be submitted to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees not later than November 15, 2003."

Explanation:

(This amendment is self-explanatory.)

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Item 403 #1c

Public Safety	FY 02-03	FY 03-04	
Department Of Alcoholic Beverage Control	(\$331,735)	(\$1,317,942)	NGF

Language:

Page 391, line 30, strike "\$13,269,425" and insert "\$12,937,690".

Page 391, line 30, strike "\$13,179,425" and insert "\$11,861,483".

Explanation:

(This amendment implements a 10 percent reduction in ABC Law Enforcement and Regulation, consistent with reductions imposed for Sheriffs for the biennium. A companion amendment in Part 3 transfers these funds to the general fund.)

Item 407 #1c

Public Safety	FY 02-03	FY 03-04	
Department Of Correctional Education	\$0 0.00	\$832,042 18.00	GF FTE

Language:

Page 393, line 11, strike "\$42,585,914" and insert "\$43,417,956".

Explanation:

(This amendment restores \$832,042 and 18.0 FTE positions the second year from the general fund for educational programs at Red Onion, Wallens Ridge, and Sussex I State Prisons.)

Item 408 #1c

Public Safety	
Department Of Corrections, Central Activities	Language

Language:

Page 395, strike lines 26 through 31 and insert:

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"F. All residential staff housing properties owned by the Commonwealth and in the possession of the Department of Corrections are authorized to be sold as surplus property pursuant to § 2.2-1156, Code of Virginia. Notwithstanding the provisions of § 2.2-1156 D, Code of Virginia, all net proceeds from the sale of such property after provision is made for any bonds outstanding on such property, as appropriate, estimated at \$1,910,000, shall be deposited into the general fund. Prior to the sale of these properties the Department of General Services shall obtain an appraisal of the fair market value of such properties. Current employees of the Department of Corrections who are currently residing in such residential staff housing shall be granted the first right of refusal to purchase these residences at fair market value."

Explanation:

(This amendment clarifies the language directing the sale of residences used by the Department of Corrections to house staff. In addition, the amount projected to be deposited into the general fund is reduced to account for any bonds outstanding on those properties purchased with revenues from VPBA bonds.)

Item 417 #1c

Public Safety

Division Of Community
Corrections

Language

Language:

Page 399, line 14, after "Justice" insert:

", or to address those projects for which contracts for design, including architectural and engineering services, of a local or regional jail facility had been signed as of March 1, 1996".

Explanation:

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of jail capital outlay projects for the Prince William County-City of Manassas Regional Jail expansion project.)

Item 417 #2c

Public Safety

Division Of Community
Corrections

Language

Conference Report on House Bill 1400

Language:

Page 399, following line 28, insert:

"5. The Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center is hereby exempted from the provisions of Paragraph C.1. in order to proceed in planning for an expansion project involving up to 120 beds."

Explanation:

(This amendment provides an exception to the moratorium on approval by the Board of Corrections of jail capital outlay projects for the Clarke-Fauquier-Frederick-Winchester Regional Adult Detention Center.)

Item 418 #1c

Public Safety	FY 02-03	FY 03-04	
Division Of Community	\$0	(\$1,000,000)	GF
Corrections	\$0	\$1,000,000	NGF

Language:

Page 399, line 49, strike "\$1,000,000" and insert "\$2,000,000".

Explanation:

(This amendment increases the nongeneral fund appropriation for operating expenses of diversion centers operated by the Department of Corrections based on doubling the fee charged to probationers from \$10 to \$20 per day.)

Item 420 #1c

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$0	(\$800,000)	GF

Language:

Page 400, line 31, strike "\$214,145,205" and insert "\$213,345,205".

Page 400, line 50, before "Included", insert "A."

Page 401, after line 6, insert:

"B. The Department of Corrections shall develop a relationship with a federally qualified 340B provider in order to access the Public Health Services Act (340B) drug discount pricing program for specified populations, including patients with HIV/AIDS, patients suffering from mental illness, and individuals with hemophilia.

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The relationship shall be established such that the individuals will be considered "patients" of the 340B hospital in accordance with federal guidelines (see Federal Register Notice, "Patient and Entity Eligibility," October 24, 1996, p55157, Item (C))."

Explanation:

(This amendment requires the Department of Corrections to purchase certain drugs through a 340B provider to receive discount prices estimated to save the Commonwealth \$800,000 in the second year. This is a recommendation of JLARC from its special report, "State Spending on Medical Supplies and Pharmaceuticals," in response to House Joint Resolution 773 of the 2001 General Assembly.)

Item 421 #1c

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$0	\$2,900,000	GF
	0.00	100.00	FTE

Language:

Page 401, line 8, strike "\$362,318,285" and insert "\$365,218,285".

Explanation:

(This amendment provides \$2,900,000 and 100 FTE positions the second year from the general fund to address current security staffing requirements for adult correctional facilities. The agency's security staffing formula indicates a requirement for 175 additional correctional officers, which are currently not funded. Included within this amendment are funds sufficient to restore the reduction in security staffing in correctional enterprise shops.)

Item 421 #2c

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$0	\$775,000	GF
	0.00	15.00	FTE

Language:

Page 401, line 8, strike "\$362,318,285" and insert "\$363,093,285".

Explanation:

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(This amendment provides \$775,000 and 15.0 FTE positions the second year from the general fund to restore 15 psychologist positions in adult correctional centers.)

Item 421 #3c

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$300,823	\$428,292	GF
	10.00	10.00	FTE

Language:

Page 401, line 8, strike "\$371,672,593" and insert "\$371,973,416".

Page 401, line 8, strike "\$362,318,285" and insert "\$362,746,577".

-Page 403, after line 43, insert:

"H.1. The Department of Corrections shall provide an existing facility that is not within the perimeter of any correctional institution for the use of the Department of Mental Health, Mental Retardation and Substance Abuse Services to house individuals who have been civilly committed pursuant to § 37.1-70.1, et. seq., Code of Virginia. Such individuals shall be separated by sight and sound from any prisoner incarcerated in other Department of Corrections facilities. Included in these amounts is \$101,823 the first year and \$428,292 the second year from the general fund for the perimeter security of the facility and for direct resident costs, to include food and medical care. Also included in these amounts is \$200,000 the first year from the general fund for the installation of necessary security equipment and upgrades at the facility.

2. The provisions of Article 1.1, Chapter 2, of Title 37.1, Code of Virginia, shall be effective upon passage of House Bill 2445 of the 2003 General Assembly Session, Senate Bill 1149 of the 2003 General Assembly Session, or this act, whichever is first to be enacted."

Explanation:

(This amendment provides funding, positions and language for the Department of Corrections to provide a facility and exterior security for the civil commitment of sexually violent predators pursuant to Article 1.1, Chapter 2, of Title 37.1, Code of Virginia, and establishes the effective date for legislation concerning the civil commitment of violent sexual predators. A companion amendment to Item 331 provides funding for the Department of Mental Health, Mental Retardation and Substance Abuse Services for the housing and treatment of individuals committed under these provisions.)

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Item 422.1 #1c

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$0	\$8,402	GF

Language:

Page 403, after line 54 insert:

"Item 422.1 Corrections Special Reserve Fund	\$0	\$8,402
Fund Sources: General.....	\$0	\$8,402

Included in this amount is \$8,402 the second year from the general fund to be deposited to the Corrections Special Reserve Fund pursuant to § 30-19.1:4, Code of Virginia, for the projected impact on adult prison beds due to House Bill 1576 of the 2003 Session of the General Assembly."

Explanation:

(This amendment funds the correctional bedspace impact of House Bill 1576. The estimated amount of the necessary appropriation for periods of incarceration as a result of enacting House Bill 1576 is \$150,228.)

Item 428 #1c

Public Safety

Department Of Criminal Justice Services	Language
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Language:

Page 408, line 17, after "year", unstrike "and".
Page 408, line 18, unstrike "\$50,000 the second year".

Explanation:

(This amendment corrects a technical language error in the introduced budget.)

Item 432 #1c

Public Safety

Department Of Criminal Justice Services	Language
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Language:

Page 412, after line 43, insert:

"4. Included in the amounts in subparagraph 2 of this item is \$44,000 for the Supreme Court of Virginia and \$37,500 for the Department of State Police in the second year from federal grant funds to implement the provisions of House Bill 2541, regarding the unification of the Virginia Crime Codes."

Explanation:

(This amendment provides funds from the Integrated Criminal Justice Information System to unify the Virginia Crime Codes, pursuant to House Bill 2541 of the 2003 General Assembly. This is a fundamental step in implementing the ICJIS project.)

Item 432 #2c

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 410, after line 49, insert:

"4. The Secretary of Public Safety, with the assistance of the Department of Criminal Justice Services and the State Compensation Board, shall develop a pilot program for alternative sentencing of nonviolent misdemeanants and local-responsible felons pursuant to § 53.1-131 and § 9.1-173, et. seq., Code of Virginia, for offenders who are serving six months or less in jail. The program shall be piloted in localities only upon approval by the local Community Criminal Justice Board established pursuant to § 9.1-178, Code of Virginia. The fiscal agent for participating local community corrections programs shall be reimbursed at a rate of \$4 per inmate day for each inmate participating in the alternative sentencing program, pursuant to Item 67 L of this act. The Secretary of Public Safety shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2003, as to the progress of implementation of the pilot program."

Explanation:

(This amendment provides for a pilot alternative sentencing program. A companion amendment to Item 67 provides funding for the program.)

Item 434 #1c

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Public Safety	FY 02-03	FY 03-04	
Department Of Criminal Justice Services	\$0	(\$5,500,000)	GF

Language:

Page 413, line 13, strike "\$174,274,876" and insert "\$168,774,876".

Page 413, line 23, strike "\$174,274,876" and insert "\$168,774,876".

Explanation:

(This amendment provides level funding from the first year to the second year for the Aid to Localities with Police Departments (House Bill 599) program.)

Item 438 #1c

Public Safety

Department Of Fire Programs

Language

Language:

Page 415, strike lines 23 through 28 and insert:

"Virginia, the department shall transfer \$1,649,930 in the first year and \$1,581,473 in the second year from revenues above the amounts appropriated in this item to the general fund. Further, the department shall defer payments to localities for the construction of fire training structures to the extent necessary to realize savings in the amounts of \$285,707 in the first year and \$291,808 in the second year, which shall also be transferred to the general fund."

Explanation:

(This amendment clarifies that the amounts to be transferred to the general fund come from revenue growth above what was appropriated during the 2002 session, and that funds available for burn building grants have not been reduced.)

Item 438 #2c

Public Safety	FY 02-03	FY 03-04	
Department Of Fire Programs	\$135,600	\$135,600	NGF

Language:

Page 415, line 14, strike "\$10,556,175" and insert "\$10,691,775".

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Page 415, line 14, strike "\$10,556,175" and insert "\$10,691,775".

Explanation:

(This amendment provides additional funds for the Fire Programs Fund to be distributed to localities. The amount of funds is based on an assumed 1.3 percent increase in the revenues projected to be received from the existing tax on fire insurance premiums, above the projection assumed in the budget, as introduced.)

Item 444 #1c

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 419, line 32, after "Department of Juvenile Justice" insert:
", including locally-operated court services units,"

Explanation:

(This amendment clarifies that locally-operated court services units shall not be required to provide drug screening and assessment services. Language in the introduced budget already exempts state-operated court services units from this requirement as part of a budget reduction strategy.)

Item 444 #2c

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 419, line 30, after "services.", insert:
"The Department of Juvenile Justice shall work with the Department of Social Services to maximize the recovery of federal funds for all eligible services provided by the Department of Juvenile Justice. Of the amounts recovered, \$500,000 the second year shall be deposited to the general fund for reimbursement of eligible services heretofore provided."

Explanation:

(This amendment requires the Department of Juvenile Justice to maximize the

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recovery of federal funds from Title IV E of the Social Security Act.)

Item 456 #1c

Public Safety

Department Of State Police

Language

Language:

Page 424, line 45, strike "\$881,570" and insert:

"\$544,770 and from Item 460 \$336,800".

Page 424, line 45, strike "\$1,206,500" and insert "from Item 459, \$544,700 and from Item 460, \$661,800".

Explanation:

(This amendment clarifies that the transfer of nongeneral funds is to come from two appropriation items, rather than one.)

Item 457 #1c

Public Safety

Department Of State Police

Language

Language:

Page 425, line 19, after "(STARS).", insert:

"The unexpended balance of this appropriation as of June 30, 2003, shall be carried forward as of July 1, 2003, for expenditure in the second year, for the purposes as set forth in this paragraph."

Explanation:

(This amendment requires that the unexpended balance as of June 30, 2003, in the appropriation for the State Agency Radio System shall be carried forward for expenditure in the second year.)

Item 459 #1c

Public Safety

Department Of State Police

Language

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Language:

Page 426, line 41, strike "233,674" and insert "333,674".
Page 426, line 42, strike "243,464" and insert "414,768".
Page 426, line 45, strike "13" and insert "17".

Explanation:

(This amendment increases the nongeneral fund authority for the Department of State Police to recognize the funding required for State Police support of re-opened truck weigh stations. The introduced budget decreased the assumed nongeneral fund requirements to reflect the assumption that the weigh stations would not be open.)

Item 459 #2c

Public Safety	FY 02-03	FY 03-04	
Department Of State Police	\$0	\$1,045,375	GF
	\$0	(\$1,045,375)	NGF

Language:

Page 427, line 32, strike "and \$1,045,375" the second year".
Page 427, line 34, after "operations.", insert:
"The Department of State Police shall determine the feasibility of recovering costs for its med-flight operations through Medicare, Medicaid and private insurers. The Department shall examine the feasibility of second-party billing through hospitals receiving patients or through the creation of an independent billing authority."

Explanation:

(This amendment restores \$1,045,375 the second year from the general fund for Med-Flight operations, thereby eliminating the transfer of nongeneral funds from the Rescue Squad Assistance Fund for this program.)

Item 459 #3c

Public Safety

Department Of State Police Language

Language:

Page 427, after line 34, insert:
"G. The Department shall prepare a report on options for updating the State Trooper staffing formula. Copies of the report shall be provided to the Governor and the

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Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 459 #4c

Public Safety

Department Of State Police

FY 02-03

(\$641,668)

FY 03-04

\$747,132 NGF

Language:

Page 426, line 8, strike "\$155,048,555" and insert "\$154,406,887".

Page 426, line 8, strike "\$150,957,187" and insert "\$151,704,319".

Page 427, strike lines 14 through 30 and insert:

"E. Included in this appropriation is \$5,475,872 the first year and \$5,475,872 the second year from Section 154 and Section 164 Federal Highway Funds. The Secretary of Transportation, with the assistance of the Secretary of Public Safety, the Commissioner of the Department of Motor Vehicles, and the Superintendent of the Department of State Police, shall develop a plan for DUI-related enforcement and education programs to be supported with these funds and shall complete an Application for Highway Safety Project Grant to be submitted to the U.S. Department of Transportation, National Highway Traffic Safety Administration. The plan may include DUI-related enforcement pass-through grants to local law enforcement agencies. The Secretary of Transportation shall provide a copy of this plan, the grant application and the response from the U.S. Department of Transportation to the Chairmen of the House Appropriations and Senate Finance Committees as soon as they are available."

Explanation:

(This amendment provides \$5,475,872 in federal highway funds each year to be used for DUI-related enforcement.)

Item 468 #1c

Technology

Department Of Technology
Planning

Language

Language:

Page 433, line 43, after "release", insert "or cause to be released".

Page 433, line 43, strike "by posting to the Internet as long as it does not include any coordinate geometry".

Explanation:

(This amendment allows the Virginia Geographic Information Network to license use of the Virginia Base Mapping Program data for the Internet, fully support community and constituent needs, and protect the value of the data.)

Item 470 #1c

Technology

Innovative Technology Authority

Language

Language:

Page 436, after line 14, insert:

"J. The Center for Innovative Technology shall continue to support efforts of public and quasi-public bodies within the Commonwealth to enhance or facilitate the prompt availability of and access to advanced electronic communications services, commonly known as broadband, throughout the Commonwealth, monitoring trends and advances in advanced electronic communications technology to plan and forecast future needs for such technology, and identify funding options."

Explanation:

(This amendment directs the Center for Innovative Technology to continue to support efforts to expand the availability of broadband services.)

Item 470 #2c

Technology

Innovative Technology Authority

Language

Language:

Page 436, after line 14, insert:

"J.1. The General Assembly supports the Innovative Technology Authority's stated mission to enhance federal research funding to Virginia's colleges and universities and to industry. It is also the intent of the General Assembly to promote a greater reliance by the Authority on nongeneral fund revenues for the Authority's operations and

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programs.

2. To that end, the Authority or its operating body shall enter into memoranda of understanding with Virginia's institutions of higher education and with industry to recover the Authority's administrative and program costs associated with the Authority's efforts to solicit, develop, coordinate, and manage proposals attracting federal research and development dollars for technology research to Virginia. The Authority shall recover moneys from the institutions of higher education and industry up to 7.5 percent of the value of any grant or award directly obtained with assistance from the Authority.

3. From the amounts paid by public and private parties for services provided by the Authority as provided in the memoranda of understanding, the Authority shall deposit \$500,000 in the second year to the general fund of the state treasury.

4. The Governor shall unallot and withhold from distribution to the Innovative Technology Authority \$500,000 the second year from the general fund until these conditions are met:

a. A memorandum of understanding (MOU) is prepared and signed by the Chairman of the Innovative Technology Authority, the President of the Center for Innovative Technology, and the Secretary of Finance. The MOU shall direct the Authority to deposit in the second year to the general fund of the state treasury a total of \$500,000 comprising the collection of recoveries.

b. If all parties to the MOU agree, then the Authority may make more than one deposit in the fiscal year to achieve the \$500,000 total. For each deposit made to the credit of the general fund, the Secretary of Finance shall cause to be released from unallotted and previously withheld general fund appropriations an amount equal to the deposit.

5. It is the intent of the General Assembly that total general fund support for the Innovative Technology Authority be phased out over a period of time – 50.0 percent by fiscal year 2005, 75.0 percent by fiscal year 2006, and 100.0 percent in subsequent years."

Explanation:

(This amendment directs the Authority to recover a portion of its costs related to bringing federal R&D moneys to Virginia. The amendment's objective is to lessen the

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Authority's dependence upon the general fund. The amendment expresses legislative intent to phase out all general fund support for the Authority by fiscal year 2007.)

Item 471.10 #1c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 437, line 1, strike "The" and insert:

"Consistent with the provisions of Senate Bill 1247 and House Bill 1926, 2003 Session, the".

Page 437, line 18, strike "An information technology".

Page 437, strike lines 19 to 22.

Page 437, strike lines 35 to 58.

Page 438, strike lines 1 to 49.

Page 438, line 50, strike "D" and insert "B".

Explanation:

(This amendment makes corrections to language included in the budget, as introduced, to conform to the provisions of technology reform legislation approved by the General Assembly.)

Item 471.10 #2c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 438, after line 49, insert:

"5. At least 60 days prior to implementing any consolidation of the procurement and operational functions of information technology, which includes but is not limited to servers and networks, from state agencies as authorized in the sixth enactment clause of Senate Bill 1247 and House Bill 1926, 2003 Session, the Secretary of Technology shall prepare a report on the operating plan that will be used to implement the consolidation. The report shall be submitted to the Chairmen of the House

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Appropriations and Senate Finance Committees, the Senate General Laws Committee, and the House Science and Technology Committee. The report shall include but not be limited to the following items:

- a. a listing by agency of the equipment that has been identified for transfer to the Virginia Information Technologies Agency;
- b. a listing by agency of the position description for each position to be transferred to the Virginia Information Technologies Agency;
- c. the methodology used to determine the staff and equipment to be transferred to the Virginia Information Technologies Agency; and
- d. a discussion on the manner in which procurement and operational functions of information technology services will continue to be provided to each agency affected by the consolidation."

Explanation:

(This amendment requires a report by the Secretary of Technology at least 60 days prior to any consolidation of staff and equipment as authorized by Senate Bill 1247 and House Bill 1926, 2003 Session.)

Item 471.10 #3c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 438, after line 49, insert:

"5. The Secretary of Technology shall provide a report by August 1, 2003, to the Chairmen of the House Appropriations and Senate Finance Committees, the Senate General Laws Committee, and the House Science and Technology Committee that details a prototype of the memorandum of agreement that is proposed to be used to guide the provision of information technology equipment and operating support by the Virginia Information Technologies Agency to each affected state agency. The report shall also detail how service levels will be determined, the input affected agencies will have in ensuring service levels are maintained, and mechanisms available to agencies with concerns about services provided by the Virginia Information Technologies

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Agency. No memorandum of agreement shall be executed between the Virginia Information Technologies Agency and any state agency prior to the Committees cited earlier having the opportunity to review and comment upon the draft memorandum of agreement."

Explanation:

(This amendment requires the Secretary of Technology to provide a report on the proposed memorandum of agreement to be used to determine the type and level of services to be provided by the Virginia Information Technologies Agency.)

Item 471.10 #4c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 438, after line 49, insert:

"5. Notwithstanding the effective date of Senate Bill 1247 and House Bill 1926, 2003 Session, the Governor and the Joint Rules Committee are authorized to appoint their respective members to the Information Technology Investment Board prior to July 1, 2003. However, the powers and authorities granted to the Board shall not become effective until July 1, 2003."

Explanation:

(This amendment authorizes the Governor and the Joint Rules Committee to appoint individuals to the Information Technology Investment Board prior to the effective date of Senate Bill 1247 and House Bill 1926.)

Item 471.10 #5c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 438, after line 49, insert:

"5. Notwithstanding the reporting requirements of Senate Bill 1247 and House Bill 1926, 2003 Session, the Chief Information Officer shall report quarterly on the

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activities of the Virginia Information Technologies Agency, the status of any consolidations of state agency information technology operations and staff, the status of cost saving initiatives, and any other information that may be requested by the Chairmen of the House Appropriations and Senate Finance Committees, the Senate General Laws Committee, and the House Science and Technology Committee."

Explanation:

(This amendment requires quarterly reports from the Chief Information Officer regarding the activities of the Virginia Information Technologies Agency.)

Item 471.25 #1c

Technology	FY 02-03	FY 03-04	
Virginia Information Technologies Agency	\$0	(\$13,985,906)	GF

Language:

Page 439, line 26, strike "\$21,616,889" and insert "\$7,630,983".

Explanation:

(This amendment is one of two that transfer the amounts budgeted for implementation of technology reform to Central Appropriations.)

Item 472 #1c

Transportation

Secretary Of Transportation Language

Language:

Page 445, after line 37, insert:

"G. Funds apportioned under federal law for the Bridge Replacement and Rehabilitation program shall be allocated as required by federal law and to bridge projects across the Commonwealth. A minimum of 50 percent of all funds apportioned to the Commonwealth through the federal Bridge Replacement and Rehabilitation Program shall be programmed for bridge projects, and shall be allocated for such purposes each year. Any transfer of federal bridge funds to any other funding program under federal law shall be reported promptly to the Chairmen of the House Appropriations, Senate Finance Committees and House and Senate

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Transportation Committees. Such report shall include an explanation of why such funding could not be utilized for bridge projects and any potential penalty resulting from such transfer. The Secretary of Transportation shall report to the chairmen of the House Appropriations and Senate Finance Committees no later than July 1, 2003, on the Department of Transportation's efforts to expedite the expenditure of available bridge funds and the status of the allocation of bridge funds in the fiscal year 2003-2009 VDOT Six Year Improvement Program."

Explanation:

(This amendment states that no federal bridge funds available to the Commonwealth may be used for other purposes and directs the Secretary of Transportation to report on his efforts to expedite VDOT's utilization of bridge funds.)

Item 472 #2c

Transportation

Secretary Of Transportation

Language

Language:

Page 445, after line 37, insert:

"G. The Secretary shall report to the General Assembly by December 30, 2003 on the best practices used by other states to improve the link between state transportation and land use planning. The report shall also address the experience of the Department of Transportation in offering technical assistance and coordination of state resources to work with local governments, upon their request, in developing sound transportation components for local comprehensive plans."

Explanation:

(This amendment requires the Secretary to report to the General Assembly on ways to improve state transportation and local land use planning.)

Item 472 #3c

Transportation

Secretary Of Transportation

Language

Language:

Page 445, after line 37, insert:

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"G. No state funds available to the Secretary of Transportation or the agencies within the transportation secretariat shall be utilized for the design, production, installation or maintenance of roadside memorials, plaques, and other devices placed within the right-of-way that commemorate the memory of persons killed in vehicle crashes within the right-of-way of any state highway."

Explanation:

(This amendment prohibits the Secretary of Transportation from utilizing state funds available for roadside memorials.)

Item 476 #1c

Transportation

Department Of Aviation

Language

Language:

Page 446, line 45, strike the first "\$250,000" and insert "\$370,000".

Page 446, line 45, strike the second "\$250,000" and insert "\$370,000".

Explanation:

(This amendment increases the appropriation for the Washington Airports Task Force from \$250,000 each year to \$370,000 each year. The introduced Budget Bill reduced funding for this activity by 50 percent each year. The remaining reduction is 26 percent each year over Chapter 899 levels.)

Item 477 #1c

Transportation

Department Of Aviation

Language

Language:

Page 447, line 48, strike "As long as debt service".

Page 447, strike lines 49 through 53.

Explanation:

(This amendment removes limitations on future capital improvement grants to the Williamsburg/Newport News International Airport due to the cancellation of the Aviation World's Fair 2003.)

Transportation

Department Of Aviation

Language

Language:

Page 448, after line 3, insert:

"E. The department is authorized to expend up to \$1,000,000 of Aviation Special Funds in fiscal year 2003 to match federal funding available for a joint partnership venture comprising NASA, the Federal Aviation Administration, the aviation industry, and Virginia's institutions of higher education. The project shall target research efforts to promote safety and greater access for rural airports."

Explanation:

(This amendment authorizes the Department of Aviation to spend up to \$1.0 million to match some \$3.0 million of NASA funds. The Virginia SATSLab project is designed to promote air travel in rural areas.)

Transportation

Department Of Motor Vehicles

FY 02-03

\$1,603,571
302.00

FY 03-04

\$15,755,307
302.00 NGF
FTE

Language:

Page 448, line 43, strike "\$113,432,764" and insert "\$115,036,335".

Page 448, line 43, strike "\$100,573,362" and insert "\$116,328,669".

Page 449, strike lines 16 through 27.

Page 449, line 28, strike "shall be sold" and insert:

"B. The motor vehicle dealer center adjacent to the Franconia Customer Service Center and the mobile customer service centers shall be sold."

Page 449, line 30, strike "\$2,725,360" and insert "\$1,091,300".

Page 449, strike lines 32 through 54.

Page 450, strike lines 1 through 7.

Page 449, after line 31, insert:

"C. Included in this appropriation are the amounts required to reopen the 12 Department of Motor Vehicles Customer Service Centers (Warrenton, West Henrico, Gloucester, Sterling, Bedford, Rocky Mount, Bristol, Woodstock, Northern Virginia Dealer Center, Norfolk Military Circle, Chesterfield and Fair Oaks Mall) closed

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pursuant to the Governor's October 2002 budget reduction plans, estimated at \$137,884 the first year and \$5,098,550 the second year, exclusive of Workforce Transition Act savings. The first year's funding shall be supplemented by appropriations available under this item that had been set aside for Workforce Transition Act payments, had the facilities not reopened. In addition, 121 full-time equivalent positions and 25 part-time positions are included. In the case of the Fair Oaks Mall customer service centers, the Department shall seek a new facility in close proximity to replace the facility for which the lease was relinquished. In the case of the Northern Virginia Dealer Center, the full-time equivalent positions are restored, and the operations shall be consolidated into the Franconia Customer Service Center.

D. Included in the appropriation for this item are the amounts required to restore Wednesday operations at all Department of Motor Vehicle Customer Service Centers, estimated at \$514,069 in the first year and \$4,381,154 in the second year. Also provided are 60 full-time equivalent and 106 part-time positions. The first year's funding may be supplemented by appropriations available under this item that had been set aside for Workforce Transition Act payments but are no longer required because the operational hours are restored.

E. Included in the appropriation for this item are the amounts required to restore operations of the Aldie Weigh Station in Loudoun County and the Middletown Weigh Station in Frederick County, estimated at \$220,000 in the first year and \$419,405 in the second year. Also provided are 7 full-time equivalent positions.

F. Included in the appropriation for this item are the amounts required to restore the headquarters personnel necessary to support the expanded field services, estimated at \$5,056,198 the second year. Funding for the first year is available from unexpended Workforce Transition Act payments. Out of the additional amounts provided, \$10,000 shall be utilized to fund any systems modifications required pursuant to the provisions of House Bill 1521, 2003 Session of the General Assembly. Up to 114 full-time equivalent positions may be filled to support these activities.

G. In order to encourage the use of alternative service delivery methods, the Department of Motor Vehicles shall not charge its customers for the use of credit cards for internet or other types of transactions.

H. In restoring services, the Department of Motor Vehicles shall give priority first to reopening the closed customer service centers and weigh stations identified in this item. Second, DMV shall restore operations on Wednesday. If for any reason

revenue collections fall below expectations and are not sufficient to support restoration of all services and positions, funding provided for enhanced headquarters operations can be used to support the restoration of field services."

Explanation:

(This amendment restores funding and positions to DMV to reopen the 12 customer service centers closed as a result of the Governor's October budget reduction proposals, re-establish Wednesday service at all customer service centers, reopen two truck weigh stations and fund sufficient support personnel in the headquarters to operate the restored services effective April, 2003.)

Item 480 #2c

Transportation

Department Of Motor Vehicles

Language

Language:

Page 449, strike lines 32 through 42 and insert:

"D. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law."

Explanation:

(This amendment deletes proposed language in the Budget Bill dealing with the payments to constitutional officers for serving as licensed DMV agents. The language included in the budget amendment ensures that constitutional officers interested in becoming DMV license agents first receive the consent of the locality's chief

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administrative officer.)

Item 480 #3c

Transportation

Department Of Motor Vehicles

Language

Language:

Page 450, after line 7, insert:

"F. If either House Bill 1954 or Senate Bill 1058 is enacted by the 2003 Session, the Governor is authorized to appropriate from the unappropriated general fund balance of this Act and transfer to this item up to \$400,000 the second year to implement the legislation."

Explanation:

(This amendment authorizes the Governor to draw upon the unappropriated general fund balance to carry out the provisions of legislation regulating the issuance of driver's licenses, permits and other DMV documents.)

Item 482 #1c

Transportation

Department Of Motor Vehicles

FY 02-03

\$1,600,000

FY 03-04

\$2,080,000 NGF

Language:

Page 450, line 18, strike "\$41,200,000" and insert "\$42,800,000".

Page 450, line 18, strike "\$40,360,000" and insert "\$42,440,000".

Page 450, line 22, strike "\$30,400,000" and insert "\$32,000,000".

Page 450, line 22, strike "\$29,920,000" and insert "\$32,000,000".

Explanation:

(This amendment correctly lists the amounts appropriated for the distribution of rental vehicle taxes to reflect the amounts estimated to be available for localities based on their Code-specified share of the eight percent rental car tax.)

Item 485 #1c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 452, line 11, strike "shall be" and insert:

"may be used to support transportation demand management projects, public transportation safety, training, technical assistance, planning, marketing and promotion, demonstration projects, and other public transportation projects as approved by the Commonwealth Transportation Board."

Page 454, strike lines 12 through 13.

Explanation:

(This amendment clarifies the use of special project grant funding.)

Item 485 #2c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 453, after line 21, insert:

"I.1. Out of this appropriation, up to \$900,000 the second year shall be provided to the Greater Richmond Transit Company (GRTC) to continue the operation in Chesterfield County of GRTC routes previously approved by the Board of Supervisors. To receive the funding, Chesterfield County shall match such moneys on a dollar-for-dollar basis, and shall communicate its decision to participate in the program to the department no later than July 1, 2003. If the County elects not to participate, then the funds shall be made available for other programs and projects.

2. Fund sources appropriated from this Item shall include federal Temporary Assistance for Needy Family funds (TANF) for TANF-eligible clients. The Department of Social Services shall work with GRTC to maintain federal approval to operate buses and vans in Chesterfield County to transport low-income individuals to and from jobs. Other fund sources in this appropriation include the Transportation Efficiency Improvement Fund (TEIF). In addition, the department is authorized to work with Chesterfield County to encourage private sector donations for the program."

Explanation:

(This amendment provides up to \$900,000 of nongeneral fund moneys from TANF and TEIF to support bus service between the City of Richmond and Chesterfield County. To receive the funding, the County must provide a dollar-for-dollar match.)

Item 490 #1c

Transportation

Department Of Transportation

Language

Language:

Page 455, after line 33, insert:

"Out of the amounts provided for Ground Transportation System Planning and Research, the Department of Transportation, through the Virginia Transportation Research Council, shall allocate such amounts as may be required to continue its evaluation of the use of soil stabilizers as an alternative to paving low-volume secondary roads. The evaluation shall include the analysis of sufficient road samples for the Department to establish a policy facilitating the use of soil stabilizers wherever cost-effective. Findings of the evaluation shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1, 2003."

Explanation:

(This amendment directs VDOT's Virginia Transportation Research Council to continue its evaluation of the use of soil stabilizers as an alternate to paving low-volume secondary roads.)

Item 490 #2c

Transportation

Department Of Transportation

Language

Language:

Page 455, after line 33, insert:

"The department is authorized to begin the planning and development of a real-time, dynamic, traffic signal synchronization system in Northern Virginia. The purpose of this system shall be to track the flow and volume of traffic in the region and to adjust

traffic signals to optimize the region's traffic flow."

Explanation:

(This amendment calls for VDOT to develop a traffic light synchronization system beyond the capabilities of the one currently in place in Northern Virginia. The proposed system would be one that could react dynamically in cases of accidents to prioritize emergency responses for EMS, law enforcement and fire departments and to better accommodate traffic flow on alternative routes.)

Item 491 #1c

Transportation

Department Of Transportation

Language

Language:

Page 457, after line 42, insert:

"5. It is the intent of the General Assembly that balances estimated at \$220,000,000 in the U.S. Route 58 Corridor Development Fund be used to restart road projects suspended by the department on December 10, 2002. To that end, the department shall follow these priorities. The first priority shall be to continue all Route 58 projects currently under construction. The second priority shall be to continue Route 58 projects in right of way acquisition. Depending upon available funding, the third priority shall be to advertise construction bids for the John Randolph Bridge, Dryden (E-27), and Blue Ridge Parkway Crossing. As funding becomes available, the next construction priorities are those projects with high traffic counts relative to the other segments. These include the Hillsville Bypass, Abingdon to Damascus, Pennington Gap Bypass, and Stuart over Lover's Leap."

Explanation:

(This amendment is self-explanatory.)

Item 491 #2c

Transportation

Department Of Transportation

Language

Language:

Page 461, after line 50 insert:

"N. The department shall modify the permit issued on December 13, 2002 for

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General Shale to make improvements to certain secondary roads and other sites under the department's control in Orange County. The modifications shall include all of the department's recommendations made to Orange County in written communications between the department and the County."

Explanation:

(This amendment directs VDOT to modify a permit issued to General Shale to make improvements to certain roads in the secondary road system in Orange County.)

Item 491 #3c

Transportation

Department Of Transportation

Language

Language:

Page 461, after line 50, insert:

"N. 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 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."

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.)

Item 491 #4c

Transportation

Department Of Transportation

Language

Language:

Page 461, strike lines 19 through 33, and, insert:

"K. The general fund deposits to the Priority Transportation Fund pursuant to Chapters 1019 and 1044, Acts of Assembly of 2000, shall include \$113,659,200 from

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the general fund in the first year and \$32,929,586 from the general fund in the second year. Of that amount, \$7,132,500 in the first year and \$32,929,586 in the second year shall be allocated to offset the debt service payment requirements on the Transportation Trust Fund attributable to the \$317 million of Federal Highway Anticipation Notes issued in support of Item 491 H 2 of this Act.

Additionally, notwithstanding Enactment 6 of Chapters 1019 and 1044, Acts of Assembly of 2000, this Act, or any other provision of law, any additional amounts needed to offset the debt service payment requirements on the Transportation Trust Fund attributable to the issuance of Federal Highway Reimbursement Anticipation Notes shall be allocated from the Priority Trust Fund to the extent available and then from the portion of the Transportation Trust Fund available for highway construction purposes prior to making the allocations required by § 33.1-23.1 B of the Code of Virginia.

Explanation:

(This amendment directs VDOT to allocate any transportation funds required to support debt service on FRANs issued in support of VTA projects "off-the-top" prior to allocations to the primary, secondary and urban systems. This language is not intended to preclude the department from utilizing federal Interstate funds as needed and as currently allowed under state law.)

Item 491 #5c

Transportation

Department Of Transportation

Language

Language:

Page 457, after line 42, insert:

"5. The Commissioner of the Department of Transportation shall report on or before July 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on the cash balances in the Route 58 Corridor Development Fund. In addition, the report shall include the following: i) allocations and expenditures from the Fund for the preceding fiscal year by project and district; ii) a comparison of actual spending to allocations by project and district; and iii) a six-year plan for planned future expenditures from the Fund by project and district."

Explanation:

(This amendment directs VDOT to report to the House Appropriations and Senate

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Finance Committees concerning the cash balance in the Route 58 Corridor Development Fund. This plan must include a presentation of where funds are currently being expended and a plan for future allocations from the fund.)

Item 499 #1c

Transportation

Motor Vehicle Dealer Board

Language

Language:

Page 464, strike lines 30 through 36.

Explanation:

(This amendment strikes language in the introduced budget bill which would have eliminated the Motor Vehicle Transaction Recovery Fund. A companion amendment restores \$200,000 the first year to the Fund to carry out the Fund's purposes in accordance with House Bill 2604 (2003 Session).)

Item 501 #1c

Transportation

Virginia Port Authority

Language

Language:

Page 466, line 53, after "costs", insert "reserve funds, and other financing expenses,".
Page 466, line 55, after "407-16644)", insert:
", and the construction of security related facilities at Norfolk International Terminals (North) and Portsmouth Marine Terminal."

Explanation:

(This amendment allows revenue bonds to be used for the new construction of security facilities.)

Item 503 #1c

Central Appropriations

Central Appropriations

FY 02-03

\$0

FY 03-04

\$1,805,228 GF

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Language:

Page 468, line 4, strike "\$29,219,480" and insert "\$27,414,252".

Page 470, line 30, strike "and \$1,805,228 the second".

Page 470, line 31, strike "year".

Page 470, line 34, strike "and \$556,329 the".

Page 470, line 35, strike "second year,".

Explanation:

(This amendment restores funds for the operation and maintenance of state buildings at the seat of government. A companion amendment to § 3-1.01 restores the nongeneral fund appropriation.)

Item 504 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 472, line 10, strike "and October 1, 2003".

Page 472, after line 10, insert:

"6. The Director of the Department of Human Resource Management shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2003, on the status of the state employee health insurance program. The report shall include but not be limited to the following items:

- a. enrollment statistics and plan demographics, program experience by benefit category, comparison to the plan administrator's book of business averages for the same categories, and the plan's cost drivers covering the most recent five fiscal years;
- b. the state employee health insurance fund's operating statements on both a cash and accrual basis for the most recent five fiscal years;
- c. a description of the plan's renewal projections for the upcoming plan year; and
- d. potential changes to the plan based on renewal projections including plan design changes, projected premiums, and the projected general and nongeneral fund cost increase."

Explanation:

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(This amendment requires the Department of Human Resource Management to report on the status of the state employees' health insurance program.)

Item 505.10 #1c

Central Appropriations

FY 02-03

FY 03-04

\$0

\$4,500,000 GF

Language:

Page 472, after line 30, insert:

"505.10. Higher Education Student Financial Assistance (10810)

\$4,500,000

Fund Sources: General

\$4,500,000."

Out of this appropriation, \$4,500,000 is provided from the general fund in the second year for need-based financial aid for Virginia resident undergraduate students. The Director, Department of Planning and Budget, shall distribute these funds to higher education institutions consistent with the level of student need, as calculated by the State Council of Higher Education for Virginia. The Director, Department of Planning and Budget, shall submit a report by July 15, 2003, to the Chairmen of the House Appropriations and Senate Finance Committees setting out the distribution of these funds."

Explanation:

(This amendment provides additional funding for student financial aid in light of anticipated tuition increases at public institutions of higher education.)

Item 509 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 475, line 8, after "Virginia.", insert:

"The proceeds of the securitization authorized by Chapter 488 of the Acts of Assembly of 2002 shall be disbursed for the use by the Tobacco Indemnification and Revitalization Commission, upon approval by the Governor of a long-range plan which has been developed and endorsed by the Commission for the use of such proceeds. The Commission shall submit its endorsed long-range plan to the

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Governor and to the House Appropriations and Senate Finance Committees. The two Committees shall review the plan and provide their comments to the Governor. The Governor shall convey his approval in writing to the Chairman and members of the Tobacco Indemnification and Revitalization Commission and to the Chairmen of the House Appropriations and Senate Finance Committees.”

Explanation:

(This amendment directs the Tobacco Indemnification and Revitalization Commission to prepare a long-range plan on the use of proceeds from securitization. The plan shall be submitted to the Governor and to the money committees. The money committees are to review the plan and to submit any comments to the Governor. In turn, the Governor shall notify the Commission and the money committees of his approval of the plan.)

Item 510 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 475, line 55, strike "a sum sufficient, estimated at"

Explanation:

(This amendment removes the sum sufficient appropriation for personal property tax relief. The sum sufficient indicator was inadvertently included in the introduced bill.)

Item 510.10 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 476, after line 24, Insert:
"510.10. Technology Reform

A.1. Consistent with the provisions of Senate Bill 1247 and House Bill 1926, 2003 Session, the Director, Department of Planning and Budget, is authorized to transfer general fund and nongeneral fund appropriations from Executive Department agencies,

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other than institutions of higher education, to this item. These transfers shall be from such savings as the Secretary of Technology, or the Chief Information Officer upon his hiring, may identify from actions such as: a) consolidation of servers, networks, desktop support, help desk operations, and desktop and server licenses, b) centralization of procurement, c) conversion of contract positions to full-time or part-time state employment, d) centralized access management, and e) promulgation of a revised telecommunications usage policy, including dedicated private lines. The State Comptroller shall transfer cash consistent with these appropriation transfers.

2. The Department of Planning and Budget shall increase the position level and make adjustments within the line items of any agency of the Commonwealth to the extent necessary to carry out the provisions of Paragraph A.1.c. of this item."

Explanation:

(This amendment captures savings resulting from implementation of technology reform consistent with the provisions of Senate Bill 1247 and House Bill 1926.)

Item 510.10 #2c

Central Appropriations	FY 02-03	FY 03-04
Central Appropriations	\$0	\$13,985,906 GF

Language:

Page 476, after line 24, Insert:

"510.10. Technology Reform	\$13,985,906
Fund Sources: General	\$13,985,906."

Consistent with the provisions of Senate Bill 1247 and House Bill 1926, 2003 Session, transfers from this item may be made to the Virginia Information Technologies Agency, or any other agency of the Commonwealth, to implement the technology reform measures provided for in Senate Bill 1247 and House Bill 1926."

Explanation:

(This amendment is one of two that transfers the amounts budgeted for implementation of technology reform to Central Appropriations.)

Item 511 #1c

Central Appropriations	FY 02-03	FY 03-04
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Central Appropriations \$0 \$2,606,871 GF

Language:

Page 476, line 26, strike "\$16,723,273" and insert "\$14,116,402".

Page 479, line 38, unstrike "\$644,185" and strike "\$3,251,056".

Explanation:

(This amendment restores reductions to VRS' budget proposed in the introduced budget.)

Item 511 #2c

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$38,512,809 GF

Language:

Page 476, line 26, strike "\$16,723,273" and insert "\$21,789,536".

Page 477, line 3, strike "paragraph C" and insert "paragraphs F and M".

Page 480, after line 23, insert:

"M.1. The base salary of employees listed in this paragraph shall be increased by 2.25 percent on November 25, 2003, for those employees set out in subparagraphs 2 a through 2 d of this paragraph. The base salary of employees set out in subparagraph 2 e of this paragraph shall be increased by 2.25 percent on December 1, 2003. This appropriation includes the following estimated amounts for these purposes:

State Employees	\$ 22,055,410
Faculty	\$ 7,934,397
Local Employees	\$ 8,523,002
Total	\$ 38,512,809

2. Transfers from this Item shall be used to effect this increase and related increases in employee benefits for:

a. Executive Department

1. Full-time employees of the Executive Department subject to the Virginia Personnel Act;

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2. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
3. Teaching and Research and Administrative Faculty at the institutions of higher education;
4. Any official whose salary is listed in § 4-6.01 c and d of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c; and
5. 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. Heads of agencies in the Legislative Department;
2. Full-time employees in the Legislative Department, other than officials elected by popular vote; and
3. Secretaries and administrative assistants as provided for in Item 1, of this act.

c. Judicial Department

1. Judges and Justices in the Judicial Department;
2. Heads of agencies in the Judicial Department; and,
3. Full-time employees in the Judicial Department.

d. Independent Agencies

1. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Executive Director of the Virginia College Savings Plan, and the Directors of the State Lottery Department and the Virginia Retirement System;
2. Full-time employees of the State Lottery Department; and,

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3. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the State Lottery Department, and the Virginia Retirement System.

e. State-Supported Local Employees

1. Locally elected constitutional officers;

2. General Registrars and members of local electoral boards;

3. Full-time employees of locally elected constitutional officers; 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.

3.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 "Contributor" on their latest performance evaluation.

b. Salary increases for employees listed in paragraphs M 2 a 2 through M 2 a 4 and paragraphs M 2 c through M 2 d shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. The appointing or governing authority shall certify that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in the preceding paragraph 3 a.

N. The Department of Human Resource Management shall increase the minimum and maximum salary for each grade within the Commonwealth's Classified Compensation Plan by 2.25 percent on November 25, 2003. 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 grades shall be based on employee performance.

O. The agency heads listed in this paragraph may, at their discretion, utilize the funds provided pursuant to paragraph M of this Item, to implement the provisions of

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existing pay plans.

1. The heads of agencies in the Legislative and Judicial Departments;
2. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
3. The Attorney General;
4. The Director of the Virginia Retirement System;
5. The Director of the State Lottery Department;
6. The Director of the University of Virginia Medical Center;
7. The Executive Director of the Virginia College Savings Plan; and
8. The Executive Director of the Virginia Port Authority.

P. The base rates of pay, and related employee benefits, for wage employees may be increased by up to 2.25 percent on November 25, 2003. The cost of such increases for wage employees shall be borne by funds appropriated to each agency.

Q. Not later than August 15, 2003, the Governor shall prepare a revised general fund revenue forecast for the fiscal year 2003-2004, as provided for in section 2.2-1503 of the Code of Virginia, based on actual general fund revenue collections for fiscal year 2002-2003 and the most recent data on the national and state economic outlook for fiscal year 2003-2004. Should this forecast result in a downward revision of the general fund revenue estimate, the salary actions authorized in Paragraph M.1.a to e, and Item 147 of this act, paragraph k.1)a) may be decreased as one of the actions taken to reduce the general fund budget by the amount of any downward revision of the 2003-2004 revenue estimate prepared subsequent to February 22, 2003."

Explanation:

(This amendment provides for a second year salary increase of 2.25 percent for state classified employees, faculty, and state-supported local employees. In the event that the General Fund revenues for fiscal year 2004 are revised downward, the Governor may reduce the salary increase authorized in this amendment as well as the salary increase authorized for teachers in Item 147. It is the intent of the General

Assembly that those changes to the salaries set out in this act that are necessary to implement this amendment will be made during enrolling.)

Item 511 #3c

Central Appropriations

Central Appropriations

Language

Language:

Page 480, after line 23, insert:

"M.1. The Virginia Retirement System shall prepare a report on the feasibility of establishing an Internal Revenue Service approved Special Pay Plan that is qualified under section 401(a) of the Internal Revenue Code for separating state employees. The purpose of the report shall be to determine whether such a pay plan would be of value to state employees and the extent to which state employees have identified the need for such a benefit plan.

2. As part of the review, the Virginia Retirement System shall identify the benefits of such plans, including a determination of cost savings that may accrue to both the employer and employee.

3. The Virginia Retirement System shall also determine whether this benefit should be available to all employees or a subgroup of employees based on factors including but not limited to amount and type of separation pay.

4. In completing this review, the Virginia Retirement System shall seek input from an appropriate cross-section of state employees.

5. The Department of Human Resource Management shall provide technical assistance to the Virginia Retirement System upon request.

6. The results of this review shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by November 14, 2003."

Explanation:

(This amendment requires a review of special pay plans as qualified by the Internal Revenue Service for separating state employees.)

Item 512 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 485, line 11, after "Services.", insert:

"In developing the guidelines to allocate payments, the Commissioner of the Department of Agriculture and Consumer Services shall consult with representatives of the affected industries."

Explanation:

(This amendment requires the Department of Agriculture and Consumer Services to seek input from the poultry industry in developing guidelines for the distribution of the indemnity payments.)

Item 512 #2c

Central Appropriations

Central Appropriations

Language

Language:

Page 482, after line 16, insert:

"6. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Governor's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund."

Explanation:

(This amendment directs the Virginia Economic Development Partnership to recover past grants when the investment and job creation goals are not met.)

Item 512 #3c

Central Appropriations

Central Appropriations

FY 02-03

FY 03-04

\$0

(\$1,275,000) GF

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Language:

Page 480, line 25, strike "\$22,893,238" and insert "\$21,618,238".

Page 482, line 31, strike "\$7,667,049" and insert "\$5,167,049".

Explanation:

(This amendment captures uncommitted general fund balances in the second year from the Commonwealth Technology Research Fund.)

Item 512 #4c

Central Appropriations

Central Appropriations

Language

Language:

Page 482, strike line 17 through 29.

Page 482, after line 29, insert:

"F. In the event Major League Baseball makes a conditional award of a franchise to Virginia after the Reconvened 2003 Session and prior to the 2004 Regular Session of the General Assembly, the Governor is authorized to develop possible financing options for construction of a new major league baseball stadium, in consultation with the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees, and the Virginia Baseball Stadium Authority. However, the financing options shall not include any general fund support beyond sales tax revenues generated by transactions taking place upon the premises of the major league baseball stadium, as authorized under existing law for such purposes. The financing options shall be submitted to the General Assembly for its consideration at the session immediately following development of said options by the Governor."

Explanation:

(This amendment provides authorization for the Governor to develop financing options for construction of a baseball stadium to be presented to the General Assembly for its consideration, provided that the options do not include any general fund support beyond that already enacted into law from sales taxes for such purposes.)

Item 512 #5c

Central Appropriations

FY 02-03

FY 03-04

Conference Report on House Bill 1400

Central Appropriations \$0 \$851,280 GF

Language:

Page 480, line 25, strike "\$22,893,238" and insert "\$23,744,518".

Page 484, line 37, after "K.", insert "1."

Page 484, after line 40 insert:

"2. Out of this appropriation, \$851,280 from the general fund is provided in fiscal year 2004 for operating support of the Virginia Equine Center Foundation. It is the intent that the General Assembly's support in subsequent years shall be as follows:

2005	\$637,401
2006	\$422,550
2007	\$210,510
2008	\$0

The Virginia Equine Center Foundation shall develop a business plan incorporating strategies to generate sufficient revenues to offset declining general fund support. This plan shall be submitted to the chairmen of the House Appropriations and Senate Finance Committees by November 1, 2003."

Explanation:

(This amendment provides declining operating support for the Virginia Equine Center Foundation and requires development of a business plan that results in self-sufficiency for the organization.)

Item 512 #6c

Central Appropriations

Central Appropriations

Language

Language:

Page 482, line 33, after "Fund.", strike the remainder of line.

Page 482, strike lines 34 through 38.

Page 482, line 39, strike "Expenditures" and insert:

"2. Notwithstanding § 2.2-2233.1, Code of Virginia, expenditures".

Page 482, strike lines 43 through 58.

Page 483, strike lines 1 through 57.

Page 484, strike lines 1 through 19.

Explanation:

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(This amendment modifies the administration of the Commonwealth Technology Research Fund and is contingent upon passage of House Bill 2284, 2003 Session.)

Item 512 #7c

Central Appropriations	FY 02-03	FY 03-04
Central Appropriations	\$0	\$334,000 GF

Language:

Page 480, line 25, strike "\$22,893,238" and insert "\$23,227,238".

Page 480, strike lines 41 through 46 and insert:

"2. This appropriation includes \$334,000 the second year from the general fund for the Commonwealth's share of the construction costs for a national memorial to the veterans of World War II."

Explanation:

(This amendment provides \$334,000 the second year from the general fund for the Commonwealth's share of the national World War II memorial.)

Item 512.25 #1c

Central Appropriations	FY 02-03	FY 03-04
Central Appropriations	\$0	(\$2,275,358) GF

Language:

Page 485, after line 11, insert:

"512.25. Reversion Clearing Account - (\$2,275,358)

Research and Public Service Centers

Fund Sources: General (\$2,275,358)."

"A. It is the intent of the Governor and the General Assembly that direct general fund support of special purpose research and public service centers and projects in higher education not be continued indefinitely and that institutions of higher education secure nongeneral fund support of such activities. General fund reductions of \$2,275,358 the second year from research and public service activities shown below reflect the expectation that additional private and other nongeneral funds be solicited to augment nongeneral fund support:

FY 04

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Institution	Center Name	Reduction
CNU	Applied Research Center	(39,960)
CWM	Applied Research Center	(69,768)
CWM	Jefferson Accelerator Facility	(75,683)
CWM	Institute for Early American History and Culture	(12,557)
CWM	Bureau of Business Research	(2,139)
GMU	School of Law Special Funding	(90,000)
GMU	Center for Conflict Resolution	(37,125)
LU	Teachers Institute	(25,940)
LU	Center for Economics Education	(8,449)
ODU	Physical Oceanography Commonwealth Center	(44,731)
ODU	Ports Institute	(5,000)
ODU	Applied Research Center	(106,272)
ODU	Lamberts Point	(67,500)
ODU	CHANCE Program	(66,600)
UVA	O'Brien Center of Excellence in Urology	(270,000)
UVA	Fishery Resource Grant Fund	(60,000)
UVA	Institute for Nuclear and Particle Physics	(70,000)
UVA	Center for Politics	(41,600)
UVA	Virginia Youth Leadership	(6,000)
UVA	Virginia Institute of Government	(31,500)
UVA	Foundation for the Humanities	(103,480)
UVA	State Climatologist	(10,170)
VCU	Center on Aging	(75,000)
VCU	Council on Economic Education	(75,000)
VCU	Commonwealth Center for Head Injury	(51,488)
VCU	Center for the Advancement of Generalist Medicine	(238,136)
VCU	Virginia Labor Center	(177,154)
VCU	Center on Urban Development	(150,000)
VCU	Education Policy Institute	(15,000)
VCU	Gang Prevention Project	(100,000)
VCU	Virginia Executive Institute	(14,070)
VCU	Center for Public / Private Initiatives	(20,434)
VCU	HIV/AIDS Center	(6,084)
VCU	Drug and Alcohol Studies Center	(3,393)
VIMS	Aquaculture Genetics and Breeding Program	50,000
VIMS	Scientific Research into Port Development	(20,000)

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VPI	Center for Organizational and Technological Advancement	(80,000)
VPI	Center for Coal and Energy Research	(15,750)
VPI	Virginia Water Resources Center	(9,375)
VPI	Reynolds Homestead Continuing Education	(30,000)
Total annual amounts		(2,275,358)".

Explanation:

(This amendment reduces general funds for special purpose research centers in anticipation of nongeneral sources replacing the funds. It is the intent of the General Assembly that these reductions shall be distributed to the institutions listed above during the enrolling of the bill.)

Item 513.1 #1c

Central Appropriations	FY 02-03	FY 03-04
Central Appropriations	\$0	(\$500,000) GF

Language:

Page 486, after line 18, insert:

"513.1. Reversion Clearing Account -- Economic Development Consolidation Fund Sources: General	\$0	(\$500,000)
	\$0	(\$500,000)."

A.1. The Secretary of Commerce and Trade shall prepare an agency reorganization plan to be submitted to the Chairmen of the Senate Finance and House Appropriations Committees by December 22, 2003. In developing the plan, the Secretary shall consult with the Secretary of Education, the Department of Planning and Budget, and the clients of services potentially affected by the consolidation.

2. The agencies to be reorganized and consolidated into a single agency within the Commerce and Trade Secretariat are the Departments of Business Assistance and Minority Business Enterprise, the A.L. Philpott Manufacturing Extension Partnership, and the Virginia-Israel Advisory Board.

3. The plan shall include but not be limited to establishing the goals of the new agency; measurable objectives to assess the future performance of the agency; the

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strategies to carry out the objectives; and identification and description of the activities and services to be reorganized, enhanced, curtailed, or eliminated. The plan shall also include information concerning the number of positions and amount of general fund and nongeneral fund dollars to be allocated to each of the new agency's activities and services. The plan shall also identify position and dollar savings -- estimated at \$500,000 -- resulting from the consolidation. The Secretary may use nongeneral funds where appropriate to supplant a portion of the general fund reductions set out in this item. He is also authorized to relocate the Department of Business Assistance from its present location to another less-expensive location more accessible to the public as part of the plan.

4. To encourage equal opportunity in state procurement, the consolidated agency shall recognize and fully implement the Governor's Executive Order 29 issued on July 2, 2002.

5. It is the intent of the General Assembly that legislation be introduced in the 2004 Session amending the Code of Virginia to effect the reorganization contained in this item."

Explanation:

(This amendment consolidates several agencies in the Commerce and Trade and Education secretariats into a single economic development agency. The amendment includes a general fund savings of \$500,000 in fiscal year 2004.)

Item 514 #1c

Independent Agencies

State Corporation Commission

Language

Language:

Page 488, line 37, strike "suspend all" and insert "curtail".

Explanation:

(This amendment amends language to allow the State Corporation Commission to continue some services of the consumer education program for electricity deregulation such as maintaining a website and toll-free number for this program.)

Item 532 #1c

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Nonstate Agencies

State Grants to Nonstate
Entities-Nonstate Agencies

Language

Language:

Page 501, line 61, after "Center", insert "Foundation".

Page 501, after line 62, insert:

"The Virginia Agriculture & Nature Center Foundation shall not be subject to match provisions."

Explanation:

(This amendment clarifies that it is the Foundation that receives the grant for the Virginia Agriculture & Nature Center. Further, language is added that specifies the Foundation would not be subject to matching requirements on the grant.)

Item 532 #2c

Nonstate Agencies

State Grants to Nonstate
Entities-Nonstate Agencies

FY 02-03

(\$24,115)

FY 03-04

\$0 GF

Language:

Page 497, line 5, strike "\$5,312,460" and insert "\$5,288,345".

Page 502, line 31, strike "24,115" and insert "0".

Explanation:

(This amendment reverts funding for a nonstate grant that will not be able to be used by the recipient.)

Item C-0 #1c

General Conditions

General Conditions

Language

Language:

Page 508, after line 50, insert:

"L. On or before June 30, 2004, the State Comptroller shall revert to the general fund \$1,290,000 from fund 0100 in capital project 799-10887; however, the Director,

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Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if the Director shall subsequently verify an unpaid obligation which cannot be paid as a result of this reversion."

Explanation:

(This amendment reverts \$1,290,000 in general fund appropriation from the maintenance reserve capital project of the Department of Corrections to the general fund. A companion amendment replaces the general fund appropriation with a nongeneral fund appropriation.)

Item C-0 #2c

General Conditions

General Conditions

Language

Language:

Page 504, strike lines 51 through 54.

Page 505, strike lines 1 through 8 and insert:

"E. Expenditures from items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant and equipment to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient. Institutions of higher education can expend up to \$1,000,000 for a single repair or project through the maintenance reserve appropriation without a separate appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an institution of higher education has identified a potential project that exceeds this threshold, the Director of the Department of Planning and Budget can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds."

Explanation:

(This amendment is self-explanatory.)

Item C-1.20 #1c

Administration

Department Of General Services

FY 02-03

\$0

FY 03-04

(\$54,500,000) NGF

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Language:

Page 509, line 10, strike "\$54,500,000" and insert "\$0".

Explanation:

(This amendment deletes the separate project for renovation of the Capitol. A new amendment, C-1.30, provides for a comprehensive plan for preservation of Capitol Square.)

Item C-1.25 #1c

Administration

Department Of General Services

Language

Language:

Page 509, strike lines 12 through 19.

Explanation:

(This amendment deletes the separate project for renovation of the Washington Building. A new amendment, C-1.30, provides for a comprehensive plan for preservation of Capitol Square.)

Item C-1.30 #1c

Office Of Administration

FY 02-03

FY 03-04

Department Of General Services

\$0

\$124,542,000 NGF

Language:

Page 509, Line 10 insert:

"C-1.30. Improvements: Capitol Square Preservation	\$0	\$124,542,000
Fund Sources: Dedicated Special Revenue	\$0	\$5,972,000
Bond Proceeds	\$0".	\$118,570,000".

A. Pursuant to § 2.2-2264 of the Code of Virginia, the General Assembly hereby authorizes the Virginia Public Building Authority to undertake the construction, improvement, and furnishing of the following projects including, but not limited to, constructing, improving, furnishing, maintaining, and renovating buildings, facilities, improvements and land therefore; and to exercise any and all powers granted to it by

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law in connection therewith, including the power to finance all or any portion of the cost thereof by the issuance of revenue bonds in a principal amount not to exceed \$118,570,000 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during construction or renovation and for one year after completion thereof, and other financing expenses.

<u>Project Description</u>	<u>Amount</u>
Renovate Capitol Building	\$ 54,492,000
Construct new northern entrance for Capitol	\$ 13,528,000
Renovate the Old State Library to accommodate temporary closure of the Capitol	\$ 3,848,000
Subtotal	<u>\$ 71,868,000</u>
Construct and improve Capitol Square Utilities	\$ 2,036,000
Renovate and expand the Old Finance Building	\$ 31,520,000
Renovate Washington Building	\$ 13,146,000
GRAND TOTAL	<u>\$ 118,570,000</u>

B. The Virginia Public Building Authority is also authorized to exercise any and all powers granted to it by law in connection therewith, including the power to finance the cost thereof by the issuance of revenue bonds not to exceed the principal amount set forth plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to or during improvement and for up to one year after completion of the improvement, and other financing expenses.

C.1. Notwithstanding the foregoing, the Virginia Public Building Authority shall not take any action in regard to the renovation of the Old Finance Building, and renovation of the Washington Building projects included in paragraph A, including the issuance of bonds, that will financially obligate the Commonwealth except as provided in this section.

2. The Governor shall prepare and release a plan to the chairmen of the Senate Finance Committee and House Appropriations Committee on or before December 1, 2003, providing alternatives to the issuance of bonds for completing the renovations included in paragraph A. for the Finance Building and Washington Building projects. Such alternatives shall include detailed information on the feasibility of entering into public-private partnerships for completing such renovations, including, but not limited to, entering into a comprehensive agreement with a private entity for the completion of

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such renovations pursuant to The Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq. of the Code of Virginia). In addition, the plan shall identify the proposed tenants of each of the Finance and Washington Buildings, respectively, who will be occupying office space in such buildings immediately after completion of such renovations. In no case shall any action be taken that will financially obligate the Commonwealth, in regard to the renovation of the Old Finance Building, and renovation of the Washington Building projects included in paragraph A, except costs incidental to the preparation of plans therefore, prior to March 31, 2004.

3. The Department of General Services shall provide written notice to the Virginia Public Building Authority no sooner than March 31, 2004, identifying the renovations, and the expected costs thereof, for the renovations included in paragraph A for the Finance Building and Washington Building projects that will be undertaken and completed by entities other than the Authority (in accordance with the Governor's plan provided herein), including, but not limited to, renovations to be completed pursuant to a comprehensive agreement with a private entity under the provisions of The Public-Private Education Facilities and Infrastructure Act of 2002. Upon receipt of such notice, the Virginia Public Building Authority shall undertake and complete, and may issue bonds to finance, the costs of all other renovations for the Finance Building and Washington Building projects included in paragraph A.

4. The Joint Rules Committee with the assistance of the Secretary of Administration shall prepare and release a plan to the chairmen of the Senate Finance Committee and House Appropriations Committee on or before December 1, 2003 to fund the acquisition of fixtures and furnishings for the Capitol Building project included in paragraph A, through private donations or other means of fund-raising. The estimated cost of these fixtures and furnishings is \$5,972,000.

D. Any funds raised from private donations or other fund-raising for purposes of acquiring fixtures and furnishings for the Capitol Building project may be used for such purposes by the Department of General Services after December 31, 2003."

Explanation:

(This amendment appropriates up to \$124,542,000 for the renovation of historic structures within Capitol Square. The Virginia Public Building Authority is authorized to issue bonds to cover the cost of these projects provided, however, that the Department of General Services shall first attempt to: 1) address the renovation of the Washington Building and the Old Finance Building through a public-private

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partnership, and 2) provide private funds for the fixtures and furnishings required for renovation of the Capitol.)

Item C-6.25 #1c

Education: Higher Education	FY 02-03	FY 03-04
Christopher Newport University	\$4,000,000	\$0 NGF

Language:

Page 511, after line 4, insert:

"C-6.25. Acquisition: Master Plan Properties (16518)	\$4,000,000	\$0
Fund Sources: Higher Education Operating	\$4,000,000".	\$0".

Explanation:

(This amendment provides nongeneral fund authorization to supplement property acquisition within the University's Master Site Plan.)

Item C-11.35 #1c

Education: Higher Education	FY 02-03	FY 03-04
The College Of William And Mary In Virginia	\$5,200,000	\$0 NGF

Language:

Page 511, after line 37, insert:

"C-11.35. Improvements: Renovate / Expand Rogers Hall	\$5,200,000	\$0
Fund Sources: Bond Proceeds	\$5,200,000".	\$0".

Explanation:

(This amendment provides supplemental bond authorization through the Virginia College Building Authority for the renovation of Rogers Hall.)

Item C-11.35 #2c

Education: Higher Education	FY 02-03	FY 03-04
The College Of William And Mary	\$5,000,000	\$0 NGF

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In Virginia

Language:

Page 511, after line 37, insert:

"C-11.35. Improvements: Renovate / Expand Marshall Wythe Law Library	\$5,000,000	\$0
Fund Sources: Higher Education Operating	\$5,000,000".	\$0".

Explanation:

(This amendment provides additional nongeneral fund authorization for the renovation of the Marshall Wythe Law Library. Of the \$5.0 million provided, \$3.8 million will be supported through private funds and \$1.2 million will be financed through 9(d) debt supported with increased student fees.)

Item C-11.60 #1c

Education: Higher Education

FY 02-03

FY 03-04

Virginia Institute Of Marine Science

\$200,000

\$0 NGF

Language:

Page 512, after line 10, insert:

"C-11.60. New Construction: Marine Research Building Complex (16522)	\$200,000	\$0
Fund Sources: Higher Education Operating	\$200,000".	\$0".

Explanation:

(This amendment provides supplemental nongeneral funds to plan the Marine Research Building Complex project previously authorized in Chapter 859, 2002 Acts of Assembly. Funding for this project will be provided from research grants.)

Item C-18 #1c

Education: Higher Education

FY 02-03

FY 03-04

George Mason University

\$2,856,000

\$0 NGF

Language:

Page 513, line 4, strike "\$15,000,000" and insert "\$17,856,000".

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Explanation:

(This amendment provides additional 9 (d) revenue bond authority to add an additional 200 parking spaces to accommodate greater-than-expected student enrollments.)

Item C-20.50 #1c

Education: Higher Education

George Mason University

FY 02-03

\$0

FY 03-04

\$2,000,000 NGF

Language:

Page 514, line 23, strike "\$0" and insert "\$2,000,000".

Explanation:

(This amendment provides additional 9 (d) revenue bond authority for the Patriot Center renovation project.)

Item C-24.25 #1c

Education: Higher Education

James Madison University

Language

Language:

Page 515, after line 31, insert:

"C-24.25. James Madison University is hereby granted authorization to enter into a no cost exchange of land with the City of Harrisonburg. This exchange transfers to the City of Harrisonburg title to land area adjacent to its Resource Recovery Facility sufficient to support the expansion of the facility. In consideration of the transfer to the City of Harrisonburg, the City conveys that portion of land attributable to James Madison University resulting from the closure of an alley contiguous to James Madison University property that runs east-west, parallel to Patterson Street."

Explanation:

(This amendment provides for the exchange of property between the City of Harrisonburg and James Madison University, at no cost to either party. The exchange has already been approved by Harrisonburg's City Council along with the University's Board of Visitors.)

Education: Higher Education

James Madison University

Language

Language:

Page 515, after line 31, insert:

"C-24.25.

1. Subject to § 4-4.01 x. of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.

2. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

3. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

Explanation:

(This amendment provides James Madison University with the authority to explore, evaluate and enter into alternative financing agreements with public or private entities.)

Education: Higher Education

Longwood University

Language

Language:

Page 515, after line 41, insert:

"C-25.05.

1. Subject to § 4-4.01 x. of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) to support student housing projects through alternative financing agreements including public-private partnerships.

2. Longwood University is further authorized to enter into written agreements with LUREF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

Explanation:

(This amendment allows Longwood University to enter into a public-private partnership for \$44 million of student housing.)

Education: Higher Education

Norfolk State University

FY 02-03

\$500,000

FY 03-04

\$0 NGF

Language:

Page 517, line 1, strike "\$2,500,000" and insert "\$3,000,000".

Explanation:

(This amendment provides supplemental funding from bond proceeds to purchase the hospital property located adjacent to Norfolk State University's campus.)

Item C-28.30 #1c

Education: Higher Education

Norfolk State University

Language

Language:

Page 517, after line 2, insert:

"C-28.30.

1. Subject to § 4-4.01 x. of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with the Norfolk State University Foundation (NSUF) for the development of one or more student housing projects adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

2. Norfolk State University is further authorized to enter into written agreements with NSUF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

Explanation:

(This amendment is self-explanatory.)

Item C-28.30 #2c

Education: Higher Education

Norfolk State University

Language

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Language:

Page 517, after line 2, insert:
"C-28.30. New Construction: RISE I
Facility

1. Subject to § 4-4.01 x. of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with the Norfolk State Enterprise and Empowerment Foundation (E2F) to construct and deliver the RISE I facility, a project authorized under Chapter 859, 2002 Acts of Assembly.

2. Norfolk State University is further authorized to purchase the RISE I facility from E2F at a not-to-exceed price of \$18 million subject to the facility meeting code requirements."

Explanation:

(This amendment is self-explanatory.)

Item C-34.05 #1c

Education: Higher Education

University Of Virginia

FY 02-03

\$10,800,000

FY 03-04

\$0 NGF

Language:

Page 519, line 18, strike "\$21,000,000" and insert "\$31,800,000".

Explanation:

(This amendment requests an increase in nongeneral funds for the Medical Research Building (MR-6) project in order to fund the fit-out of 30,000 gross square feet of space. The space will be used for laboratory facilities. Funding will be provided by higher education operating funds.)

Item C-47.20 #1c

Education: Higher Education

University Of Virginia

FY 02-03

\$36,100,000

FY 03-04

\$0 NGF

Language:

Page 520, line 37, strike "\$6,900,000" and insert "\$43,000,000".

Page 520, after line 38, insert:

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"The operations and maintenance costs for this facility shall be the responsibility of nongeneral fund sources."

Explanation:

(This amendment requests additional nongeneral fund authority to support a 115,000 gross square foot addition to the rear of Rouss Hall and the demolition of Varsity Hall. The addition will house the McIntire School of Commerce. Funding will be provided by \$33 million of 9 (d) nongeneral fund bonds and \$3.1 million of gifts and grant funds.)

Item C-47.95 #1c

Education: Higher Education

FY 02-03

FY 03-04

University Of Virginia

\$3,000,000

\$0 NGF

Language:

Page 521, after line 28, insert:

"C-47.95. Maintenance Reserve: Auxiliary \$3,000,000

Enterprise Projects

Fund Sources: Higher Education Operating \$3,000,000".

Explanation:

(This amendment provides additional nongeneral fund appropriation at the University of Virginia for concrete repair projects to Scott Stadium. The source of the nongeneral funds will be auxiliary enterprise funds.)

Item C-47.95 #2c

Education: Higher Education

FY 02-03

FY 03-04

University Of Virginia

\$1,500,000

\$0 NGF

Language:

Page 521, after line 28, insert:

"C-47.95. New Construction: Swing Space \$1,500,000

Fund Sources: Higher Education Operating \$1,500,000".

The operations and maintenance costs for this facility shall be the responsibility of nongeneral fund sources."

Explanation:

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(This amendment requests nongeneral fund authority to construct 12,000 to 18,000 gross square feet of swing space that will be needed during the next six to eight years as the University renovates major academic buildings. A feasibility study indicates that this approach is more cost effective than renting trailers or leasing temporary space. Funding will be provided through higher education operating funds.)

Item C-47.95 #3c

Education: Higher Education	FY 02-03	FY 03-04
University Of Virginia	\$22,000,000	\$0 NGF

Language:

Page 521, after line 28, insert:

"C-47.95. New Construction: Concert Hall \$22,000,000
(16380)

Fund Sources: Higher Education Operating \$22,000,000".

Explanation:

(This amendment requests a supplement for the Concert Hall project in order to provide academic and support space for the Music Department. Funding will be provided by gifts and grant funds.)

Item C-48 #1c

Education: Higher Education	FY 02-03	FY 03-04
University Of Virginia Medical Center	\$7,600,000	\$0 NGF

Language:

Page 521, line 36, strike "\$54,000,000" and insert "\$61,600,000".

Explanation:

(This amendment requests additional nongeneral fund bond authority for the University of Virginia Hospital to expand the hospital for clinical offices and install a second chiller. Debt service will be provided through hospital revenues.)

Item C-59 #1c

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Education: Higher Education	FY 02-03	FY 03-04
Virginia Commonwealth University	\$7,000,000	\$0 NGF

Language:

Page 523, line 37, strike "\$22,000,000" and insert "\$29,000,000".

Explanation:

(This amendment supplements an existing project to construct student housing on the academic campus of Virginia Commonwealth University.)

Item C-67.55 #1c

Education: Higher Education	FY 02-03	FY 03-04
Virginia Community College System	\$500,000	\$0 NGF

Language:

Page 527, after line 34, insert:

"C-67.55. New Construction: Construct \$500,000
Greenhouse, Virginia Highlands
Fund Sources: Special \$500,000".

Explanation:

(This amendment provides nongeneral fund authority to construct a greenhouse to support the horticulture program at Virginia Highlands Community College. The college has received a grant from the Tobacco Indemnification and Community Revitalization Commission in support of this project.)

Item C-67.55 #2c

Education: Higher Education	FY 02-03	FY 03-04
Virginia Community College System	\$10,000,000	\$0 NGF

Language:

Page 527, after line 34, insert:

"C-67.55. New Construction: Relocation of \$10,000,000
Portsmouth Campus

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Fund Sources: Trust and Agency \$10,000,000".

Explanation:

(This amendment provides nongeneral fund authority for the relocation of the Portsmouth Campus of Tidewater Community College. The project was authorized as part of the General Obligation Bond referendum. The nongeneral funds represent the funding provided by the locality for this project.)

Item C-67.55 #3c

Education: Higher Education

FY 02-03

FY 03-04

Virginia Community College System

\$1,000,000

\$0 NGF

Language:

Page 527, after line 34, insert:

"C-67.55. Improvements: Nursing Education

\$1,000,000

\$0

Fund Sources: Higher Education Operating

\$1,000,000".

\$0".

Explanation:

(This amendment provides nongeneral fund authority to renovate a portion of the downtown campus of J. Sargeant Reynolds Community College to add computer and clinical labs and classrooms for a shared nursing education program with John Tyler Community College. This will allow for an increase of 360 nursing graduates by fiscal year 2007. The source of the nongeneral funds is a grant from a local health care corporation.)

Item C-67.55 #4c

Education: Higher Education

Virginia Community College System

Language

Language:

Page 527, after line 34, insert:

"C-67.55.

- 1. The State Board for Community Colleges, with the approval of the Governor or as

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otherwise provided by law, is authorized to accept title from the Danville Community College Educational Foundation, Inc., at no cost to the Commonwealth, certain real property described generally as 0.516 acres, more or less, contiguous to Chatham Avenue for use by Danville Community College in the development of the facilities provided for in Chapter 859, the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

2. Prior to the conveyance described above, the Danville Community College Educational Foundation, Inc., shall provide assurance, satisfactory to the Virginia Community College System Board, that the property is free from hazardous materials and conditions."

Explanation:

(This amendment is self-explanatory.)

Item C-67.55 #5c

Education: Higher Education

Virginia Community College
System

Language

Language:

Page 527, after line 34, insert:
"C-67.55.

1. The State Board for Community Colleges, with the approval of the Governor or as otherwise provided by law, is authorized to accept at no cost the title to certain real property described generally as up to 30 acres contiguous to the Middletown Campus of Lord Fairfax Community College, including a classroom/community cultural center of approximately 58,000 square feet and related improvements thereon."

Explanation:

(This amendment is self-explanatory.)

Item C-71.10 #1c

Education: Higher Education

Virginia Military Institute

FY 02-03

\$887,000

FY 03-04

\$0 NGF

Language:

Page 528, after line 11, insert:

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"C-71.10. Improvements: Renovate and Enlarge Patchin Field House
Fund Sources: Higher Education Operating \$887,000 \$887,000".

A. The Virginia Military Institute may accept the renovation and expansion of student locker rooms at Patchin Field House as a gift from the VMI Keydet Club, Inc. The private donor's contractors are hereby authorized to enter upon the land of the Institute to construct the said improvements, subject to such limitations as the Institute may require, and State approval of plans and specifications. Provided, further, that the private donor require its contractors to maintain the insurance, and provide the bonds, that would be required by a similar State contract. The donor and the Institute shall be named obligees under the said bonds, the premium for which may be paid by the Institute.

B. In the event that the Keydet Club does not pursue development of the project, the Virginia Military Institute is authorized to develop, which may be funded through a combination of private gifts and auxiliary enterprise revenues as appropriated herein."

Explanation:

(This amendment provides VMI with the authority to accept a gift from the VMI Keydet Club, Inc., in the form of renovation and expansion of student locker room facilities at Patchin Field House or with nongeneral fund authority to renovate and construct the facilities outright.)

Item C-80.15 #1c

Education: Higher Education	FY 02-03	FY 03-04
Virginia Polytechnic Institute And State University	\$750,000	\$0 NGF

Language:

Page 529, after line 22, insert:
"C-80.15. Improvements: Soccer / Lacrosse Complex
Fund Sources: Higher Education Operating \$750,000 \$750,000".

Explanation:

(This amendment provides additional nongeneral fund authority to add seating stands and restrooms for 1,000 fans. Funding will be provided from existing television ticket revenues.)

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Item C-122.70 #1c

Public Safety

FY 02-03

FY 03-04

Department Of Corrections, Central
Activities

\$0

\$1,290,000 NGF

Language:

Page 539, line 20, strike "\$0" and insert "\$1,290,000".

Explanation:

(This amendment provides the Department of Corrections' maintenance reserve project with additional appropriation from VPBA excess proceeds funds. A companion amendment transfers an identical amount of general fund appropriation from the project to the general fund.)

Item C-148.05 #1c

Transportation

Virginia Port Authority

Language

Language:

Page 544, line 29, after ",", insert "reserve funds, and other financing expenses".

Page 544, line 31, after "II", insert:

"and the construction of security related facilities at Norfolk International Terminals (North) and Portsmouth Marine Terminal."

Explanation:

(This amendment is a companion amendment to Item C-148.10 and allows revenue bonds to also be used for the new construction of security facilities.)

Item C-148.10 #1c

Transportation

Virginia Port Authority

Language

Language:

Page 544, after line 34, insert:

"C-148.10. New Construction: Security
Facilities

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The Department of Planning and Budget may increase the appropriation for capital project 407-16644. The amount appropriated in this item plus C-148.05 shall not exceed the total amount provided in Item 501.b.2 for both projects."

Explanation:

(This amendment allows revenue bonds to also be used for the new construction of security facilities.)

Item C-144.10 #1c

Transportation	FY 02-03	FY 03-04
Department Of Transportation	\$2,211,000	\$0 NGF

Language:

Page 544, after line 10 insert:

"C-144.10. Improvements: Renovate and Expand Dulles Toll Road Administration Building

Fund Sources: Commonwealth Transportation \$2,211,000".

Explanation:

(This amendment provides \$2.2 million of Dulles Toll Road revenue to renovate and expand the Dulles Toll Road Administration Building.)

Item C-154 #1c

Central Appropriations

Nongeneral Obligation Bonds 9(D)

Language

Language:

Page 550, strike line 16.

Explanation:

(This amendment moves bond authority for a supplement to the Swem Library project at the College of William and Mary from 9 (d) nongeneral fund bonds to Virginia College Building Authority bonds. A companion amendment is found under Item C-154.05.)

Item C-154.05 #1c

Central Appropriations

Nongeneral Obligation Bonds 9(D)

Language

Language:

Page 553, line 50, strike "\$63,875,943" and insert "\$64,375,943".

Page 554, line 31, strike "\$2,500,000" and insert "\$3,000,000".

Page 555, line 28, strike "\$63,875,943" and insert "\$64,375,943".

Explanation:

(This amendment provides supplemental VCBA funding to purchase the hospital property located adjacent to Norfolk State University's campus.)

Item C-154.05 #2c

Central Appropriations

Nongeneral Obligation Bonds 9(D)

Language

Language:

Page 554, line 10, strike "\$5,790,057" and insert "\$8,040,057".

Explanation:

(This amendment moves bond authority for a supplement to the Swem Library project at the College of William and Mary from 9 (d) nongeneral fund bonds to Virginia College Building Authority bonds. A companion amendment is found under Item C-154.)

Item 3-1.01 #1c

Transfers

Interfund Transfers

Language

Language:

Page 565, line 17, strike "\$4,389,922" and insert "\$4,189,922".

Explanation:

(This amendment decreases the proposed transfer of balances from the Motor Vehicle Dealer Board's Transaction Recovery Fund by \$200,000 to allow for continued operation of this fund for those motor vehicle dealers that elect to continue to

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contribute to the Fund.)

Item 3-1.01 #2c

Transfers

Interfund Transfers

Language

Language:

Page 565, italicize line 18.

Explanation:

(This amendment corrects a technical error in the introduced budget bill to appropriately designate a transfer from the DOAV as a new request.)

Item 3-1.01 #3c

Transfers

Interfund Transfers

Language

Language:

Page 565, line 3, strike "\$14,018,329" and insert "11,529,752".

Explanation:

(This amendment reduces transfers from DMV to reflect the restoration of funding provided by the House amendments to the 2002-2004 Budget Bill. The DMV restoration is accomplished in a companion amendment to Item 480.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 565, line 18, strike "\$3,988,762" and insert "\$3,868,762".

Page 565, line 18, strike "4,132,075" and insert "\$4,012,075".

Explanation:

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(This amendment reduces the transfer from the Department of Aviation to the general fund in order to restore a portion of the funding for the Washington Airports Task Force.)

Item 3-1.01 #5c

Transfers

Interfund Transfers

Language

Language:

Page 564, line 66, strike "\$902,000" and insert "\$0".

Page 564, strike line 67.

Page 565, line 1, strike "\$0" and insert "\$6,956,273".

Page 565, line 1, strike "\$4,100,000" and insert "\$0".

Page 565, after line 1, insert:

"136 Virginia Information Technologies Agency 0900 \$0 \$9,745,098".

Explanation:

(This amendment modifies the transfers as shown in § 3-1.01, Paragraph U.1., to reflect the new Virginia Information Technologies Agency and corrects the fund sources used to transfer amounts from the Department of Technology Planning. There is no impact on the total amount being transferred.)

Item 3-1.01 #6c

Transfers

Interfund Transfers

Language

Language:

Page 566, line 48, after "JJ.", strike "1."

Page 566, strike lines 54 and 55.

Page 567, strike lines 1 through 3.

Explanation:

(This amendment relocates an increase in Lottery transfers contained in the introduced budget.)

Item 3-1.01 #7c

Transfers

Interfund Transfers

Language

Language:

Page 561, line 54, strike "\$361,673,531" and "\$368,847,501" and insert:
"\$362,637,757" and "\$370,291,376".

Explanation:

(This amendment reflects the relocation of an increase in Lottery transfers contained in the introduced budget.)

Item 3-1.01 #8c

Transfers

Interfund Transfers

Language

Language:

Page 568, line 34, strike "the Building Operations Fund" and insert:
"another program".

Explanation:

(This amendment provides the Department of General Services with additional flexibility in achieving savings required in the budget, as introduced.)

Item 3-1.01 #9c

Transfers

Interfund Transfers

Language

Language:

Page 569, after line 56, insert:
"GGG. On or before June 30, 2004, the Comptroller shall transfer to the general fund an amount estimated at \$3,500,000 from Fund Detail 0708 at the State Compensation Board."

Explanation:

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(This amendment transfers \$3.5 million from the Clerk's Technology Fund to the general fund. There is no reduction in the Compensation Board's budgeted expenditures from this fund for the 2002-04 Biennium as a result of this action.)

Item 3-1.01 #10c

Transfers

Interfund Transfers

Language

Language:

Page 568, line 43, strike "The" and insert:

"Consistent with the provisions of Senate Bill 1247 and House Bill 1926, 2003 Session, the".

Page 568, line 43, strike "the following amounts from the" and insert:

"an amount estimated at \$19,393,549".

Page 568, line 44, strike "state agencies and fund sources listed below".

Page 568, strike lines 45 through 56.

Page 569, strike lines 1 through 48.

Explanation:

(This amendment provides the Comptroller with additional flexibility in achieving nongeneral fund transfers required in the budget, as introduced.)

Item 3-1.01 #11c

Transfers

Interfund Transfers

Language

Language:

Page 564, line 67, strike "\$6,956,273" and "\$4,743,098", and insert "\$7,456,273" and "\$5,743,098".

Explanation:

(This amendment increases the transfer from the Wireless E911 fund to the general fund by \$500,000 the first year and \$1,000,000 the second year.)

Item 3-1.01 #12c

Transfers

Interfund Transfers

Language

Language:

Page 563, strike lines 45 and 46.

Page 563, line 48, strike "\$100,000" and insert "\$81,344".

Page 565, line 24, strike "\$118,549,074" and insert "\$118,380,418".

Explanation:

(This amendment reduces the amount to be transferred from the nongeneral fund balances of the Department of Housing and Community Development per § 3-1.01, paragraph U.1.)

Item 3-1.01 #13c

Transfers

Interfund Transfers

Language

Language:

Page 566, line 29, unstrike "\$644,185".

Page 566, line 30, strike "\$2,938,015".

Explanation:

(This amendment eliminates a proposed reduction in the VRS budget that was included in the introduced budget.)

Item 3-1.01 #14c

Transfers

Interfund Transfers

Language

Language:

Page 567, line 45, strike "\$17,110,062" and insert "\$21,110,062".

Explanation:

(This amendment increases the transfer from the Tax Technology Partnership

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Fund to reflect the fact that (i) potential interest payments on invoices submitted by the private partner will be avoided through access to a treasury loan, if necessary, and (ii) the final payment to close out the project will not occur until fiscal year 2005.)

Item 3-1.01 #15c

Transfers

Interfund Transfers

Language

Language:

Page 560, line 29, strike "\$5,407,413" and insert "\$5,777,588".

Page 560, line 32, strike "\$2,426,629" and insert "\$2,594,654".

Explanation:

(This amendment allocates a portion of the cost for enhanced sales tax compliance to local sales tax and the Transportation Trust Fund.)

Item 3-1.01 #16c

Transfers

Interfund Transfers

Language

Language:

Page 566, line 40, strike "\$3,700,000" and insert "\$4,200,000".

Page 566, line 41, strike "\$5,000,000" and insert "\$6,700,000".

Explanation:

(This amendment increases the transfer from the Intensified Drug Enforcement Jurisdictions (IDEA) Fund to the general fund by \$500,000 the first year and \$1,700,000 the second year. Companion amendments to Items 32, 33, 34, and 35 provide authority for a \$2 increase in this fund, from \$2 to \$4 effective May 1, 2003. The Governor's budget had included a \$1 increase in this charge.)

Item 3-1.01 #17c

Transfers

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Interfund Transfers

Language

Language:

Page 565, line 20, strike "\$2,402,437" and insert "\$4,702,437".

Explanation:

(This amendment increases the Governor's proposed transfer of balances in the Aviation Special Fund to the general fund from \$2.4 million to \$4.7 million.)

Item 3-1.01 #18c

Transfers

Interfund Transfers

Language

Language:

Page 569, after line 56, insert:

"GGG. On or before June 30, 2003, the State Comptroller shall transfer \$331,735 from the Alcoholic Beverage Control Enterprise Fund to the general fund. On or before June 30, 2004, the State Comptroller shall transfer \$1,317,942 from the Alcoholic Beverage Control Enterprise Fund to the General Fund. These funds represent savings as a result of implementing a 10 percent reduction to ABC Law Enforcement and Regulation."

Explanation:

(This amendment is self-explanatory.)

Item 3-1.01 #19c

Transfers

Interfund Transfers

Language

Language:

Page 559, line 20, strike "\$32,095,958" and insert "\$34,865,188".

Page 559, line 20, strike "\$40,829,407" and insert "\$48,214,022".

Explanation:

(This amendment increases the amounts transferred to the general fund from the Alcoholic Beverage Control Enterprise Fund for the expenses incurred for care, treatment, study and rehabilitation of alcoholics. This increase in funds is based on an

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additional 2.4 percent increase in the purchase price of alcoholic beverages. The introduced budget assumed an increase of 2.6 percent. With this amendment, the increase will be an average of 5.0 percent. These funds will be used to restore budget cuts to the Department of Mental Health, Mental Retardation and Substance Abuse Services and help cover increased treatment costs.)

Item 3-1.01 #20c

Transfers

Interfund Transfers

Language

Language:

Page 560, line 3, unstrike "\$112,000".

Explanation:

(This amendment restores the second year federal cost recovery for the VDACS meat inspection program.)

Item 3-1.01 #21c

Transfers

Interfund Transfers

Language

Language:

Page 564, line 51, strike "\$3,466,950" and insert "\$2,684,086".

Page 564, line 51, strike "\$3,264,879" and insert "\$2,056,303".

Page 564, after line 51, insert:

"156 Department of State Police 0227 \$200,000 \$600,000".

Page 564, after line 55, insert:

"156 Department of State Police 0400 \$582,864 \$608,576".

Explanation:

(This amendment modifies the fund sources listed for the nongeneral fund cash transfer from the Department of State Police as shown in § 3-1.01, Paragraph U.1. This amendment has no impact on the total amount being transferred.)

Item 3-1.01 #22c

Transfers

Interfund Transfers

Language

Language:

Page 568, line 25, strike "and \$556,329".

Page 568, line 26, strike "the second year".

Explanation:

(This amendment restores funds for the operation and maintenance of state buildings at the seat of government. A companion amendment to Item 503 restores the general fund appropriation.)

Item 3-1.01 #23c

Transfers

Interfund Transfers

Language

Language:

Page 569, line 55, strike "\$39,300,000" and insert "\$44,800,000".

Page 569, line 56, strike "\$3,700,000" and insert "\$3,726,863".

Explanation:

(This amendment revises the estimate of deposits to the Tax Amnesty Recovery Fund.)

Item 3-1.01 #24c

Transfers

Interfund Transfers

Language

Language:

Page 569, after line 56, insert:

"GGG. On or before June 30, 2003, the State Comptroller shall transfer to the general fund an amount estimated at \$8,900,000 from the State Corporation Commission, received by the Commission as settlement payments, fines or monetary penalties under the Global Settlement Agreement related to the investigation of certain brokerage firms

and financial analysts by the State of New York."

Explanation:

(This amendment specifies that Global Settlement payments shall be transferred to the state's general fund.)

Item 3-2.03 #1c

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 571, after line 15, insert:

"c. The State Comptroller shall provide a line of credit to the Department of Environmental Quality not to exceed \$2,000,000. Access to these funds shall be made according to the restrictions and specifications set out in Title 10.1 Chapter 25 of the Code of Virginia."

Page 571, line 16, strike "c." and insert "d.".

Explanation:

(This amendment provides a line of credit to the Department of Environmental Quality of up to \$2,000,000 which shall be used to fund responses to environmental emergencies according to the limits set under the Virginia Environmental Emergency Response Fund.)

Item 3-2.03 #2c

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 571, strike lines 11 through 15.

Page 571, line 16, strike "c." and insert "b."

Explanation:

(This amendment eliminates a proposed \$30.0 million line of credit for the proposed Virginia Information Technologies Agency. It is the intent of the General Assembly that it have the opportunity to review and approve funding for major

technology projects.)

Item 3-5.04 #2c

Adjustments and Modifications to Tax Collections

Retaliatory Costs to Other States Tax Credit

Language

Language:

Page 573, line 2, following "2003," insert "and the taxable year ending on December 31, 2003,"

Page 573, line 4, strike "the license years beginning on January 1, 2000," and insert "the taxable year 2000,"

Page 573, line 7, strike "2003" and insert "2004, and the taxable year ending on December 31, 2004,"

Page 573, line 7, after the word "percent" strike "to" and insert "for"

Explanation:

(This amendment corrects an error in the dates included in Chapter 899 and specifies that 80 percent of the retaliatory cost tax credit for insurance companies first qualifying for the credit as of January 1, 2001, will apply for taxable year 2003 and 60 percent of the tax credit will apply for taxable year 2004.)

Item 3-6.02 #1c

Adjustments and Modifications to Fees

Motor Vehicle Fees

Language

Language:

Page 573, strike lines 41 through 47.

Page 573, line 48, after "Virginia," strike "on or after July 1, 2002" and insert "from July 1, 2002 through April 30, 2003".

Explanation:

(This amendment strikes language included in Chapter 899 and the introduced budget relating to DMV fee increases imposed during the 2002 Session. Language in Item 4-12.00 sets out these changes in combination with the increases in the license

reinstatement fee and driver's licensing/identification fees so that the Code sections are appropriately referenced.)

Item 4-1.04 #1c

Appropriations

Appropriation Reductions

Language

Language:

Page 576, strike lines 6 through 15, and insert:

"4.a. During the period when the General Assembly is not in regular or special session and in the event that general fund revenues are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, including the currently estimated expenditures from sum sufficient appropriations, the Governor shall, subject to the qualifications herein contained, withhold general fund and nongeneral fund spending authority, by withholding allotments of appropriations to the extent necessary to prevent any expenditure in excess of the estimated general fund revenues. However, the Governor shall take no action to reduce general fund or nongeneral fund allotments of appropriations on account of reduced revenues until such time as a formal written re-estimate of general fund revenues for the current and next biennia, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

b. The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations. This reduction plan, with modifications thereto, shall be the sole basis for withholding spending authority due to reduced revenues.

c. In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet Secretaries, or the Chief of Staff, whether submitted electronically

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or otherwise, shall be forwarded within five calendar days of submission to the Chairmen of the Senate Finance and House Appropriations Committees."

Page 576, line 16, strike "b." and insert "d."

Page 576, strike lines 25 through 29 and insert:

"5. In effecting the reduction of expenditures for the above-stated purpose, the Governor shall not withhold allotment of appropriations for:

a) More than 15 percent of the annual general fund appropriation and 15 percent of the annual nongeneral fund appropriation for operating expenses of any one state or nonstate agency or institution designated in this act by title and a three-digit agency code, subject to § 4-1.02 c. of this act. The exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the House Appropriations and Senate Finance Committees. State agencies providing funds directly to grantees named in this Act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.07 b 4 of this Act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule."

Explanation:

(This amendment clarifies the Governor's authority to withhold appropriations when estimated revenues are insufficient to cover appropriations.)

Item 4-2.01 #1c

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 581, line 34, after "beyond", strike "the Consumer Price Index rate of inflation for materials and supplies" and insert "five percent".

Page 581, line 36, after "General Assembly;", insert:

"fee increases to support student health services; and".

Explanation:

(This amendment allows boards of visitors to increase mandatory non-E&G fees up to five percent annually. Fees related to student health services are

exempted from this provision.)

Item 4-4.01 #1c

Capital Projects

General

Language

Language:

Page 588, strike line 26, and insert:

"k. Change in Size and Scope: The scope of any capital project may not be increased or decreased by more than five percent in size beyond the plans and justification which".

Page 588, line 27, strike "supported the request and which".

Page 588, line 28, strike "increases" and insert "changes".

Explanation:

(This amendment requires the Department of General Services to review and approve any increases or decreases in the scope of a capital project that exceeds five percent. The Department currently has the authority only to review and approve increases in scope.)

Item 4-4.01 #2c

Capital Projects

General

Language

Language:

Page 589, strike lines 28 through 30, and insert:

"6.a. Any new construction project developed by the University of Virginia, Virginia Polytechnic Institute and State University, or the College of William and Mary, with an estimated cost of \$750,000 or less, shall be exempt from the capital outlay review and approval process.

b. Any nongeneral fund repair or renovation project at any institution of higher education costing up to \$1,000,000 shall be exempt from the capital outlay review and approval process, provided no additional space is created by the project and the project does not involve the issuance of debt."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. The amendment incorporates the Governor's recommendation to increase the threshold to \$750,000 for the authority already delegated to UVA, VT, and CWM. It further establishes a new threshold for nongeneral fund renovation and repair projects of \$1.0 million at any institution of higher education. In so doing, this amendment allows institutions to respond quickly to minor capital renovation needs without seeking an appropriation from the General Assembly.)

Item 4-4.01 #3c

Capital Projects

General

Language

Language:

Page 588, line 12, strike the second "and".

Page 588, line 13, after "Committees", strike "." and insert:

", and the Executive Director, State Council of Higher Education for Virginia, if the project is requested by an institution of higher education."

Page 588, strike lines 14 through 19, and insert:

"2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 i.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year."

Explanation:

(This amendment reinstates the requirement that institutions of higher education perform financial feasibility studies on projects financed with 9(d) debt. Language in HB 1400/SB 700, as introduced, eliminated this requirement. This amendment also changes the reporting dates to comply with the new capital improvement

planning process set out in Chapter 839, 2002 Acts of Assembly.)

Item 4-4.01 #4c

Capital Projects

General

Language

Language:

Page 590, after line 46, insert:

"x. Any alternative financing agreement entered into between a state agency, institution of higher education, or affiliated foundation, and a private entity must be reviewed and approved by the state Treasury Board."

Explanation:

(This amendment requires the state Treasury Board to review and approve all alternative financing agreements, entered into by, or on behalf of, an institution or agency.)

Item 4-4.01 #5c

Capital Projects

General

Language

Language:

Page 588, strike line 49.

Explanation:

(This amendment eliminates proposed language that would allow the Governor unlimited authority to initiate capital projects if they are to be funded through the Public Private Education Act. It is the intent of the General Assembly that it have the opportunity to review and approve funding for major capital projects.)

Item 4-5.05 #1c

Special Conditions and Restrictions on Expenditures

Services and Clients

Language

Language:

Page 593, strike lines 46-51.

Page 594, strike lines 1 through 2, and insert:

"1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

3. a. The provisions of this language shall not apply to credit offerings on the site of a public or private entity if the offerings are supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees generated entirely by course offerings at the site.

b. Offerings at previously approved off-campus locations shall also not be subject to these provisions.

c. Further, the provisions of this language do not govern the establishment and operations of campus sites with a primary function of carrying out grant and contract research where direct and indirect costs from such research are covered through external funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

d. Nothing in this language shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

4. The State Council of Higher Education shall establish guidelines to implement this provision."

Explanation:

(This amendment clarifies the existing language for establishing an off-campus site of an institution of higher education.)

Item 4-5.06 #1c

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 594, line 49, strike "Director" and insert "Chief Information Officer".

Page 594, line 53, strike "Director" and insert "Chief Information Officer".

Explanation:

(This amendment makes technical corrections to conform language in the budget to the provisions of Senate Bill 1247 and House Bill 1926.)

Item 4-5.06 #2c

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 596, line 13, unstrike "32.5" and ", or in the instance of a state".

Page 596, line 13, strike "19".

Page 596 unstrike lines 14 through 17.

Page 596, line 18, unstrike "rate of 32.5 cents per mile"

Page 596, line 18, after "per mile.", strike the rest of the line.

Page 596, strike line 19.

Page 596, line 20. strike "mile".

Page 596, line 20, unstrike "such".

Page 596, line 20, following "such", strike "the".

Page 596, line 20, following "use" strike "of personal automobiles".

Page 596, line 21, after "mile" unstrike the rest of the line.

Explanation:

(This amendment restores mileage reimbursement rates for use of a personal vehicle on State business.)

Item 4-5.06 #3c

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 595, strike lines 39 through 43 and insert:

"1.a. No motor vehicles (including station wagons) shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

b. The institutions of higher education shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education to like vehicles under the state contract.

c. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers."

Explanation:

(This amendment is self-explanatory.)

Item 4-5.07 #1c

Special Conditions and Restrictions on Expenditures

Nonstate Agencies, Interstate Compacts and Organizational Memberships

Language

Language:

Page 596, strike line 48, and insert:

"4. Operating appropriations for nonstate agencies (nonhistorical) equal to or in excess of \$150,000 shall be disbursed to".

Page 596, line 50, after "year.", insert:

"Operating appropriations for nonstate agencies (nonhistorical) of less than \$150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements."

Explanation:

(The amendment clarifies the intent of the General Assembly regarding payments to nonstate agencies.)

Item 4-5.08 #1c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 44, insert:

"f. The College of William and Mary, Radford University, the University of Virginia, and Virginia Polytechnic Institute and State University are authorized to enter into a pilot program for selected capital outlay projects through which each named institution shall delegate all post-appropriation review, approval, administrative, policy and procedural functions previously performed by the Departments of Planning and Budget and General Services for capital projects which are supported in part or in whole from the state general fund or state-supported debt. Delegation of authority under this pilot project is subject to the following stipulations and conditions:

1. The following capital projects shall be eligible for the pilot program:

<u>Educational Facility</u>	<u>Project Description</u>	<u>Amount</u>
College of William and Mary	Renovate/Expand Marshall-Wythe Law Library	\$11,821,000

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Radford University	Renovate Young Hall	\$4,716,000
University of Virginia	Renovate Coker Hall	\$6,000,000
University of Virginia	Construct Arts and Sciences Building	\$14,284,000
Virginia Polytechnic Institute and State University	Construct New Engineering Facility (VTRI Phase I)	\$13,996,000
Virginia Polytechnic Institute and State University	Improve/Expand Fine Arts Center and Renovate Henderson Hall	\$6,542,000

2. The Board of Visitors of each institution shall develop policies, procedures and guidelines for carrying out these capital projects, subject to the review and approval of the Secretaries of Finance and Administration. The institutions shall submit any proposed policies, procedures and guidelines to the Secretaries of Finance and Administration no later than August 1, 2003. The Secretaries of Finance and Administration shall review and provide comments to the institutions on the proposed guidelines and provide their final approval no later than October 1, 2003.

3. The cost of each eligible capital project shall not exceed the appropriation or debt authorization provided in the Appropriation Act. The institution shall be responsible for covering any cost overruns in the project through available nongeneral funds, excluding revenue from tuition and mandatory educational and general fees. Any supplemental appropriation shall be approved by the Governor and the General Assembly and is subject to § 4-4.01.q. of this act.

4. Projects included in the pilot program shall be insured separately by the institution rather than through the state's risk management liability program.

5. For projects funded through state-supported debt or other obligations, the institutions of higher education shall comply with (i) all financial and administrative requirements, as identified by the Secretary of Finance or his designee, to facilitate compliance with all legal requirements set out by the General Assembly (including those contained in Chapters 839, 888, 827, 859, 855, 814 and 899 of the 2002 Acts of Assembly) and (ii) all undertakings and covenants made by the institution associated with such debt or other obligations.

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6. The institution shall report to the Department of General Services the status of any capital project at the initiation of the project and prior to the commencement of construction.

7. Notwithstanding the provisions of § 2.2-4309, Code of Virginia, no approval of the Governor shall be required for contract modifications as specified therein for the pilot programs of the selected institutions of higher education referenced in subparagraph 3, provided that contract modifications of such projects, including construction and architectural and engineering change orders, do not require a supplemental appropriation from the general fund or change the scope of the project.

8. Pursuant to § 4-4.01.k. of this act, the Department of General Services must approve any increase or decrease in scope greater than five percent of the gross square footage of the building and any corresponding cost or savings associated with the requested scope change.

9. The Department of General Services, acting through the Division of Engineering and Buildings, shall continue to function as the State Building Official pursuant to § 36-98.1, Code of Virginia, for all capital outlay projects, excluding those at the University of Virginia Medical Center pursuant to § 23-77.4 B1, Code of Virginia."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. This amendment establishes a pilot program to decentralize the post-appropriation capital outlay process for selected projects financed with general fund or state-supported debt at four institutions. With the exception of the final building inspection, institutions participating in this program shall be exempted from central agency review of the project while under design and construction.)

Item 4-5.08 #2c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, line 14, strike "For".

Page 597, strike lines 15-26, and insert:

"b) Pursuant to those provisions, Christopher Newport University, the College of William and Mary, Old Dominion University, Radford University, the University of Virginia, and Virginia Polytechnic Institute and State University are authorized to oversee the capital process for nongeneral fund capital outlay projects included in the pilot program.

c) The Department of General Services, in conjunction with the Secretary of Administration, will conduct evaluations of all institutions participating in the nongeneral fund pilot program by July 1, 2003.

d) If the Department of General Services finds an institution not to be in compliance with the policies and procedures currently in effect for the nongeneral fund capital outlay pilot programs, the Secretary of Administration, the institution, and the Auditor of Public Accounts shall follow the process outlined in subparagraphs f.2.c. and f.2.d."

Explanation:

(This amendment requires the Department of General Services to conduct an evaluation of all institutions currently participating in the nongeneral fund capital outlay pilot program.)

Item 4-5.08 #3c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 44, insert:

"f. The University of Virginia, with approval of its Board of Visitors, is hereby delegated authority on a pilot basis to acquire easements on property not owned by the university without prior approval by the Department of General Services."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. The amendment would provide the University of Virginia with authority to acquire easements on

property not owned by the university.)

Item 4-5.08 #4c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 26, insert:

"d) Pursuant to § 4-5.08 b.1.a) of this act, institutions of higher education participating in the nongeneral fund capital outlay pilot program are hereby delegated the authority of the Department of General Services to approve the use and administration of design-build or construction management as appropriate contract methods for nongeneral fund capital outlay projects.

e) Christopher Newport University, the College of William and Mary, Old Dominion University, Radford University, the University of Virginia, and Virginia Polytechnic Institute and State University are hereby delegated the authority of the Department of General Services to approve the use of design-build or construction management as appropriate contract methods for general fund capital outlay projects."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. The amendment gives institutions participating in the nongeneral fund decentralization pilot program the authority to use design-build or construction management as contract methods for all capital outlay projects.)

Item 4-5.08 #5c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, delete lines 36 and 37, insert:

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"c.1. The provisions of § 4-5.08 c of Chapter 912 of the Virginia Acts of Assembly of 1996 pertaining to pilot programs for real property leases in selected institutions of higher education, including Old Dominion University, are hereby continued and expanded to include approval of income leases.

2. The University of Virginia and Virginia Polytechnic Institute and State University shall be delegated authority for capital leases on a pilot basis, subject to the review and approval of the State Treasury Board and to authorization by the General Assembly."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. The amendment expands the existing decentralization pilot program for real estate leases to include income leases and establishes a pilot program for capital leases with the University of Virginia and Virginia Tech.)

Item 4-5.08 #6c

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 44, insert:

"f.1a). Institutions of higher education participating in any decentralization pilot program identified in this act shall develop, to the satisfaction of the responsible Cabinet Secretary, a memorandum of understanding that shall include, but not be limited to, a description of the duty or authority being delegated, policies and procedures with which the institution must comply, and criteria upon which the institution will be evaluated periodically by the responsible Cabinet Secretary. The participating institution of higher education shall submit the memorandum of understanding to the responsible Cabinet Secretary by September 1, 2003. The Cabinet Secretary and participating institutions shall have the necessary memoranda of understanding signed and in effect no later than October 15, 2003.

b) If a memorandum of understanding is already in effect for an existing pilot program, the participating institutions of higher education shall review the

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memorandum and recommend to the responsible Cabinet Secretary any changes needed to ensure that it contains all of the stipulations specified herein.

2.a) The responsible Cabinet Secretary shall communicate all existing decentralization memoranda of understanding to the Auditor of Public Accounts by November 1, 2003. Any subsequent memoranda of understanding or addenda to existing memoranda shall be communicated to the Auditor of Public Accounts within 10 business days after the memoranda have been signed.

b) Based on the memorandum of understanding, the responsible Cabinet Secretary, or his designee, shall conduct an evaluation of each institution participating in a pilot program at least once every two years. Evaluations of the nongeneral fund capital outlay pilot programs shall be conducted pursuant to paragraph b.1. of this section.

c) The Secretary shall report all evaluation findings and recommendations to the Governor and Chairmen of Senate Finance and House Appropriations Committees.

d) To the extent an institution participating in a pilot program is not performing to the satisfaction of the responsible Cabinet Secretary, the institution shall have 90 calendar days from receipt of the Secretary's written evaluation in which to develop a remediation plan. The institution shall submit the plan to the appropriate Cabinet Secretary and the Auditor of Public Accounts.

e) The Auditor of Public Accounts shall conduct a functional audit of the delegated program authority within 180 calendar days of receiving the institution's plan. Based on his findings, the Auditor of Public Accounts shall recommend to the Chairmen of the Senate Finance and House Appropriations Committees whether the institution shall continue in the pilot program.

3. To the extent institutions are performing satisfactorily under the pilot programs, it is the intent of the General Assembly that they be removed from the pilot program and be delegated authority in the Code of Virginia to administer the specified duty or function on an on-going basis.

4. If during any independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this

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information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations Committees. The responsible Cabinet Secretary shall consider this an evaluation in accordance with paragraph 3. a. and act accordingly.

5. The responsible Cabinet Secretary shall establish eligibility criteria for institutions currently not participating in each of the pilot programs and report those criteria to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2003. Institutions wishing to participate in a pilot program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a pilot program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and House Appropriation Committees by December 1 of each year all institutions that have applied for inclusion in a pilot program and whether the institution has been granted authority to participate in the pilot program."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. This amendment establishes a clear process for delegating authority to institutions of higher education through decentralization pilot programs and for evaluating the performance of those institutions on a routine basis.)

Item 4-6.03 #1c

Positions and Employment

Employee Benefits

Language

Language:

Page 607, line 40, after "July 1, 2002" insert:
", and shall not apply to the Chief of the Capitol Police."

Explanation:

(This amendment allows the Chief of the Capitol Police to be a member of the Virginia Law Officers' Retirement System.)

Statewide Plans

Manpower Control Program

Language

Language:

Page 608, strike lines 45 through 47 and insert:

"2.a) The institutions of higher education shall submit information concerning salary and wage positions to the Director of the Department of Human Resource Management, as established in guidelines developed by the Directors of the Departments of Planning and Budget and Human Resource Management, in consultation with the Executive Director of the State Council of Higher Education for Virginia. Institutions shall report all required information quarterly to the Department of Human Resource Management.

b) The information shall include, but not be limited to, the number of filled general fund and nongeneral fund positions in the educational and general, auxiliary, and sponsored research programs, as well as other pertinent information. Among faculty positions, institutions of higher education shall be required to report the number of full-time equivalent teaching and research positions, administrative positions, part-time faculty positions, and graduate teaching assistants filled within the educational and general program.

c) The data shall be used by the Director, Department of Planning in Budget, for recording employment in the state budget.

d) The State Council of Higher Education for Virginia shall monitor trends in the data and report any substantive findings pursuant to Item 166 B.2."

Page 609, after line 14, insert:

"4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director of the Department of Planning and Budget."

Explanation:

(This amendment is part of a package to delegate additional authority to institutions of higher education for handling administrative functions on campus. This amendment would provide institutions with flexibility to increase staffing positions up to 105

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percent of the level appropriated for Educational and General (E&G) programs. The amendment also improves the coordination and reporting of employment data to state agencies.)

Item 4-12.00 #1c

Effective Date

Effective Date

Language

Language:

Page 611, strike lines 33 through 44.

Explanation:

(This amendment removes redundant language from the general appropriation bill relating to selective deconformity with the Internal Revenue Service code, based on enactment of Chapter 2 of the 2003 General Assembly session.)

Item 4-12.00 #2c

Effective Date

Effective Date

Language

Language:

Page 612, strike lines 45 through 47 and insert:

"11. That the Code of Virginia is amended by adding sections numbered 16.1-69.48:1.01, 17.1-275.10, 17.1-275.11 and 46.2-214.1 and by adding in Article 4 of Chapter 3 of Title 46.2, a section numbered 46.2-333.1, as follows:

§ 16.1-69.48:1.01. Additional fee assessed for conviction of certain offenses.

Beginning May 1, 2003, the clerk shall assess a person, in addition to the fees provided for by § 16.1-69.48:1, a fee of \$100 upon conviction of any and each charge of a violation of §§ 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 18.2-268.3, 46.2-341.24 or § 46.2-341.26:3, or any similar local ordinance.

§ 17.1-275.10. Additional fee.

Beginning May 1, 2003, in addition to the fees set forth in §§ 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, and 17.1-275.9, there shall be

assessed as court costs, a fee of \$2, at the same time fees in such sections are assessed. All fees collected pursuant to this section shall be deposited into the Intensified Drug Enforcement Jurisdiction Fund.

§ 17.1-275.11. Additional fee assessed for conviction of certain offenses.

Beginning May 1, 2003, the clerk shall assess a person, in addition to the fees provided for by §§ 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.5, 17.1-275.7, 17.1-275.8, and 17.1-275.9, a fee of \$100 upon conviction of any and each charge of a violation of §§ 18.2-36.1, 18.2-51.4, 18.2-266, 18.2-266.1, 18.2-268.3, 46.2-341.24 or § 46.2-341.26:3, or any similar local ordinance.

§ 46.2-214.1. Additional charge for information supplied by Department.

Beginning July 1, 2002, in addition to the fee charged pursuant to § 46.2-214, the Commissioner shall charge \$2 for furnishing information under this title, but no fee shall be charged to any official, including court and police officials, of the Commonwealth or any county, city or town of the Commonwealth, or to court, police, and licensing officials of other states or of the federal government, provided that the information requested is for official use.

§ 46.2-333.1. Surcharges on certain fees of Department; disposition of proceeds.

Notwithstanding any contrary provision of this chapter, beginning May 1, 2003, there are hereby imposed, in addition to other fees imposed by this chapter, the following surcharges in the following amounts:

1. For the issuance of any driver's license other than a commercial driver's license, \$1.60 per year of validity of the license;
2. For the issuance of any commercial driver's license, \$1 per year of validity of the license;
3. For the reissuance or replacement of any driver's license, \$5;
4. For the issuance of any special identification card, \$5; and
5. For the reinstatement of any driver's license, \$15.

All surcharges collected by the Department under this section shall be paid into the state treasury and shall be set aside as a special fund to be used to support the operation and activities of the Department's customer service centers.

12. That the third enactment of Chapter 946, as amended, of the Acts of Assembly of 1999 is amended and reenacted as follows:

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3. That the effective date of this act is ~~January 13, 2003~~ the date of enactment of House Bill 1400, House Bill 2445, or Senate Bill 1149 of the 2003 General Assembly Session, whichever is the first to be enacted.

13. That the third enactment of Chapter 985, as amended, of the Acts of Assembly of 1999 is amended and reenacted as follows:

3. That the effective date of this act is ~~January 13, 2003~~ the date of enactment of House Bill 1400, House Bill 2445, or Senate Bill 1149 of the 2003 General Assembly Session, whichever is the first to be enacted.

14. That §§ 46.2-216.3 and 46.2-697.1 of the Code of Virginia are repealed.

15. That the provisions of the first and second enactments of this act shall expire at midnight on June 30, 2004, pursuant to § 4-11.00 of this act. The provisions of all other enactments shall have no expiration date."

Page 612, line 48, strike "12" and insert "16".

Explanation:

(This amendment codifies certain actions contained in House Bill 1400, as amended.)