

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 2, line 8, strike "\$10,200,000" and insert "\$11,490,000".

Page 2, line 9, strike "\$39,106,384" and insert "\$40,396,384".

Page 2, line 11, strike "\$10,780,807,733" and "11,337,857,887" and "\$22,118,665,620" and insert "\$10,800,527,733" and "\$11,372,959,322" and "\$22,173,487,055".

Page 2, line 13, strike "\$665,571,182" and "\$304,780,424" and "\$970,351,606" and insert "\$663,910,776" and "\$317,985,683" and "\$981,896,459".

Page 2, line 19, strike "\$12,154,880,726" and "\$12,152,757,084" and "\$24,307,637,810" and insert "\$12,172,940,320" and "\$12,202,353,778" and "\$24,375,294,098".

Page 2, line 26, strike "\$13,341,766,365" and "\$14,004,124,883" and "\$27,345,891,248" and insert "\$13,565,474,362" and "\$14,144,108,542" and "\$27,709,582,904".

Page 2, line 28, strike "\$761,379,371" and "\$210,615,000" and "\$971,994,371" and insert "\$777,279,371" and "\$304,831,000" and "\$1,082,110,371".

Page 2, line 31, strike "\$15,812,784,704" and "\$14,214,739,883" and "\$30,027,524,587" and insert "\$16,052,392,701" and "14,448,939,542" and "30,501,332,243".

Page 2, line 33, strike "\$27,967,665,430" and "\$26,367,496,967" and "\$54,335,162,397" and insert "\$28,225,333,021" and "\$26,651,293,320" and "\$54,876,626,341".

Explanation:

(This amendment reflects revenue adjustments included in the amendments to Senate Bill 700.)

Item 1 #1s

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 9, line 20, insert:

"I. With the exception of legislative commissions or councils whose budgets are reviewed by the Budget Oversight Subcommittee of the Joint Rules Committee, committee studies, joint committees, joint subcommittees, and legislative commissions or councils created by resolution and by statute shall be reimbursed for no more than one meeting per quarter. Legislative commissions or councils whose budgets are reviewed by the Budget Oversight Subcommittee shall submit their meeting schedule and obtain permission from the Subcommittee to hold more than one reimbursable meeting per quarter. Meetings include public hearings and any meeting of a subgroup composed of less than the full membership of the entity. Meetings or public hearings of the entity or any subgroup thereof held on the same day constitute one meeting. Committee studies, joint committees, joint subcommittees, and legislative commissions or councils should schedule their meetings for Monday, Tuesday, or Wednesday during the first and third full weeks of the month."

Explanation:

(This amendment establishes limits on the number of meetings by legislative entities.)

Item 1 #2s

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, strike lines 52-59.

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. The transfer is no longer necessary.)

Item 2 #1s

Legislative Department

Auditor Of Public Accounts

Language

Language:

Page 10, following line 4, insert:

"The Auditor of Public Accounts shall conduct an audit to determine the amount of deferred maintenance costs in the Commonwealth in accordance with Item C-149 of this Act. The Auditor shall use the funding provided in Item C-149 of this Act to assist agencies and institutions to acquire the software and training necessary to accumulate the information to perform the audit."

Explanation:

(This amendment requires the Auditor of Public Accounts to conduct an audit of the Commonwealth's deferred maintenance on capital facilities.)

Item 18 #1s

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".

Page 15, line 1, insert:

"The Virginia Crime Commission is defined to be a criminal justice agency under the provisions of § 9-101, Code of Virginia."

Explanation:

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

Item 24.10 #1s

Legislative Department	FY 02-03	FY 03-04	
Legislative Department Reversion Clearing Account	(\$3,799,506)	(\$7,497,007)	GF

Language:

Page 18, line 6, strike "\$1,300,000" and insert "\$5,099,506".

Page 18, line 6, strike "\$1,300,000" and insert "\$8,797,007".

Page 18, lines 11 and 12, strike "\$1,300,000 each year" and insert:

"\$5,099,506 the first year and \$8,797,007 the second year from the general fund, to be

apportioned to legislative agencies by the Joint Rules Committee"

Explanation:

(This amendment requires additional general fund budget reductions for the Legislative Department, and specifies that these reductions are to be distributed by the Joint Rules Committee.)

Item 25 #1s

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".

Explanation:

(This amendment provides \$104,000 the second year from the general fund for the judicial performance evaluation pilot project.)

Item 32 #1s

Judicial Department

Circuit Courts

Language

Language:

Page 23, line 14, strike "three" and insert "four".

Page 23, line 15, strike "the Executive Secretary of" and insert "the fixed fee".

Page 23, strike line 16.

Page 23, line 18, after "17.1-275.9" 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 Intensified Drug Enforcement Jurisdictions Act (IDEA) court fee by two dollars, from \$2 to \$4. The IDEA fee is one component of a consolidated fixed fee, so the fixed fee also needs to be increased to ensure that the distribution of the remainder of the fixed fee is not

affected.)

Item 33 #1s

Judicial Department

General District Courts

Language

Language:

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

Page 24, strike lines 24 through 26 and insert:

"To reflect this latter fee, 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."

Explanation:

(This amendment clarifies language increasing the Intensified Drug Enforcement Jurisdictions Act (IDEA) court fee by two dollars, from \$2 to \$4. The IDEA fee is one component of a consolidated fixed fee, so the fixed fee also needs to be increased to ensure that the distribution of the remainder of the fixed fee is not affected.)

Item 33 #2s

Judicial Department

General District Courts

FY 02-03

\$0

FY 03-04

\$621,741 GF

Language:

Page 23, line 26, strike "\$72,745,390" and insert "\$73,367,131".

Explanation:

(This amendment provides \$621,741 the second year from the general fund to restore the reduction in the budget, as introduced.)

Item 34 #1s

Judicial Department

Juvenile And Domestic Relations

Language

District Courts

Language:

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

Page 25, strike lines 42 through 44 and insert:

"To reflect this latter fee, 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."

Explanation:

(This amendment clarifies language increasing the Intensified Drug Enforcement Jurisdictions Act (IDEA) court fee by two dollars, from \$2 to \$4. The IDEA fee is one component of a consolidated fixed fee, so the fixed fee also needs to be increased to ensure that the distribution of the remainder of the fixed fee is not affected.)

Item 34 #2s

Judicial Department**FY 02-03****FY 03-04**

Juvenile And Domestic Relations

\$0

\$453,195 GF

District Courts

Language:

Page 24, line 45, strike "\$54,241,738" and insert "\$54,694,933".

Explanation:

(This amendment provides \$453,195 the second year from the general fund to restore the reduction in the budget, as introduced.)

Item 35 #1s

Judicial Department

Combined District Courts

Language

Language:

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

Page 27, strike lines 18 through 20 and insert:

"To reflect this latter fee, 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."

Explanation:

(This amendment clarifies language increasing the Intensified Drug Enforcement Jurisdictions Act (IDEA) court fee by two dollars, from \$2 to \$4. The IDEA fee is one component of a consolidated fixed fee, so the fixed fee also needs to be increased to ensure that the distribution of the remainder of the fixed fee is not affected.)

Item 35 #2s

Judicial Department	FY 02-03	FY 03-04
Combined District Courts	\$0	\$127,568 GF

Language:

Page 26, line 31, strike "\$16,281,498" and insert "\$16,409,066".

Explanation:

(This amendment provides \$127,568 the second year from the general fund to restore the reduction in the budget, as introduced.)

Item 42 #1s

Judicial Department	FY 02-03	FY 03-04
Virginia State Bar	\$501,814	\$525,500 NGF

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 is a technical adjustment to the nongeneral fund appropriation for the Virginia State Bar to reflect the most recent revenue projection based on the current dues structure.)

Item 47.10 #1s

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 19-35.

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 49 #1s

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 #2s

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0	\$1,400,000	GF
	0.00	30.00	FTE

Language:

Page 34, line 26, strike "\$20,624,509" and insert "\$22,024,509".

Explanation:

(This amendment provides \$1,400,000 and 30.0 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.)

Item 50 #1s

Executive Offices	FY 02-03	FY 03-04	
Attorney General And Department Of Law	\$0 0.00	\$350,000 14.00	GF FTE

Language:

Page 35, line 30, strike "\$1,234,762" and insert "\$1,584,762".

Explanation:

(This amendment provides \$350,000 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. 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 #1s

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 3-18.

Explanation:

(This amendment eliminates \$195,865 and two positions the second year from the general fund for the Office of the Attorney General. A companion amendment to Item 91 restores these funds to the Human Rights Council. It is the intent of the General Assembly that the Human Rights Council not be abolished, as proposed in the introduced budget.)

Item 53 #1s

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 #1s

Office of Administration

Secretary Of Administration

Language

Language:

Page 41, following line 20, insert:

" For the 2003-2004 fiscal year only, the Secretary of Administration and the Virginia Public Broadcasting Board shall distribute community service grants to Virginia's public television stations as follows: Greater Washington Education Television Association (WETA in Arlington, Virginia), \$200,000, the remaining Community Service Grants to Virginia's Public Television Stations shall be divided equally among; Hampton Roads Educational Telecommunications Association, Shenandoah Valley Educational Television Corporation, Blue Ridge Public Television, Inc., and Commonwealth Public Broadcasting.

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 one grant for each of the State's five regions for FY 2004, with WETA in Northern Virginia receiving a lesser amount, as the first phase of entry into the community service grant program. The Virginia Public Broadcasting Board is charged with developing a plan for support of public television in future biennia.)

Item 59.15 #2s

Office of Administration

Secretary Of Administration

Language

Language:

Page 41, following line 20, insert:

" Out of the amounts for community service grants for public radio, \$10,000 the first year and \$10,000 the second year shall be allocated to Allegheny Mountain Radio."

Explanation:

(This amendment allocates \$10,000 the first year and \$10,000 the second year from community service grants to public radio to Allegheny Mountain Radio.)

Item 61 #1s

Office of Administration

Commission On Local Government

Language

Language:

Page 43, strike lines 44 through 49 and insert:

"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 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 #1s

Office of Administration

Compensation Board

Language

Language:

Page 49, strike lines 18 through 24.

Explanation:

(This amendment removes proposed language from the Budget Bill 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.)

Item 65 #1s

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% for FY 2003, as imposed by the Compensation Board as part of the October reductions. The introduced budget had proposed to lower this reduction to 5% for FY 2003 and FY 2004, however, the Compensation Board has continued to administer the reductions at the 7% level. The reduction will be lowered to 5% in FY 2004.)

Item 67 #1s

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 75 #2s

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 establish

standards for the hours of review that will be required for different project types. The Department shall report its performance in meeting these standards to the chairmen of the Senate Finance and House Appropriations Committees by January 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 81.20 #1s

Administration

Department Of General Services

Language

Language:

"81.20. Internal Mail
 Operations.....Sum sufficient
 Fund Sources: Internal Service ."

"This is an internal service fund from which the Department of General Services may pay the costs of internal mail operations at the seat of government in Richmond."

Explanation:

(This amendment provides for the operation of the Department of General Service's internal mail system for state agencies at the seat of government as an internal service fund.)

Item 83 #1s

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 91 #2s

Office of Administration	FY 02-03	FY 03-04	
Human Rights Council	\$0	\$340,399	GF
	\$0	\$43,498	NGF
	0.00	5.00	FTE

Language:

Page 74, line 11, strike "\$0" and insert "\$383,897".

Page 74, unstrike lines 11, 14, 16, 27, 28, 29, 30, 31, 33, 34, 37, and 39.

Explanation:

(This amendment restores funding for the Human Rights Council. A companion amendment removes funds that were transferred to the Office of the Attorney General in the introduced budget. It is the intent of the General Assembly that the Human Rights Council not be abolished.)

Item 96 #1s

Office of Commerce and Trade

Secretary Of Commerce And Trade

Language

Language:

Page 83, after line 3, insert:

"C. The Secretary shall develop a plan that re-establishes the Regional Competitiveness Program as defined under §§ 15.2-1306 through 15.2-1310, *Code of Virginia*. The Secretary shall review and comment in the plan upon the effectiveness of the Program as well as the governance structure and relationships that have been established to implement the Regional Competitiveness Act. The plan shall include recommendations to effectively continue the Commonwealth's efforts to realize the purposes of the Regional Competitiveness Act. All state agencies within the Executive Department shall provide assistance to the Secretary in development of this plan upon request. The Secretary shall submit his plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December

22, 2003."

Explanation:

(This amendment directs the Secretary of Commerce and Trade to develop a plan to accomplish the aims of the Regional Competitiveness Act and to submit the plan to the Governor and the General Assembly. Funding for the Regional Competitiveness Program is proposed for elimination under the introduced Budget Bill.)

Item 101 #1s

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

Language:

Page 85, line 42, strike "\$4,314,480" and insert "\$4,349,480".

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

Explanation:

(This amendment provides \$70,000 of general fund support to ensure that the Department of Agriculture and Consumer Services does not lose matching federal dollars for cooperative programs critical to farmers.)

Item 106 #1s

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Agriculture And Consumer Services	\$31,396 0.00	\$1,000,000 49.00	GF 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 #2s

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 of the *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 #1s

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 Virginia 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 also 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 #1s

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, any moneys 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 contingent upon passage of Senate Bill 695.)

Item 109 #1s

Office of Commerce and Trade

Department Of Forestry

Language

Language:

Page 93, line 24, strike "The appropriation to the Reforestation of".

Page 93, strike lines 25 through 27.

Page 93, line 24, after "Virginia.", 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."

Explanation:

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

Item 111 #1s

Office of Commerce and Trade	FY 02-03	FY 03-04	
Department Of Housing And Community Development	\$0	\$900,000	GF

Language:

- Page 94, line 6, strike "\$44,569,040" and insert "\$45,469,040".
- Page 94, line 25, strike italicized "\$2,115,220" and insert "\$2,641,220".
- Page 94, line 30, strike italicized "\$4,000,000" and insert "\$4,374,000".

Explanation:

(This amendment restores general fund support for the homeless intervention program and for shelter support and expansion grants.)

Item 111 #2s

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.

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 of the *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 in the amount of \$40,822,000 to the general fund prior to June 30, 2003.”

Explanation:

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

Item 123 #1s

Office of Commerce and Trade

Department Of Mines, Minerals
And Energy

Language

Language:

Page 104, line 6, strike "It is the intent of the General".

Page 104, strike lines 7 through 9.

Page 104, line 6, after "2004.", 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.)

Item 127 #1s

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 #1s

Office of Commerce and Trade

Virginia Economic Development
Partnership

FY 02-03

\$0

FY 03-04

(\$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 #1s

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 \$93,500 the second year".

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

"In FY 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 #2s

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, unstrike "and \$250,000 the".

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

Page 115, line 34, strike "\$250,000" and insert "\$150,000".

Explanation:

(This amendment restores \$150,000 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 #3s

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	\$170,000	GF

Language:

Page 112, line 47, strike "\$10,357,758" and insert "\$10,527,758".
 Page 113, unstrike lines 30 through 34.
 Page 113, line 31 strike "\$200,000" and insert "\$170,000".
 Page 113, line 31, strike "first" and insert "second".

Explanation:

(This amendment restores \$170,000 the second year from the general fund for the "See Virginia First" advertising program managed by the Virginia Association of Broadcasters.)

Item 135 #4s

Office of Commerce and Trade	FY 02-03	FY 03-04	
Virginia Tourism Authority	\$0	(\$1,000,000)	GF

Language:

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

Explanation:

(This amendment reduces the amount of general fund support for the Virginia Tourism Authority's core advertising program.)

Item 136 #1s

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 #2s

**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; and

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 systemwide strategic plan adopted by the State Council of Higher Education for Virginia.)

**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 the 2003-04 academic year not exceed five percent of the rates set by the boards for the 2002-03 academic year or \$800 over 2001-02 rates, whichever is less. For purposes of calculating the five percent threshold, boards of visitors can include one-time surcharges adopted for the Spring 2003 semester; however, the surcharge amounts may not be annualized for the 2003-04 academic year."

Page 118, after line 33, insert:

"1.b) The provisions of subparagraph 1.a. shall not apply to increases in tuition used to support the second year salary increases provided in Item 511.J. of this act."

Page 119, strike lines 16 through 20, and insert:

"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:

(This amendment modifies the existing tuition policy to recognize the spring surcharge adopted by institutions this academic year, and to allow for additional increases in FY 2004 of five percent or \$800 for the biennium, whichever is less. The amendment also directs the Joint Subcommittee Studying Higher Education Funding

Policies to make recommendations to the 2004 General Assembly with respect to long-term tuition and financial aid policies.)

Item 137 #1s

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central	\$0	\$65,000	GF
Office Operations	0.00	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 #2s

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central	\$0	\$0	GF
Office Operations	\$0	\$5,989,085	NGF

Language:

Page 120, line 28, strike "\$34,886,678" and insert "\$40,875,763".

Explanation:

(This amendment updates federal funds: \$2.0 million for the continuation of the Teacher/Principal Training and Recruitment grant; \$550,000 for the continuation of the Technology grant; \$460,000 due to a new 21st Century Community Learning Centers grant; \$2.0 million for an increase in the IDEA Special Education grant; and \$979,085 due to a new Community Service for Expelled or Suspended Students grant.)

Item 138 #1s

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 #2s

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central	\$0	\$0	GF
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 142 #1s

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Department Of Education, Central	\$0	\$0	GF
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 145 #1s

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

Direct Aid To Public Education

\$49,627

\$0 GF

Language:

Page 128, line 18, strike "\$448,891,723" and insert "\$448,941,350".

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 #2s

**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 makes a technical reduction to the appropriation for clerical salaries in hospitals, clinics, and detention homes.)

Item 145 #3s

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$30,750,000 NGF

Language:

Page 128, line 18, strike "\$430,859,009" and insert "\$461,609,009".

Explanation:

(This amendment updates federal funds: \$4.0 million due to an increase in the English Language Acquisition grant; \$8.75 million for a new 21st Century Community Learning Centers grant; and \$18.0 million due to an increase in the IDEA Special Education grant.)

Item 145 #4s

**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, is comprised 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, or Dropout Prevention. There is a companion amendment in Item 147.)

Item 147 #1s

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 158, after line 40, insert "5) providing dropout prevention services.".

Page 159, line 2, after "years.", insert "The provisions of this paragraph shall not apply to Dropout Prevention.".

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, is comprised 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, or Dropout Prevention. There is a companion amendment in Item 145.)

Item 147 #2s

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

Direct Aid To Public Education

\$0

(\$2,955,443) GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,696,393,338".

Explanation:

(This amendment provides the offset to Basic Aid of \$2,948,370 and to Enrollment Loss payments of \$7,073 based on an increase in the one-cent sales tax distribution for fiscal year 2004. There is a companion amendment that increases the estimated sales tax distribution in Item 148.)

Item 147 #3s

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

Direct Aid To Public Education

(\$1,382,481)

(\$2,795,474) GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,665,696,840".

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,696,553,307".

Explanation:

(This amendment makes a technical correction to Basic Aid and Enrollment Loss due to a correction in the triennial census of school-aged population data as submitted by two local school divisions.)

Item 147 #4s

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

(\$69,735)

\$0 GF

Language:

Page 134, line 39, strike "\$2,667,079,321" and insert "\$2,667,009,586".

Page 146, line 34, strike "\$62,552,437" and insert "\$62,482,702".

Explanation:

(This amendment captures a balance in the K-3 Class Size Reduction account based on actual data.)

Item 147 #5s

**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 #6s

Education: Elementary & Secondary	FY 02-03	FY 03-04	
Direct Aid To Public Education	\$0	\$78,311	GF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,699,427,092".

Explanation:

(This amendment updates the projections for the Remedial Summer School account based on new information from Winchester.)

Item 147 #7s

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 153, 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 1 percent decline in children identified as demonstrating reading deficiencies based on performance on the Phonological Awareness Literacy Screening instrument.)

Item 147 #8s

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 1 percent improvement in 8th grade SOL Math scores in the Spring of 2003.)

Item 147 #9s

Education: Elementary & Secondary

Direct Aid To Public Education

Language

Language:

Page 141, strike lines 9 and 10, insert "by January 1 of each year of the biennium."

Page 147, strike lines 23 and 24, insert "by January 1 of each year of the biennium."

Explanation:

(This amendment changes the due dates to January 1 of each year for the reports by the Superintendent of Public Instruction to the General Assembly on teacher salaries and on class size reduction. The introduced budget pushed the due dates of the reports back from "December 1 of each year" to "prior to the commencement of the General Assembly.")

Item 147 #10s

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

Direct Aid To Public Education

\$0

\$60,300,000 NGF

Language:

Page 134, line 39, strike "\$2,699,348,781" and insert "\$2,759,648,781".

Explanation:

(This amendment updates federal funds: \$50.2 million due to the continuation of the Teacher/Principal Training and Recruitment grant and \$10.1 million due to the continuation of the Technology grant.)

Item 148 #1s

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 is a companion amendment that provides the associated offsets in Basic Aid and Enrollment Loss in Item 147.)

Item 150 #1s

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 161, line 25, strike "\$9,352,830" and insert "\$9,374,001".

Page 162, line 20, strike "D." and insert "D.1."

Page 162, line 24, strike "1,275" and insert "1,300".

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 2001-2002 school year."

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 #2s

**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.)

 Item 164 #1s

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 #2s

Education: Higher Education

 State Council Of Higher Education
For Virginia

Language

Language:

Page 170, after line 22 insert:

"9. In allocating awards, 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 reinserts language that was unintentionally stricken in Senate Bill 700, as introduced.)

Item 164 #3s

Education: Higher Education	FY 02-03	FY 03-04	
State Council Of Higher Education For Virginia	\$0	(\$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 second year from the general fund." and insert "."

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 166 #1s

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 \$554,095 the second year based on an estimated participation of 94 in-state

students in the program each year."

Page 173, reinsert:

"3. General fund appropriations provided under this contract include financial aid for the participating students at Mary Baldwin College in the Virginia Women's Institute for Leadership program, therefore, these students are not eligible for Tuition Assistance Grants."

Explanation:

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

Item 166 #2s

Education: Higher Education	FY 02-03	FY 03-04	
State Council Of Higher Education	\$0	\$150,000	GF
For Virginia	0.00	2.00	FTE

Language:

Page 172, line 41, strike "\$6,833,113" and insert "\$6,983,113".

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

2. The State Council shall provide technical assistance to the Joint Subcommittee Studying Higher Education Funding Policies in developing recommendations for tuition and financial aid policies, consistent with Item 136 E.7.

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 and provides additional reporting requirements to the Governor and General Assembly.)

Item 170 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Christopher Newport University	\$1,784,685	\$0	NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 170 #2s

Education: Higher Education	FY 02-03	FY 03-04	
Christopher Newport University	\$0	(\$19,980)	GF

Language:

Page 176, line 3, strike "\$30,768,278" and insert "\$30,748,298".

Page 176, line 54, strike "and \$22,200" and insert "and \$42,180"

Page 177, line 4, strike "(\$22,200)" in the second year and insert "(\$42,180)"

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 174 #1s

Education: Higher Education	FY 02-03	FY 03-04	
The College Of William And Mary	\$6,350,000	\$0	NGF

In Virginia

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 174 #2s

Education: Higher Education	FY 02-03	FY 03-04	
The College Of William And Mary In Virginia	\$0	(\$87,182)	GF

Language:

Page 177, line 42, strike "\$85,793,882" and insert "\$85,706,700".

Page 179, line 24, strike "\$153,425" and insert "\$240,607"

Page 179, strike lines 29 through 33 and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Thomas Jefferson National Accelerator Facility	(\$59,665)	(\$101,453)
Applied Research Center	(\$38,760)	(\$73,644)
Bureau of Business Research	-	(\$2,139)
Institute for Early American History & Culture	(\$10,871)	(\$33,371)
Virginia Writing Program	(\$30,000)	(\$30,000)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 178 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Richard Bland College	\$168,000	\$0	NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 182 #1s

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 FY 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 FY 2003.)

Item 184 #1s

Education: Higher Education	FY 02-03	FY 03-04	
George Mason University	\$0	\$600,000	GF

Language:

Page 184, line 17, strike "\$186,457,101" and insert "\$187,057,101".

Explanation:

(This amendment provides additional general fund support for operations and maintenance costs for the new Fairfax Academic IV facility.)

Item 184 #2s

Education: Higher Education**FY 02-03****FY 03-04**

George Mason University

\$14,520,183

\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 184 #3s

Education: Higher Education**FY 02-03****FY 03-04**

George Mason University

\$0

(\$127,125) GF

Language:

Page 184, line 17, strike "\$186,457,101" and insert "\$186,329,976".

Page 185, line 51, strike "and \$171,250" and insert "and \$298,375"

Page 186, strike lines 1 through 4, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
School of Law Special Funding	(\$100,000)	(\$190,000)
Center for Conflict Resolution	(\$41,250)	(\$78,375)
Virginia Writing Program	(\$30,000)	(\$30,000)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 188 #1s

Education: Higher Education	FY 02-03	FY 03-04
James Madison University	\$9,917,632	\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 192 #1s

Education: Higher Education	FY 02-03	FY 03-04
Longwood University	\$1,792,304	\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 192 #2s

Education: Higher Education**FY 02-03****FY 03-04**

Longwood University

\$0

(\$31,963) GF

Language:

Page 188, line 39, strike "\$28,067,618" and insert "\$28,035,655".

Page 190, line 3, strike "\$121,316" and insert "\$153,279"

Page 190, strike lines 8 through 12, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Virginia Writing Program	(\$75,020)	(\$75,020)
Institute for Teaching Through Technology and Innovation	(\$26,910)	(\$51,135)
Small Business Development Center	(\$16,886)	(\$23,779)
Center for Economics Education	(\$1,100)	(\$3,345)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 196 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Mary Washington College	\$1,913,320	\$0	NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 202 #1s

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

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 FY 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 FY 2003.)

Item 202 #2s

Education: Higher Education	FY 02-03	FY 03-04	
Norfolk State University	\$0	(\$32,400)	GF

Language:

Page 194, line 21, strike "\$67,961,966" and insert "\$67,929,566".

Page 196, line 8, strike "and \$36,000" and insert "and \$68,400"

Page 196, line 14, strike "(36,000)" in the second year and insert "(68,400)"

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 206 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Old Dominion University	\$0	\$145,551	GF

Language:

Page 197, line 6, strike "\$132,046,576" and insert "\$132,192,127".

Explanation:

(This amendment provides additional general fund support for operations and maintenance costs associated with the new Engineering and Computational Science facility.)

Item 206 #2s

Education: Higher Education	FY 02-03	FY 03-04	
Old Dominion University	\$0	(\$101,367)	GF

Language:

Page 197, line 6, strike "\$132,046,576" and insert "\$131,945,209".

Page 199, line 24, strike "and \$137,074" and insert "and \$238,441"

Page 199, strike lines 29 through 34, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Applied Research Center	(\$59,040)	(\$112,176)
Physical Oceanography Commonwealth Center	(\$33,134)	(\$62,955)
Virginia Writing Program	(\$30,000)	(\$30,000)
International Maritime Ports,		(\$5,000)

Logistics Management
Institute

CHANCE Program	(\$7,400)	(\$14,060)
Lambert's Point	(\$7,500)	(\$14,250)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 210 #1s

Education: Higher Education	FY 02-03	FY 03-04
Radford University	\$3,267,944	\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 215 #1s

Education: Higher Education	FY 02-03	FY 03-04
University Of Virginia	\$21,271,496	\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 215 #2s

Education: Higher Education	FY 02-03	FY 03-04	
University Of Virginia	\$0	(\$253,254)	GF

Language:

Page 202, line 39, strike "\$313,315,351" and insert "\$313,062,097".

Page 206, line 30, strike "\$454,037" and insert "\$707,291"

Page 206, strike lines 35 through 44, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Institute for Nuclear and Particle Physics	(\$140,000)	(\$162,202)
Center for Politics	(\$139,000)	(\$139,000)
Virginia Institute of Government	(\$35,000)	(\$66,500)
O'Brien Center of Excellence in Urology	(\$30,000)	(\$57,000)
Virginia Writing Program	(\$30,000)	(\$30,000)
Fishery Resource Grant Fund	(\$30,000)	(\$55,515)
Diabetes Research Center	(\$28,737)	(\$48,124)
Office of the Virginia State Climatologist	(\$11,300)	(\$21,470)
Virginia Youth Leadership	(\$5,000)	(\$14,000)

State Arboretum (\$10,000)

Foundation for the Humanities (\$103,480)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 223 #1s

Education: Higher Education

FY 02-03

FY 03-04

University Of Virginia's College At
Wise

\$540,440

\$0 NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 227 #1s

Education: Higher Education

Virginia Commonwealth University

Language

Language:

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

"It is the intent of the General Assembly that the funds appropriated for family practice be used for these programs. To the extent the university chooses to reduce general fund support for these programs as part of its budget reduction strategies, the reduction shall be proportional to the percentage net reduction applied to the university's Educational and General budget."

Explanation:

(This amendment is self-explanatory.)

Item 227 #2s

Education: Higher Education	FY 02-03	FY 03-04
Virginia Commonwealth University	\$21,182,009	\$0 NGF

Language:

Page 211, line 6, strike "\$270,315,523" and insert "\$291,497,532".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 227 #3s

Education: Higher Education	FY 02-03	FY 03-04
Virginia Commonwealth University	\$0	(\$287,875) GF

Language:

Page 211, line 6, strike "\$272,963,515" and insert "\$272,675,640".

Page 216, line 27, strike "\$466,900" and insert "\$754,775"

Page 216, strike lines 32 through 46, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Alzheimers & Related Disease Research Awards	(\$10,000)	(\$19,000)
Autism Training/Family Support Program	(\$59,000)	(\$112,100)
Center for the Advancement		(\$25,361)

of Generalist Medicine

Commonwealth Center for Head Injury	(\$32,300)	(\$61,670)
Va. Executive Institute and Commonwealth Management Institute		(\$14,070)
Virginia Labor Center	(\$60,000)	(\$77,715)
Education Policy Institute	(\$37,500)	(\$48,750)
Center on Aging	(\$37,500)	(\$37,500)
Council on Economic Education	(\$100,000)	(\$130,000)
Center on Urban Development	(\$50,000)	(\$65,000)
Gang Prevention Project	(\$12,500)	(\$35,000)
Center for Public/Private Initiatives	(\$17,500)	(\$33,219)
HIV/AIDS Center	(\$5,200)	(\$9,880)
Massey Cancer Center		(\$50,000)
Drug and Alcohol Studies Center	(\$2,900)	(\$5,510)
Virginia Writing Program	(\$30,000)	(\$30,000)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

 Item 232 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	\$0	\$300,000	GF

Language:

Page 218, line 11, strike "\$415,697,370" and insert "\$415,997,370".

Explanation:

(This amendment provides additional general fund support for operations and maintenance costs at the new Medical Education Campus of Northern Virginia Community College.)

 Item 232 #2s

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	\$7,225,000	\$0	NGF

Language:

Page 218, line 11, strike "\$422,159,910" and insert "\$429,384,910".

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 colleges for FY 2003.)

 Item 232 #3s

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Community College System	(\$39,949)	(\$141,024)	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 "\$415,556,346".

Explanation:

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

Item 239 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Military Institute	\$940,416	\$0	NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 242 #1s

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, strike "353" and reinsert "705"

Page 225, line 45, strike "based on no more than 705 cadets at Virginia Polytechnic Institute and State University."

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

Page 225, line 50, strike "353" and reinsert "705"

Explanation:

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

Item 242 #2s

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 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Virginia Polytechnic Institute And State University	\$20,673,970	\$0	NGF

Language:

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

Explanation:

(This amendment provides nongeneral fund authority for additional tuition revenue generated in FY 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 FY 2003.)

Item 244 #2s

Education: Higher Education	FY 02-03	FY 03-04	

Virginia Polytechnic Institute And State University \$0 (\$72,125) GF

Language:

Page 226, line 39, strike "\$312,705,014" and insert "\$312,632,889".

Page 229, line 24, strike "208,750" and insert "\$280,875"

Page 228, strike lines 29 through 37, and insert

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Center for Organizational and Technological Advancement	(\$100,000)	(\$167,500)
Virginia Water Resources Center	(\$12,500)	(\$40,625)
Virginia Writing Program	(\$30,000)	(\$30,000)
Center for Coal and Energy Research	(\$17,500)	(\$33,250)
Reynolds Homestead Continuing Education	(\$5,000)	(\$9,500)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 244 #3s

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 on-line due to anticipated delays in building openings.)

Item 249 #1s

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 FY 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 FY 2003.)

Item 253 #1s

Education: Higher Education	FY 02-03	FY 03-04	
Cooperative Extension And Agricultural Research Services	\$0	(\$90,175)	GF

Language:

Page 235, line 5, strike "\$6,378,698" and insert "\$6,288,523".

Page 235, line 43, strike "and \$56,416" and insert "and \$146,591"

Page 234, strike lines 48 through 50, and insert:

<u>Center Name</u>	<u>FY 2003</u>	<u>FY 2004</u>
Agriculture Research Programs	(\$12,849)	(\$24,413)
Hybrid Striped Bass Program	(\$43,567)	(\$82,778)
Small Farmer Outreach Training and Technical Assistance		(\$39,400)

Explanation:

(This amendment continues the phase-out of state support for research and public service centers with the intent that nongeneral fund support be secured for these activities.)

Item 256 #1s

Education: Other	FY 02-03	FY 03-04	
Jamestown-Yorktown Foundation	\$0	\$183,490	GF

Language:

Page 237, line 15, strike "\$10,146,553" and insert "\$10,330,043".

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 #1s

Education: Other	
Jamestown 2007	Language

Language:

Page 239, line 40, strike "two" and insert "one"

Page 239, line 41, strike "dollars" and insert "dollar"

Page 239, lines 44-46, strike ", unless the registered owner of each pickup or panel truck and each motor vehicle elects not to pay the charge,"

Page 239, strike line 59 and insert:

"educational programs sponsored or approved by the Jamestown-Yorktown Foundation, community programs, open-space and historic preservation, and other activities"

Explanation:

(This amendment reduces the vehicle registration fee collected on behalf of the Jamestown 2007 Commemoration from \$2 to \$1 and makes the fee mandatory for all new registrants.)

Item 262 #1s

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.

Explanation:

(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 265 #1s

Education: Other

Virginia Museum Of Fine Arts

Language

Language:

Page 245, after line 27, insert:

"C. The Comptroller of Virginia shall establish a special nongeneral fund account

detail code for monies contributed to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fund raising activities to support the Museum's general operations, exhibitions, and programs. Revenues included in the account code will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions."

Explanation:

(This amendment is self-explanatory.)

Item 270 #1s

Education: Higher Education

Virginia College Building Authority

Language

Language:

Page 250, line 27, strike "35,000,000" and insert "\$40,200,000"

Page 250, line 33, strike FY 2004 Allocation of "\$2,016,731" and insert "\$7,216,731"

Explanation:

(This amendment allocates \$5.2 million through the Higher Education Equipment Trust Fund for George Mason University's Academic IIIA building on the Prince William campus.)

Item 271 #1s

Finance

Secretary Of Finance

Language

Language:

Page 252, following line 33, insert:

"Notwithstanding other provisions of law, the Secretary of Finance shall develop a financing plan for the assessment 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 276 #1s

Finance	FY 02-03	FY 03-04	
Department Of Accounts	\$67,500	\$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".

Page 257, strike lines 6 to 13.

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 #1s

Finance

Department Of Accounts

Language

Language:

Page 257, following line 49 insert:

"C.1. For purposes of determining a transfer from the Revenue Stabilization Fund to the general fund based on anticipated shortfalls in revenues, total general fund revenues appropriated shall be based on the most recent amount appropriated in the Acts of Assembly at the time the General Assembly appropriates such transfer. Anticipated shortfalls in 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.

2. In accordance with Article 10 § 8, Virginia Constitution, and § 2.2-1830, Code of

Virginia, the amount of the transfer in any fiscal year shall not exceed more than one-half of the balance of the Revenue Stabilization Fund or more than one-half of the forecasted shortfall in revenues."

Explanation:

(This amendment is technical in nature and clarifies that the term revenues appropriated for purposes of determining a transfer from the Revenue Stabilization Fund refers to the revenues appropriated in the Acts of Assembly in existence at the time the General Assembly appropriates such transfer.)

Item 283 #1s

Finance	FY 02-03	FY 03-04	
Department Of Taxation	\$85,100	\$14,400	GF

Language:

Page 259, line 47, strike "\$18,662,876" and insert "\$18,747,976".

Page 259, line 47, strike "\$13,581,776" and insert "\$13,596,176".

Explanation:

(This amendment provides funds for computer system modifications related to SB 935 which changes the income tax return filing date for tax exempt organizations with unrelated business income.)

Item 283 #2s

Finance

Department Of Taxation

Language

Language:

Page 260, line 3, after "act" insert "for the Department of Taxation".

Explanation:

(This amendment permits departments other than the Department of Taxation to use appropriations for leases at 11166 Main Street Fairfax, Virginia.)

Item 285 #1s

Finance	FY 02-03	FY 03-04	
Department Of Taxation	\$0	\$262,500	GF
	0.00	3.50	FTE

Language:

Page 260, line 40, strike "\$54,956,986" and insert "\$55,219,486".

Explanation:

(This amendment provides \$262,500 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, Item 285#2s, provides additional collector positions to support these programs.)

Item 285 #2s

Finance	FY 02-03	FY 03-04	
Department Of Taxation	\$0	\$268,000	GF
	0.00	4.00	FTE

Language:

Page 260, line 40, strike "\$54,956,986" and insert "\$55,224,986".

Explanation:

(This amendment provides \$268,000 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 (Item 285#1s).)

Item 287 #1s

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 #2s

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."

Explanation:

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

Item 290 #1s

Finance

FY 02-03

FY 03-04

Department Of The Treasury	\$500,000	\$786,000	GF
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Language:

Page 268, line 20, strike "\$9,070,270" and insert "\$9,570,270".

Page 268, line 20, strike "\$8,403,237" and insert "\$9,189,237".

Page 269, after line 10, insert:

"D.1. Pursuant to Senate Bill 863 of the 2003 Session, from the amounts appropriated in Insurance Services, there shall be paid for the relief of Marvin Lamont Anderson from the general fund, upon execution of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision, (i) the sum of \$500,000 to be paid to Marvin Lamont Anderson on or before August 1, 2003, by check issued by the State Treasurer on warrant of the Comptroller and (ii) an annuity for the primary benefit of Marvin Lamont Anderson providing for equal monthly payments for a period certain of ten years commencing on or before September 1, 2003, in the cumulative amount of \$1,000,000.

2. The State Treasurer shall purchase the annuity 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 #1s

Finance

Treasury Board

FY 02-03

(\$30,000)

FY 03-04

(\$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 #2s

Finance	FY 02-03	FY 03-04	
Treasury Board	\$0	\$425,000	GF

Language:

Page 273, line 8, strike "\$286,714,948" and insert "\$287,139,948".

Explanation:

(This amendment provides debt service to cover anticipated costs associated with additional capital projects recommended through separate amendments.)

Item 301 #1s

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 "\$500,000".

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 #1s

Health And Human Resources	
Department For The Aging	

Language

Language:

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

Explanation:

(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 #1s

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 #2s

Health And Human Resources

Department For The Deaf And
Hard-Of-Hearing

Language

Language:

Page 290, line 37, delete the period and 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 FTEs.)

Item 305 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	(\$250,000)	GF

Language:

Page 290, line 49, strike "\$10,850,674" and insert "\$10,600,674".

Page 291, after line 16, insert:

"No more than \$750,000 of the additional general funds provided in FY 2004 shall be used for the Department's relocation costs."

Explanation:

(This amendment limits the amount of funds the Department of Health can use to move into the James Madison Building.)

Item 305 #2s

Health And Human Resources	
Department Of Health	Language

Language:

Page 291, after line 16, insert:

"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. All affected stakeholders should be involved in the development of this 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 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 no later than June 30, 2004 for the Commonwealth.)

Item 306 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Health	\$0	\$275,000	GF

Language:

Page 291, line 18, strike "\$1,651,884" and insert "\$1,926,884".

Page 292, line 20, strike "\$100,000" and insert "\$375,000".

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 \$275,000 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 #1s

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

Language:

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 was reduced in the Governor's introduced budget.)

Item 307 #2s

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 amendment, 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 and 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 #3s

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:

(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 312 #1s

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, unstrike the stricken language.

Page 297, line 49, strike "\$467,544" and insert "\$125,000".

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) and eliminates \$125,000 from the federal TANF block grant that was substituted for the general fund appropriation in the introduced budget.)

Item 316 #1s

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".

Explanation:

(This amendment reverses action taken in the introduced Budget Bill to reduce general fund support for the Drinking Water State Revolving Fund. The amendment restores \$1.1 million to fund additional drinking water projects.)

Item 316 #2s

Health And Human Resources

Department Of Health

Language

Language:

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 between Planning Districts 1, 2, and 3 for planning water and sewer projects needed to improve the health of the region."

Explanation:

(This amendment is self-explanatory.)

Item 322 #1s

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 322 #2s

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 for the Medicaid and Family Access to Medical Insurance Security (FAMIS) fee for service programs 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 Senate Finance and House Appropriations Committees on an annual basis beginning June 30, 2004."

Explanation:

(This amendment requires the Department of Medical Assistance Services to maintain and report data necessary to evaluate implementation of the new prior authorization requirements created on July 1, 2003.)

Item 323.10 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	(\$29,997,437)	GF
	\$0	(\$30,153,830)	NGF

Language:

Page 307, line 42, strike "\$60,151,267" and insert "\$0".

Page 307, strike lines 42 through 54.

Page 308, strike lines 1 through 10.

Explanation:

(This amendment eliminates funding and language for the Protecting Access to Health Care (PATH) program included in the introduced budget. PATH funding was to be used to mitigate the impact on nursing homes, managed care organizations, and private inpatient hospital services that would be adversely affected by not providing an inflationary increase for these Medicaid and FAMIS providers. Instead of proceeding with PATH, funds were restored for nursing homes, hospitals and substance abuse services, rates were increased for assisted living, home health, and personal care providers, and waiver slots were increased in the mental retardation waiver program.)

Item 324 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	\$57,070	GF
	\$0	\$68,292	NGF

Language:

Page 308, line 13, strike "\$54,440,764" and insert "\$54,566,126".

Page 310, after line 50 insert:

"N. The Department of Medical Assistance Services shall amend its Family Access to Medical Insurance Security (FAMIS) Plan to establish a single, umbrella program that incorporates FAMIS and the Medicaid Program for Medically Indigent Children to be known as "FAMIS Plus." In the second year, \$43,750 from the general fund shall be used in order to fund the one-time costs of this initiative. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

O. The Department of Medical Assistance Services shall amend its Family Access to Medical Insurance Security (FAMIS) Plan to reduce the waiting period between insurance coverage and when eligibility for FAMIS can be approved from six to four months. In the second year, \$13,320 from the general fund and \$24,500 from nongeneral funds shall be used in order to fund this initiative. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act."

Explanation:

(This amendment implements the provisions of the engrossed version of Senate Bill 1218 including 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 325 #1s

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 seek a Section 1115 waiver from the Centers for Medicaid and Medicare Services to establish a Medicaid Buy-In Program. The Medicaid Buy-In program is for those working persons with disabilities whose earnings are too high to qualify for traditional Medicaid. Eligible

individuals would include those with income not in excess of 175 percent of the Federal Poverty Level. The waiver enrollment for the first year will be limited to an enrollment of 200 individuals. In addition, the Department shall seek authorization in the waiver for earned and unearned income requirements. The provisions of this act shall not become effective until the receipt of a Section 1115 from the Centers for Medicaid and Medicare Services and appropriation of the necessary funding. The waiver proposal shall be developed by October 1, 2003 and presented to the Governor and the Disability Commission by October 15, 2003, so the fiscal impact can be considered in the development of the 2004-2006 biennial budget."

Explanation:

(This amendment requires the Department of Medical Assistance Services to seek a Medicaid waiver to establish a pilot program to allow people with disabilities whose income is less than 175 percent of the Federal Poverty Level to continue to receive Medicaid even though their income exceeds traditional Medicaid levels. The waiver proposal must be submitted to the Governor and the Disability Commission by October 15, 2003. Enrollment in the program would be limited to 200 individuals.)

Item 325 #2s

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.)

Item 325 #3s

Health And Human Resources

Department Of Medical Assistance

FY 02-03

\$0

FY 03-04

\$3,500,000 GF

Services \$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".

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 #4s

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 that are not covered by Medicaid, they are allowed to use their income, which would otherwise go toward paying their cost of care, 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 #5s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$1,000,000	GF
Services	\$0	\$1,005,214	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,465,432,578".

Page 311, line 36, strike "\$107,516,696" and insert "\$108,516,696".

Page 311, line 37, strike "\$114,151,176" and insert "\$115,156,390".

Explanation:

(This amendment restores \$1.0 million from the general fund and \$1.0 million from nongeneral funds to the Department of Medical Assistance Services to provide direct care services for patients at the Commonwealth's five mental retardation training centers. In FY 2004, two-thirds of the 15 percent reduction taken in the Governor's October budget actions will be restored.)

 Item 325 #6s
Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 13, after the period, insert:

"Over the counter prescriptions shall not count as a unique prescription for the purposes of prior authorization."

Page 322, line 21, after the 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 #7s

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 #8s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 322, line 13, after the 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 the 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 #9s

Health And Human Resources

Department Of Medical Assistance
Services

FY 02-03**FY 03-04**

\$0

\$1,264,063 GF

\$0

\$1,291,150 NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,465,982,577".
Page 319, unstrike lines 3 through 9.

Explanation:

(This amendment restores Medicaid coverage of substance abuse services for children and adults slated to begin on April 1, 2004. An estimated 16,000 individuals will eventually receive services under this provision. This funding along with a companion amendment in Item 334 meets the state's current maintenance of effort (MOE) requirement for the federal Substance Abuse Prevention and Treatment (SAPT) block grant. The Governor's introduced budget created a \$2.0 million deficit in the state's MOE in FY 2003, which will likely result in a dollar for dollar reduction in Virginia's SAPT block grant allocation in FY 2004. Restoration of these funds for substance abuse services will minimize the affect of the federal reduction in FY 2004 and restore the full SAPT allocation in FY 2005.)

Item 325 #10s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$506,870	GF
Services	\$0	\$509,513	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,443,747".

Explanation:

(This amendment provides \$1.0 million the second year for additional assisted living residents who become eligible for Medicaid as a result of implementing a rate increase for the Auxiliary Grant Program. A companion amendment in Item 357, increases the auxiliary grant payment from \$841 to \$858 per month (\$967 to \$984 per month in Northern Virginia) beginning in FY 2004.)

Item 325 #11s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$400,000	GF
Services	\$0	\$402,085	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,229,449".

Explanation:

(This amendment restores \$400,000 from the general fund and \$402,085 from nongeneral funds to offset the proposed reduction included in the introduced budget for durable medical equipment.)

Item 325 #12s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$987,070	GF
Services	\$0	\$992,214	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,465,406,648".

Page 322, delete lines 56 through 58.

Page 323, delete lines 1 through 23 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 as to include a Preferred Drug List program no later than January 1, 2004. Those pharmacy products not included on the preferred drug list will be subject to prior authorization. The final design of the program, including all operational components, must be completed no later than May 1, 2003. In developing the modifications the Department shall consult with other interested parties including but not limited to, physicians, pharmacists, pharmaceutical manufacturers, and patient advocates. 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 amendment 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.

2. The Department of Medical Assistance Services shall utilize a Pharmacy and

Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program and the associated prior authorization process. The Pharmacy and Therapeutics Committee shall be composed of twelve members, including the Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services, or his designee. The other eleven members are to be selected or approved by the Department. Six of the members shall be physicians licensed in Virginia, one of whom is a psychiatrist and one of whom specializes in care for the aging; and five members shall be pharmacists licensed in Virginia, one of whom has clinical expertise in mental health drugs and one of whom has clinical expertise in community-based mental health treatment.

3. The Pharmacy and Therapeutics Committee shall recommend to the Department of Medical Assistance Services (i) which therapeutic classes of drugs should be subject to the Preferred Drug List Program and the associated prior authorization process; (ii) which specific drugs within each therapeutic class should be included on the preferred drug list; and (iii) whether the Preferred Drug List Program should include reference drugs by therapeutic class and supplemental rebates. In developing and maintaining the preferred drug list, the Pharmacy and Therapeutics Committee first shall determine which drugs are safe and clinically effective; the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

4. The Preferred Drug List Program and associated prior authorization process shall not apply to atypical anti-psychotic drugs or other similar therapeutic classes used in the treatment of mental illness that have proven to be safe and clinically effective in the provision of community-based services. The Pharmacy and Therapeutics Committee shall consider recommending the adoption of grandfather clauses when prior authorization would interfere with established drug regimens that have proven to be clinically effective."

Explanation:

(This amendment authorizes the Department of Medical Assistance Services to create a Preferred Drug List for the Medicaid program to be implemented no later than January 1, 2004. A committee of qualified physicians and pharmacists to be known as the Pharmacy and Therapeutics Committee will recommend which therapeutic classes should be subject to the preferred drug list, which drugs within each therapeutic class should be included on the preferred drug list (i.e., would not be subject to prior authorization requirements), and whether the program should include reference drugs by therapeutic class and supplemental rebates. While atypical, anti-psychotic drugs are specifically excluded from the Preferred Drug List Program,

other prescription drugs will also likely be excluded, for example, when prior authorization would interfere with proven drug regimens for specific illnesses (e.g., anti-virals for HIV/AIDS)).

Item 325 #13s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$400,000	GF
Services	\$0	\$402,085	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,464,229,449".

Page 327, after line 3, insert:

"UUU. Of this appropriation shall be provided \$400,000 from the general fund and \$402,084 from nongeneral funds the second year for the unique needs of the residents of the traumatic brain injury unit at the Health Care and Rehabilitation Center located in Virginia Beach, Virginia."

Explanation:

(This amendment is self-explanatory.)

Item 325 #14s

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 in effect in Fiscal Year 2003, for these facilities, 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 FY 2004 as in FY 2003 for

freestanding psychiatric facilities.)

Item 325 #15s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$11,864,022	GF
Services	\$0	\$11,925,845	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,487,217,231".

Page 325, delete lines 43 through 50, and insert:

"MMM. Of this appropriation, \$11,864,022 from the general fund and \$11,925,845 from nongeneral funds the second year shall be provided to nursing facilities for fiscal year 2004 direct and indirect inflationary adjustments. The indirect inflationary increase shall not exceed two percent in FY 2004."

Explanation:

(This amendment provides \$23.8 million in FY 2004 to increase nursing facility rates by five percent for direct care costs and two percent for indirect care costs. The introduced budget froze inflationary increases for nursing facilities.)

Item 325 #16s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$5,417,565	GF
Services	\$0	\$5,445,796	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,474,290,725".

Page 323, delete lines 40 through 44.

Page 323, line 45, delete "2004" and, insert:

"CCC. Of this appropriation, \$5,417,565 from the general fund and \$5,445,796 from nongeneral funds the second year shall be provided to increase the operating cost per case and the operating cost per day in state fiscal year 2004 for inpatient hospital services".

Page 323, line 47, delete the new language, after "2004."

Page 323, delete lines 48 and 49.

Explanation:

(This amendment provides \$10.9 million in FY 2004 to increase rates paid for inpatient hospital services by five percent. Language is deleted that froze inflationary increases for inpatient hospital services except Type One (public) hospitals.)

Item 325 #17s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$184,177	GF
Services	\$0	\$185,137	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,463,796,678".

Page 327, after line 3, insert:

"UUU. Out of this appropriation in FY 2004, \$106,746 from the general fund and \$107,302 from nongeneral funds shall be used to provide a rate increase for home health services and \$77,431 from the general fund and \$77,835 from nongeneral funds shall be used to provide a rate increase for adult day health care providers. The rates paid to adult day care health providers shall be increased 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 \$369,314 in FY 2004 for a five percent rate increase for home health service providers.)

Item 325 #18s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance	\$0	\$950,457	GF
Services	\$0	\$955,410	NGF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,465,333,231".

Page 327, after line 3, insert:

"UUU. Of this appropriation, \$950,457 from the general fund and \$955,410 from nongeneral funds shall be used to provide a rate increase for personal care providers."

Explanation:

(This amendment provides \$1.9 million in FY 2004 to increase by two percent

rates paid for personal care services.)

Item 325 #19s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Medical Assistance Services	\$0	(\$7,800,000)	GF

Language:

Page 310, line 52, strike "\$3,463,427,364" and insert "\$3,455,627,364".

Explanation:

(This amendment reduces the general fund appropriation in FY 2004 by \$7.8 million for federal revenue maximization, providing an incentive for the Department to continue aggressively pursuing these initiatives.)

Item 325 #20s

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 326 #1s

Health And Human Resources
Department Of Medical Assistance Services

Language

Language:

Page 327, strike lines 24 through 34.

Explanation:

(This amendment eliminates language that would have allowed the Department of Medical Assistance Services to use funds from the Indigent Health Care Trust Fund to optimize federal reimbursements to Type II Medicaid hospitals under the Protecting Access to Health Care (PATH) program. A companion amendment in Item 323.10 eliminates funding and language for PATH.)

Item 327 #1s

Health And Human Resources**FY 02-03****FY 03-04**

Department Of Medical Assistance
Services

\$0

\$37,829 GF

Language:

Page 327, line 35, strike "\$1,612,952" and insert "\$1,650,781".

Explanation:

(This amendment provides funding for additional assisted living residents who become eligible for an assisted living supplement as a result of implementing a rate increase for the Auxiliary Grant Program. A companion amendment in Item 357 increases the auxiliary grant payment from \$841 to \$858 per month (\$967 to \$984 per month in Northern Virginia) beginning in FY 2004. Another amendment in Item 325 would fund the impact on Medicaid eligibility.)

Item 329 #1s

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 332, after line 24, insert:

"P. The Commissioner of Mental Health, Mental Retardation, and Substance Abuse Services, in cooperation with the Virginia Health Information and the Virginia Hospital and Healthcare Association, shall develop a plan to establish a private/public partnership to underwrite the cost of developing and maintaining a web-based system for reporting on the availability of inpatient psychiatric beds for children and adolescents. The Department shall submit the plans to the Joint Commission on Behavioral Health Care and the Virginia Commission on Youth or their successors by September 1, 2003."

Explanation:

(This amendment is self-explanatory.)

Item 329 #2s

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 their current complement of three FTEs. 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 331 #1s

Health And Human Resources	FY 02-03	FY 03-04	
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Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	\$700,000	GF
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Language:

Page 332, line 33, strike "\$14,440,834" and insert "\$15,140,834".

Page 333, line 46, strike "\$300,000" and insert "\$1,000,000".

Explanation:

(This amendment provides an additional \$700,000 from the general fund in FY 2004 for the implementation of Senate Bill 1149.)

Item 334 #1s

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".

Page 337, after line 43, insert:

"P. Of the additional general fund appropriation provided in the second year, the allocation provided to the Rappahannock - Rapidan Community Service Board shall be used to restore clinical services at Madison Family Guidance Services."

Explanation:

(This amendment restores \$2.3 million general fund the second year to the community service boards and directs the Rappahannock - Rapidan Community Service Board to reopen the clinic at Madison Family Guidance Services out of its allocation of approximately \$33,000.)

Item 334 #2s

Health And Human Resources	FY 02-03	FY 03-04	
Grants To Localities	\$900,000	\$900,000	GF

Language:

Page 335, line 3, strike "\$221,415,566" and insert "\$222,315,566".

Page 335, line 3, strike "\$207,253,750" and insert "\$208,153,750".

Page 337, after line 43, insert:

"P. Out of this appropriation, \$900,000 each year of the biennium from the general fund shall be used to provide substance abuse services through the community service boards."

Explanation:

(This amendment restores \$900,000 from the general fund each year to the community services boards to provide substance abuse services. This funding, along with a companion amendment in Item 325, will help the Commonwealth meet its current maintenance of effort (MOE) requirement for the federal Substance Abuse Prevention and Treatment (SAPT) block grant. The Governor's introduced budget created a \$2.0 million deficit in the state's MOE in FY 2003, which would likely result in a dollar for dollar reduction in Virginia's SAPT block grant allocation in FY 2004. Restoration of these funds for substance abuse services will minimize the affect of the federal reduction in FY 2004 and restore the full SAPT allocation in FY 2005.).

Item 334 #3s

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. A companion amendment removes duplicate language in Item 335.)

Item 335 #1s

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. A companion amendment removes duplicate language in Item 334.)

Item 345 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	(\$105,000)	GF

Language:

Page 342, line 55, strike "\$7,456,832" and insert "\$7,351,832".

Page 343, after line 11, insert:

"In FY 2004, recovery of administrative costs through the long-term employment support services program shall be limited to \$80,000."

Explanation:

(This amendment reduces administrative costs in the Department of Rehabilitative Services by \$105,000 in FY 2004. A companion amendment in Item 347 redirects this funding to restore cuts to the long-term employment support services (LTESS) program. Language is also added to ensure that the department recovers no more than \$80,000 or 2 percent for administrative overhead to implement the LTESS program. In implementing the across-the-board reductions contained in Chapter 899, the agency had increased the amount recovered from the LTESS for administrative overhead, thus reducing the amount available for direct services.)

Item 347 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$105,000	GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$78,953,925".

Explanation:

(This amendment restores \$105,000 the second year for long-term employment support services that was reduced by the Governor's October budget actions. A

companion amendment in Item 345 limits administrative funding in the Department of Rehabilitative Services by a commensurate amount to provide funds for these direct disability services.)

Item 347 #2s

Health And Human Resources

Department Of Rehabilitative
Services

Language

Language:

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 reductions in funding to Extended Employment Services and Long Term Employment Support Services from the Department of Rehabilitative Services Economic Development Fund reserved for employment service organizations.)

Item 347 #3s

Health And Human Resources

Department Of Rehabilitative
Services

Language

Language:

Page 344, after line 6, insert:

"E. Funds for Extended Employment Services, Long Term Employment Support Services and Economic Development within the Department of Rehabilitative Services shall be allocated based on recommendations from the established ESO/LTESS Steering Committee. The responsibilities of the established steering committee will include oversight of the same programs."

Explanation:

(This amendment clarifies the role and responsibilities of the established ESO/LTESS Steering Committee for oversight of employment services provided to the Department of Rehabilitative Services by Employment Service Organizations.)

 Item 347 #4s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$226,074	GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,074,999".

Page 344, line 2, unstrike the second "\$1,311,000".

Page 344, line 3, strike "\$1,119,926".

Explanation:

(This amendment fully restores the Governor's proposed reductions of \$226,074 in FY 2004 for specialized services (\$35,000) and community support services and outreach (\$191,074) that are provided to persons with brain injuries to assist them in returning to work and community living.)

 Item 347 #5s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$142,752	GF

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 #6s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$163,000	GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,011,925".

Explanation:

(This amendment provides \$163,000 from the general fund the second year to restore one-half of the reduction to long-term employment support services (LTESS) to enable individuals with significant disabilities to maintain employment.)

Item 347 #7s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Rehabilitative Services	\$0	\$243,000	GF

Language:

Page 343, line 24, strike "\$78,848,925" and insert "\$79,091,925".

Page 343, line 37, strike the second "\$3,385,210" and insert "\$3,628,210".

Explanation:

(This amendment restores \$243,000 from the general fund the second year for Extended Employment Services.)

Item 347 #11s

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 352 #1s

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: 1) provide an additional 12 months of day care assistance for those no longer receiving TANF financial assistance, 2) revise eligibility policies to reflect the high cost of child day care in areas of the Commonwealth, and 3) adjust reimbursement rates to reflect current market rates."

Explanation:

(This amendment is self-explanatory.)

Item 352 #2s

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 #3s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	\$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:

(This amendment provides \$100,000 from the general fund 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 #4s

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 #1s

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	\$2,000,000	GF
	\$0	(\$2,000,000)	NGF

Language:

Explanation:

(This amendment provides \$2.0 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 TANF block grant for the community action agencies' general fund appropriation.)

Item 354 #1s

Health And Human Resources
Department Of Social Services

Language

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 355 #1s

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 27, after the stricken language, 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 from the general fund 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 355 #2s

Health And Human Resources
Department Of Social Services

Language

Language:

Page 352, after line 3, insert:

"H. The Department of Social Services shall maintain funding levels for the Healthy Families Virginia Program through a combination of state and federal moneys."

Explanation:

(This amendment provides language expressing the intent that the Department of Social Services continue to provide funds for the Healthy Families Virginia Program. The program is currently funded through a combination of general, federal Title IV-E, and federal Temporary Assistance to Needy Families block grant funds.)

Item 357 #1s

Health And Human Resources	FY 02-03	FY 03-04
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Department Of Social Services	\$0	\$1,392,912	GF
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Language:

Page 354, line 40, strike "\$20,036,083" and insert "\$21,428,995".

Page 354, line 51, strike \$833 and insert \$858.

Explanation:

(This amendment provides funds to increase the auxiliary grant paid to assisted living facilities from the current \$841 per month to \$858 per month, effective July 1, 2003. The grant was increased from \$833 to \$841 per month in December 2002.)

Item 358 #1s

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 is self-explanatory.)

Item 376 #1s

Natural Resources

Secretary Of Natural Resources

Language

Language:

Page 369, after line 3, insert:

"C. Notwithstanding § 10.1-1618 of the Code of Virginia, the County of Roanoke may acquire title to real property associated with projects and programs of the Virginia Recreational Authority upon approval of the Secretary of Natural Resources. The governing body of the County of Roanoke, prior to completion of the transactions for said real property, shall submit an operating plan to the Chairmen of the House Appropriations and Senate Finance Committees describing the terms of the

transaction and the uses to which the real property will be put."

Explanation:

(This amendment permits the County of Roanoke to acquire the facilities known as Explorer Park, owned by the Virginia Recreational Facilities Authority, to ensure that the facilities will continue to provide educational services to the community.)

Item 377 #1s

Natural Resources	FY 02-03	FY 03-04	
Chesapeake Bay Local Assistance	\$0	\$260,468	GF
Department	0.00	3.00	FTE

Language:

Page 369, line 18, strike "\$1,259,644" and insert "\$1,520,112".

Explanation:

(This amendment provides \$260,468 and 3.0 FTE the second year from the general fund to restore a reduction in the Chesapeake Bay Local Assistance Department (CBLAD) included in the Governor's introduced budget. These funds and positions are to remain with CBLAD as it is merged into the Department of Conservation and Recreation (DCR). This will permit DCR to assume the responsibilities of the former CBLAD pursuant to Senate Bill 1116 of the 2003 Session.)

Item 377 #2s

Natural Resources

Chesapeake Bay Local Assistance Department	Language
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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 Item 381.15 requires DCR to draft the merger plan.)

Item 378 #1s

Natural Resources	FY 02-03	FY 03-04	
Chippokes Plantation Farm	\$0	\$184,187	GF
Foundation	\$0	\$67,103	NGF
	0.00	2.00	FTE

Language:

Page 370, line 30, strike "\$0" and insert "\$251,290".

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 #1s

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. 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 Recreation (DCR) to develop the necessary plan for merging the Chesapeake Bay Local Assistance Department into DCR as a new division.)

Item 380 #1s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$216,000	\$1,268,300	GF

Language:

Page 371, line 24, strike "\$23,755,473" and insert "\$23,971,473".

Page 371, line 24, strike "\$18,674,631" and insert "\$19,942,931".

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 #2s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$0	\$500,000	GF

Language:

Page 371, line 24, strike "\$18,674,631" and insert "\$19,174,631".

Page 373, after line 10, insert:

"I. Out of this appropriation \$500,000 the second year from the general fund shall be used to support the state portion of the agricultural best management practices cost-share program."

Explanation:

(This amendment provides funds for the Best Management Practices cost-share program operated by the Department of Conservation and Recreation. This is a voluntary, incentive-based program which supports statewide efforts to reduce nonpoint source pollution. Under this program, the costs for conservation measures are shared by the Commonwealth and individual landowners. Funds for this increase result from a transfer from the Marine Habitat and Waterways Improvement Fund.)

Item 380 #3s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$0	\$370,879	NGF

Language:

Page 371, line 24, strike "\$18,674,631" and insert "\$19,045,510".

Page 373, after line 10 insert:

"I. Included in this appropriation is \$370,879 the second year from the Chesapeake Bay Restoration Fund which shall be distributed by the Department in accordance with the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

Explanation:

(This amendment identifies the projects selected by the Chesapeake Bay Restoration Fund Advisory Committee to be awarded grants from the Chesapeake Bay Restoration Fund. These grants are used by local governments and organizations to implement programs to help restore the Chesapeake Bay in accordance with the Chesapeake Bay Preservation Act.)

Item 380 #4s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$0	\$15,000	GF

Language:

Page 371, line 24, strike "\$18,674,631" and insert "\$18,689,631".

Page 373, line 2, before "from" insert "and \$15,000 the second year".

Explanation:

(This amendment provides \$15,000 the second year from the general fund for the Rappahannock River Basin Commission. Existing language in the Appropriation Act will require that these funds be matched by nonstate sources.)

Item 380 #5s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$50,000	\$0	GF

Language:

Page 371, line 24, strike "\$23,755,473" and insert "\$23,805,473".

Page 372, unstrike lines 52 through 57.

Page 372, line 53, change "\$100,000" to "\$50,000".

Explanation:

(This amendment partially restores funding for the Pretty Lake dredging project that was eliminated in the introduced budget.)

Item 380 #6s

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 #7s

Natural Resources

Department Of Conservation And Recreation

Language

Language:

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 of privately-owned 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 inspecting private dams from the owners of those facilities.)

Item 381 #1s

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 375, after line 8, insert:

"L. The Department of Conservation and Recreation is hereby directed to sublease approximately 23 acres of land at Occoneechee State Park to the Town of Clarksville in exchange for an equivalent parcel of property currently owned by the Town and for access to Town water and sewage services for park facilities. The sublease shall be contingent on approval by the U. S. Army Corps of Engineers. The Department of Conservation and Recreation shall notify the Chairmen of the House Appropriations and Senate Finance Committees in writing of the proposed terms and conditions of the sublease prior to execution of the agreement."

Explanation:

(This amendment directs the Department of Conservation and Recreation to sublease a portion of property at Occoneechee State Park to the Town of Clarksville in exchange for comparable property currently owned by the Town, and access by the park to Town utilities.)

Item 381 #2s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$25,000	\$100,000	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 "\$22,604,718".
- Page 374, line 28, strike italicized "\$400,000" and insert "\$425,000".
- Page 374, line 29, strike italicized "\$400,000" and insert "\$500,000".

Explanation:

(This amendment restores one half of the reduction in the introduced budget to the Virginia Outdoors Foundation (VOF) for the support of land conservation activities. The introduced budget reduced VOF funding by one-third.)

Item 381 #3s

Natural Resources	FY 02-03	FY 03-04	
Department Of Conservation And Recreation	\$86,000	\$215,000	GF

Language:

- Page 373, line 12, strike "\$22,337,903" and insert "\$22,423,903".
- Page 373, line 12, strike "\$22,504,718" and insert "\$22,719,718".

Explanation:

(This amendment restores funding for the Division of State Parks to resume normal operations at False Cape and Sky Meadows State Parks.)

Item 381 #4s

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 behalf of the Commonwealth a gift of land from the Reasor family of Walnut Valley Farm, a property adjacent to the Chippokes Plantation State Park in Surry County."

Explanation:

(This amendment permits the Director of the Department of Conservation and Recreation to accept a gift of approximately 265 acres containing a number of historically important sites.)

Item 381 #5s

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 381.15 #1s

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 #1s

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 376, line 26, after "B." insert "1."

Page 376, after line 31 insert:

"2. From the Waste Water Treatment Revolving Loan Fund, the Director of the Department of Environmental Quality (DEQ) shall grant a \$1,500,000 loan in the first year to the City of Richmond and a \$1,500,000 loan in the first year to the City of Lynchburg, to match federal funding 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 provides 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 #2s

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.

Explanation:

(This amendment removes the restriction that the Department of Environmental Quality maintain a minimum balance in the Virginia Environmental Emergency Fund of at least \$2,000,000.)

Item 385 #1s

Natural Resources	FY 02-03	FY 03-04	
Department Of Environmental Quality	\$0	\$225,000	GF

Language:

Page 378, line 30, strike "\$7,431,316" and insert "\$7,656,316".
 Page 378, line 49, unstrike "and \$225,000 the second year".

Explanation:

(This amendment restores \$225,000 the second year from the general fund for water quality monitoring in the Elizabeth River. The source of these funds is a transfer from the Marine Habitat and Waterways Improvement Fund.)

Item 386 #1s

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 dedicated special revenues 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 3-1.01#24s), that provides the Department of Environmental Quality with a line of credit from the Treasury. This amendment also corrects FY 2003 appropriations to reflect the fact that FY 2003 litter grants have already been awarded.)

Item 386 #2s

Natural Resources	FY 02-03	FY 03-04	
Department Of Environmental Quality	\$0	\$106,600	GF

Language:

Page 379, line 7, strike "\$37,690,101" and insert "\$37,796,701".

Page 379, after line 55, insert:

"E. Out of this appropriation is \$106,600 in the second year for the Citizen Water Quality Monitoring program."

Explanation:

(This amendment restores funds to support the Citizen Water Quality Monitoring Program, which provides training, coordination, technical assistance and testing kits to volunteer citizen monitors throughout the Commonwealth. Funds for this increase are provided from a transfer from the Marine Habitat and Waterways Improvement Fund in amendment Item 3-1.01#24s.)

Item 397 #1s

Natural Resources	FY 02-03	FY 03-04	
Marine Resources Commission	\$0	\$1,503,772	NGF

Language:

Page 386, line 2, strike "\$11,291,382" and insert "\$12,795,154".

Explanation:

(This amendment increases the Marine Resources Commission appropriation for oyster replenishment and other marine habitat and waterways improvement programs. Funds result from anticipated royalty payments for dredging projects on State-owned subaqueous bottomlands.)

Item 397 #2s

Natural Resources	FY 02-03	FY 03-04	
Marine Resources Commission	\$0	\$50,000	GF

Language:

Page 386, line 2, strike "\$11,291,382" and insert "\$11,341,382".

Explanation:

(This amendment provides \$50,000 the second year from the general fund for equipment and supplies used in the oyster replenishment program.)

Item 397 #3s

Natural Resources		
Marine Resources Commission		Language

Language:

Page 387, after line 27, insert:

"K. Notwithstanding § 28.2-1206 of the Code of Virginia, when the activity or project for which a permit is requested will involve the use of state-owned bottom land and for the removal of bottom material in excess of 7.5 million cubic yards to develop a private marine cargo terminal, the permit shall specify a royalty of not more than 20 cents per cubic yard of bottom material removed and bottomland used so long as the dredged material has no commercial value. Funds deposited into the Marine Waterways and Habitat Improvement Fund shall be immediately available for use by the Commissioner of the Virginia Marine Resources Commission."

Explanation:

(This amendment places a cap on the royalty fee that may be assessed for acquiring a permit to dredge large private marine cargo terminals when the dredge material has no commercial value. The amendment also permits the Commissioner of the Marine Resources Commission to expend funds from dredging royalty fees immediately upon their deposit into the fund.)

Item 400 #1s

Natural Resources

Virginia Museum Of Natural History

Language

Language:

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 #2s

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.)

Item 401 #1s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, line 47, insert:
 "D.1. The Secretaries of Public Safety, Health and Human Resources, and Administration shall convene a statewide group to develop a plan that would identify which party or parties is or are responsible for the safety and security of individuals

who are the subject of or who participate in detention and involuntary admission activities carried out pursuant to §§ 37.1- 67.01 et seq. of the Code of Virginia. The plan shall address all phases of the detention and involuntary admission process including transportation; custody for persons under judicial orders; medical evaluation, screening and treatment; and, detention services. The plan shall recognize 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 USC 1395dd, and implementing regulations.

2. The statewide group shall include representatives of the state agencies that are involved in the detention and involuntary civil commitment process; community services boards; general district courts, including magistrates and special justices; law enforcement agencies, including police and sheriff departments; facilities and practitioners providing emergency medical evaluations, treatment or temporary detention; state mental health facilities; local governments; and, other entities as necessary. This statewide group shall report its plan to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2003, including any legislative actions needed to implement the plan. The statewide plan and procedures shall be used to clarify local procedures."

Explanation:

(This amendment requires the development of a plan 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.)

Item 401 #2s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, strike lines 28-46.

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 #3s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, strike lines 19-27 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 #4s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, line 47, insert:

"D. The Secretary of Public Safety shall develop a plan, including any necessary proposed legislation, to provide for the consolidation of alcoholic beverage control law enforcement operations and personnel within the Department of State Police, 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.)

Item 401 #5s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 390, line 47, 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. of the Code of Virginia) to finance required facilities and related capital expenses for the Departments of Corrections, Juvenile Justice, 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 403 #1s

Public Safety

Department Of Alcoholic Beverage Control

Language

Language:

Page 392, following line 7, insert:

"D. No funds appropriated for the enforcement programs of the Department of Alcoholic Beverage Control shall be used by the Department in furtherance of any local law enforcement program involving the unauthorized seizure of any person while such person is engaged in lawful activities on premises licensed for consumption of alcoholic beverages."

Explanation:

(This amendment is self-explanatory.)

Item 403 #2s

Public Safety

Department Of Alcoholic Beverage Control

FY 02-03

\$0

FY 03-04

(\$400,000) NGF

Language:

Page 391, line 30, strike "\$13,179,425" and insert "\$12,779,425".

Page 392, following line 7, insert:

"D. The Department of Alcoholic Beverage Control shall reduce enforcement expenditures by \$400,000 the second year."

Explanation:

(This amendment directs the agency to reduce enforcement expenditures by \$400,000 NGF the second year. A companion amendment in Part 3 transfers this amount to the general fund.)

Item 407 #1s

Public Safety	FY 02-03	FY 03-04	
Department Of Correctional	\$0	\$832,042	GF
Education	0.00	18.00	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 #1s

Public Safety

Department Of Corrections, Central
Activities

Language

Language:

Page 395, strike lines 26 through 31 and insert:

"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 415 #1s		
Public Safety	FY 02-03	FY 03-04	
Division Of Community Corrections	\$0	\$1,000,000	GF

Language:

Page 397, line 19, strike "\$53,836,256" and insert "\$54,836,256".

Explanation:

(This amendment restores \$1,000,000 the second year from the general fund to enable the Department of Corrections to fill 30 probation officer positions that are being held vacant as part of the agency's budget reduction plan.)

	Item 417 #1s	
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 #2s

Public Safety

Division Of Community
Corrections

Language

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 421 #1s

Public Safety

Division Of Institutions

FY 02-03

\$0
0.00

FY 03-04

\$3,600,000 GF
100.00 FTE

Language:

Page 401, line 8, strike "\$362,318,285" and insert "\$365,918,285".

Explanation:

(This amendment provides \$3,600,000 and 100 FTE positions the second year from the general fund to address current security staffing requirements for adult institutions operated by the Department of Corrections. The agency's security staffing formula indicates a requirement for 175 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 #2s

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$0	\$1,550,000	GF
	0.00	30.00	FTE

Language:

Page 401, line 8, strike "\$362,318,285" and insert "\$363,868,285".

Explanation:

(This amendment provides \$1,550,000 and 30.0 FTE positions the second year from the general fund to restore 30 psychologist positions in adult correctional centers.)

Item 421 #3s

Public Safety	FY 02-03	FY 03-04	
Division Of Institutions	\$200,000	\$400,000	GF
	0.00	10.00	FTE

Language:

Page 401, line 8, strike "\$371,672,593" and insert "\$371,872,593".

Page 401, line 8, strike "\$362,318,285" and insert "\$362,718,285".

Page 403, line 44, insert:

"H. Included in this appropriation is \$200,000 the first year and \$400,000 and 10.0 FTE correctional officers the second year to provide perimeter security for the sexually violent predator treatment program, to be operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services, pursuant to Item 331.C. of this act. This program shall be located in the former Intensive Treatment Center at the Southampton Correctional Center complex, or in such facility as shall be determined by the Director of the Department of Corrections and the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services."

Explanation:

(This amendment provides \$200,000 the first year and \$400,000 and 10.0 FTE

positions the second year from the general fund to provide the secure perimeter for the facility required to house sexually violent predators committed pursuant to Senate Bill 1149 of the 2003 session.)

Item 428 #1s

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 408, line 12, after "\$75,000 the first year" insert "and \$50,000 the second year".

Explanation:

(This amendment restores language which is necessary to provide a grant to the Alzheimer's Association National Capital Area Chapter, for which funds were already included in the 2002 appropriation act.)

Item 433 #1s

Public Safety

Department Of Criminal Justice
Services

FY 02-03

\$0
0.00

FY 03-04

\$100,000 NGF
3.00 FTE

Language:

Page 413, line 5, strike "\$1,274,710" and insert "\$1,374,710".

Explanation:

(This amendment provides \$100,000 and three FTE positions the second year from nongeneral funds for the regulation of Special Conservators of the Peace. This amendment is contingent upon final passage of Senate Bill 1240 of the 2003 session.)

Item 434 #1s

Public Safety

Department Of Criminal Justice
Services

FY 02-03

\$345,422

FY 03-04

\$0 GF

Language:

Page 413, line 14, strike "\$168,774,876" and insert "\$169,120,298".

Page 413, line 22, strike "\$168,774,876" and insert "\$169,120,298".

Explanation:

(This amendment adjusts the first year appropriation for the Aid to Localities with Police Departments (House Bill 599) program according to the revised general fund revenue forecast.)

Item 438 #1s

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 444 #1s

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 456 #1s

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 #1s

Public Safety

Department Of State Police

FY 02-03

\$0
0.00

FY 03-04

\$30,000 GF
0.50 FTE

Language:

Page 424, line 50, strike "\$26,759,524" and insert "\$26,789,524".

Explanation:

(This amendment provides \$30,000 and 0.5 FTE position the second year from the general fund for a Child Pornography Registry. This amendment is contingent upon final passage of Senate Bill 1153 of the 2003 session.)

Item 457 #2s

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 development of the State Agency Radio System shall be carried forward for expenditure in the second year.)

Item 459 #1s

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 #2s

Public Safety

Department Of State Police

Language

Language:

Page 427, line 35, 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 Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2003.

Explanation:

(This amendment is self-explanatory.)

Item 471.10 #1s

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 437, strike lines 1 to 11.

Page 437, line 12, strike "B" and Insert "A".

Page 437, line 12, following, "a." insert:

"Consistent with the provisions of SB 1247, SB 847,".

Page 437, line 12, Strike "The" and insert "the".

Page 437, line 18, following "Agency" 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 Senate.)

Item 471.10 #2s

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 SB 1247 and SB 847, 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 Appropriations and Senate Finance Committees, the Chairman of the Senate General Laws Committee, and the Chairman of 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;
- d. 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 SB 1247 and SB 847.)

Item 471.10 #3s

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 Chairman of the Senate General Laws Committee, and the Chairman of the House Science and

Technology Committee that details a draft 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 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 #4s

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 438, after line 49, insert:

"5. Notwithstanding the effective date of SB 1247 and SB 847, 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 SB 1247 and SB 847.)

Item 471.10 #5s

Technology

Virginia Information Technologies

Language

Agency

Language:

Page 438, after line 52, insert:

"5. Notwithstanding the reporting requirements of SB 1247 and SB 847, the Chief Information Officer shall report quarterly on the activities of the Virginia Information Technologies Agency, the status of any consolidations of state agency information technology operations and staff, 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 Chairman of the Senate General Laws Committee, and the Chairman of 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 #2s

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 the Central Appropriations.)

Item 472 #1s

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 480 #1s

Transportation	FY 02-03	FY 03-04	
Department Of Motor Vehicles	\$119,000	\$250,000	NGF
	4.00	4.00	FTE

Language:

Page 448, line 43, strike "\$113,432,764" and insert "\$113,551,764".

Page 448, line 43, strike "\$100,573,362" and insert "\$100,823,362".

Page 450, after line 7 insert:

"F. The Department shall reopen the Middletown truck weigh station on Route 11 in southern Frederick County before June 30, 2003. Included in this Item are appropriations to open and continue operations at the weigh station through the 2002-2004 biennium."

Explanation:

(This amendment reopens this fiscal year the Route 11 weigh station in Middletown. The station was closed as part of the Governor's October budget actions. The funding supports four full-time positions as well as the station's operating costs.)

Item 480 #2s

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 of the *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 administrative officer.)

Item 480 #3s

Transportation	FY 02-03	FY 03-04	
Department Of Motor Vehicles	\$0	\$1,250,000	NGF

Language:

Page 448, line 43, strike "\$100,573,362" and insert "\$101,823,362".

Page 449, line 45, strike "\$10, from \$30 to \$40." and insert "\$15, from \$30 to \$45.".

Explanation:

(This amendment increases the fee proposed by the Governor on the reinstatement fee for every suspended or revoked license that is reinstated. The funds shall be used to expand the use of license agents, institute mobile drivers license teams, and expand self service terminals.)

Item 480 #4s

Transportation	FY 02-03	FY 03-04	
Department Of Motor Vehicles	\$0	\$4,500,000	NGF
	121.00	121.00	FTE

Language:

Page 448, line 43, strike "\$100,573,362" and insert "\$105,073,362".

Page 449, strike lines 16 through 31 and insert:

"B. The customer service centers closed under the Governor's October 2002 budget reduction plan shall be reopened prior to June 30, 2003. Out of the appropriations for this Item are \$4,500,000 from the Commonwealth Transportation Fund and 121.0 full-time equivalent positions to carry out this task.

C. The department is directed to sell the mobile customer service centers. Notwithstanding the provisions of § 2.2-1156, *Code of Virginia*, all proceeds from the sale of this property, estimated to be \$350,000, shall be deposited into the general fund."

Explanation:

(This amendment provides \$4.5 million of nongeneral fund support and 121 FTE positions for the DMV customer service centers closed in October 2002. There are sufficient appropriations in the department's first year from reduced WTA payments and severance costs to fund the reopening of the offices late in FY 2003.)

Item 485 #1s

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 485 #2s

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 490 #1s

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 that travelers on the road with an accident do not usually use.)

Item 491 #1s

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 some \$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 all 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 #2s

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 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 #3s

Transportation

Department Of Transportation

Language

Language:

Page 461, after line 50, insert:

"N. Unless the federal government overrides, 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 when negotiating any proposal submitted under the Public-Private Transportation Act of 1995. State policy 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*."

Explanation:

(This amendment directs the Department of Transportation to follow policy set by the General Assembly to restrict the use of tolls on Interstate 81 in any Public-Private Transportation Act project. This policy can only be overridden by action taken by

the federal government.)

Item 499 #1s

Transportation

Motor Vehicle Dealer Board

Language

Language:

Page 464, strike lines 30 through 36 and insert:

"Notwithstanding the provisions set forth in § 46.2-1527.1 of the *Code of Virginia*, the Motor Vehicle Transaction Recovery Fund shall be governed by these policies:

1. The Board may levy a special assessment on all dealers participating in the Fund in order to maintain the minimum Fund balance as set out in law;
2. The provisions of § 46.2-1527.1 of the *Code of Virginia* shall not apply to applicants for an original motor vehicle dealer's license or to applicants for renewal of such licenses where the applicants elect to maintain continuous bonding;
3. Bonding requirements and recoveries from the Transaction Recovery Fund stipulated in Chapter 15 of Title 46.2 of the *Code of Virginia* shall apply only to those participating in the Motor Vehicle Transaction Recovery Fund;
4. Dealers who choose not to participate in the Motor Vehicle Transaction Recovery Fund must maintain continuous bonding in the amount of at least \$100,000, and the bond shall come from a corporate surety licensed to do business in Virginia; and
5. Applicants for original motor vehicle dealer's licenses or for renewal of motor vehicle dealer's licenses who belong to nonprofit organizations established under the United States Code and whose organizations provide on behalf of its membership a blanket bond in the amount of \$1,000,000 shall satisfy the bonding requirements."

Explanation:

(This amendment sets out the policies governing the Motor Vehicle Transaction Recovery Fund. A companion amendment restores \$100,000 the first year to the Fund to carry out the Fund's purposes.)

Item 503 #1s

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$1,805,228 GF

Language:

Page 468, line 4, strike "\$29,219,480" and insert "\$27,414,252".
 Page 470, line 30, following "first year", strike "and \$1,805,228 the second year"
 Page 470, line 31, strike "year".
 Page 470, line 34, following "first year", 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 section 3-1.01 restores the Non-general Fund appropriation.)

Item 504 #1s

Central Appropriations

Central Appropriations

Language

Language:

Page 472, line 10, following, "2002" strike "and October 1, 2003"

Explanation:

(This amendment eliminates an additional reporting requirement for the Commission on Health Benefits Reform, which has completed its work.)

Item 505.10 #1s

Central Appropriations

FY 02-03

FY 03-04

\$0

\$3,000,000 GF

Language:

Page 484, after line 30, insert:

"505. Out of this appropriation, \$3,000,000 is provided from the general fund in the second year for need-based financial aid for Virginia resident undergraduate students. The State Council of Higher Education for Virginia shall distribute these funds to the higher education institutions based on their need calculations."

Explanation:

(This amendment provides additional funding for student financial aid in light of anticipated tuition increases at public institutions of higher education.)

 Item 510 #1s
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 #1s
Central Appropriations

Central Appropriations

Language

Language:

Page 476, after line 24, Insert:

"510.10. Technology Reform

Fund Sources:

."

"A.1. Consistent with the provisions of SB 1247 and SB 847, the Director, Department of Planning and Budget, is authorized to transfer general fund and nongeneral fund appropriations from Executive Department agencies, 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 SB 1247 and SB 847.)

Item 510.10 #2s

Central Appropriations
Central Appropriations

FY 02-03
\$0

FY 03-04
\$13,985,906 GF

Language:

Page 476, after line 24, Insert:
"510.10. Technology Reform
Fund Sources: General

\$13,985,906
\$13,985,906."

"Consistent with the provisions of SB 1247 and SB 847, 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 SB 1247 and SB 847."

Explanation:

(This amendment is one of two that transfer the amounts budgeted for implementation of technology reform to the Central Appropriations.)

Item 511 #1s

Central Appropriations
Central Appropriations

Language

Language:

Page 480, after line 23, insert:

"M.1. The Virginia Retirement System shall study implementation of an Internal Revenue Service approved Special Pay Plan that is qualified under section 401(a) of the Internal Revenue Code for separating state employees. If the results of this study indicate that such a program would be of value to state employees, the Board is authorized to implement such special pay plan.

2. Such Special Pay Plan shall be limited to employees age 55 or older. The Board may establish such other criteria as are appropriate for the effective and efficient

operation of the plan. Special pay for this program does not include sick leave payments or disability credits in the Virginia Sickness and Disability Program. The Virginia Retirement System may promulgate any regulations necessary to implement these provisions.

3. The Virginia Retirement System shall seek written proposals for the necessary services and programs to implement the plan including investment options and administrative services from any entity authorized to provide such services. In evaluating these proposals, the Virginia Retirement System shall consider the expertise and experience of those submitting the proposals as indicated by the number of Special Pay Plans the offeror currently has in effect, the number of years offering such plans, and the cumulative assets under management in such plans, the fee structure offer to plan participants, and any other factors deemed appropriate by the Board. In developing the Plan, the Virginia Retirement System is authorized to adjust the minimum amount required for participation based on input from employees or to address unexpected hardships.

4. The Plan shall provide permanent savings for all separating state employees participating in the Special Pay Plan of no less than the lesser of 7.65 percent or the FICA percentage applicable to all annual leave payments subject to the Plan. Separated state employees who request and are entitled to an immediate distribution from the Plan shall be guaranteed payment of the entire amount of Special Pay, plus earnings, and less any mandatory income tax withholding no more than seven days from the date payment is made to the Plan on behalf of the separated state employee. The amount reimbursed from the Plan subject to the seven day requirement shall not be reduced for any administrative or investment expenses."

Explanation:

(This amendment authorizes a special pay plan as qualified by the Internal Revenue Service for separating state employees.)

Item 511 #2s

Central Appropriations

Central Appropriations

Language

Language:

Page 479, line 39, following "year" strike "representing savings in VRS retirement"

Page 479, strike lines 40 to 42.

Explanation:

(This amendment clarifies the nature of additional savings on VRS retirement contributions for FY 2004.)

Item 511 #3s

Central Appropriations**FY 02-03****FY 03-04**

Central Appropriations

\$0

\$52,450,000 GF

Language:

Page 476, line 26, strike "\$16,723,273" and insert "\$35,726,727".

Page 479, after line 52, insert:

"J.1. This appropriation includes \$52,450,000 to provide a 2 percent increase in base compensation on November 25, 2003 and December 1, 2003, respectively for:

2. State classified employees, as established in subparagraphs 2 a through 2 d of paragraph B of this item;

3. Teaching and Research and Administrative faculty of state-supported institutions of higher education, and;

4. State-supported local employees as set out in subparagraph 2 e of paragraph B of this item.

5. Included in the amounts provided in this paragraph is \$16,200,000 which shall be transferred to the Department of Education. It is the intent of the General Assembly that these funds be combined with half of the additional Lottery profits over the amount in Chapter 899, 2002 Acts of Assembly, estimated at \$8,132,356, for a total of \$24,332,356. The \$16,200,000 appropriated in this paragraph shall be provided to school divisions which certify to the Department of Education, no later than March 1, 2004, that salary increases of 2 percent for instructional and support staff employed by local school divisions effective on January 1, 2004 have been granted in FY 2004.

6. 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. Following the preparation of this forecast, the salary actions authorized in Paragraphs J.1, J.2, J.3, J.4 and that portion of the amount in paragraph J.5. that is provided in this item, may be decreased as one of the actions taken to reduce the general fund budget by the amount that is required to offset a further 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 percent for state classified employees, faculty, state-supported local employees, and teachers.)

Item 512 #1s

Central Appropriations

Central Appropriations

Language

Language:

Page 485, after line 11, insert:

"P.1. There is hereby established on the books of the State Comptroller a nonreverting nongeneral fund titled "Global Settlement Fund". The Fund shall consist of monies deposited to it from any monies received by the Commonwealth of Virginia as 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.

2. In the event that such monies are in the form of fines or monetary penalties, they shall be deposited to the Literary Fund as required by the Constitution of Virginia and are hereby appropriated to Item 146 of this act to offset general fund support for school employee retirement and social security benefits. Subsequent to this action, the Director, Department of Planning and Budget, shall transfer the equivalent amount of the general fund appropriation in Item 146, released by the additional appropriation of Literary Fund revenues, to the Global Settlement Fund."

Explanation:

(This amendment creates a special fund in Central Appropriations for the deposit of funds from the State Corporation Commission for the settlement of litigation with various investment firms. Should the funds from the settlement be fines or penalties, the funds would be deposited to the Literary Fund, with a corresponding reduction in general fund support for teacher retirement benefits.)

Item 512 #2s

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. In Fiscal Year 2003, all such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund. In Fiscal Year 2004, 75 percent of such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund. The remaining 25 percent shall be deposited to the general fund of the state treasury."

Explanation:

(This amendment directs the Virginia Economic Development Partnership to recover past grants when the investment and job creation goals are not met. In FY 2003, such collections are to be deposited to the Governor's Development Opportunity Fund. In FY 2004, the collections are deposited to both the Governor's Development Opportunity Fund (75 percent of the proceeds) and to the general fund (25 percent of the proceeds).)

Item 512 #3s

Central Appropriations	FY 02-03	FY 03-04	
Central Appropriations	\$0	\$135,000	GF

Language:

Page 480, line 25, strike "\$22,893,238" and insert "\$23,028,238".

Explanation:

(This amendment provides the General Fund share for the operation of the Department of General Service's internal mail system for state agencies at the seat of government as an internal service fund.)

Item 513.1 #1s

Central Appropriations	FY 02-03	FY 03-04	
Central Appropriations	\$0	(\$5,500,000)	GF

Language:

Page 486, after line 18, insert:

"513.1. Reversion Clearing Account --	\$0	(\$5,500,000)
Economic Development Consolidation		
Fund Sources: General	\$0	(\$5,500,000)."

"A. 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 Secretaries of Education and Technology, the Department of Planning and Budget, and the clients of services potentially affected by the consolidation.

B. 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, the Virginia-Israel Advisory Board, and the Innovative Technology Authority.

C. 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 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 explain how the savings are to be achieved as well as how many positions and dollars are to be allocated to each of the new agency's activities and services. The Secretary may use nongeneral funds, where appropriate, to supplant a portion of the general fund reductions set out in this Item.

D. If the Secretary concludes that the savings cannot be met from reductions to the operating budgets of these agencies, he is authorized to sell the Innovative Technology Authority facility in Herndon, Virginia, and use the proceeds from the sale to meet the budget reductions in this Item. In the event of a sale, the Commonwealth shall continue to meet its obligation to provide rental subsidies required in the agreement with the Software Productivity Consortium. The Secretary 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.

E. In developing policies, objectives and strategies to enhance economic development in technology, the Secretary shall emphasize activities to help owners to commercialize intellectual property as opposed to licensing it directly or getting involved in ownership issues; to serve as a facilitator of economic development in

technology and not as an investor; to promote technology-based solutions to current and future business issues; and to promote the incubation of technology companies but not to operate any incubators.

F. 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.

G. It is the intent of the General Assembly that legislation be introduced in the 2004 Session of the General Assembly amending the Code of Virginia to effect the reorganization contained in this Item."

Explanation:

(This amendment consolidates several agencies in the Commerce and Trade, Education, and Technology secretariats into a single economic development agency. The amendment includes a general fund savings of \$5.5 million in FY 2004.)

Item 514 #1s

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 #1s

Nonstate Agencies

State Grants To Nonstate
Entities-Nonstate Agencies

Language

Language:

Page 501, line 61, after "Center", insert " Foundation, Inc.".

Explanation:

(This amendment changes "Virginia Agriculture & Nature Center" to "Virginia Agriculture & Nature Center Foundation, Inc.")

Item C-0 #1s

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; provided, however, that the Director, 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 to Item C-122.7 replaces the general fund appropriation with a nongeneral fund appropriation.)

Item C-0 #2s

General Conditions

General Conditions

Language

Language:

Page 504, strike lines 51 through 54.

Page 505, strike lines 1 through 8 and insert:

"E.1. 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. Such expenditures shall be subject to rules and regulations prescribed by the Governor.

2. 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. The Department of Planning and Budget is authorized to provide an

exemption to the maintenance reserve threshold of \$1,000,000 if a requested project exceeds this amount, but meets all other program criteria and can be handled more cost-effectively as a single project.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities totally supported by nongeneral funds shall accomplish maintenance through the use of nongeneral funds."

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 increases the current \$500,000 threshold established administratively with \$1 million and allows the Director of the Department of Planning and Budget to grant exemptions, as necessary. Under this amendment, institutions would still be required to comply with all other maintenance reserve policies and guidelines.)

Item C-1.30 #1s

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:	\$124,542,000
Fund Sources: Dedicated Special Revenue	\$5,972,000
Bond Proceeds	\$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, without limitation, constructing, improving, furnishing, maintaining, and renovating buildings, facilities, improvements and land therefore; and to exercise any and all powers granted to it by 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	\$ 71,868,000
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	\$ 118,570,000

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, 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 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 in regard to the renovation of the Old Finance Building, and renovation of the Washington Building projects included in paragraph A 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 partnership, and 2) provide private funds for the fixtures and furnishings required for renovation of the Capitol.)

Item C-1.20 #1s

Administration	FY 02-03	FY 03-04
Department Of General Services	\$0	(\$54,500,000) NGF

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 #1s

Administration

Department Of General Services

Language

Language:

Page 509, strike lines 12 to 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-6.25 #1s

Education: Higher Education

Christopher Newport University

FY 02-03

\$4,000,000

FY 03-04

\$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 acquire supplemental properties, as identified in the university's Master Site Plan.)

Item C-11.35 #1s

Education: Higher Education

The College Of William And Mary
In Virginia

FY 02-03

\$5,200,000

FY 03-04

\$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-11.40 #1s

Education: Higher Education	FY 02-03	FY 03-04
The College Of William And Mary In Virginia	\$5,000,000	\$0 NGF

Language:

Page 511, after line 37, insert:

"C-11.40. New Construction: Supplement for Marshall-Wythe Renovation and Expansion	\$5,000,000
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Fund Sources: Higher Education Operating Bond Proceeds	\$5,000,000".
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Explanation:

(This amendment provides supplemental nongeneral funds for the Marshall-Wythe School of Law Renovation and Expansion project approved in the 2002 General Obligation Bond referendum. Of the \$5 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 #1s

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
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Fund Sources: Higher Education Operating \$200,000".

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 #1s

Education: Higher Education	FY 02-03	FY 03-04
George Mason University	\$0	\$2,856,000 NGF

Language:

Page 513, line 4, strike "\$0" and insert "\$2,856,000".
 Page 550, line 27, strike both instances of "\$15,000,000" and insert "\$17,856,000"

Explanation:

(This amendment provides supplemental 9(d) revenue bond authority to add an additional 200 parking spaces.)

Item C-20.50 #1s

Education: Higher Education	FY 02-03	FY 03-04
George Mason University	\$2,000,000	\$0 NGF

Language:

Page 514, line 23, strike "\$5,000,000" and insert "\$7,000,000".

Explanation:

(This amendment increases supplemental funding for the Patriot Center by an additional \$2 million. Funding for this project will be provided through 9(d) nongeneral fund bonds.)

Item C-24.25 #1s

Education: Higher Education	
James Madison University	Language

Language:

Page 515, after line 31, insert:

"C-24.25.

Fund Sources:

"1. 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 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. Subject to §4-4.01x, 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 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 said public or private entity to lease all or a portion of said facilities.

3. Subject to §4-4.01x, 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 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 authorizes James Madison University to enter into a public-private partnership to provide parking, housing or related facilities.)

Item C-24.25 #2s

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 said 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.)

Item C-25.05 #1s

Education: Higher Education

FY 02-03

FY 03-04

Longwood University

\$0

\$25,000,000 NGF

Language:

Page 515, after line 41, insert:

"C-25.05. New Construction: Student

\$25,000,000

Housing

Fund Sources: Higher Education Operating

\$25,000,000".

"1. Subject to §4-4.01x, 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.

2. Longwood University is further authorized to enter into written agreements with LUREF to support such student housing facilities, which support may include agreement 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 provides authority to pursue alternative financing agreements for dormitory facilities along with nongeneral fund authority to support a project agreed to under such an arrangement. Financing arrangements would be paid through student room fees associated with the facilities.)

Item C-28 #1s

Education: Higher Education	FY 02-03	FY 03-04
Norfolk State University	\$0	(\$428,143) GF

Language:

Page 516, line 24, strike "\$856,285" and insert "\$428,142".

Explanation:

(This amendment reduces funding for the stand-alone maintenance reserve item at NSU by 50 percent, consistent with the Governor's actions to reduce funding at all institutions and agencies. A companion amendment provides supplemental funding for NSU through the central account maintenance reserve item.)

Item C-28.25 #1s

Education: Higher Education	FY 02-03	FY 03-04
Norfolk State University	\$500,000	\$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 through the Virginia College Building Authority to purchase the hospital property located adjacent to Norfolk State University's campus.)

Item C-28.30 #1s

Education: Higher Education

Norfolk State University

Language

Language:

Page 517, after line 2, insert:

"C-28.30.

Fund Sources:

"1. Subject to §4-4.01x, 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, which support may include agreement 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 authorizes Norfolk State University to enter a public-private partnership for student housing.)

 Item C-28.30 #2s
Education: Higher Education

Norfolk State University

Language

Language:

Page 517, after line 2, insert:

"C-28.30. New Construction: Construct
RISE I Facility

Fund Sources:

"1. Subject to §4-4.01x, 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. Subject to the facility meeting code requirements, Norfolk State University is further authorized to purchase the RISE I facility from E2F at a price not to exceed \$18 million."

Explanation:

(This amendment is self-explanatory.)

Item C-34.05 #1s

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 provides an increase in nongeneral funds for the Medical Research Building (MR-6) project. The supplemental funds will be used to outfit 30,000 gross square feet of laboratory facilities. Funding will be provided by higher education operating funds.)

Item C-47.20 #1s

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".

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, which is currently located in Monroe Hall. 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 #1s

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 Enterprise Projects Fund Sources: Higher Education Operating	\$3,000,000 \$3,000,000".
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Explanation:

(This amendment provides nongeneral fund authority for the University to address maintenance needs in its auxiliary facilities.)

Item C-47.95 #2s

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 Fund Sources: Higher Education Operating	\$1,500,000 \$1,500,000".
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Explanation:

(This amendment provides nongeneral fund authority to construct 12,000 to 18,000 gross square feet of space that will accommodate faculty, staff, and students as the university renovates major academic buildings over the next six to eight years. 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 #3s

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 (16380)

Fund Sources: Higher Education Operating \$22,000,000".

Explanation:

(This amendment provides 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 #1s

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 provides additional 9(d) debt authority for the University of Virginia Hospital to expand clinical offices and install a second chiller. Debt service will be provided through hospital revenues.)

Item C-59 #1s

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".

Page 551, line 19, strike "\$22,000,000" and insert "\$29,000,000"

Explanation:

(This amendment provides supplemental authority to issue 9(d) debt for the Academic Campus Housing III project.)

Item C-67.55 #1s

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
Greenhouse, Virginia Highlands

\$500,000

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 #2s

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
Portsmouth Campus

\$10,000,000

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 2002 General Obligation Bond referendum. The nongeneral funds reflect the local share of this project.)

Item C-67.55 #3s

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

Fund Sources: Higher Education Operating \$1,000,000".

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 laboratories and classrooms for a shared nursing education program with John Tyler Community College. This will provide 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 #4s

Education: Higher Education	
Virginia Community College System	Language

Language:

Page 527, after line 34, insert:

"C-67.55.

Fund Sources:

1. The State Board for Community Colleges, with the approval of the Governor as otherwise provided by law, is authorized to accept title from the Danville Community College Educational Foundation, Inc., at no cost to the Commonwealth, for 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, 2002 Acts of Assembly.

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 #5s

Education: Higher Education

Virginia Community College System

Language

Language:

Page 527, after line 34, insert:

"C-67.55.

Fund Sources:

"1. The State Board for Community Colleges, with the approval of the Governor 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 #1s

Education: Higher Education

Virginia Military Institute

FY 02-03

\$887,000

FY 03-04

\$0 NGF

Language:

Page 528, after line 11, insert:

"C-71.10. Improvements: Renovate and Enlarge Patchin Field House

\$887,000

Fund Sources: Higher Education Operating

\$887,000".

Explanation:

(This amendment provides nongeneral fund authority for the renovation and expansion of student locker room facilities at Patchin Field House. Funding will be provided through private gifts and auxiliary enterprise revenues.)

Item C-80.15 #1s

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

\$750,000

Fund Sources: Higher Education Operating

\$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.)

Item C-83 #1s

Education: Higher Education**FY 02-03****FY 03-04**

Virginia State University

\$0

(\$787,845) GF

Language:

Page 531, line 21, strike "\$2,298,691" and insert "\$1,510,846".

Explanation:

(This amendment reduces funding for the stand-alone maintenance reserve item at VSU by 50 percent, consistent with the Governor's actions to reduce funding at all institutions and agencies. A companion amendment provides supplemental funding for VSU through the central account maintenance reserve item.)

Item C-122.70 #1s

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 to Item C-0 transfers an identical amount of general fund appropriation from the project to the general fund.)

Item C-123.11 #1s

Office of Public Safety	FY 02-03	FY 03-04
Department of Corrections	\$0	\$26,000,000 NGF

Language:

"C-123.11. Fund Sources: Bond Proceeds Page 540, line 10, insert: C-123.11. New Construction: St. Brides Phase II (15755) Fund Sources: Bond Proceeds.....\$0 \$26,000,000" \$0 \$26,000,000 \$0". \$26,000,000".

Explanation:

(This amendment provides \$26,000,000 from the proceeds of Virginia Public Building Authority Section 9(D) revenue bonds for construction of Phase II of the replacement facility for St. Brides Correctional Center in the City of Chesapeake. A companion amendment to Item C-154.10 provides authority for the VPBA bonds.)

Item C-144.10 #1s

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
 \$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-149 #1s

Central Appropriations	FY 02-03	FY 03-04
Central Capital Outlay	\$0	\$12,500,000 GF

Language:

Page 545, line 4, strike "\$12,459,229" and insert "\$24,959,229".

Page 545, strike lines 14 to 54.

Page 546 strike lines 1 to 47, and insert:

2002 - 2004 Appropriations

<u>Agency Name</u>	<u>Project Code</u>	<u>FY 2003</u>	<u>FY 2004</u>
Department of Military Affairs	10893	\$196,073 \$98,037	\$202,36 \$101,182 \$193,669
Department of Emergency Services	15989	\$3,335 \$1,668	\$3,442 \$1,721 \$3,294
Department of Criminal Justice Services	16320	\$4,147 \$2,074	\$4,280 \$2,140 \$4,096
Science Museum of Virginia	13634	\$311,868 \$155,934	\$321,874 \$160,937 \$308,043
Department of State Police	10886	\$71,794 \$35,897	\$74,098 \$37,049

			\$70,914
Department of Taxation	15994	\$63,793	\$65,840
		\$31,897	\$32,920
			\$63,011
Department of General Services	14260	\$956,861	\$979,534
		\$478,431	\$489,767
			\$937,445
Department of Conservation & Recreation	16646	\$232,416	\$236,665
		\$116,208	\$118,333
			\$226,497
Woodrow Wilson Rehabilitation Center	10885	\$404,056	\$417,020
		\$202,028	\$208,510
			\$399,101
College of William and Mary	12713	\$967,669	\$986,317
		\$483,835	\$493,159
			\$943,937
University of Virginia	12704	\$3,067,399	\$3,126,512
		\$1,533,700	\$1,563,255
			\$2,992,167
Virginia Polytechnic Institute & State University	12707	\$3,167,116	\$3,228,150
		\$1,583,558	\$1,614,074
			\$3,089,438
Virginia Military Institute	12732	\$526,310	\$536,453
		\$263,155	\$268,227
			\$513,403
Virginia State University	12733	\$390,638	\$0
		\$195,319	\$720,140
Norfolk State University	12724	\$178,333	\$0
		\$89,167	\$391,349
Longwood College <i>University</i>	12722	\$572,228	\$583,256
		\$286,114	\$291,628
			\$558,194
Mary Washington College	12723	\$212,493	\$216,588
		\$106,247	\$108,294
			\$207,281

James Madison University	12718	\$910,966 \$455,483	\$928,522 \$464,261 \$888,624
Radford University	12731	\$387,221 \$193,611	\$394,683 \$197,342 \$377,725
Virginia School for the Deaf and the Blind at Staunton	14082	\$105,997 \$52,999	\$109,398 \$54,699 \$104,697
Melchers-Monroe Memorials	13565	\$4,165 \$2,083	\$4,299 \$2,150 \$4,115
Old Dominion University	12710	\$625,294 \$312,647	\$637,344 \$318,672 \$609,958
Virginia Commonwealth University	12708	\$1,988,678 \$994,339	\$2,027,002 \$1,013,500 \$1,939,902
Virginia Museum of Fine Arts	13633	\$295,996 \$147,998	\$305,493 \$152,747 \$292,367
Frontier Culture Museum of Virginia	15045	\$37,481 \$18,741	\$38,684 \$19,342 \$37,022
Richard Bland College	12716	\$24,042 \$12,021	\$24,505 \$12,253 \$23,453
Christopher Newport University	12719	\$173,783 \$86,892	\$177,132 \$88,566 \$169,521
University of Virginia's College at Wise	12706	\$123,786 \$61,893	\$126,172 \$63,086 \$120,751
George Mason University	12712	\$1,103,699 \$551,850	\$1,124,968 \$562,483 \$1,076,627
Virginia Community College	12611	\$2,293,834	\$2,338,040

System		<i>\$1,146,917</i>	<i>\$1,169,019</i>
			<i>\$2,237,575</i>
Virginia Institute of Marine Science	12331	<i>\$158,129</i>	<i>\$163,203</i>
		<i>\$79,065</i>	<i>\$81,602</i>
			<i>\$156,191</i>
Department of Agriculture & Consumer Services	12253	<i>\$65,407</i>	<i>\$67,506</i>
		<i>\$32,704</i>	<i>\$33,753</i>
			<i>\$64,605</i>
Marine Resources Commission	16498	<i>\$792</i>	<i>\$817</i>
		<i>\$396</i>	<i>\$409</i>
			<i>\$783</i>
Department of Forestry	13986	<i>\$58,607</i>	<i>\$60,487</i>
		<i>\$29,304</i>	<i>\$30,244</i>
			<i>\$57,889</i>
Gunston Hall	12382	<i>\$26,635</i>	<i>\$27,490</i>
		<i>\$13,318</i>	<i>\$13,745</i>
			<i>\$26,309</i>
Jamestown-Yorktown Foundation	13605	<i>\$246,482</i>	<i>\$254,391</i>
		<i>\$123,241</i>	<i>\$127,196</i>
			<i>\$243,461</i>
Department of Blind and Vision Impaired	13942	<i>\$90,768</i>	<i>\$93,681</i>
		<i>\$45,384</i>	<i>\$46,841</i>
			<i>\$89,657</i>
Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	<i>\$2,496,219</i>	<i>\$2,576,308</i>
		<i>\$1,248,110</i>	<i>\$1,288,153</i>
			<i>\$2,465,605</i>
Department of Juvenile Justice	15081	<i>\$734,355</i>	<i>\$757,916</i>
		<i>\$367,178</i>	<i>\$378,958</i>
			<i>\$725,349</i>
Department of Corrections	10887	<i>\$1,628,074</i>	<i>\$1,680,310</i>
		<i>\$814,037</i>	<i>\$840,154</i>
			<i>\$1,608,107</i>
Virginia Museum of Natural History	14439	<i>\$16,267</i>	<i>\$16,789</i>
		<i>\$8,134</i>	<i>\$8,395</i>
			<i>\$16,069</i>
Southwest Virginia Higher	16499	<i>\$896</i>	<i>\$925</i>

Education Center	\$448	\$463
		\$886
Total	<u>\$24,924,102</u>	<u>\$24,918,458</u>
	\$12,462,062	\$12,459,229
		\$24,959,227

Page 547, following line 32, insert:

"Funds included in this item for Norfolk State University and Virginia State University are designated for deferred maintenance needs identified in the Maintenance Backlog Plan for Educational and General Facilities. "

Explanation:

(This amendment restores the \$12.5 million reduction in maintenance reserve that was proposed in the budget, as introduced. This table is presented with two sets of strike-throughs to clearly show the changes made in each agencies' planned allocation from the Central Maintenance Reserve Account. It is the intent of the General Assembly that this table be enrolled to show only the original appropriation stricken through and the new amount.)

Item C-149 #2s

Central Appropriations	FY 02-03	FY 03-04
Central Capital Outlay	\$0	\$300,000 GF

Language:

Page 545, line 4, strike "\$12,459,229" and insert "\$12,759,229".

Page 547, following line 32, insert:

"Out of the amounts for Maintenance Reserve shall be paid \$300,000 the second year for the costs of an audit of the Commonwealth's deferred maintenance needs.

The Auditor of Public Accounts shall perform an audit to determine the amount of deferred maintenance costs in the Commonwealth. The Auditor shall conduct the audit in phases with a preliminary report of the audit scope to be presented to the Chairmen of the Senate Finance and House Appropriation Committees in May of 2003, an interim progress report to the General Assembly by December of 2003, and the final report by December 2004. The first phase of the audit shall give consideration to including not only large agencies and institutions with facilities, but agencies and institutions that have public safety and health facilities.

To assist the Auditor of Public Accounts, the following agencies and institutions shall designate and assign at least one individual from each entity to assist in the audit: Department of General Services, the Virginia Community College System, George Mason University, Department of Transportation and the State Council of Higher Education for Virginia. These individuals should have sufficient experience and knowledge to assist the Auditor of Public Accounts in developing procedures for collecting information and assisting agency and institutional personnel with advice and guidance in implementing, collecting and summarizing information for this audit. These individuals will work with agencies and institutions to ensure that they are properly accumulating information.

The Auditor of Public Accounts will oversee the collection, analysis, and prioritization of the data needed to audit deferred maintenance costs. All state agencies and institutions will work and assist the Auditor of Public Accounts to collect this data in relation to their agency. The Auditor of Public Accounts shall report on the assistance provided to the audit team by the various agencies and institutions.

As part of this audit, the Auditor of Public Accounts shall establish procedures and acquire software to develop and implement a Capital Outlay Deferred Maintenance System throughout all state agencies and institutions to gather information on the maintenance needs of all Commonwealth owned buildings. In addition to acquiring the software, the Auditor of Public Accounts will acquire the necessary training for the state agencies and institutions. "

Explanation:

(This amendment requires the Auditor of Public Accounts to conduct an audit of the Commonwealth's deferred maintenance on capital facilities.)

Item C-154 #1s

Central Appropriations

Nongeneral Obligation Bonds 9(D)

Language

Language:

Page 549, line 56, strike "\$717,459,284" and insert "\$719,459,284".

Page 550, line 38, strike "\$5,000,000" and "\$5,000,000" and insert "\$7,000,000" and "\$7,000,000".

Page 552, line 6, strike "\$717,459,284" and insert "\$719,459,284".

Page 552, line 6, strike "\$756,671,651" and insert "\$758,671,651".

Explanation:

(This amendment corrects the funding requirements for the Patriot Center project at George Mason University.)

Item C-154.05 #1s

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-154.10 #1s

Central Appropriations

Nongeneral Obligation Bonds 9(D)

Language

Language:

Page 555, line 44, strike "92,192,144" and insert "118,192,144".

Page 557, line 16, insert:

"St. Brides Replacement (Phase II) C-123.11 15755 \$26,000,000".

Page 557, line 40, strike "92,192,144" and insert "118,192,144".

Explanation:

(This amendment authorizes Virginia Public Building Authority Section 9(D) revenue bonds in the amount of \$26,000,000 for construction of Phase II of the replacement facility for St. Brides Correctional Center in the City of Chesapeake. A companion amendment to authorize this project is included at Item C-123.11.)

Item 3-1.01 #1s

Transfers

Interfund Transfers

Language

Language:

Page 564, line 45, strike "\$1,685,003" and insert "\$412,253".

Explanation:

(This amendment reverses a portion of the transfer of funds from the Litter Control and Recycling Grant fund to the general fund in the first year only. These dedicated special revenue funds are derived from litter control taxes on beer and soft drink manufacturers, wholesalers and distributors, and retail establishments. Grants from the fund are distributed to local litter prevention, education, and recycling programs.)

Item 3-1.01 #4s

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 #5s

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 #8s

Transfers

Interfund Transfers

Language

Language:

Page 568, line 25, following "year" 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 #9s

Transfers

Interfund Transfers

Language

Language:

Page 563, strike lines 45 through 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 in the first year of the Department of Housing and Community Development per § 3-1.01, Paragraph U.1.)

Item 3-1.01 #10s

Transfers

Interfund Transfers

Language

Language:

Page 566, strike lines 54 and 55.

Page 557, strike lines 1 through 3.

Explanation:

(This amendment is one of two that relocate an increase in Lottery transfers. Such transfers, when achieved as projected in the introduced budget, would likely result in a reduction in overall Lottery profits.)

Item 3-1.01 #11s

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 is one of two that relocate an increase in Lottery transfers. Such transfers, when achieved as projected in the introduced budget, would likely result in a reduction in overall Lottery profits.)

Item 3-1.01 #12s

Transfers

Interfund Transfers

Language

Language:

Page 568, line 34, strike "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 #13s

Transfers

Interfund Transfers

Language

Language:

Page 569, following 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:

(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 #14s

Transfers

Interfund Transfers

Language

Language:

Page 565, line 17, strike "\$4,389,922" and insert "\$4,289,922".

Explanation:

(This amendment restores \$100,000 to the Motor Vehicle Transaction Recovery Fund. A companion amendment sets out the policy governing the collection of fees and providing consumer protection from sources other than the Fund.)

Item 3-1.01 #15s

Transfers

Interfund Transfers

Language

Language:

Page 568, line 43, following "1." strike "The" and insert "Consistent with the provisions of SB 1247 and SB 847, the".

Page 568, line 43, following "fund" insert an amount estimated at \$19,393,549".

Page 568, line 43, following "fund" strike "the following amounts from the".

Page 568, line 44, strike "state agencies and fund sources listed below".

Page 568, strike lines 45 to 56.

Page 569, strike lines 1 to 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 #16s

Transfers

Interfund Transfers

Language

Language:

Page 567, line 7, after "Department of Alcoholic Beverage Control." insert:

"In addition, on or before June 30, 2004, the State Comptroller shall transfer \$400,000 the second year to the general fund from the Alcoholic Beverage Control Fund, representing an additional reduction the second year, to be obtained through reductions in enforcement expenditures by the Department of Alcoholic Beverage Control."

Explanation:

(This amendment transfers \$400,000 the second year from the Alcoholic Beverage Control Fund to the general fund, to reflect the estimated savings achieved from a reduction in enforcement expenditures.)

Item 3-1.01 #17s

Transfers

Interfund Transfers

Language

Language:

Page 569, line 55, strike "\$39,300,000" and insert "\$45,640,700".

Page 569, line 56, strike "\$3,700,000" and insert "\$3,796,800".

Explanation:

(This amendment revises the estimate of deposits to the Tax Amnesty Recovery Fund.)

Item 3-1.01 #18s

Transfers

Interfund Transfers

Language

Language:

Page 567, line 45, strike "\$17,110,062" and insert "\$21,723,550"

Explanation:

(This amendment increases the transfer from the Tax Technology Partnership Fund to reflect the fact that (1) potential interest payments on invoices submitted by the private partner will be avoided through access to a treasury loan, if necessary, and (2) the final payment to close out the project will not occur until fiscal year 2005.)

Item 3-1.01 #19s

Transfers

Interfund Transfers

Language

Language:

Page 560, line 29, strike "\$5,407,413" and insert "\$6,128,199"

Page 560, line 32, strike "\$2,426,629" and insert "\$2,781,643"

Explanation:

(This amendment increases the proportionate allocation of the costs for enhanced sales tax compliance and sales tax collections under Tax Amnesty to local sales tax and the Transportation Trust Fund.)

 Item 3-1.01 #20s
Transfers

Interfund Transfers

Language

Language:

Page 565, line 3, strike italicized "\$14,018,329" and insert "\$9,518,329".

Explanation:

(This amendment restores \$4.5 million of Commonwealth Transportation Funds to DMV to continue operations of the re-opened 12 Customer Service Centers. A companion budget amendment appropriates the funds and 121 FTE positions for the affected Customer Service Centers.)

 Item 3-1.01 #21s
Transfers

Interfund Transfers

Language

Language:

Page 565, line 3, strike italicized "\$21,017,837" and insert "\$20,898,837".

Page 565, line 3, strike italicized "\$14,018,329" and insert "\$13,768,329".

Explanation:

(This amendment restores \$329,000 of Commonwealth Transportation Funds to DMV to re-open the truck weigh station at Middletown. A companion budget amendment appropriates the funds and 4.00 FTE positions to DMV for this purpose.)

 Item 3-1.01 #23s
Transfers

Interfund Transfers

Language

Language:

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 \$1,700,000 the second year. Companion amendments to Items 32, 33, 34, and 35 provide authority for a two dollar increase in this fund, from \$2 to \$4.)

Item 3-1.01 #24s

Transfers

Interfund Transfers

Language

Language:

Page 569, after line 56 insert:

"GGG. Contingent upon the deposit of royalty payments of \$2,000,000 from a single project, the Comptroller shall transfer from the Marine Waterways and Habitat Improvement Fund to the general fund of the state treasury, \$881,600 by June 30, 2004."

Explanation:

(This amendment transfers from the Marine Habitat and Waterways Improvement Fund to the general fund, a portion of the royalties received from a large dredging permit. This transfer will be used to restore general fund water quality programs eliminated in the introduced budget under Items 380, 385, and 386. The remainder of the royalties from this permit will be available to the Marine Resources Commission for oyster restoration and other habitat and waterway improvements.)

Item 3-2.03 #1s

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 #2s

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 571, strike lines 11 through 15.

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 #2s

Adjustments and Modifications to Tax

Collections

Retaliatory Costs to Other States Tax Credit

Language

Language:

Page 573, line 3, following "2003," insert "and the corresponding taxable year,"

Page 573, line 4, strike "the license years beginning on January 1, 2000," an insert "the taxable year 2000,"

Page 573, line 7, strike "2003" and insert "2004, and the corresponding taxable year,"

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 4-1.04 #1s

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 expenditures in excess of the estimated general fund revenues. Provided, 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 Senate Finance, House Finance, and House Appropriations 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 Senate Finance and House Appropriations Committees. Subsequent modifications to the approved reduction plan also must be submitted in writing to the Chairmen of the Senate Finance and House Appropriations 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 or otherwise, shall be forwarded within five calendar days of submission to the Chairmen of the Senate Finance and House Appropriations Committees. Such materials shall be deemed working papers under § 2.2-3705, Code of Virginia, that shall be given confidential treatment and shall not be distributed to persons other than the staff of the Chairmen, who shall maintain the confidentiality of the information. Such working papers shall not be subject to subpoena."

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 allotments 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 Senate Finance and House Appropriations 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."

Explanation:

(This amendment makes adjustments in the general provisions regarding the Governor's authority to impose budget reductions during periods when the General Assembly is not in session.)

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 581, strike lines 33-43 and insert:

"Mandatory fees for purposes other than Educational and General programs shall not be increased for Virginia undergraduates in fiscal year 2003 and in fiscal year 2004 beyond five percent, and beyond the requirements of wage and salary increases, as authorized by the General Assembly. This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services, other fee increases specifically authorized by the General Assembly and due to the small mandatory non-Educational and General program fees currently assess students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified, case-by-case basis, subject to approval by the State Board of Community Colleges. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes and the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase."

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 #1s
Capital Projects

General

Language

Language:

Page 588, strike line 26, and insert:

"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 #2s

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) All 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 renovation and repair projects of \$1 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 #3s

Capital Projects

General

Language

Language:

Page 588, line 12, strike "and"

Page 588, line 13, after Committees, strike "." and insert ", and the 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:

"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 by August 15 of each year. The State Council of Higher Education shall identify the impact of all projects requested by the institutions of higher education, and described in §4-4.01 i.1. above, 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 amendments proposed by the Governor would eliminate 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 #4s

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 #5s

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 PPEA. 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 #1s

Special Conditions and Restrictions on Expenditures

Services and Clients

Language

Language:

Page 593, strike lines 46-51.

Page 594, strike lines 1-2, and insert:

"A public college or university seeking to use any funds, whether from the general fund or nongeneral funds, to create, establish, or operate an off-campus instructional location must first refer the matter to the State Council of Higher Education for Virginia for information, consideration, and recommendation to the Governor and the General Assembly. Further, no institution shall establish a new site without legislative action by the Governor and General Assembly. The Governor and General Assembly shall consider the recommendation of the State Council of Higher Education for Virginia before taking legislative action to approve the creation of the new site. 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. 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. The proposed language makes it clear that institutions must seek review from the State Council of Higher Education for Virginia for all newly proposed site plans and must gain approval by the Governor and General Assembly before establishing such centers.)

Item 4-5.06 #1s

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 of the 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 all vehicles, to the Director of the Department of General Services by June 30 of each year.

c) The Director of the 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 purchase of maintaining the financial accounts of the state agencies affected by such transfers."

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 exempts institutions from seeking approval from the Department of General Services

prior to purchasing or leasing a motor vehicle. Institutions of higher education would still be subject to state procurement laws.)

Item 4-5.06 #2s

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 596 Unstrike lines 13 to 21.

Page 596, line 13, strike "19".

Page 596, line 18, following, "mile." strike "If, in the opinion of" to the end of line 19.

Page 596, line 20, strike, "mile"

Page 596, line 20, following "such", strike "the"

Page 596, line 20, following "use" strike "of personal automobiles"

Explanation:

(This amendment restores mileage reimbursement rates for use of a personal vehicle on State business.)

Item 4-5.06 #3s

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, following "by the" strike "Director" and insert "Chief Information Officer".

Explanation:

(This amendment makes technical corrections to conform language in the budget to the provisions of SB 1247 and SB 846.)

Item 4-5.08 #1s

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 be delegated all post-appropriation review, approval, administrative, policy and procedural functions performed by the Departments of Planning and Budget and General Services for capital projects 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
Radford University	Renovate Young Hall	\$4,716,000
University of Virginia	Renovate Cocke 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 will 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 must be approved by the Governor and General Assembly and is subject to §4-4.01q 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.
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 paragraph 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 §4-4.01k 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; and

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 of the Code of Virginia for all capital outlay projects, excluding those at the University of Virginia Medical Center pursuant to Section 23-77.4 B.1. Nothing in this section shall be deemed to relieve the institution of any reporting requirements pursuant to §2.1-403 and §2.1-404 of the 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 final building inspection, institutions participating in this program will be exempted from central agency review of the project while under design and construction.)

Item 4-5.08 #1s

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 44, insert:

"f.1. The Cabinet Secretary responsible for any duty or authority delegated to an institution of higher education in this act through a pilot program shall develop a memorandum of understanding with participating institutions by September 1, 2003. The memorandum of understanding shall include, but not be limited to, the duty or authority being delegated to the institution of higher education, any policies or procedures with which the institution of higher education must comply, and criteria upon which the institutions will be evaluated periodically by the responsible Cabinet Secretary, or his designee, to ensure that the participating institutions are

performing satisfactorily. If a memorandum of understanding is already in place, the responsible Cabinet Secretary should amend it, if necessary, to ensure that it contains all of the stipulations specified herein.

2. The responsible Cabinet Secretary shall communicate any existing memoranda of understanding to the Auditor of Public Accounts by July 1, 2003 and any subsequent memoranda of understanding or addenda to existing memoranda within 10 business days after the memoranda have been signed.

a. 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.

b. The Secretary shall report all evaluation findings and recommendations to the Governor and Chairmen of Senate Finance and House Appropriations Committees.

c. 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.

d. 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 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 4-5.08 #2s

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 #3s

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 #4s

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 #5s

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, delete lines 36 and 37, insert:

"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 the 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 #6s

Special Conditions and Restrictions on Expenditures

Delegation of Authority

Language

Language:

Page 597, after line 44, insert:

"f.1. By October 1, 2003, the Secretary of Administration, in consultation with Director of the Department of General Services, is hereby directed to establish a list of independent third party firms or individuals qualified to perform fire and life safety reviews, in lieu of a review by the Department of General Services.

2. The Secretary of Administration, in consultation with the Department of General Services, shall establish a pilot program with at least three institutions of higher education to allow selected institutions to contract with an eligible third-party reviewer for fire and life safety reviews on all capital projects. Pursuant to §4-5.08 f., the Secretary of Administration shall establish a memorandum of understanding with selected institutions establishing guidelines for the pilot program no later than October 1, 2003."

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 provides institutions with an alternative third-party reviewer in lieu

of going through the Department of General Services for fire and life safety reviews.)

Item 4-6.03 #1s

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.)

Item 4-7.01 #2s

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:

"d.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 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 #3s

Effective Date

Effective Date

Language

Language:

Page 611, line 44, following "2001.", insert: "Contingent on passage of legislation by the 2003 General Assembly containing provisions of the third and fourth enactments of this act, the third and fourth enactments of this act shall be deleted from the engrossed general appropriation bill that is presented to the Governor for his signature."

Explanation:

(This amendment removes redundant language from the general appropriation bill, contingent on passage of legislation relating to selective deconformity with the

Internal Revenue Service code.)