

Amendments to House Bill 29, as Introduced

Item 0 #1h

Revenues

Revenues

Language

Language:

Page 1, line 34, strike "\$242,103,277" and "\$208,205,555", and insert "\$241,953,277" and "\$208,055,555".

Page 1, line 36, strike "\$11,592,012,479" and "\$22,398,731,798", and insert "\$11,605,384,479" and "\$22,412,103,798".

Page 1, line 38, strike "\$595,363,719" and "\$1,279,582,700", and insert "\$595,363,719" and "\$1,279,582,700".

Page 1, line 42, strike "\$386,118,773." and "\$749,810,200", and insert "\$385,100,000" and "\$748,791,427".

Page 1, line 44, strike "\$12,573,017,694" and "\$24,777,449,143", and insert "\$12,585,520,921" and "\$24,789,952,370".

Page 1, line 48, strike "\$14,955,954,492" and "\$28,486,489,962", and insert "\$14,956,954,492" and "\$28,487,489,962".

Page 1, line 50, strike "\$302,902,000" and "\$1,121,637,371", and insert "\$349,902,000" and "\$1,168,637,371".

Page 2, line 2, strike "\$15,258,856,492" and "\$31,317,766,301", and insert "\$15,306,856,492" and "\$31,365,766,301".

Page 2, line 4, strike "\$27,831,874,186" and "\$56,095,215,444", and insert "\$27,892,377,413" and "\$56,155,718,671".

Explanation:

(This amendment reflects revenue change from the introduced budget.)

Item 0 #2h

Revenues

Revenues

Language

Language:

Page 1, line 34, strike "\$595,363,719" and insert "\$595,513,719".

Page 1, line 34, strike "\$1,279,582,700" and insert "\$1,279,732,700".

Explanation:

(This amendment increases Transfers by \$150,000 resulting from an estimated excess balance in the Regulatory and Consumer Advocacy Revolving Trust Fund of

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the Office of the Attorney General. Current policy expressed in Item 51 of Chapter 1042 of the Acts of Assembly of 2003 directs any balance in the Fund that exceeds \$750,000 on the final day of the fiscal year to be deposited to the credit of the general fund.)

Item 0 #3h

Revenues

Revenues

Language

Language:

Page 1, line 42, strike "\$386,118,773" and insert "\$385,100,000".

Page 1, line 42, strike "\$749,810,200" and insert "\$748,791,427".

Explanation:

(This amendment corrects an error in the Lottery Proceeds Fund. The Part 3 lottery revenue estimate in the introduced caboose bill overstates anticipated revenue by \$1,018,773.)

Item 77.05 #1h

Administration

Department Of General Services

FY 02-03

\$0

FY 03-04

\$225,000 GF

Language:

Explanation:

(This amendment provides additional general fund support to the Department of General Services in order to offset increases in the costs of utilities. The department purchases the steam necessary to heat state-owned office buildings in Capitol Square from the Medical College of Virginia (MCV). As natural gas prices have increased, so has the cost of purchasing steam from MCV. This appropriation also provides some small funding to offset increases in the costs of the agency's janitorial and other service contracts for maintaining the buildings.)

Item 142.10 #1h

Education: Elementary &

FY 02-03

FY 03-04

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Secondary

Department Of Education, Central Office Operations	\$0	(\$127,500)	GF
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Language:

Page 51, after line 1, insert:

Explanation:

(This amendment updates the payment amount needed for Teacher Certification award bonuses in the biennium based on revised participation estimates as of December 2003. The revised estimates decrease the funds needed by \$127,500 the second year.)

Item 147 #1h

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education	\$0	(\$400,000)	GF
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Language:

Page 57, line 38, strike "\$2,752,643,222" and insert "\$2,752,243,222".

Explanation:

(This amendment decreases the total basic aid allocations by \$400,000 for technical update adjustments in fiscal year 2004 based on updated enrollment and participation estimates.)

Item 147 #2h

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education	\$0	(\$9,310,979)	GF
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Language:

Page 57, line 38, strike "\$2,752,643,222" and insert "\$2,743,332,243".

Explanation:

(This amendment decreases the basic aid payment to localities due to the required

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offset adjustment from additional sales tax proceeds generated by the mid-year estimates.)

Item 147 #3h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 78, line 9, strike "first" and insert "second"

Page 78, line 11, strike "2003" and insert "2004".

Explanation:

(This amendment provides the option to localities to carry over any unspent funds in the second year for the Standards of Learning Remediation Program that are unexpended as of June 30, 2004. The funds shall be carried on the books of the locality to be appropriated to the school division in the following year for use in the same program.)

Item 147 #4h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 79, line 40, strike "first" and insert "second"

Page 79, line 42, strike "2003" and insert "2004".

Explanation:

(This amendment provides the option to localities to carryover any unspent funds in the second year for the Standards of Learning Algebra Readiness Program that are unexpended as of June 30, 2004. The funds shall be carried on the books of the locality to be appropriated to the school division in the following year for use in the same program.)

Item 147 #5h

Education: Elementary & Secondary

Direct Aid To Public Education

Language

Language:

Page 80, line 26, strike "first" and insert "second"

Page 80, line 28, strike "2003" and insert "2004".

Explanation:

(This amendment provides the option to localities to carryover any unspent funds in the second year for the School Construction Grants Program that are unexpended as of June 30, 2004. The funds shall be carried on the books of the locality to be appropriated to the school division in the following year for use in the same program.)

Item 148 #1h

Education: Elementary & Secondary

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

(\$9,884,747) GF

Language:

Page 82, line 29, strike "\$1,233,899,374" and insert "\$1,224,014,627".

Page 83, after line 35, insert:

"2) Localities shall use the second year estimated additional lottery proceed funds of \$9,884,747 to support initiatives in the federal No Child Left Behind Act program. These funds shall be carried forward into fiscal year 2005 by the Department of Education and allocated to localities in the same manner as these funds would have been distributed in fiscal year 2004. Locality superintendents shall certify that the funds shall be utilized in such a manner as to support specific activities to achieve goals and objectives within the No Child Left Behind program as described in the locality's action plan for implementing the No Child Left Behind program."

Page 83, line 36, strike "2)" and insert "3)".

Explanation:

(This amendment captures the surplus estimated local lottery proceed balances of \$9.9 million dollars in 2004 fiscal year. The balances will be held by the Department of Education and distributed to localities in fiscal year 2005 for the sole purpose of supporting initiatives that address the goals and objectives in the No Child Left Behind program for the locality.)

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Item 148 #2h

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$16,666,000 GF

Language:

Page 82, line 29, strike "\$1,233,899,374" and insert "\$1,250,565,374".

Explanation:

(This amendment provides an additional \$16.7 million to localities that is based on revised mid-year sales tax proceeds estimates.)

Item 148 #3h

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 83, line 58, strike "first" and insert "second"

Page 84, line 1, strike "2003" and insert "2004".

Explanation:

(This amendment provides the option to localities to carryover any unspent funds in the second year for the Lottery Program that are unexpended as of June 30, 2004. The funds shall be carried on the books of the locality to be appropriated to the school division in the following year for use in the same program.)

Item 401 #1h

Public Safety

Secretary Of Public Safety

Language

Language:

Page 226, after line 2, insert:

"E. Notwithstanding the provisions of Item 480 of Chapter 1042, of the Acts of

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Assembly of 2003, the Secretary of Public Safety, in coordination with the Secretary of Transportation, shall authorize the transfer, for consideration, of the motor vehicle dealer center adjacent to the Franconia Customer Service Center from the Department of Motor Vehicles to the Department of Alcoholic Beverage Control. Furthermore, notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from such transfer shall be deposited into the general fund."

Explanation:

(This amendment clarifies the intent in the current Appropriation Act to transfer property from DMV to ABC and deposit the revenue from the sale in the general fund. The language is needed because current language in Chapter 1042, of the Acts of Assembly of 2003, directs that the property be "sold." According to the Attorney General's office, state agencies "transfer" property to each other, rather than "sell" such property, thus necessitating this clarifying amendment.)

Item 417 #1h

Public Safety

Division Of Community
Corrections

Language

Language:

Page 231, after line 20, insert:

"6. To adjust a previously approved funding level, which had been based on planning study estimates, to the actual project cost as determined by competitive bid."

Explanation:

(This amendment restores language authorizing the Board of Corrections to adjust reimbursement amounts for approved local jail or regional jail projects based on final project cost estimates.)

Item 512 #1h

Central Appropriations

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

"S. Up to \$200,000 of the funding available under Item 491 of Chapter 1042 of the

Amendments to House Bill 29, as Introduced

Acts of Assembly of 2003 for the industrial access road program shall be used to fund the planning and initial preliminary engineering costs for the transportation improvements required as part of the construction of the New Marine Terminal in the City of Portsmouth. Any such funding spent on the improvements described in this paragraph shall be repaid to the industrial access road program once federal authorization of the marine terminal project is received."

Explanation:

(This amendment directs VDOT to provide up to \$200,000 in the second year from the industrial access road program for costs associated with the new marine terminal project in the City of Portsmouth. These funds would be repaid following federal authorization of the project occurs.)

Item 512 #2h

Central Appropriations

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

"S.1. The Secretaries of Technology, Finance, and Administration are directed to expedite initial review of any conceptual proposals for enterprise-wide business modernization efforts submitted under the Public-Private Education Facilities and Infrastructure Act of 2002. A report on the initial review of any conceptual proposal shall be made to the Chairmen of the House Appropriations and Senate Finance committees within 15 days of any determination to reject any proposal or proceed to post notice of acceptance of an unsolicited conceptual proposal and invite competing proposals. Unless any proposal submitted prior to January 1, 2004, is found to be wholly infeasible, the responsible Secretary shall issue an invitation for competing proposals by June 1, 2004. Such review shall be undertaken in accordance with the guidelines adopted by the Secretary of Administration effective December 2002.

2. The Secretaries of Technology, Finance, and Administration shall identify and evaluate opportunities to expand public-private partnerships and present a joint report on the findings of such evaluation to the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2004."

Explanation:

(This amendment directs the Secretaries of Technology, Finance and Administration to expedite review of proposals to expand public-private partnerships for enterprise-wide business modernization efforts and report on opportunities to

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expand such activities by November 15, 2004.)

Education: Higher Education

Norfolk State University

Item C-28.30 #1h

Language

Language:

Page 270, line 28, strike "the".

Page 270, strike line 29.

Page 270, line 30, strike "development of" and insert:
"public or private entity to design, construct and finance".

Page 270, line 33, after "2002.", insert:

"The student housing projects may be located on property owned by the Commonwealth".

Page 270, line 35, strike "NSUF" and insert:

"public or private entity".

Page 271, line 16, strike "the Norfolk State" and insert:

"public or private entity".

Page 271, line 17, strike "University Foundation".

Explanation:

(This amendment authorizes Norfolk State University to pursue development of student housing through the Public-Private Education Facilities Infrastructure Act of 2002.)

Education: Higher Education

University Of Virginia

FY 02-03

\$0

FY 03-04

\$1,000,000 NGF

Item C-47.97 #1h

Language:

Page 273, after line 8, insert:

"C-47.97. Improvements: Renovate Cocke Hall (16584)

\$0 \$1,000,000

Fund Sources: Higher Education Operating

\$0". \$1,000,000".

Explanation:

(This amendment requests a nongeneral fund supplement for the renovation of

Cocke Hall. The source of the nongeneral funds is private gifts and grants.)

Item C-126.10 #1h

Public Safety

Department Of Corrections, Central
Activities

Language

Language:

Page 279, after line 25, insert:

"C-126.10.

1. The General Assembly hereby authorizes the Department of Corrections to contract with the Town of Jarratt, Virginia, for the financing, acquisition, renovation, equipping, maintenance and/or operation of property known as the Jarratt Egg Building, for use in the Department's Agribusiness Program.

2. The Department of Corrections is authorized to enter into a lease purchase agreement with the Town of Jarratt for the property. The lease purchase agreement shall be upon terms and conditions to be negotiated by the parties subject to the written approval of the Governor's designee for approval of real estate transactions and the following conditions. The lease shall provide for payments to begin not later than the fiscal year ending June 30, 2005. Lease payments shall be sufficient to pay debt service and administrative expenses on the bonds to be issued by the Town of Jarratt and to repay the Town for the cost of the property. The bonds shall provide amounts sufficient for the planning, renovation and equipping of the property, including issuance costs and any reserve fund and all interest on the bonds prior to the beginning of the lease payments. The terms and structure of the bonds shall be approved by the Treasury Board as provided in § 2.2-2416(7), Code of Virginia. The lease shall provide for a term of no more than 15 years and shall provide that upon expiration of its term and the payment of the bonds, the property shall convey to the Commonwealth at no additional cost.

3. It is the intent of the General Assembly to appropriate amounts sufficient to pay lease payments."

Explanation:

(This amendment is self-explanatory.)

Item C-152.10 #1h

Amendments to House Bill 29, as Introduced

Central Appropriations	FY 02-03	FY 03-04
Central Capital Outlay	\$0	\$31,800,000 NGF

Language:

Page 281, after line 26, insert:

"C-152.10. New Construction: Medical Research Building (MR-6) Fund Sources: Bond Proceeds	\$0	\$31,800,000 \$0". \$31,800,000".
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Explanation:

(This amendment requests a change in fund source for this project from higher education operating funds to 9(d) nongeneral fund bonds. This amendment will be made to Item C-34.05, Chapter 1042, of the Acts of Assembly of 2003, during enrolling of House Bill 29.)

Item C-152.10 #2h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 281, after line 26, insert:

"C-152.10. Improvements: Rouss Hall

That the following provision shall be stricken from Item C-47.20 during enrolling of House Bill 29:

"The operation and maintenance of this facility shall be the responsibility of nongeneral fund sources."

Explanation:

(This amendment requests the removal of the requirement that nongeneral funds be responsible for the operation and maintenance of this facility. This amendment would be drawn to Item C-47.20, Chapter 1042 of the Acts of Assembly of 2003, during enrolling of House Bill 29.)

Item C-152.10 #3h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 281, after line 26, insert:
"C-152.10. Acquisition: Acquire and
Renovate Hospital Property (16882)

Explanation:

(This amendment allows for the acquisition and renovation of the Norfolk Community Hospital property by Norfolk State University. The amendment would need to be drawn to Item C-28.25, Chapter 1042 of the Acts of Assembly of 2003, during enrolling of House Bill 29.)

Item C-152.10 #4h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 281, after line 26, insert:

"C-152.10.

That the language for Longwood University alternative financing of housing in Item C-25.05, Chapter 1042, of the Acts of Assembly of 2003, shall be changed to reflect the language below during enrolling of House Bill 29:

"1. Subject to § 4-4.01 x. of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) to support student housing projects through alternative financing agreements including public-private partnerships, provided that said projects do not result in a net increase in the number of beds available at Longwood unless the University can demonstrate that private sector alternatives are either not available or not economically impacted by such agreements.

2. Longwood University is further authorized to enter into written agreements with LUREF to support such student housing facilities. The support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University

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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 requests a change to alternative financing authority granted Longwood University during the 2003 Session. This amendment would be drawn to Item C-25.05, Chapter 1042 of the Acts of Assembly of 2003, during enrolling of House Bill 29.)

Item C-152.10 #5h

Central Appropriations	FY 02-03	FY 03-04
Central Capital Outlay	\$0	\$7,500,000 NGF

Language:

Page 281, after line 26, insert:

"C-152.10. New Construction: Fitness Center	\$7,500,000
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Fund Sources: Bond Proceeds	\$7,500,000".
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Explanation:

(This amendment provides additional nongeneral fund bond authority to construct a new 80,000 square foot fitness center at Longwood University. The original project was approved in fiscal year 2001. This amendment provides \$1.6 million supplemental funding for the project. The remaining \$5.9 million replaces anticipated funds from private gifts with nongeneral fund bond authority.)

Item C-152.10 #6h

Central Appropriations	FY 02-03	FY 03-04
Central Capital Outlay	\$0	\$7,700,000 NGF

Language:

Page 281, after line 26, insert:

"C-152.10. New Construction: Construct Addition to Massey Cancer Center (15277)	\$7,700,000
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Fund Sources: Bond Proceeds	\$7,700,000".
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Amendments to House Bill 29, as Introduced

Explanation:

(This amendment provides additional nongeneral fund bond authority to construct an addition to the Massey Cancer Center. The university will privately finance an additional 20,000 square feet of program space. The original project was approved in 2002 bond referendum. This amendment will be made to Item C-54, Chapter 1042, of the Acts of Assembly of 2003, during enrolling of House Bill 29.)

Item 4-11.00 #1h

Conflict with Other Laws

Conflict with Other Laws

Language

Language:

Page 320, strike lines 18 and 19.

Explanation:

(This amendment removes the requirement to enroll the full text of Chapter 1042 of the Acts of Assembly 2003.)