

Request for Amendment to House Bill 29 as Introduced

Chief Patron: Governor Warner

Item 0 #1g

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.)

Chief Patron: Governor Warner

Item 0 #2g

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 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.)

Chief Patron: Saxman

Item 53 #1h

Executive Offices

Division Of Debt Collection

Language

Language:

Page 13, line 29, strike "A."

Page 13, strike lines 35-37.

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Explanation:

(This amendment strikes language providing for the transfer of \$1.6 million in receivables due state agencies to the general fund as revenue. These debts are collected on state agencies' behalf by the Office of the Attorney General's Division of Debt Collection.)

Chief Patron: Fralin

Item 150 #1h

**Education: Elementary &
Secondary**

FY 02-03

FY 03-04

Direct Aid To Public Education

\$0

\$13,432 GF

Language:

Page 84, line 5, strike "\$11,113,652" and insert "\$11,127,084".

Page 85, after line 26, insert:

"3. The Roanoke Valley Governor's School for Science and Technology shall receive \$13,432 the second year from the general fund to restore to level funding."

Explanation:

(This amendment will restore funding that was reduced due to an incorrect lower student enrollment submission to the Department of Education.)

Chief Patron: Morgan

Item 227 #1h

Co-Patron(s): Jones S.C., Landes

Education: Higher Education

FY 02-03

FY 03-04

Virginia Commonwealth University

\$0

\$1,700,000 GF

Language:

Page 119, line 3, strike "\$281,032,447" and insert "\$282,732,447".

Explanation:

(This amendment would restore budget reductions to the family practice residency program.)

Chief Patron: Kilgore

Item 355 #1h

Request for Amendment to House Bill 29 as Introduced

Health And Human Resources	FY 02-03	FY 03-04	
Department Of Social Services	\$0	\$1,340,000	GF

Language:

Page 211, line 38, strike "\$123,477,298" and insert "\$124,817,298".

Explanation:

(This amendment provides state general funds to local departments of social services for the prevention and recovery of fraudulent payments of TANF, Food Stamps, Medicaid, Auxiliary Grants and Child Care financial assistance. In the absence of general fund support, local departments will continue to be required to fund their fraud prevention activities from recoveries.)

Chief Patron: Ingram

Item 382 #1h

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 221, after line 51, insert:

"C. The Department of Environmental Quality shall not reduce the amounts included for the distribution of litter grants to local governments when implementing agency budget reductions or transfers to the general fund."

Explanation:

(This amendment prohibits the Department of Environmental Quality from using the amounts included in its appropriations for the distribution of litter grants to local governments as a means of reducing the agency's budget or accomplishing transfers to the general fund.)

Chief Patron: Dudley

Item 386.05 #1h

Natural Resources

Department Of Environmental
Quality

FY 02-03

\$0

FY 03-04

\$36,500 GF

Language:

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Page 222, after line 1, insert:

"The Department of Environmental Quality, as part of its regular water testing program, shall provide \$36,500 the second year from the general fund to the Smith Mountain Lake Volunteer Water Quality Monitoring Project."

"386.05. Environmental Technical and Financial Assistance"	\$0	\$36,500
Fund Sources: General	\$0	\$36,500."

Explanation:

(This amendment provides a general fund appropriation of \$36,500 in the second year to the Department of Environmental Quality for the Smith Mountain Lake Volunteer Water Quality Monitoring Project. This project has been supported by the Commonwealth for at least the last eleven years, but second-year funding for its continuance was stricken in Chapter 1042 of the Acts of Assembly of 2003.)

Chief Patron: Joannou

Item 398.05 #1h

Co-Patron(s): Ingram

Natural Resources

Marine Resources Commission

Language

Language:

Page 223, after line 28, insert:

"Pursuant to § 28.2-1206, Code of Virginia, when the activity or project for which a permit is requested involves the removal of bottom material in excess of 7.0 million cubic yards to develop a private cargo terminal, the permit shall specify a royalty of not more than 20 cents per cubic yard of bottom material removed."

Explanation:

(This amendment clarifies that dredged bottom material does not have to have no commercial value. It is anticipated that all of the dredged material to develop a private marine cargo terminal will be used by the U.S. Army Corps of Engineers to construct dredged material containment facilities at Craney Island.)

Chief Patron: Armstrong

Item 400 #1h

Natural Resources

Virginia Museum Of Natural History

FY 02-03

\$0

FY 03-04

\$33,333 GF

Request for Amendment to House Bill 29 as Introduced

Language:

Page 223, line 44, strike "\$1,958,447" and insert "\$1,991,780".

Explanation:

(This amendment provides additional general fund dollars for the Virginia Museum of Natural Resources to hire a development director. The dollars provided cover salary and fringe benefits.)

Chief Patron: Governor Warner

Item 401 #1g

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 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.)

Chief Patron: Landes

Item 417 #1h

Public Safety

Division Of Community
Corrections

Language

Language:

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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.)

Chief Patron: Governor Warner

Item 512 #1g

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$225,000 GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,230,841".

Page 254, after line 35, insert:

"S. Out of this appropriation, \$225,000 the second year from the general fund is provided to the Department of General Services for unanticipated utility cost increases at the seat of government."

Explanation:

(This amendment provides funding for the rent plan managed by the Department of General Services. Funding is to be used for unanticipated utility cost increases experienced in the Capitol Complex.)

Chief Patron: Hamilton

Item 512 #2h

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$15,514,648 GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$39,520,489".

Page 254, after line 35, insert:

"S. Included in the appropriation for this item is \$15,514,648 the second year from the general fund for payments to the Virginia Tobacco Settlement Fund as set out in Item 509 B.1., Chapter 1042 of the Acts of Assembly of 2003. Such general fund appropriation represents repayment of the Tobacco Settlement Fund amounts transferred to the general fund pursuant to Chapter 899, Acts of Assembly of 2002."

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Explanation:

(This amendment transfers \$15.5 million from the general fund to the Virginia Tobacco Settlement fund in fiscal year 2004. This amount represents repayment of the fiscal year 2003 transfer from the Tobacco Settlement Foundation to the general fund that was approved by the 2002 General Assembly.)

Chief Patron: Spruill

Item 512 #3h

Central Appropriations

Central Appropriations

Language

Language:

Page 254, after line 35, insert:

"S. The Department of Transportation shall provide \$1,500,000 in the second year from the Commonwealth Transportation Fund to the City of Chesapeake to repair the Jordan Bridge over the Southern Branch of the Elizabeth River linking the Cities of Chesapeake and Portsmouth on Route 337."

Explanation:

(This amendment directs VDOT to provide \$1,500,000 in the second year to repair the Jordan Bridge over the Southern Branch of the Elizabeth River linking the Cities of Chesapeake and Portsmouth on Route 337. The moveable span suffered damage due to a collision with a crane barge on January 3, 2004.)

Chief Patron: Wardrup

Item 512 #4h

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 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."

Request for Amendment to House Bill 29 as Introduced

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.)

Chief Patron: Tata

Item 512 #5h

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$250,000 GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,255,841".

Page 254, after line 35, insert:

"S. Out of the general fund appropriation in this item, \$250,000 the second year is provided to the Hampton Roads Planning District Commission to assist in efforts related to the 2005 federal base realignment and closure process."

Explanation:

(This amendment provides \$250,000 to the Hampton Roads Planning District Commission to be matched by an equal amount of local funding, for the HRPDC to prepare for the 2005 federal base realignment and closure process.)

Chief Patron: Lewis

Item 512 #6h

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$122,400 GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,128,241".

Page 254, after line 35, insert:

"S. Out of this appropriation, an amount not to exceed \$122,400 the second year from the general fund shall be provided for the costs of rebuilding 34 crabhouses on Tangier Island that were destroyed during Hurricane Isabel."

Explanation:

(This amendment provides general fund dollars from the Economic Contingency account established in Central Appropriations to support the rebuilding of crabhouses on Tangier Island. Thirty-four crabhouses were destroyed by Hurricane Isabel.)

Request for Amendment to House Bill 29 as Introduced

Chief Patron: Lewis

Item 512 #7h

Central Appropriations

FY 02-03

FY 03-04

Central Appropriations

\$0

\$62,500 GF

Language:

Page 249, line 45, strike "\$24,005,841" and insert "\$24,068,341".

Page 254, after line 35, insert:

"S. Out of this appropriation, an amount not to exceed \$62,500 the second year from the general fund is provided to Tangier Island to assist in the disposal of debris from Hurricane Isabel."

Explanation:

(This amendment provides general fund dollars from the Economic Contingency account established in Central Appropriations to Tangier Island for post-Hurricane Isabel clean-up costs. The general fund dollars provided by the amendment will support barge fees, labor costs, materials, and administrative expenses.)

Chief Patron: Spruill

Item

C-28.30 #1h

Co-Patron(s): Alexander, Bland, Howell, A., Jones D.C.,
Melvin, Ward, Ware, O.

Education: Higher Education

Norfolk State University

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".

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Explanation:

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

Chief Patron: Putney

Item C-47.97 #1h

Education: Higher Education

FY 02-03

FY 03-04

University Of Virginia

\$0

\$1,000,000 NGF

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.)

Chief Patron: Council

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

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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.)

Chief Patron: Putney

Item C-152.10 #1h

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)

\$0

\$31,800,000

Fund Sources: Bond Proceeds

\$0".

\$31,800,000".

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.)

Chief Patron: Putney

Item C-152.10 #2h

Central Appropriations

Central Capital Outlay

Language

Language:

Request for Amendment to House Bill 29 as Introduced

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.)

Chief Patron: Spruill

Item C-152.10 #3h

Co-Patron(s): Alexander, Bland, Howell, A., Jones D.C.,
Melvin, Ward, Ware, O.

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.)

Chief Patron: Abbitt

Item C-152.10 #4h

Central Appropriations

Central Capital Outlay

Language

Language:

Page 281, after line 26, insert:

"C-152.10.

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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 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.)

Chief Patron: Spruill

Item C-152.10 #5h

Co-Patron(s): Abbitt, Hogan

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

\$7,500,000

Request for Amendment to House Bill 29 as Introduced

Center

Fund Sources: Bond Proceeds

\$7,500,000".

Explanation:

(This amendment provides additional nongeneral fund bond authority to construct a new 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.)

Chief Patron: Governor Warner

Item 3-1.01 #1g

Transfers

Interfund Transfers

Language

Language:

Page 292, line 25, strike "\$384,991,376" and insert "\$383,972,603."

Explanation:

(This amendment adjusts the lottery revenue estimate to correct an overestimate that was included in the introduced bill because of a double count of the transfer from the State Lottery Department for administrative savings in fiscal year 2004.)

Chief Patron: Ingram

Item 3-1.01 #2h

Transfers

Interfund Transfers

Language

Language:

Page 295, line 26, strike "\$1,690,850" and insert "\$490,850."

Explanation:

(This amendment reduces the transfers to be made by the Department of Environmental Quality to the general fund in the second year by \$1.2 million. This reduction is necessary to restore the amounts previously used by the Department to support litter grants to local governments.)