

**Revenues**

Revenues

Language

**Language:**

Item 0, page 1, strike lines 4 through 6 and insert:

"A BILL to appropriate the public revenue for the two years ending respectively on the thirtieth day of June 2007, and the thirtieth day of June 2008, to provide a portion of such revenues, and to amend and re-enact §§ 2.2-1509.2, 33.1-12, 33.1-23.03:1, 33.1-23.03:2, 33.1-23.03:8, 33.1-221.1:1.1, 33.1-221.1:1.2, 46.2-694, 46.2-694.1, 46.2-697, 46.2-698, 46.2-700, 46.2-730, 46.2-752, 46.2-753, 46.2-1135, 58.1-512, 58.1-513, 58.1-603, 58.1-604, 58.1-614, 58.1-625, 58.1-626, 58.1-638, 58.1-802, 58.1-811, 58.1-901, 58.1-902, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, and 58.1-2706 of the Code of Virginia, to amend the Code of Virginia by adding sections numbered 46.2-206.1, 46.2-702.1, 58.1-611.2, 58.1-802.1, and 58.1-2259.1, by adding in Chapter 22 of Title 58.1 an article numbered 8.1, consisting of a section numbered 58.1-2288.1, and by adding in Article 2 of Chapter 25 of Title 58.1 a section numbered 58.1-2531, to repeal the tenth enactment clauses of Chapter 1019 and Chapter 1044 of the Acts of Assembly of 2000, to repeal the second enactment of Chapter 940 of the Acts of Assembly of 2005, and to repeal Chapter 289 of the Acts of Assembly of 1989, as amended and reenacted by Chapter 888 of the Acts of Assembly of 1990 and Chapters 385 and 401 of the Acts of Assembly of 1992, Chapters 139 and 147 of the Acts of Assembly of 1994, Chapters 375 and 458 of the Acts of Assembly of 1996, Chapter 464 of the Acts of Assembly of 1998, and Chapters 501 and 553 of the Acts of Assembly of 2000."

**Explanation:**

(This amendment revises the title of Senate Bill 30 to incorporate the amendments in Part V of the bill.)

**Revenues**

Revenues

Language

**Language:**

Page 1, strike lines 19 through 44 and insert:

"

	<b>First Year</b>	<b>Second Year</b>	<b>Total</b>
Unreserved Balance, June 30, 2006	1,406,520,951	-	1,406,520,951
Additions to Balance	(500,000)	(500,000)	(1,000,000)
Official Revenue Estimates	15,366,105,934	16,108,099,265	31,474,205,199
Lottery Proceeds Fund	426,100,000	426,100,000	852,200,000
Transfers	372,755,281	360,421,243	733,176,524
Total General Fund Resources Available for Appropriation	17,570,982,166	16,894,120,508	34,465,102,674

	<b>First Year</b>	<b>Second Year</b>	<b>Total</b>
Balance, June 30, 2006	2,538,258,284	-	2,538,258,284
Official Revenue Estimates	18,844,585,537	19,275,331,516	38,119,917,053
Bond Proceeds	831,098,170	-	831,098,170
Total Nongeneral Fund Revenues Available for Appropriations	22,213,941,991	19,275,331,516	41,489,273,507
<b>TOTAL PROJECTED REVENUES</b>	<b>39,784,924,157</b>	<b>36,169,452,024</b>	<b>75,954,376,181</b>

"

**Explanation:**

(This amendment reflects general fund and nongeneral fund revenue adjustments included in amendments to the 2006-08 budget, as introduced.)

Item 1 #2s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
General Assembly Of Virginia	\$830,035	\$830,035	GF

**Language:**

Page 3, line 5, strike "\$28,350,017" and insert "\$29,180,052".

Page 3, line 5, strike "\$28,349,690" and insert "\$29,179,725".

**Explanation:**

(This amendment provides \$830,035 each year from the general fund for an additional Legislative Assistant for each committee chairman in the Senate and the House of Delegates.)

Item 1 #3s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
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with Virginia's criminal justice system. All agencies and institutions of the Commonwealth shall cooperate with the joint subcommittee and provide technical assistance, as required. The joint subcommittee shall provide a report on its findings and recommendations to the 2007 Session of the General Assembly."

**Explanation:**

(This amendment creates a joint subcommittee to develop a long-term strategy for addressing the mentally ill in the criminal justice system.)

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Item 1 #6s

**Legislative Department**

General Assembly Of Virginia

Language

**Language:**

Page 7, following line 47, insert:

"G. The Chairman of the Senate Finance Committee shall appoint a joint subcommittee to address the compensation of state agency heads and cabinet secretaries. The Department of Human Resource Management and the Virginia Retirement System shall provide such assistance as the joint subcommittee shall require. "

**Explanation:**

(This amendment creates a joint subcommittee to develop a plan for modernization of agency head compensation.)

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Item 1 #7s

**Legislative Department**

General Assembly Of Virginia

Language

**Language:**

Page 6, strike lines 8 through 56.

Page 7, strike lines 1 through 47.

Page 6, after line 7, insert: "F.1. Upon recommendation by the State Council of Higher Education for Virginia or at their discretion, the Chairmen of the House Appropriations and Senate Finance Committees may convene a special joint subcommittee of their members to review proposed changes to the funding guidelines first adopted by the Joint Subcommittee Studying Higher Education Funding Policies in November 2001, and subsequently amended in 2003 and 2004. Any proposed

changes to the funding guidelines should be consistent with the intent to maintain higher education funding policies and formulas that assess the relative needs of Virginia's public colleges and universities requests for additional funding. These policies and guidelines, as currently implemented and as may be revised, shall (a) recognize differences in institutional mission; (b) provide incentives for achievement and productivity; (c) recognize the growing demand to provide higher education opportunities for Virginia students; and (d) establish funding objectives in areas such as faculty salaries, financial aid, and the appropriate share of educational and general costs that should be borne by resident students.

2. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established and amended by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly. The State Council shall also include recommendations on updating the funding guidelines over time to reflect changes in national data for peer institutions, faculty compensation, the mix of part-time and full-time faculty, staffing patterns, nonpersonal service costs, and other variables, as appropriate."

**Explanation:**

(This amendment updates language for the Joint Subcommittee Studying Higher Education Funding Policies and charges the State Council of Higher Education for Virginia with developing recommendations to revise and update the base adequacy guidelines over time.)

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Item 1 #8s

**Legislative Department**

General Assembly Of Virginia

Language

**Language:**

Page 7, following line 47, insert:

"G. The Chairman of the Senate Finance Committee shall appoint a joint subcommittee to modernize the Commonwealth's system for capital planning and budgeting. In carrying out its work the joint subcommittee shall recommend a process for providing legislative input into the six year capital outlay plan and linking this plan to the capital budgeting process. The Department of General Services, the Department of Planning and Budget, and the State Council for Higher Education in Virginia shall provide such assistance as the joint subcommittee shall require. "

**Explanation:**

(This amendment creates a joint subcommittee to modernize the capital planning and budget system.)

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Item 1 #9s

**Legislative Department**

General Assembly Of Virginia

Language

**Language:**

Page 7, following line 47, insert:

"G. The Chairman of the Senate Finance Committee shall appoint a joint subcommittee to review cost overruns for capital projects. In carrying out its work the joint subcommittee shall recommend a process for re-evaluation of projects with excessive cost increases and revalidate the General Assembly's commitment to continuation of such projects. The Department of General Services, the Department of Planning and Budget, and the State Council for Higher Education in Virginia shall provide such assistance as the joint subcommittee shall require. "

**Explanation:**

(This amendment creates a joint subcommittee to review cost overruns for capital projects.)

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Item 2 #1s

**Legislative Department**

Auditor Of Public Accounts

Language

**Language:**

Page 8, following line 24, insert:

"C. For purposes of reporting under Section 30-133 H.1 of of the Code of Virginia. The Auditor of Public Accounts shall include all appropriated funds and other sources under the control of state-supported institutions of higher education, except for the activity of private gifts, including endowment funds and unrestricted gifts referenced in Section 23-9.2. of the Code of Virginia. The exclusion of this activity does not affect public access to these records unless otherwise specifically exempted by law."

**Explanation:**

(This amendment exempts all public colleges and universities in Virginia from

reporting endowment and private gifts to the Auditor of Public Accounts.)

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Item 2 #2s

**Legislative Department**

Auditor Of Public Accounts

Language

**Language:**

Page 8, after line 24, insert: "C. The Auditor of Public Accounts shall analyze the debt for state-supported institutions of higher education. This analysis shall also consider debt issued and paid by the Commonwealth on behalf of the institutions. Further, the Auditor shall review and evaluate the potential impact of affiliated organizations on an institution's debt capacity. The purpose of this analysis is to determine whether the Commonwealth should develop debt capacity guidelines for Virginia's public institutions of higher education. The institutions and the State Council of Higher Education for Virginia shall provide any assistance and cooperation necessary for the Auditor to conduct this analysis. The Auditor shall provide a report of the results of his analysis to the Chairmen of the House Appropriations and Senate Finance Committees and the Debt Capacity Advisory Committee by December 1, 2006."

**Explanation:**

(This amendment requires the Auditor of Public Accounts to analyze the use of institutional, foundation, and state-supported debt at Virginia's public colleges and universities.)

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Item 4 #1s

**Legislative Department**

Division Of Capitol Police

**FY 06-07**

\$949,039

17.00

**FY 07-08**

\$869,039

17.00

GF

FTE

**Language:**

Page 9, line 2, strike "\$6,153,069" and insert "\$7,102,108".

Page 9, line 2, strike "\$6,153,113" and insert "\$7,022,152".

Page 9, line 6, at the beginning of the line, insert "A."

Page 9, following line 10, insert:

"B. Included in this Item is \$949,039 the first year and \$869,039 the second year which shall be unallotted until such time as a staffing and compensation plan for the

Division of Capitol Police is approved by the Joint Rules Committee."

**Explanation:**

(This amendment provides \$949,039 the first year and \$869,039 the second year from the general fund for 16 additional sworn Capitol Police officers and one secretary for the Division of Capitol Police. Funding is contingent upon approval of a plan by the Joint Rules Committee.)

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Item 4 #2s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Capitol Police	\$300,000	\$300,000	GF

**Language:**

Page 9, line 2, strike "\$6,153,069" and insert "\$6,453,069".

Page 9, line 2, strike "\$6,153,113" and insert "\$6,453,113".

Page 9, line 6, at the beginning of the line, insert "A."

Page 9, following line 10, insert:

"B. Included in this appropriation is \$300,000 the first year and \$300,000 the second year, which shall be unallotted until such time as a career development plan for the Division of Capitol Police is approved by the Joint Rules Committee."

**Explanation:**

(This amendment provides \$300,000 each year for a career development plan for the Division of Capitol Police, including a \$2,000 per year adjustment in salaries for all sworn positions, a shift differential, and salary adjustments and/or bonus payments to reflect the achievement of specific knowledge, skills and abilities. Funding is contingent upon approval of a plan by the Joint Rules Committee.)

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Item 6 #1s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Legislative Services	\$30,000	\$30,000	GF

**Language:**

Page 9, line 34, strike "\$4,858,497" and insert "\$4,888,497".

Page 9, line 34, strike "\$4,858,994" and insert "\$4,888,994".

**Explanation:**

(This amendment provides \$30,000 each year from the general fund for administrative and operational costs for the Brown v. Board of Education Scholarship Awards Committee.)

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Item 6 #2s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Legislative Services	\$15,000	\$15,000	GF

**Language:**

Page 9, line 34, strike "\$4,858,497" and insert "\$4,873,497".

Page 9, line 34, strike "\$4,858,994" and insert "\$4,873,994".

**Explanation:**

(This amendment provides \$15,000 each year from the general fund for the Small Business Commission.)

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Item 6 #3s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Legislative Services	\$10,000	\$10,000	GF

**Language:**

Page 9, line 34, strike "\$4,858,497" and insert "\$4,868,497".

Page 9, line 34, strike "\$4,858,994" and insert "\$4,868,994".

**Explanation:**

(This amendment provides \$10,000 each year from the general fund for the Commission on Electric Utility Restructuring.)

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Item 6 #4s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Legislative Services	\$12,000	\$12,000	GF

**Language:**

Page 9, line 34, strike "\$4,858,497" and insert "\$4,870,497".

Page 9, line 34, strike "\$4,858,994" and insert "\$4,870,994".

**Explanation:**

(This amendment provides \$12,000 each year from the general fund for the Manufacturing Development Commission. This amendment is contingent upon final passage of Senate Bill 261.)

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Item 6 #5s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Division Of Legislative Services	\$112,494	\$112,494	GF

**Language:**

Page 9, line 34, strike "\$4,858,497" and insert "\$4,970,991".  
Page 9, line 34, strike "\$4,858,994" and insert "\$4,971,488".

**Explanation:**

(This amendment provides \$112,494 each year from the general fund for the career development plan for attorneys employed by the Division of Legislative Services, as approved by the Joint Rules Committee.)

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Item 12 #1s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Joint Commission On Technology And Science	\$16,724	\$16,724	GF

**Language:**

Page 11, line 20, strike "\$174,281" and insert "\$191,005".  
Page 11, line 20, strike "\$174,281" and insert "\$191,005".

**Explanation:**

(This amendment provides \$16,724 each year from the general fund for the career development plan for attorneys employed by the Joint Commission on Technology and Science, as approved by the Joint Rules Committee.)

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Item 19 #1s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Freedom Of Information Advisory Council	\$6,409	\$6,409	GF

**Language:**

Page 13, line 22, strike "\$159,096" and insert "\$165,505".  
Page 13, line 22, strike "\$159,096" and insert "\$165,505".

**Explanation:**

(This amendment provides \$6,409 each year from the general fund for the career development plan for attorneys employed by the Virginia Freedom of Information Advisory Council, as approved by the Joint Rules Committee.)

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Item 20.1 #1s

<b>Legislative Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Commission on Unemployment Compensation	\$6,000	\$6,000	GF

**Language:**

Page 13, line 38, insert:  
"20.1. Commission on Unemployment Compensation  
Unemployment Compensation System  
Monitoring and Evaluation  
Fund Sources: General \$6,000 \$6,000."

Authority: Title 30, Chapter 33, Code of Virginia

**Explanation:**

(This amendment provides \$6,000 each year from the general fund for the Commission on Unemployment Compensation.)

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Item 21 #1s

<b>Legislative Department</b>	
Joint Legislative Audit And Review	Language

Commission

**Language:**

Page 14, after line 37, insert:

"E. The Joint Legislative Audit and Review Commission (JLARC) shall report on the impact of new assisted living regulations on the cost of providing services, residents' access to providers and services, including Medicaid-funded mental health and other services, and tangible improvements in the quality of care delivered. The Department of Social Services, the Department of Mental Health, Mental Retardation, and Substance Abuse Services, and the Department of Medical Assistance Services shall cooperate fully as requested by JLARC and its staff. JLARC shall submit an interim report by November 1, 2006 and a final report by November 1, 2007."

**Explanation:**

(This amendment requires JLARC to continue to report on the impact of the regulatory changes included in Chapter 610 and Chapter 924 from the 2005 Acts of Assembly on providers of assisted living services and the quality of care provided in these settings.)

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Item 21 #2s

**Legislative Department**

Joint Legislative Audit And Review  
Commission

Language

**Language:**

Page 14, after line 37, insert:

"E. The Joint Legislative Audit and Review Commission (JLARC) shall report on access to brain injury services in the Commonwealth. The report shall include but not be limited to the causes and prevalence of brain injuries, the array of medical and/or rehabilitative services available in Virginia, the cost of treating an individual with brain injuries, the extent to which private insurance pays for brain injury services, and how other states have addressed the needs of brain injured individuals. JLARC shall submit a final report by October 1, 2007."

**Explanation:**

(This amendment requires JLARC to report on the availability of brain injury services in Virginia including the extent of brain injury, the cost and array of treatment available, and how other states have approached brain injury services.)

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**Legislative Department**

Joint Legislative Audit And Review  
Commission

Language

**Language:**

Page 14, after line 37, insert:

"E. The Joint Legislative Audit and Review Commission shall conduct a follow-up study to the 2004 report "The Use and Financing of Trauma Centers in Virginia. The follow-up study shall identify and recommend long-term financing mechanisms to support uncompensated losses at Virginia's trauma centers on an ongoing basis."

**Explanation:**

(This amendment is self-explanatory.)

**Judicial Department**

Supreme Court

**FY 06-07**

\$7,940,000

**FY 07-08**

\$8,178,200

NGF

**Language:**

Page 17, line 8, strike "\$15,974,534" and insert "\$23,914,534".

Page 17, line 8, strike "\$15,467,123" and insert "\$23,645,323".

**Explanation:**

(This amendment provides \$7,940,000 the first year and \$8,178,200 the second year from nongeneral funds for the Courts Technology Fund created pursuant to Senate Bill 157, as introduced. The source of the Special Funds is an increase in selected court filing fees. This amendment is contingent upon final passage of Senate Bill 157.)

**Judicial Department**

Supreme Court

**FY 06-07**

\$350,000

5.00

**FY 07-08**

\$400,000

5.00

GF

FTE

**Language:**

Page 17, line 8, strike "\$15,974,534" and insert "\$16,324,534".

Page 17, line 8, strike "\$15,467,123" and insert "\$15,867,123".

**Explanation:**

(This amendment provides \$350,000 the first year and \$400,000 the second year from the general fund and five positions each year to provide technical assistance to judges, clerks and magistrates throughout the Commonwealth.)

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Item 31 #1s

**Judicial Department**

**FY 06-07**

**FY 07-08**

Court Of Appeals Of Virginia

\$38,500

\$38,500 GF

**Language:**

Page 18, line 9, strike "\$7,093,028" and insert "\$7,131,528".

Page 18, line 9, strike "\$7,090,512" and insert "\$7,129,012".

Page 18, line 31, strike "6,500" and "6,500" and insert "10,000" and "10,000".

**Explanation:**

(This amendment provides \$38,500 each year from the general fund to increase the reimbursement for travel expenses not otherwise reimbursed, for the eleven judges on the Court of Appeals of Virginia, from \$6,500 to \$10,000 per year.)

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Item 31 #2s

**Judicial Department**

**FY 06-07**

**FY 07-08**

Court Of Appeals Of Virginia

\$5,560

\$5,560 GF

**Language:**

Page 18, line 9, strike "\$7,093,028" and insert "\$7,098,588".

Page 18, line 9, strike "\$7,090,512" and insert "\$7,096,072".

Page 18, line 29, strike "1,000" and insert "5,000".

**Explanation:**

(This amendment provides \$5,560 each year from the general fund to increase the additional salary payment for the chief judge of the Court of Appeals of Virginia by \$4,000 (from \$1,000 to \$5,000 above the salary paid to the other judges on the Court of Appeals) plus \$1,560 each year for the associated increase in the cost of fringe

benefits. This amendment is contingent upon final passage of Senate Bill 156.)

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Item 32 #1s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Circuit Courts	\$219,791	\$217,291	GF
	1.00	1.00	FTE

**Language:**

Page 19, line 2, strike "\$85,719,167" and insert "\$85,938,958".

Page 19, line 2, strike "\$86,969,167" and insert "\$87,186,458".

**Explanation:**

(This amendment provides \$219,791 the first year and \$217,291 the second year from the general fund for one new judgeship for the Third Judicial Circuit in Portsmouth. This amendment is contingent upon final passage of Senate Bill 388.)

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Item 32 #3s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Circuit Courts	\$1,420,400	\$343,800	GF

**Language:**

Page 19, line 2, strike "\$85,719,167" and insert "\$87,139,567".

Page 19, line 2, strike "\$86,969,167" and insert "\$87,312,967".

Page 21, following line 7, insert:

"H. It is the intent of the General Assembly that the caps on payments to court-appointed attorneys in criminal cases pursuant to Section 19.2-163 of the Code of Virginia be removed effective July 1, 2007, and that the Supreme Court of Virginia be directed to prepare a report on steps required to provide appropriate representation in such cases. The report shall include, but not be limited to, recommendations for establishing appropriate hourly rates, or for setting fixed amounts in specific types of cases, which may be exceeded by up to ten percent at the discretion of the court, along with recommended criteria for use by the court in determining when those fixed amounts may be exceeded by more than ten percent. The report shall also consider whether it would be cost effective to expand the availability of public defenders to handle a greater proportion of the total caseload of indigent defendants in criminal cases in Virginia. The Indigent Defense Commission is directed to cooperate with this

study as necessary. Copies of the report shall be provided to the Governor and to the General Assembly by September 15, 2006."

**Explanation:**

(This amendment provides \$1,420,400 the first year and \$343,800 the second year from the general fund to fully fund court-appointed attorney fees for indigent clients in criminal cases, up to the caps as specified in Section 19.2-163, Code of Virginia. The amounts in this amendment represent the additional funds required above the amounts already included in the budget as introduced, to fully fund the existing caps. This amendment also directs the Supreme Court of Virginia, with the assistance of the Indigent Defense Commission, to prepare a report on steps necessary to remove the caps on payments to court-appointed counsel and to provide appropriate representation to indigent defendants in criminal cases.)

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Item 32 #4s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Circuit Courts	\$440,000	\$440,000	GF

**Language:**

Page 19, line 2, strike "\$85,719,167" and insert "\$86,159,167".

Page 19, line 2, strike "\$86,969,167" and insert "\$87,409,167".

**Explanation:**

(This amendment provides \$440,000 each year from the general fund for independent evaluations and court testimony in sexually violent predator cases pursuant to Section 37.2-907, Code of Virginia. Funding for these purposes was not provided when the sexually violent predator program was created in 2003.)

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Item 33 #1s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
General District Courts	\$601,209	\$593,709	GF
	3.00	3.00	FTE

**Language:**

Page 20, line 2, strike "\$82,147,773" and insert "\$82,748,982".

Page 20, line 2, strike "\$82,147,773" and insert "\$82,741,482".

**Explanation:**

(This amendment provides \$601,209 the first year and \$593,709 the second year from the general fund for three new General District judgeships for the following Judicial Districts: the 19th (Fairfax County and Fairfax City); 20th (Loudoun, Rappahannock and Fauquier Counties); and 27th (Wythe, Carroll, Montgomery, Floyd, Giles, Bland and Grayson Counties and the Cities of Galax, Radford and Pulaski). This amendment is contingent upon final passage of Senate Bill 391.)

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Item 33 #2s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
General District Courts	\$1,000,000	\$2,000,000	GF
	50.00	50.00	FTE

**Language:**

Page 20, line 2, strike "\$82,147,773" and insert "\$83,147,773".  
Page 20, line 2, strike "\$82,147,773" and insert "\$84,147,773".

**Explanation:**

(This amendment provides \$1,000,000 the first year and \$2,000,000 the second year and 50 positions from the general fund for the district courts. The Committee on District Courts requested a total of 75 positions based on its staffing model, which combines a statistical analysis of workload and administrative responsibilities with subjective criteria.)

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Item 33 #3s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
General District Courts	\$50,000	\$50,000	GF

**Language:**

Page 20, line 2, strike "\$82,147,773" and insert "\$82,197,773".  
Page 20, line 2, strike "\$82,147,773" and insert "\$82,197,773".

**Explanation:**

(This amendment provides \$50,000 each year from the general fund for

compensation through the Involuntary Mental Commitment Fund of expert witnesses appointed by the court to render professional services in trials involving an insanity defense or after conviction in a case in which the offense indicates sexual abnormality. This amendment is contingent upon final passage of Senate Bill 251.)

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Item 33 #4s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
General District Courts	\$482,100	\$482,100	GF

**Language:**

Page 20, line 2, strike "\$82,147,773" and insert "\$82,629,873".

Page 20, line 2, strike "\$82,147,773" and insert "\$82,629,873".

**Explanation:**

(This amendment provides \$482,100 each year from the general fund for compensation through the Involuntary Mental Commitment Fund to increase the fee cap from \$400 to \$750 for fees paid to mental health experts who have been appointed by the court to render certain professional services. This amendment is contingent upon final passage of Senate Bill 639.)

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Item 34 #1s

<b>Judicial Department</b>	
Juvenile And Domestic Relations District Courts	Language

**Language:**

Page 21, strike line 38 and insert: "shall order the parent, parents, adoptive parent or adoptive parents of the child, or another party with a legitimate interest therein who has filed a petition with the court, to".

Page 21, line 42, strike "the parents" and insert "such party".

**Explanation:**

(This amendment clarifies legislative intent regarding the payment for Guardians ad Litem to permit the court, in cases where a party with a legitimate interest has filed a petition to the court, to shift the costs of the Guardian ad Litem to the party initiating the case when that party has caused the Commonwealth to incur the costs of a

Item 34 #2s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Juvenile And Domestic Relations	\$801,612	\$791,612	GF
District Courts	4.00	4.00	FTE

**Language:**

Page 20, line 44, strike "\$65,528,667" and insert "\$66,330,279".

Page 20, line 44, strike "\$65,528,667" and insert "\$66,320,279".

**Explanation:**

(This amendment provides \$801,612 the first year and \$791,612 the second year from the general fund for four new Juvenile and Domestic Relations District judgeships for the following Judicial Districts: the 7th (City of Newport News); 14th (Henrico County); 19th (Fairfax County and Fairfax City); and 26th (Frederick, Clarke, Warren, Shenandoah, Page and Rockingham Counties and the Cities of Harrisonburg and Winchester). This amendment is contingent upon final passage of Senate Bill 391.)

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Item 39 #1s

<b>Judicial Department</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Indigent Defense Commission	\$1,000,000	\$2,000,000	GF
	32.00	32.00	FTE

**Language:**

Page 23, line 42, strike "\$35,162,445" and insert "\$36,162,445".

Page 23, line 42, strike "\$35,055,009" and insert "\$37,055,009".

**Explanation:**

(This amendment provides \$1,000,000 the first year and \$2,000,000 the second year from the general fund for 32 additional public defender positions each year. When combined with 16 new positions included in the budget, as introduced, this amendment will provide a total of 48 positions. This will represent 88 percent of the staffing standard adopted by the Indigent Defense Commission for local public

defender offices, which is based on providing 75 percent of the staffing available to the Commonwealth's Attorney's office for the corresponding jurisdiction.)

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Item 48 #3s

**Executive Offices**

Attorney General And Department  
Of Law

Language

**Language:**

Page 28, following line 30, insert:

"C.1. The Attorney General shall provide all non-participating manufacturers with the reports of their respective sales in the Commonwealth submitted to the Attorney General or the Tax Commissioner pursuant to statute. All non-participating manufacturers shall be entitled to submit evidence of errors or inconsistencies in reported sales to the Attorney General for the purposes of determining the amount of excise tax payments or deposits into escrow. Jurisdiction shall lie with the Circuit Court for the City of Richmond regarding unresolved disputes over the amounts of payment or deposits due from non-participating manufacturers.

2. The Attorney General shall require quarterly escrow payments by tobacco product manufacturers not participating in the Master Settlement Agreement that (i) are new market entrants; (ii) default on any governing provision of the Master Settlement, including, but not limited to, the making of escrow payments; or (iii) as determined by the Attorney General, pose a risk of not paying escrow in the future, taking into account any factors the Attorney General deems relevant, including the price charged for the tobacco products expected to be insufficient to cover all federal and state obligations, manufacturing costs, and a profit."

Page 28, at the beginning of line 31, strike "C" and insert "D".

**Explanation:**

(This language clarifies the responsibilities of the Office of the Attorney General with respect to enforcement of the Tobacco Master Settlement Agreement.)

---

Item 48 #4s

**Executive Offices**

Attorney General And Department  
Of Law

**FY 06-07**

\$838,652

10.00

**FY 07-08**

\$746,652

10.00

GF

FTE

**Language:**

Page 27, line 41, strike "\$22,411,165" and insert "\$23,249,817".

Page 27, line 41, strike "\$22,465,969" and insert "\$23,212,621".

**Explanation:**

(This amendment provides \$838,652 the first year and \$746,652 the second year and ten positions each year from the general fund to address critical workload requirements for the Office of the Attorney General. These positions include six attorneys and four legal secretaries.)

Item 48 #5s

**Executive Offices**

Attorney General And Department  
Of Law

Language

**Language:**

Page 28, following line 35, insert:

"D. At the request of the Attorney General, the Director of the Department of Planning and Budget shall provide state general funds in an amount sufficient to pay the compensation, fees, and expenses of counsel appointed by the Office of the Attorney General in actions brought pursuant to Section 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe."

**Explanation:**

(This amendment is self-explanatory.)

Item 48 #6s

**Executive Offices**

Attorney General And Department  
Of Law

**FY 06-07**

\$200,000

**FY 07-08**

\$0 GF

**Language:**

Page 27, line 41, strike "\$22,411,165" and insert "\$22,611,165".

**Explanation:**

(This amendment provides \$200,000 the first year from the general fund for case

management expenses, agency billing systems, professional development expenses for employees who are not attorneys, and other nonpersonal services.)

---

Item 48 #7s

**Executive Offices**

Attorney General And Department  
Of Law

Language

**Language:**

Page 28, strike lines 11 through 30 and insert:

B. Out of this appropriation, \$447,011 the first year and \$469,747 the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 5 (Section 3.1-336.1 et. seq. ) of Chapter 18 of Title 3.1 of the Code of Virginia. The Department of Law shall be responsible for enforcement of Article 5 (Section 3.1-336.1 et. seq.) of Chapter 18 of Title 3.1 of the Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the Master Settlement Agreement pursuant to transfers directed by Item 458, paragraphs A.2 and B.2 and Section 3-1.01, Paragraph Q of this act."

**Explanation:**

(This amendment replaces language included in the budget as introduced to clarify the responsibilities of the Office of the Attorney General with respect to enforcement of the Tobacco Master Settlement Agreement.)

---

Item 48 #9s

**Executive Offices**

Attorney General And Department  
Of Law

**FY 06-07**

\$19,078

**FY 07-08**

\$19,078 GF

**Language:**

Page 27, line 41, strike "\$22,411,165" and insert "\$22,430,243".

Page 27, line 41, strike "\$22,465,969" and insert "\$22,485,047".

**Explanation:**

(This amendment transfers the remaining funding in the Department of Taxation's budget for enforcement of the Master Settlement Agreement to the Office of the Attorney General. A companion amendment to Item 265 removes this funding from the Department of Taxation.)

Item 48 #10s

<b>Executive Offices</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Attorney General And Department Of Law	\$658,809 7.00	\$588,809 7.00	NGF FTE

**Language:**

Page 27, line 41, strike "\$22,411,165" and insert "\$23,069,974".

Page 27, line 41, strike "\$22,465,969" and insert "\$23,054,778".

**Explanation:**

(This amendment provides \$658,809 the first year and \$588,809 the second year and seven positions each year from nongeneral funds for the Office of the Attorney General. These positions include one attorney, two paralegal positions, an accountant, two resident experts, which may include an economist, an actuary or an engineer, and one grants manager. This amendment also includes funds for a part-time mail clerk. The source of the nongeneral funds is Special Funds.)

Item 49 #1s

<b>Executive Offices</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Attorney General And Department Of Law	(\$135,068)	(\$135,068)	GF

**Language:**

Page 28, line 37, strike "\$4,077,799" and insert "\$3,942,731".

Page 28, line 37, strike "\$4,077,799" and insert "\$3,942,731".

**Explanation:**

(This amendment removes \$135,068 each year from the general fund which was included in the budget as introduced for a salary increase of \$1,000 for each attorney.

General fund support for salary increases is included in Central Appropriations.)

---

Item 52 #1s

**Executive Offices**

Division Of Debt Collection

Language

**Language:**

Page 30, strike lines 9 through 11 and insert:

"Virginia. This deposit provision shall also apply to state agencies for any direct payment received by an agency on an account that has been referred for collection to the Division of Debt Collection. Upon making a deposit into the Fund, the state agency shall report the deposit to the Division of Debt Collection."

Page 30, strike lines 21 through 33 and insert:

"3.a. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by it pursuant to paragraph B.1. to pay operating costs supported by the appropriation in this Item.

b. Upon closing its books at the end of the fiscal year, after the execution of all transfers as required by paragraph B.5. of this Item, the Division of Debt Collection shall transfer to the General Fund all retained fees in excess of a \$400,000 balance in its operating accounts after payment of all fiscal year operating costs.

4. The Director, Department of Planning and Budget, may grant an exception to the provisions in paragraph B.3.b. if the Division of Debt Collection can show just cause.

Page 30, line 34, strike "4." and insert "5."

Page 30, line 47, strike "5." and insert "C."

Page 30, following line 49, insert:

"D. The Attorney General shall provide a report on the most cost-effective strategies for improving Virginia's collections of accounts receivable, including both general and nongeneral fund receivables. The Secretary of Finance shall provide assistance as necessary in the preparation of this report. Copies of this report shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

**Explanation:**

(This amendment clarifies procedures for collecting accounts receivable.)

---

Item 57 #1s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Secretary Of Administration	\$20,000	\$20,000	GF

**Language:**

Page 33, line 9, strike "\$3,599,669" and insert "\$3,619,669".

Page 33, line 9, strike "\$3,599,669" and insert "\$3,619,669".

Page 33, following line 49, insert:

"D. Out of the amounts for community service grants to public radio shall be paid \$20,000 the first year and \$20,000 the second year from the general fund to Allegheny Mountain Radio."

**Explanation:**

(This amendment provides \$20,000 GF each year for Allegheny Mountain Radio.)

Item 57 #7s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Secretary Of Administration	\$100,000	\$0	GF

**Language:**

Page 33, line 9, strike "\$3,599,669" and insert "\$3,699,669".

**Explanation:**

(This amendment provides an additional \$100,000 GF the first year for Community Service Grants to Virginia's public radio stations.)

Item 59 #8s

<b>Administration</b>		<b>Language</b>
Compensation Board		

**Language:**

Page 36, line 27, following "overcrowding" strike "to".

Page 36, strike lines 28 through 32.

Page 36, line 33, strike "to overcrowding".

**Explanation:**

(This amendment restores language governing the reallocation of positions provided for jail overcrowding to the existing provisions. If overcrowding in a jail is

reduced or eliminated, positions will first be reallocated to court services in that sheriff's office and then to other offices.)

---

Item 59 #9s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Compensation Board	\$158,162	\$158,162	GF

**Language:**

Page 34, line 34, strike "\$370,241,258" and insert "\$370,399,420".

Page 34, line 34, strike "\$371,007,797" and insert "\$371,165,959".

**Explanation:**

(This amendment provides \$158,162 GF each year for six additional Sheriffs' offices to participate in the Master Deputy Program.)

---

Item 59 #10s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Compensation Board	\$358,906	\$411,760	GF

**Language:**

Page 34, line 34, strike "\$370,241,258" and insert "\$370,600,164".

Page 34, line 34, strike "\$371,007,797" and insert "\$371,419,557".

**Explanation:**

(This amendment provides \$358,906 GF the first year and \$411,760 GF the second year for 11.00 additional law enforcement deputy positions to maintain the ratio of 1:1,500 of population that is required by Section 15.2 - 1609.1 of the Code of Virginia. It is the intent of the General Assembly that changes will be made to the position tables in Item 66 of this bill necessary to carry out the intent of this amendment during enrolling.)

---

Item 59 #11s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Compensation Board	\$8,000	\$8,000	GF

**Language:**

Page 34, line 34, strike "\$370,241,258" and insert "\$370,249,258".

Page 34, line 34, strike "\$371,007,797" and insert "\$371,015,797".

Page 38, following line 15, Insert:

"L. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this Item and such Sheriff shall receive as additional compensation the sum of one thousand dollars."

**Explanation:**

(This amendment allows for the payment of a \$1,000 supplement to sheriffs serving more than one locality. This supplement would be provided for the sheriffs serving: Allegheny County and Covington; Fairfax County and Fairfax City; Prince William County, Manassas and Manassas Park; Rockbridge County and Lexington; Southampton County and Franklin City; York County and Poquoson; James City County and Williamsburg; and Bedford County and Bedford City.)

Item 59 #19s

**Administration**

Compensation Board

Language

**Language:**

Page 37, line 3, strike "Funding" and insert:

"Subject to appropriations by the General Assembly for this purpose, funding".

**Explanation:**

(This amendment restores clarifying language that funding for offices certifying their participation in the Master Deputy Program after January 1, 1997 is subject to appropriations by the General Assembly. This language was inadvertently deleted in the introduced budget.)

Item 60 #2s

**Administration**

Compensation Board

Language

**Language:**

Page 42, strike lines 33 through 36.

**Explanation:**

(This amendment strikes an incorrect reference to language in another part of the budget bill.)

---

Item 63 #1s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Compensation Board	\$83,033	\$81,993	GF
	1.00	1.00	FTE

**Language:**

Page 45, line 29, strike "\$52,943,986" and insert "\$53,027,019".

Page 45, line 29, strike "\$53,803,347" and insert "\$53,885,340".

Page

**Explanation:**

(This amendment provides \$83,033 GF and 1.00 FTE position the first year and \$81,993 GF and 1.00 FTE position the second year for support of the jail inmate population forecast.)

---

Item 63 #2s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Compensation Board	\$4,742,594	\$9,960,994	GF

**Language:**

Page 45, line 29, strike "\$52,943,986" and insert "\$57,686,580".

Page 45, line 29, strike "\$53,803,347" and insert "\$63,764,341".

**Explanation:**

(This amendment provides \$4.7 million GF and 134 positions the first year and \$10.0 million GF and 280 positions the second year to move Commonwealth's Attorneys an additional 33% the first year and 66% the second year toward full funding of the Compensation Board's staffing standards for their offices, as required by Chapter 951, 2005 Acts of Assembly. It is the intent of the General Assembly that changes will be made to the position tables in Item 66 of this bill during enrolling to carry out the intent of this amendment.)

---

Item 64 #6s

**Administration**

Compensation Board

Language

**Language:**

Page 48, strike line 9.

**Explanation:**

(This amendment strikes a repeated line in the salary chart for Circuit Court Clerks.)

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Item 64 #7s

**Administration**

Compensation Board

Language

**Language:**

Page 50, line 36, after "year" insert:

"for an effective date of salary increase of the following July 1".

**Explanation:**

(This amendment establishes the effective date of any career development program salary increase for deputy clerks as of July 1. Establishing the effective date will eliminate confusion regarding the implementation date and conforms the deputy clerks' career development program to other career development programs for constitutional officers.)

---

Item 64 #8s

**Administration**

Compensation Board

**FY 06-07**

**FY 07-08**

\$0

\$50,000 NGF

**Language:**

Page 47, line 30, strike "\$51,014,570" and insert "\$51,064,570".

**Explanation:**

(This amendment appropriates \$50,000 for payment of fees to the Virginia

Item 66 #1s

**Administration**

Compensation Board

Language

**Language:**

Page 53, strike lines 23 through 38.

**Explanation:**

(This amendment eliminates language that would require the reallocation of positions among sheriffs' offices if workload factors changed after the beginning of the fiscal year.)

---

Item 66 #2s

**Administration**

Compensation Board

**FY 06-07**

\$260,000

**FY 07-08**

\$216,000 GF

**Language:**

Page 52, line 22, strike "\$7,244,204" and insert "\$7,504,204".

Page 52, line 22, strike "\$7,243,491" and insert "\$7,459,491".

Page 56, following line 37, insert:

"R. Included in this appropriation is \$260,000 the first year and \$216,000 the second year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Community Policing Institute to implement an interface between the Statewide Automated Victim Notification (SAVIN) system and the Virginia Sex Offender Registry."

**Explanation:**

(This amendment provides \$260,000 GF the first year and \$216,000 GF the second year for the Compensation Board to implement an interface between the Statewide Automated Victim Notification (SAVIN) system and the Virginia Sex Offender Registry.)

---

Item 66 #10s

**Administration**

**Language:**

Page 56, line 34 after "locality" insert:

"when such corrections are made within the same fiscal year that funds have been withheld".

**Explanation:**

(This amendment modifies language provided in the introduced budget that allows the Compensation Board to withhold funding to localities that do not provide accurate or updated criminal activity data to the Department of State Police. Specifically, this amendment provides that funding withheld may only be provided upon the satisfactory correction of data error or omission in the fiscal year in which the withholding took place.)

Item 75 #1s

**Administration**

Department Of General Services

**FY 06-07**

(\$450,000)

**FY 07-08**

\$0 GF

**Language:**

Page 62, line 10, strike "\$450,000" and insert "\$0".

Page 62, strike lines 21 to 27.

**Explanation:**

(This amendment eliminates \$450,000 GF the first year proposed to encourage the use of ethanol fuel in state vehicles.)

Item 77 #1s

**Administration**

Department Of Human Resource  
Management

Language

**Language:**

Page 64, following line 11, insert:

"G. The Department of Human Resource Management shall update its policies to ensure that each agency shall use upward feedback regarding supervisor's performance as part of the performance appraisal process for the performance cycle ending October 24, 2006. Safeguards will be established to facilitate anonymity of the employee

providing feedback. The Department of Human Resource Management shall develop appropriate guidelines for implementing upward feedback and shall provide training to agencies as necessary to implement such a program. At such time as performance increases are funded consistent with the Performance Management Program, agencies shall use upward feedback as a part of the evaluation process for supervisors."

**Explanation:**

(This amendment requires the Department of Human Resource Management to establish an upward feedback program as a part of the evaluation process for supervisors.)

Item 80 #1s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Veterans Services	\$0	\$0	GF
	\$787,100	\$11,400,000	NGF
	50.00	233.00	FTE

**Language:**

Page 65, line 21, strike "\$14,839,898" and insert "\$15,626,998".

Page 65, line 21, strike "\$14,970,237" and insert "\$26,370,237".

Page 65, after line 25, insert:

"A. The State Comptroller is authorized to approve an anticipatory loan for up to \$787,100 with no interest for operational costs for the Sitter Barfoot Veterans Care Center. This loan is to be paid back by December 2008 from nongeneral funds received for services rendered."

**Explanation:**

(This amendment provides \$787,100 NGF the first year and \$11.4 million NGF the second year and 233.00 FTE positions for operation of the Sitter Barfoot Veterans Care Center which is scheduled to open in FY 2007. Language is included to authorize the State Comptroller to approve an anticipatory loan for operating costs of the Sitter Barfoot Veterans Care Center pending reimbursement from federal and other nongeneral fund sources.)

Item 81 #3s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Veterans Services	\$526,169	\$631,822	GF

\$367,000	\$90,090	NGF
12.00	15.00	FTE

**Language:**

Page 65, line 26, strike "\$2,895,570" and insert "\$3,788,739".

Page 65, line 26, strike "\$3,026,183" and insert "\$3,748,095".

Page 65, after line 42, insert:

"C. Out of this item, \$65,000 the first year and \$45,000 the second year from the general fund is provided to upgrade the functionality of the department's field offices.

D. Out of this item, \$96,800 the first year and \$21,600 the second year from the general fund and \$367,000 the first year and \$90,090 the second year from nongeneral funds is provided to purchase a Financial Management System."

**Explanation:**

(This amendment provides funds to increase staff for veterans' services, update benefit field offices, and implement a new financial management system. Additional benefit services staff is needed in the benefit field offices to develop disability claims for Virginia's veterans. Additional benefit services staff is also needed to develop appeals for those disability claims initially denied by the U.S. Department of Veterans Affairs. Many benefit field offices have furniture and fixtures that are no longer adequate to serve Virginia's veterans. Renovating the benefit field offices will significantly improve overall functionality and will better serve veterans. The department's present accounting system is outdated and cumbersome. Implementing a new financial management system will allow for significantly improved management of financial resources, and will provide the operational flexibility and expandability to meet the needs of a growing agency with diverse operations.)

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Item 82 #1s

**Administration**

Department Of Veterans Services

Language

**Language:**

Page 66, after line 4, insert:

"The Commissioner, Department of Veterans Services, shall commission a study, not to exceed \$50,000 in cost, to examine the need for and cost of additional veterans cemeteries in the Commonwealth of Virginia. The scope of the study shall encompass Virginia's state-owned veterans cemeteries, and national veterans cemeteries that currently exist in or may be constructed in the Commonwealth of Virginia. The study

shall (i) examine the current services provided by either state and national veterans cemeteries in the Commonwealth of Virginia; (ii) identify situations where the cemetery needs of Virginia's veterans are not presently met by a state or national veterans cemetery; (iii) recommend how Virginia and the federal government can improve the cemetery services provided to Virginia's veterans and identify the related costs of such services; and (iv) recommend whether Virginia should acquire property for additional veterans cemeteries and identify the related costs of additional cemeteries. The Commissioner shall report the results of the study to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2006."

**Explanation:**

(This amendment authorizes implementation of a study to determine Virginia's needs for new cemeteries for veterans. The study will review current services provided by state and national veterans cemeteries in Virginia, identify needs that are not presently met, recommend how to improve the cemetery services, identify the related costs and methods of acquiring, and recommend whether Virginia should acquire additional property.)

Item 83 #1s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Veterans Services	\$5,000	\$0	GF

**Language:**

Page 66, line 5, strike "\$1,594,755" and insert "\$1,599,755".

**Explanation:**

(This amendment provides \$5,000 GF the first year to reimburse members of the Leadership Council of Veterans Services Organizations for travel expenses incurred when attending Council meetings.)

Item 85 #1s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
State Board Of Elections	\$266,000	\$0	GF

**Language:**

Page 66, line 32, strike "\$3,722,294" and insert "\$3,988,294".

**Explanation:**

(This amendment provides \$200,000 the first year for expenses related to a referendum on two constitutional amendments as provided for in SB 357 and SB 526.)

---

Item 85 #3s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
State Board Of Elections	\$300,000	\$0	GF

**Language:**

Page 66, line 32, strike "\$3,722,294" and insert "\$4,022,294".

**Explanation:**

(This amendment provides \$300,000 the first year for expenses related to a pilot program for testing of electronic voting machines as provided for in SB 272.)

---

Item 89 #1s

<b>Agriculture And Forestry</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Agriculture And	\$200,147	\$78,302	GF
Consumer Services	\$26,750	\$56,500	NGF
	1.00	1.00	FTE

**Language:**

Page 72, line 18, strike "\$5,282,964" and insert "\$5,509,861".

Page 72, line 18, strike "\$5,273,813" and insert "\$5,408,615".

**Explanation:**

(This amendment provides \$278,449 GF and \$83,250 NGF and one full-time position to carry out the provisions of SB 200, which regulates the control of dangerous dogs. The appropriation is contingent upon passage of the legislation.)

---

Item 90 #5s

<b>Agriculture And Forestry</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Agriculture And	\$1,225,000	\$1,080,000	GF
Consumer Services	1.00	1.00	FTE

**Language:**

Page 72, line 28, strike "\$14,930,883" and insert "\$16,155,883".

Page 72, line 28, strike "\$14,930,883" and insert "\$16,010,883".

Page 74, after line 34, insert:

"I. This appropriation includes \$1,225,000 and one position from the general fund in the first year and \$1,080,000 and one position from the general fund in the second year to provide grants and assistance to localities for local purchase of development rights programs to encourage farmland preservation."

**Explanation:**

(This amendment provides funding and one position for the Office of Farmland Preservation. Support will be provided to work with localities to plan for, develop, and implement local purchase of development rights programs to preserve agricultural lands. Funding will be used for matching grants to localities to enhance local purchase of development rights program. The funding will assist local governments with protecting open-space, community character, and farmland and help ease future transportation demands.)

Item 90 #8s

<b>Agriculture And Forestry</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Agriculture And	\$75,000	\$0	GF
Consumer Services			

**Language:**

Page 72, line 28, strike "\$14,930,883" and insert "\$15,005,883".

**Explanation:**

(This amendment provides an additional \$50,000 GF to support the Department's marketing efforts and \$25,000 GF to cover the full cost of the Virginia Rotational Agricultural Statistics Survey Program.)

Item 91 #1s

<b>Agriculture And Forestry</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Agriculture And Consumer Services	\$100,000	\$0 GF

**Language:**

Page 74, line 35, strike "\$3,956,158" and insert "\$4,056,158".

**Explanation:**

(This amendment provides \$100,000 GF for Hydrilla control management programs at Lake Gaston and the Potomac River. The funds are to be equally divided between the two programs.)

---

Item 97 #1s

**Agriculture And Forestry**

Department Of Agriculture And  
Consumer Services

Language

**Language:**

Page 76, after line 24, insert:

"C. From the appropriations included in this act, irrespective of funding source, no less than the FY 2006 level of service shall be provided to Southwest Virginia to address the region's coyote problem."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 98 #3s

<b>Agriculture And Forestry</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Forestry	\$233,622	\$233,622 GF

**Language:**

Page 76, line 36, strike "\$28,519,703" and insert "\$28,753,325".  
Page 76, line 36, strike "\$28,030,426" and insert "\$28,264,048".  
Page 77, line 33, strike "983,662" and insert "1,217,284".  
Page 77, line 34, strike "983,662" and insert "1,217,284".

**Explanation:**

(This amendment provides an additional \$233,622 GF each year to fully match industry contributions to the Reforestation of Timberlands program pursuant to § 58.1-1600, Code of Virginia.)

---

Item 98 #6s

**Agriculture And Forestry**

Department Of Forestry

**FY 06-07**

(\$100,000)

**FY 07-08**

\$0 GF

**Language:**

Page 76, line 36, strike "\$28,519,703" and insert "\$28,419,703".

**Explanation:**

(This amendment reduces the Department's equipment budget for Personal Data Assistants by \$100,000 GF in FY 2007.)

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Item 100 #1s

**Commerce And Trade**

Secretary Of Commerce And Trade

Language

**Language:**

Page 79, line 47, strike "1999" and insert "2002".

Page 79, line 50, strike "1999" and insert "2002".

**Explanation:**

(This amendment updates the reporting period for the annual study done by the Secretary of Commerce and Trade on the use and efficacy of state incentives in creating investments and jobs in Virginia.)

---

Item 104 #2s

**Commerce And Trade**

Department Of Housing And  
Community Development

**FY 06-07**

\$100,000

**FY 07-08**

\$100,000 GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,621,190".

Page 82, line 18, strike "\$36,281,190" and insert "\$36,381,190".

Page 86, after line 54, insert:

"R. Out of the amounts for Community Development Services shall be provided \$100,000 the first year and \$100,000 the second year from the general fund for the Commonwealth Regional Council."

**Explanation:**

(This amendment provides \$200,000 from the general fund to support the Commonwealth Regional Council, the successor organization to the Virginia Heartland Partnership and the Piedmont District Commission. The organization includes the Counties of Amelia, Buckingham, Charlotte, Cumberland, Lunenburg and Prince Edward, the Town of Farmville, Longwood University and Hampden-Sydney College.)

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Item 104 #6s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$200,000	\$0	GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,721,190".

**Explanation:**

(This amendment provides \$200,000 GF for the Communication Infrastructure Project to make broadband telecommunication services available in the region covering Planning District #7, Planning District #6, Planning District #10, and the Counties of Orange, Madison and Culpeper. These funds will pay for the necessary study.)

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Item 104 #8s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$100,000	\$100,000	GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,621,190".  
Page 82, line 18, strike "\$36,281,190" and insert "\$36,381,190".  
Page 84, line 15, strike "1,463,112" and insert "1,563,112".  
Page 84, line 16, strike "1,463,112" and insert "1,563,112".

**Explanation:**

(This amendment provides \$200,000 GF to support the Virginia Water Project, which works with low-income communities to improve water and wastewater facilities.)

Item 104 #14s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$500,000	\$500,000	GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$39,021,190".  
Page 82, line 18, strike "\$36,281,190" and insert "\$36,781,190".  
Page 83, line 27, strike "\$303,499 the first year and \$303,499" and insert "\$502,444 the first year and \$502,444".  
Page 83, line 44, strike "\$165,277 the first year and \$165,277" and insert "\$273,617 the first year and \$273,617".  
Page 84, line 12, strike "\$293,995 the first year and \$293,995" and insert "\$486,710 the first year and \$486,710".

**Explanation:**

(This amendment increases general fund support, in accordance with purposes set forth in § 15.1-4207 of the Code of Virginia, for the Northern Virginia, Richmond and Hampton Roads planning district commissions by \$1.0 million. Additional support was provided in the 2005 Session to the other 18 planning districts, but these three commissions were excluded.)

Item 104 #16s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$2,400,000	\$2,400,000	GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$40,921,190".

Page 82, line 18, strike "\$36,281,190" and insert "\$38,681,190".

Page 86, after line 54, insert:

"R. Out of the appropriation for this item, \$2,400,000 the first year and \$2,400,000 the second year from the general fund shall be provided to pay the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts. The Department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources. Any unexpended balance in the item for this purpose on June 30, 2006, and June 30, 2007, shall not revert to the general fund but shall be carried forward, reappropriated, and allotted."

**Explanation:**

(This amendment provides \$2.4 million from the general fund each year for drinking water and wastewater improvement projects in Southwest Virginia. The introduced budget included \$5.0 million each year in the Department of Health. An amendment to Item 294 reduces \$2.4 million from the Health Department budget, allowing the Department of Health to retain \$2.6 million to offset a reduction in federal funding.)

Item 104 #17s

**Commerce And Trade**

Department Of Housing And  
Community Development

**FY 06-07**

(\$75,000)

**FY 07-08**

(\$75,000) GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,446,190".

Page 82, line 18, strike "\$36,281,190" and insert "\$36,206,190".

Page 86, strike lines 1 through 5.

**Explanation:**

(This amendment eliminates \$150,000 proposed for The Crooked Road: Virginia's Heritage Music Trail.)

Item 104 #18s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$0	(\$660,000)	GF

**Language:**

Page 82, line 18, strike "\$36,281,190" and insert "\$35,621,190".

Page 86, line 8, strike "\$1,820,000" and insert "\$1,160,000".

**Explanation:**

(This amendment reduces second year general fund support by \$660,000 for the regional research and development centers initiative. The Governor's initiative in the Budget Bill called for four such centers. Sufficient funding is provided for two industry-focused regional research and development centers.)

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Item 104 #19s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	(\$100,000)	(\$100,000)	GF

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,421,190".

Page 82, line 18, strike "\$36,281,190" and insert "\$36,181,190".

Page 85, line 49, strike "\$500,000 the first year and \$500,000" and insert "\$400,000 the first year and \$400,000".

Page 85, line 57, after "Gate.", insert: "The Department shall provide a report to the Chairmen of the Senate Finance and House Appropriations Committees concerning the expenditure of these funds. The report shall be submitted by December 1, 2006."

**Explanation:**

(This amendment reduces the amount proposed to support the Highlands Regional Enterprise Business Plan by \$200,000 GF. A language amendment requires the Department to report to the Senate Finance and House Appropriations Committees on the use of the funds and the results of the expenditures.)

---

Item 104 #20s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And	\$250,000	\$0	GF

Community Development

**Language:**

Page 82, line 18, strike "\$38,521,190" and insert "\$38,771,190".

Page 86, after line 54, insert:

"R. Out of the amounts for Community Development Services shall be provided \$250,000 the first year from the general fund to the Southside Planning District Commission for a joint venture with the Southside Virginia Community College to expand the Lake Country Advanced Knowledge Center in South Hill."

**Explanation:**

(This amendment provides \$250,000 GF to expand classroom space for the Lake Country Advanced Knowledge Center. The Center has trained 2,244 students in the past three years on manufacturing-related skills, general education and computer technology.)

---

Item 105 #1s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Housing And Community Development	\$1,000,000	\$1,000,000	GF

**Language:**

Page 86, line 55, strike "\$13,678,467" and insert "\$14,678,467".

Page 86, line 55, strike "\$13,678,467" and insert "\$14,678,467".

Page 87, line 3, strike "\$13,500,000" and insert "\$14,500,000".

Page 87, line 4, strike "\$13,500,000" and insert "\$14,500,000".

**Explanation:**

(This amendment provides an additional \$2.0 million of general fund support for the Virginia Enterprise Zone program in order to avoid the pro-ration of incentives for small-qualified and large-qualified businesses and for job grants.)

---

Item 115 #1s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mines, Minerals And Energy	\$230,000 1.00	\$80,000 1.00	GF FTE

**Language:**

Page 89, line 34, strike "\$1,254,762" and insert "\$1,484,762".

Page 89, line 34, strike "\$1,254,762" and insert "\$1,334,762".

**Explanation:**

(This amendment provides \$310,000 GF and one position to carry out the provisions of SB 262 -- the Virginia Energy Plan. The funding includes development of the state plan, and implementation and updates to the state plan. The appropriation is contingent upon passage of SB 262.)

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Item 115 #2s

**Commerce And Trade**

Department Of Mines, Minerals  
And Energy

Language

**Language:**

Page 89, strike lines 44 through 53.

Page 90, strike lines 1 through 7.

**Explanation:**

(This amendment removes authorization for the Governor to use up to \$3.0 million from the unappropriated general fund balance for incentive payments to manufacturers of alternative fuels.)

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Item 117 #1s

**Commerce And Trade**

Department Of Minority Business  
Enterprise

Language

**Language:**

Page 90, line 43, strike "The Department of Minority Business".

Page 90, strike lines 44 through 50.

Page 90, line 51, strike "business enterprises in the Commonwealth".

Page 91, line 9, after "effort.", insert: "Upon submitting a request to the Governor and following his review and approval, the Department may carry forward unexpended general fund balances for this purpose."

**Explanation:**

(This amendment authorizes the Department to carry forward unexpended general fund balances for analyzing the availability of minority businesses and the participation of such businesses in the public procurement of goods and services. In order to carry forward the money, the Governor must review and approve the Department's request.)

---

Item 119 #2s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Economic Development Partnership	\$150,000	\$0	GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$18,027,701".  
Page 93, after line 52, insert:

"P. Out of the amounts for Economic Development Services shall be provided \$150,000 the first year from the general fund to Virginia Economic Bridge, Inc. for the development and coordination of the Southwest Virginia Economic Development Alliance in partnership with the region's planning district commissions, workforce investment boards, economic development marketing authorities, technology councils, institutions of higher education, and public education consortiums."

**Explanation:**

(This amendment implements a recommendation from the Southwest Virginia Economic Development Commission's final report. The Commission, which was established under Senate Joint Resolution 111 of the 2004 Session, focused on methods to attract business and industry to the Southwest region of Virginia.)

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Item 119 #3s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Economic Development Partnership	\$510,000	\$510,000	GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$18,387,701".  
Page 91, line 41, strike "\$16,677,701" and insert "\$17,187,701".

Page 93, after line 52, insert:

"P. Out of the amounts for Economic Development Services shall be provided \$510,000 the first year and \$510,000 the second year from the general fund for operations of the Virginia National Defense Industrial Authority."

**Explanation:**

(This amendment provides funding for operations of the Virginia National Defense Industrial Authority. The Authority, which was established by Chapter 858 of the Acts of Assembly of 2005, will provide technical assistance and coordination between the Commonwealth, its political subdivisions, and the United States government military and national defense activities located within the Commonwealth. A companion amendment provides for the Authority to participate in the evaluation of grant proposals related to implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC).)

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Item 119 #6s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Economic Development Partnership	\$75,000	\$0 GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$17,952,701".

Page 93, after line 52, insert:

"P. Out of the amounts for Economic Development Services shall be provided \$75,000 the first year from the general fund to the Virginia Economic Bridge, Inc. for the development of a website to serve as a gateway to Southwest Virginia."

**Explanation:**

(This amendment provides \$75,000 from the general fund to develop and implement an on-line "Southwest Virginia Gateway to the Region" under the direction of the Virginia Economic Bridge, Inc. with participation by the region's economic development organizations. This amendment is based on recommendations initiated in the final report of the Southwest Virginia Economic Development Commission's (Senate Joint Resolution 111, 2004 Session) final report.)

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Item 119 #7s

**Commerce And Trade**

Virginia Economic Development  
Partnership

Language

**Language:**

Page 93, after line 52, insert:

"P. It is the intent of the General Assembly to fulfill the commitment made to the Virginia Advanced Shipbuilding and Carrier Integration Center to support the Center's operating costs, as stipulated in § 2.2-2444, Code of Virginia."

**Explanation:**

(This amendment is self-explanatory.)

Item 119 #9s

**Commerce And Trade**

Virginia Economic Development  
Partnership

**FY 06-07**

(\$125,000)

**FY 07-08**

(\$125,000) GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$17,752,701".

Page 91, line 41, strike "\$16,677,701" and insert "\$16,552,701".

Page 93, line 40, strike "\$250,000" and insert "\$125,000".

Page 93, line 41, strike "\$250,000" and insert "\$125,000".

**Explanation:**

(This amendment reduces support for motor sports-related businesses from \$250,000 GF each year to \$125,000 GF each year.)

Item 119 #10s

**Commerce And Trade**

Virginia Economic Development  
Partnership

**FY 06-07**

(\$500,000)

**FY 07-08**

\$0 GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$17,377,701".

**Explanation:**

(This amendment reduces general fund support for the Partnership's television and print media advertising by \$500,000 GF.)

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Item 119 #11s

**Commerce And Trade**

Virginia Economic Development  
Partnership

**FY 06-07**  
(\$100,000)

**FY 07-08**  
\$0 GF

**Language:**

Page 91, line 41, strike "\$17,877,701" and insert "\$17,777,701".

**Explanation:**

(This amendment reduces general fund support by \$100,000 for the Partnership's international marketing effort.)

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Item 120 #2s

**Commerce And Trade**

Virginia Employment Commission

Language

**Language:**

Page 95, after line 21, insert:

"G.1. The Commissioner shall work in concert with the Virginia Liaison Office and with the members of the State Congressional Delegation and federal executive branch agencies to increase the amount of Federal Unemployment Tax Act (FUTA) revenue distributed by the U.S. Department of Labor to the Virginia Employment Commission for administration of the Commonwealth's unemployment insurance program, from its fiscal year 2004 level of \$63.2 million, which represents 32.8 percent of the \$192.8 million in FUTA taxes paid by Virginia's employers, to an amount not less than 50 percent of the amount of FUTA taxes paid by Virginia's employers.

2. The Office shall submit a report to the Governor and the chairs of the Senate Committee on Commerce and Labor, the Senate Committee on Finance, the House Committee on Labor and Commerce, and the House Committee on Appropriations by December 1, 2006, that summarizes the activities by the Commission and the Virginia

Liaison Office in furtherance of the above subsection."

**Explanation:**

(This amendment directs the Virginia Employment Commission and Virginia Liaison Office to work with Virginia's Congressional Delegation to seek additional administrative dollars for the unemployment insurance program from taxes paid by Virginia employers. In FY 2004, less than 1/3 of the FUTA taxes paid by Virginia employers returned to the Commonwealth. The target is to achieve at least 50 percent of the FUTA taxes returned to Virginia.)

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Item 124 #2s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Racing Commission	\$300,000	\$400,000	NGF

**Language:**

- Page 96, line 1, strike "\$2,631,552" and insert "\$2,931,552".
- Page 96, line 1, strike "\$2,631,552" and insert "\$3,031,552".
- Page 96, line 39, strike "\$500,000 the first" and insert "\$800,000 the first".
- Page 96, line 39, strike "\$500,000 the second" and insert "\$900,000 the second".
- Page 96, line 40, after "marketing", insert ", sustenance and growth".
- Page 96, line 41, after "industry", insert ", including horse breeding".
- Page 96, line 42, strike "500,000" and insert "800,000".
- Page 96, line 47, strike "500,000" and insert "900,000".

**Explanation:**

(This amendment increases the appropriation for the Virginia Racing Commission by \$700,000 NGF. The amendment also expands the eligible uses of funding to include the sustenance and growth of the horse industry as well as horse breeding. The funding source is from pari-mutuel wagering.)

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Item 124 #4s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Racing Commission	\$116,000	\$116,000	NGF

**Language:**

- Page 96, line 1, strike "\$2,631,552" and insert "\$2,747,552".
- Page 96, line 1, strike "\$2,631,552" and insert "\$2,747,552".

Page 96, line 14, strike "\$204,000 the first year and \$204,000" and insert "\$240,000 the first year and \$240,000".

Page 96, line 32, strike "\$40,000 the first year and \$40,000" and insert "\$80,000 the first year and \$80,000".

Page 96, line 35, strike "\$40,000 the first year and \$40,000" and insert "\$80,000 the first year and \$80,000".

Page 96, line 18, after "Medicine.", insert: "It is the General Assembly's objective to honor the intent of § 59.1-392, Code of Virginia."

Page 96, line 37, after "Foundation.", insert: "It is the General Assembly's objective to honor the intent of § 59.1-392, Code of Virginia."

**Explanation:**

(This amendment increases the amount of support for the Virginia Horse Center, the Virginia Horse Industry Board, and the Virginia-Maryland Regional College of Veterinary Medicine by \$116,000 each year from nongeneral funds (pari-mutuel wagering). The additional support results in a corresponding loss of general fund revenue. Language amendments also express legislative intent to honor the statutory allocation formula for horse racing proceeds.)

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Item 125 #1s

**Commerce And Trade**

Virginia Tourism Authority

**FY 06-07**

(\$250,000)

**FY 07-08**

(\$250,000) GF

**Language:**

Page 97, line 5, strike "\$16,600,049" and insert "\$16,350,049".

Page 97, line 5, strike "\$14,749,942" and insert "\$14,499,942".

**Explanation:**

(This amendment reduces general fund support for the Virginia Tourism Authority's marketing program by \$250,000 each year.)

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Item 125 #4s

**Commerce And Trade**

Virginia Tourism Authority

Language

**Language:**

Page 99, after line 6, insert:

"P. The Virginia Tourism Authority shall report to the Chairman of the Senate Finance Committee and the Chairman of the House Appropriations Committees by November 30, 2006, on the staffing, programming, capital, maintenance and operating cost requirements for the Commonwealth to include the Danville Welcome Center and the King George Welcome Center in the state's network of Welcome Centers."

**Explanation:**

(This amendment directs the Virginia Tourism Authority to identify the total costs, programming and staffing needed to include the Danville and King George County Welcome Centers in the state's network of Welcome Centers. A report to the Senate Finance and House Appropriations Committees is due by November 30, 2006.)

Item 125 #7s

<b>Commerce And Trade</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Tourism Authority	\$80,000	\$0	GF

**Language:**

Page 97, line 5, strike "\$16,600,049" and insert "\$16,680,049".

**Explanation:**

(This amendment provides \$80,000 from the general fund the first year to cover operating costs associated with the Potomac Gateway Welcome Center in King George County.)

Item 127 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central Office Operations	(\$71,844)	(\$71,844)	GF

**Language:**

Page 100, line 50, strike "\$29,743,804" and insert "\$29,671,960".  
Page 100, line 50, strike "\$29,743,804" and insert "\$29,671,960".  
Page 102, line 3, strike "\$540,915" and insert "\$469,071".

Page 102, line 4, strike "\$540,915, and insert "\$469,071".

Page 102, strike lines 15 and 16.

Page 102, line 17, strike "Item 135 in C. 23 a. to this Item" and "use available balances up to \$71,844 each year".

**Explanation:**

(This amendment eliminates the increase from the general fund provided in the introduced budget to replace private grant funds that are no longer available to support the Turnaround Specialists program. The Department is authorized to direct balances to this purpose if necessary.)

---

Item 127 #2s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central Office Operations	(\$204,795)	(\$204,795)	GF

**Language:**

Page 100, line 50, strike "\$29,743,804" and insert "\$29,539,009".

Page 100, line 50, strike "\$29,743,804" and insert "\$29,539,009".

Page 102, after line 24, insert:

"J. In the event that federal funds are not restored, the Department of Education is authorized to use available balances up to \$204,795 each year for the General Education Development (GED) program."

**Explanation:**

(This amendment eliminates the increase from the general fund provided in the introduced budget to replace federal workforce development funds that are no longer available to support the GED program. The Department is authorized to use balances for this purpose if necessary.)

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Item 127 #3s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central Office Operations	(\$487,200)	(\$487,200)	GF

**Language:**

Page 100, line 50, strike "\$29,743,804" and insert "\$29,256,604".

Page 100, line 50, strike "\$29,743,804" and insert "\$29,256,604".

Page 102, after line 24, insert:

"K. The Department is authorized to use available balances up to \$487,200 each year for the contract for the on-line career planning system."

**Explanation:**

(This amendment eliminates the general funds provided in the introduced budget to support an existing on-line career planning system. The Department is authorized to use balances for this purpose if necessary.)

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Item 128 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central	\$93,104	\$143,236	GF
Office Operations	0.00	2.00	FTE

**Language:**

Page 102, line 25, strike "\$13,832,588" and insert "\$13,925,692".

Page 102, line 25, strike "\$13,832,588" and insert "\$13,975,824".

**Explanation:**

(This amendment provides funding and positions to support implementation of the new Schools for Students with Disabilities Fund established under Senate Bill 544. In the first year, funding only is provided for the salary and benefits based on one professional staff. In the second year, contingent upon demonstrated need to support the program, funding for salary and benefits and two full-time positions are provided based on one professional and one support staff.)

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Item 129 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central	(\$2,000,000)	(\$3,000,000)	GF
Office Operations			

**Language:**

Page 103, line 16, strike "\$47,345,593" and insert "\$45,345,593".

Page 103, line 16, strike "\$47,345,593" and insert "\$44,345,593".

Page 103, line 22, strike "\$31,309,690" and insert "\$29,309,690".

Page 103, line 23, strike "\$31,309,690" and insert "\$28,309,690".

**Explanation:**

(This amendment reduces the appropriation for procurement of standardized testing services due to a lower than anticipated contract amount.)

Item 130 #1s

**Education: Elementary & Secondary**

Department Of Education, Central  
Office Operations

Language

**Language:**

Page 104, after line 5, insert:

"C. Notwithstanding the provisions of §2.2-1502.1, *Code of Virginia*, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to require a school division to participate in the school efficiency review program described in §2.2-1502.1, *Code of Virginia*, as a component of a division level academic review pursuant to §22.1-253.13:3, *Code of Virginia*. When a school division is required to undergo a school efficiency review pursuant to this provision, the school division shall not be charged for any of the costs of such review."

**Explanation:**

(This amendment authorizes the Board of Education, in cooperation with the Department of Planning and Budget, to require a school division to participate in the school efficiency review program as a component of a division level academic review. Currently, Petersburg City Public Schools is the only school system in division level academic review. The Department of Education has \$200,000 from FY 2005 discretionary carryforward funds available to cover the costs of a school efficiency review for Petersburg.)

Item 132 #1s

**Education: Elementary & Secondary**

Department Of Education, Central  
Office Operations

**FY 06-07**

\$34,125

**FY 07-08**

\$613,277 GF

**Language:**

Page 104, line 19, strike "\$10,678,615" and insert "\$10,712,740".

Page 104, line 19, strike "\$10,678,615" and insert "\$11,291,892".  
Page 105, line 61, strike "\$2,530,875" and insert "\$2,565,000".  
Page 105, line 61, strike the second occurrence of "\$2,530,875" and insert "\$3,144,152".

**Explanation:**

(This amendment fully funds National Board Certification awards for all teachers projected to be eligible. The introduced budget had level-funded the program.)

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Item 133 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Education, Central Office Operations	\$0	\$0	GFLanguage

**Language:**

Page 106, after line 39, insert:  
"D. The Department of Education is authorized to use available balances up to \$81,000 each year for expenses associated with the Commission on Civics Education, established pursuant to Chapter 786, 2005 Acts of Assembly."

**Explanation:**

(This amendment allows the Department to use available balances for the Civics Education Commission, which was originally established in fiscal year 2006 pursuant to Chapter 786, 2005 Acts of Assembly. The three main purposes of the advisory commission are to further the education of students on the importance of citizen involvement in a representative democracy, to promote the study of state and local government among the citizens, and to enhance communication and collaboration among organizations that conduct civic education programs.)

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Item 134 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$500,000)	\$0	GF

**Language:**

Page 107, line 2, strike "\$2,447,750" and insert "\$1,947,750".  
Page 108, strike lines 5 through 8.

**Explanation:**

(This amendment eliminates a new one-time grant for the Communities in Schools program in the Direct Aid budget. Funding is provided in Grants to Non-state Agencies.)

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Item 134 #2s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$100,000)	(\$100,000)	GF

**Language:**

Page 107, line 2, strike "\$2,447,750" and insert "\$2,347,750".

Page 107, line 2, strike "\$1,947,750" and insert "\$1,847,750".

Page 107, line 13, strike "\$900,000" and insert "\$800,000".

Page 107, line 14, strike "\$900,000" and insert "\$800,000".

**Explanation:**

(This amendment eliminates new funding in the introduced budget for the grant to the Project Discovery program. An annual grant of \$800,000 is maintained.)

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Item 135 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	\$14,447,478	\$25,141,157	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,884,802,367".

Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,025,955,526".

Page 121, strike lines 33 through 53 and insert:

"a. The appropriation in this item includes \$75,883,348 the first year and \$131,320,885 the second year from the general fund for an equivalent payment for the following salary increase and related fringe benefit costs for funded SOQ instructional and support positions and other funded incentive program positions:

1) For the first year, the state share of a payment equivalent to a 3.0 percent salary increase effective December 1, 2006, for all funded positions.

2) For the first year, the state share of a payment equivalent to an additional 1.0 percent salary increase effective December 1, 2006, for funded SOQ instructional positions only. Funded SOQ instructional positions shall include the teacher, guidance counselor, librarian, aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in both years of the biennium.

3) It is the intent that the average instructional position salaries be improved throughout the state by at least 4.0 percent the first year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 3.0 percent salary increase for all funded positions and an additional 1.0 percent for funded SOQ instructional positions effective December 1, 2006, to school divisions which certify to the state Department of Education, no later than March 1, 2007, that equivalent increases have been granted in the first year.

b. These funds shall be matched by the local government, based on the composite index of local ability-to-pay."

**Explanation:**

(This amendment raises the proposed salary adjustment for instructional staff from three percent to four percent, effective December 1, 2006, to help school divisions remain competitive in recruiting highly qualified teachers.)

Item 135 #2s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	\$15,000,000	\$15,000,000	GF
	(\$15,000,000)	(\$15,000,000)	NGF

**Language:**

Page 118, line 36, strike "\$125,854,700" and insert "\$110,854,700".

Page 118, line 37, strike "\$125,854,700" and insert "\$110,854,700".

**Explanation:**

(This amendment replaces \$15.0 million each year of the total \$125.9 million in Literary Fund proceeds, which currently are diverted to support SOQ retirement costs. The restored Literary Fund proceeds will be used for direct loans for school construction projects on the First Priority Waiting List.)

Item 135 #3s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	\$9,929,589	\$10,204,393	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,880,284,478".

Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,011,018,762".

**Explanation:**

(This amendment adds \$9.9 million GF the first year and \$10.2 million GF the second year for the state's share of the cost of a Virginia Retirement System contribution rate for teachers of 9.58 percent, compared with 9.20 percent in the budget as introduced. The rate reflects a change in the amortization period from the maximum allowable 30 years to a period of 26 years.)

Item 135 #4s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	\$3,272,189	\$6,605,528	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,873,627,078".  
Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,007,419,897".  
Page 131, line 43, strike "\$5,400" and insert "\$5,700 the first year and \$6,000 the second year".  
Page 133, line 27, after "projected" insert "The Department is also authorized to expend unobligated balances in this program for grants to qualifying schools and community-based groups for one-time expenses, other than capital, related to start-up or expansion of programs.".

**Explanation:**

(This amendment increases from \$5,400 to \$5,700 the first year and to \$6,000 the second year the basis for calculating the state's share of the funding for the Virginia Preschool Initiative for at-risk four-year-olds unserved by Head Start programs. The per pupil amount has not been updated since the program began in FY 1996. In addition, this amendment authorizes the Department of Education to provide one-time start-up or expansion grants out of any unobligated balances in the program based on non-participation.)

Item 135 #5s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	\$0	\$1,119,514	GF

**Language:**

Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,001,933,883".

Page 119, strike lines 7 through 22 and insert:

"2) This appropriation includes funding to recognize the common labor market in the Washington DC Metropolitan Statistical Area. Standards of Quality salary payments for instructional and support positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District 8. For Stafford and Fauquier, SOQ payments have been increased by 10 percent the first year and 25 percent the second year of the COCA rates paid to school divisions in Planning District 8. For Fredericksburg and Spotsylvania, SOQ payments have been increased by 10 percent the second year of the COCA rates paid to school divisions in Planning District 8."

**Explanation:**

(This amendment adds \$1.1 million to extend the cost of competing adjustment to Fredericksburg and Spotsylvania at 10 percent of the full amount the second year. The introduced budget included funding to extend the COCA to Stafford and Fauquier at 10 percent of the full amount the first year and 25 percent the second year. Currently, a cost of competing adjustment of 9.83 percent for instructional positions and 24.61 percent for support positions is provided for the nine Northern Virginia localities that comprise Planning District 8. From 1971 through 1990, Planning District 8 and the Virginia localities in the Washington DC Metropolitan Statistical Area were identical. In 1990, Stafford was added to the MSA. In 1993, Fauquier, Fredericksburg, Spotsylvania, Warren, and Clark were added to the MSA.)

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Item 135 #6s

**Education: Elementary & Secondary**

Direct Aid To Public Education

**FY 06-07**

(\$16,789,458)

**FY 07-08**

(\$16,827,356) GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,853,565,431".

Page 108, line 9, strike "\$6,000,814,369" and insert "\$5,983,987,013".

**Explanation:**

(This amendment reflects the savings based on applying an adjusted scale, or "soft cap," on funded inflation rates in the Standards of Quality funding model. Specifically, inflation rates are funded at 100 percent up to 5.0 percent, the ten-year average, and

then at 35 percent for that amount of the inflation rate above 5.0 percent. The average inflation rate for the 2006-08 re-benchmarking was 7.30 percent, compared with 4.66 percent last biennium.)

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Item 135 #7s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$3,081,247)	(\$3,081,247)	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,867,273,642".

Page 108, line 9, strike "\$6,000,814,369" and insert "\$5,997,733,122".

Page 138, line 43, strike "\$249,641,656" and insert "\$244,740,407".

Page 138, line 44, strike "\$249,641,656" and insert "\$244,740,398".

Page 138, strike lines 47 through 52 and insert:

"c. \$27,499,995 the first year and \$27,500,004 the second year in Lottery proceeds appropriated in this item shall provide for the cost of the school construction grants program."

Page 138, line 54, strike the first occurrence of "\$156,940,845" and insert "\$153,859,598".

Page 138, line 54, strike the second occurrence of "\$156,940,845" and insert "\$153,859,598"

Page 139, line 3, strike "\$232.83" and insert "\$228.26".

Page 139, line 4, strike "\$230.98" and insert "\$226.44".

**Explanation:**

(This amendment ends the practice begun in the 2004 Session of funding a portion of SOQ Prevention, Intervention, and Remediation costs "off the top" of Lottery proceeds before the Lottery per pupil amount is calculated. Instead, School Construction Grants would be funded from Lottery proceeds, based on the programmatic nexus that at least half of Lottery proceeds must be utilized for nonrecurring expenses, such as construction needs.)

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Item 135 #8s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$1,626,823)	(\$2,127,383)	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,868,728,066".  
Page 108, line 9, strike "\$6,000,814,369" and insert "\$5,998,686,986".  
Page 136, line 46, strike "\$13,153,734" and insert "\$11,526,911".  
Page 136, line 47, strike "\$12,592,252" and insert "\$10,464,869".

**Explanation:**

(This amendment limits proposed funding in the introduced budget for the payment of Advanced Placement fees for economically disadvantaged students only, rather than to include Early College Scholars, regardless of financial need.)

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Item 135 #9s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$900,000)	(\$450,000)	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,869,454,889".  
Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,000,364,369".  
Page 136, line 46, strike "\$13,153,734" and insert "\$12,253,734".  
Page 136, line 47, strike "\$12,592,252" and insert "\$12,142,252".

**Explanation:**

(This amendment captures anticipated savings in the teacher mentor and teacher corps programs. For FY 06, \$1.8 million in savings were realized against budgeted estimates. This amendment reflects 50 percent of that amount in FY07 and 25 percent in FY08.)

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Item 135 #10s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$280,000)	(\$140,000)	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,870,074,889".  
Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,000,674,369".

**Explanation:**

(This amendment captures anticipated savings in the School Breakfast program. For FY 06, \$560,000 in savings were realized against budgeted estimates. The

amendment reflects 50 percent of that amount in FY07 and 25 percent in FY08.)

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Item 135 #11s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Direct Aid To Public Education	(\$43,869)	(\$121,881)	GF

**Language:**

Page 108, line 9, strike "\$5,870,354,889" and insert "\$5,870,311,020".

Page 108, line 9, strike "\$6,000,814,369" and insert "\$6,000,692,488".

**Explanation:**

(This amendment reduces funding due to a correction in the calculation of K-3 Primary Class Size and a correction in the Portsmouth Census update.)

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Item 135 #12s

<b>Education: Elementary &amp; Secondary</b>		
Direct Aid To Public Education		Language

**Language:**

Page 117, after line 51, insert:

"The Department of Education shall convene a technical work group to include appropriate staff of the Department of Planning and Budget, the Senate Finance and House Appropriations Committees, and the Joint Legislative and Audit Review Commission as well as representatives of appropriate stakeholder groups.

The group shall: 1) study re-benchmarking cost trends and drivers; 2) review Standards of Quality (SOQ), incentive, categorical, and school facilities funding streams within Direct Aid to Public Education, as well as the Literary Fund, and identify options for efficiencies and cost savings and for greater funding flexibility, especially to better prepare the state and localities for future economic downturns; 3) consider alternatives to across-the-board compensation supplements to better target state funds; 4) review funding streams for programs for students at-risk of academic failure, and assess whether such programs should be incorporated into the SOQ; and 5) examine special education funding issues.

The technical work group shall provide to the Governor and the Chairmen of House Appropriations and Senate Finance: a) a detailed project workplan no later than July 15, 2006, and b) a summary of their work by October 15, 2006."

**Explanation:**

(This amendment is self-explanatory.)

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Item 135 #13s

**Education: Elementary & Secondary**

Direct Aid To Public Education

Language

**Language:**

Page 122, after line 41, insert:

"In recalculating the cost of the Standards of Quality effective with the 2008-2010 biennial rebenchmarking, the Department of Education shall include visually impaired students in the calculation consistent with the caseloads for other special education categories."

**Explanation:**

(This amendment directs the Department of Education to include visually impaired students in the Standards of Quality calculation consistent with the caseload standards for other disability categories in the next biennial rebenchmarking. Currently, funding for visually impaired caseloads is based on available funding in the Department of Blind and Vision Impaired, so there would be an offsetting savings in that agency. This action would fund visually impaired caseloads in a manner consistent with other special education categories and thus reduce the caseloads for teachers of visually impaired students. The net cost for 2006-08 was estimated to be about \$2.5 million per year.)

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Item 137 #1s

**Education: Elementary & Secondary**

Virginia School For The Deaf, Blind  
And Multi-Disabled At Hampton

**FY 06-07**

(\$31,696)

**FY 07-08**

(\$58,515) GF

**Language:**

Page 142, line 25, strike "\$2,180,301" and insert "\$2,148,605".

Page 142, line 25, strike "\$2,207,120" and insert "\$2,148,605".

**Explanation:**

(This amendment is a companion to an amendment in Central Appropriations, which together transfer the proposed pay parity funding in the introduced budget to one "Compensation Supplement" account for all affected agencies.)

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Item 140 #1s

<b>Education: Elementary &amp; Secondary</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia School For The Deaf And The Blind At Staunton	(\$38,132)	(\$70,398)	GF

**Language:**

Page 143, line 14, strike "\$3,508,839" and insert "\$3,470,707".  
Page 143, line 14, strike "\$3,541,105" and insert "\$3,470,707".

**Explanation:**

(This amendment is a companion to an amendment in Central Appropriations, which together transfer the proposed pay parity funding in the introduced budget to one "Compensation Supplement" account for all affected agencies.)

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Item 143 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
State Council Of Higher Education For Virginia	(\$2,500,000)	(\$2,500,000)	GF

**Language:**

Page 144, line 15, strike "\$59,766,906" and insert "\$57,266,906".  
Page 144, line 15, strike "\$64,216,956" and insert "\$61,716,956".  
Page 145, line 26, strike "\$4,490,168" and insert "\$1,990,168".  
Page 145, line 27, strike "\$4,490,168".  
Page 146, line 34, strike "two years" and insert "one year".

**Explanation:**

(This amendment removes \$2.5 million GF each year included in the introduced budget to increase the eligibility for in-state tuition to military dependents from one year to two years.)

**Education: Higher Education**

State Council Of Higher Education  
For Virginia

Language

**Language:**

Page 150, strike lines 40 through 51 and insert:

"I.1. The State Council of Higher Education for Virginia, in consultation with the Healthcare Workforce Task Force described in paragraph 2 of this Item shall develop and recommend criteria for awarding additional state funds through a competitive grant process to innovative regional public-private sector partnerships that seek to maximize the number of newly licensed nurses and increase the supply of graduate nursing faculty.

2. The Healthcare Workforce Task Force will develop criteria for the grant award process, identify aggressive attainment goals, establish mechanisms to monitor results and recommend program scope for the State Council and policy makers to consider. The Task Force will be co-chaired by the Secretaries of Education and Health and Human Resources and will also include two members of the Senate appointed by the President pro tempore and three members of the House of Delegates appointed by the Speaker of the House of Delegates.

b) In addition, the Task Force will include six individuals appointed by the co-chairs with experience and knowledge of the supply of nurses and other allied health professionals, training and practice issues as follows: two higher education leaders, two business leaders (one of whom also serves on the Virginia Workforce Council) and two hospital or health system executives.

3. The criteria developed by the Task Force for reviewing potential grant applications will reward: i) regions that demonstrate partnerships between education institutions and health care employers for addressing the registered nursing shortage; ii) applicants that document past, current, and new matching private funds applied toward registered nurse education (to leverage potential public funds); iii) innovative and cost-effective plans that expand the output of registered nurses (*e.g.*, standardized curricula, improved retention rates and improved pass rates on licensure exams); and iv)

partnerships that demonstrate a desire and capability to be held accountable for results. The Council and Healthcare Workforce Task Force shall submit a report on the healthcare workforce competitive grant program scope, criteria and structure to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2006."

**Explanation:**

(This amendment revises language proposed in the introduced budget. As amended, the language establishes a Healthcare Workforce Task Force and charges the State Council of Higher Education for Virginia to work with this group to establish the potential framework and to recommend award criteria that could be used if the Commonwealth were to establish a state grant program to address Virginia's nursing shortage.)

Item 145 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
State Council Of Higher Education	\$112,400	\$121,300	GF
For Virginia	1.00	1.00	FTE

**Language:**

Page 148, line 5, strike "\$11,350,431" and insert "\$11,462,831".  
 Page 148, line 5, strike "\$11,365,876" and insert "\$11,487,176".

**Explanation:**

(This amendment provides \$112,400 GF the first year and \$121,300 GF the second year to create a new Restructuring Coordinator position at SCHEV. This position will oversee the on-going implementation of the 2005 Higher Education Restructuring Act.)

Item 145 #3s

<b>Education: Higher Education</b>	
State Council Of Higher Education	Language
For Virginia	

**Language:**

Page 150, after line 51, insert:

"J. In consultation with the Secretary of Education, the Secretary of Finance, and the Chairmen of the House Appropriations Committee and Senate Finance Committee, or their designees, the State Council of Higher Education for Virginia shall review, and if necessary, update institutional peer groups used for assessing the Commonwealth's goal to fund teaching and research faculty at the 60th percentile of peer institutions nationally.

In updating each public college or university's peer group, the Council shall develop a set of peers that is statistically similar to the Virginia institution. Factors to be used in the assessment of similar institutions may include, but shall not be limited to, the institution's Carnegie classification, the mix of academic programs offered, qualifications for student admissions, and faculty qualifications.

The State Council shall report its findings to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2006 along with an assessment of the impact of faculty salary rankings using the updated peer groups."

**Explanation:**

(This amendment requires the State Council of Higher Education to update the national peer groups for faculty salary comparisons by November 1, 2006. The peer groups have not been updated in ten years for some institutions.)

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Item 145 #4s

**Education: Higher Education**

State Council Of Higher Education  
For Virginia

Language

**Language:**

Page 150, after line 51, insert:

"J. By November 15, 2006, the State Council of Higher Education for Virginia shall present to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees, its recommendations for allocating general fund support for state need-based student financial aid to public colleges and universities. To the extent those recommendations differ from the General Assembly's long-held goal to meet 50 percent of remaining student need, the State Council shall identify how the proposed

methodology addresses student need, and if appropriate, recommend an alternative measure to monitor the level of need being met with existing appropriations."

**Explanation:**

(This amendment requires the State Council of Higher Education to present its on-going work on state student financial aid policies and any recommended changes to the money committee chairmen by November 15, 2006.)

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Item 148 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Christopher Newport University	(\$859,302)	(\$859,302)	GF

**Language:**

Page 151, line 24, strike "\$48,978,811" and insert "\$48,119,509".  
Page 151, line 24, strike "\$50,911,706" and insert "\$50,052,404".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 148 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Christopher Newport University	\$486,240	\$1,738,209	GF

**Language:**

Page 151, line 24, strike "\$48,978,811" and insert "\$49,465,051".  
Page 151, line 24, strike "\$50,911,706" and insert "\$52,649,915".  
Page 151, after line 44, insert:  
"C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families.

In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 148 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Christopher Newport University	(\$143,846)	(\$143,846)	GF

**Language:**

Page 151, line 24, strike "\$48,978,811" and insert "\$48,834,965".  
Page 151, line 24, strike "\$50,911,706" and insert "\$50,767,860".

**Explanation:**

(This amendment removes funding provided in the introduced budget for base operating support. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 152 #7s

<b>Education: Higher Education</b>	
The College Of William And Mary In Virginia	Language

**Language:**

Page 153, after line 5, insert:  
"D. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the

Commonwealth, as set forth in Senate Bill 675, of the 2006 General Assembly, as amended."

**Explanation:**

(This amendment provides sum sufficient appropriation for educational and general program revenues collected by the College of William and Mary under the terms of the management agreement approved in Senate Bill 675 (2006 Session), as amended.)

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Item 152 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
The College Of William And Mary In Virginia	(\$1,167,264)	(\$1,167,264)	GF

**Language:**

Page 152, line 28, strike "\$119,658,659" and insert "\$118,491,395".

Page 152, line 28, strike "\$123,192,441" and insert "\$122,025,177".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 152 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
The College Of William And Mary In Virginia	\$941,970	\$3,245,186	GF

**Language:**

Page 152, line 28, strike "\$119,658,659" and insert "\$120,600,629".

Page 152, line 28, strike "\$123,192,441" and insert "\$126,437,627".

Page 152, after line 5, insert:

"D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund

share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 156 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Richard Bland College	(\$657,728)	(\$657,728)	GF

**Language:**

Page 154, line 9, strike "\$8,570,343" and insert "\$7,912,615".  
Page 154, line 9, strike "\$8,715,809" and insert "\$8,058,081".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 156 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Richard Bland College	\$433,958	\$900,174	GF

**Language:**

Page 154, line 9, strike "\$8,570,343" and insert "\$9,004,301".  
Page 154, line 9, strike "\$8,715,809" and insert "\$9,615,983".

Page 154, after line 34, insert:

"C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 160 #7s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Institute Of Marine Science	(\$1,098,814)	(\$1,819,307)	GF
	-3.00	-5.00	FTE

**Language:**

Page 155, line 14, strike "\$21,643,339" and insert "\$20,544,525".

Page 155, line 14, strike "\$23,107,820" and insert "\$21,288,513".

Page 155, strike lines 48 through 50.

Page 156, strike lines 1 through 3.

**Explanation:**

(This amendment removes \$1.1 million GF and three positions in FY 2007 and \$1.8 million GF and five positions in FY 2008 for the monitoring and assessment of cleanup efforts in the Chesapeake Bay. A companion amendment transfers these funds and positions to the Department of Environmental Quality, which is responsible for the Commonwealth's on-going monitoring efforts.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
George Mason University	(\$17,077,891)	(\$17,077,891)	GF

**Language:**

Page 156, line 31, strike "\$300,104,943" and insert "\$283,027,052".  
 Page 156, line 31, strike "\$307,840,365" and insert "\$290,762,474".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
George Mason University	\$11,610,640	\$24,853,983	GF

**Language:**

Page 156, line 31, strike "\$300,104,943" and insert "\$311,715,583".  
 Page 156, line 31, strike "\$307,840,365" and insert "\$332,694,348".  
 Page 157, after line 17, insert:

"E. As Virginia’s public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding

guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 166 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
James Madison University	(\$3,423,885)	(\$3,423,885)	GF

**Language:**

Page 158, line 5, strike "\$186,178,679" and insert "\$182,754,794".

Page 158, line 5, strike "\$198,342,495" and insert "\$194,918,610".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 166 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
James Madison University	\$2,300,200	\$6,356,334	GF

**Language:**

Page 158, line 5, strike "\$186,178,679" and insert "\$188,478,879".

Page 158, line 5, strike "\$198,342,495" and insert "\$204,698,829".

Page 158, after line 30, insert:

"C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 170 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Longwood University	(\$1,493,697)	(\$1,493,697)	GF

**Language:**

Page 159, line 17, strike "\$47,415,163" and insert "\$45,921,466".

Page 159, line 17, strike "\$49,600,381" and insert "\$48,106,684".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 170 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Longwood University	\$770,033	\$2,331,453	GF

**Language:**

Page 159, line 17, strike "\$47,415,163" and insert "\$48,185,196".

Page 159, line 17, strike "\$49,600,381" and insert "\$51,931,834".

Page 159, after line 39, insert:

"C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families.

In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

Item 170 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Longwood University	\$462,000	\$874,000	GF

**Language:**

- Page 159, line 17, strike "\$47,415,163" and insert "\$47,877,163".
- Page 159, line 17, strike "\$49,600,381" and insert "\$50,474,381".
- Page 159, line 33, strike "\$125,000" and insert "\$587,000".
- Page 159, line 35, strike "\$125,000" and insert "\$999,000".

**Explanation:**

(This amendment provides an additional \$462,000 GF the first year and \$874,000 GF the second year for debt service on the first two years of a five-year lease to purchase and install an updated administrative information system for the University.)

Item 174 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Norfolk State University	(\$284,545)	(\$284,545)	GF

**Language:**

- Page 160, line 27, strike "\$82,881,139" and insert "\$82,596,594".
- Page 160, line 27, strike "\$83,704,720" and insert "\$83,420,175".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides

additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 174 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Norfolk State University	\$707,650	\$1,485,869	GF

**Language:**

Page 160, line 27, strike "\$82,881,139" and insert "\$83,588,789".

Page 160, line 27, strike "\$83,704,720" and insert "\$85,190,589".

Page 161, after line 45, insert:

"G. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 174 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Norfolk State University	(\$832,719)	(\$752,719)	GF

**Language:**

Page 160, line 27, strike "\$82,881,139" and insert "\$82,048,420".

Page 160, line 27, strike "\$83,704,720" and insert "\$82,952,001".

**Explanation:**

(This amendment removes \$833,000 GF in the first year and \$753,000 GF in the second year included in the introduced budget to enhance Norfolk State University's research efforts in Materials Science.)

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Item 175 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Norfolk State University	\$15,000	\$15,000	GF

**Language:**

Page 161, line 46, strike "\$9,978,945" and insert "\$9,993,945".  
Page 161, line 46, strike "\$9,978,945" and insert "\$9,993,945".

**Explanation:**

(This amendment provides an additional \$15,000 GF each year for student financial aid. The University is currently meeting this obligation with private gifts that are intended for other purposes.)

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Item 178 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Old Dominion University	(\$9,823,193)	(\$9,823,193)	GF

**Language:**

Page 162, line 28, strike "\$187,376,462" and insert "\$177,553,269".  
Page 162, line 28, strike "\$196,571,936" and insert "\$186,748,743".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 178 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Old Dominion University	\$7,854,978	\$20,202,893	GF

**Language:**

Page 162, line 28, strike "\$187,376,462" and insert "\$195,231,440".  
Page 162, line 28, strike "\$196,571,936" and insert "\$216,774,829".  
Page 164, after line 14, insert:

"J. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

Item 181 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Old Dominion University	\$7,000,000	\$7,000,000	NGF

**Language:**

Page 164, line 28, strike "\$43,787,743" and insert "\$50,787,743".  
Page 164, line 28, strike "\$43,787,743" and insert "\$50,787,743".

**Explanation:**

(This amendment provides \$7.0 million each year in additional nongeneral fund authority for anticipated revenue associated with the University taking over the operation and maintenance of 960 beds in the University Village Apartments. The apartments are currently managed by a private contractor.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Radford University	(\$1,649,265)	(\$1,649,265)	GF

**Language:**

Page 165, line 21, strike "\$86,782,135" and insert "\$85,132,870".

Page 165, line 21, strike "\$88,469,297" and insert "\$86,820,032".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Radford University	\$3,529,838	\$8,140,497	GF

**Language:**

Page 165, line 21, strike "\$86,782,135" and insert "\$90,311,973".

Page 165, line 21, strike "\$88,469,297" and insert "\$96,609,794".

Page 166, after line 7, insert: "E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding

guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 182 #3s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Radford University	\$40,520	\$74,804	GF

**Language:**

Page 165, line 21, strike "\$86,782,135" and insert "\$86,822,655".

Page 165, line 21, strike "\$88,469,297" and insert "\$88,544,101".

**Explanation:**

(This amendment provides \$115,324 GF over the biennium to cover the state share of a 2.3 percent salary increase for teaching and research faculty. These funds are required to correct an error in the introduced budget.)

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Item 186 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Mary Washington	\$1,608,000	\$1,943,000	GF
	\$792,000	\$957,000	NGF
	30.00	35.00	FTE

**Language:**

Page 166, line 41, strike "\$49,674,225" and insert "\$52,074,225".

Page 166, line 41, strike "\$51,390,147" and insert "\$54,290,147".

**Explanation:**

(This amendment provides an additional \$1.6 million GF, \$792,000 NGF, and 30 positions the first year along with \$1.9 million GF, \$957,000 NGF, and 35 positions the second year to staff the second graduate education building coming on-line at the Stafford campus.)

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Item 186 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
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University Of Mary Washington (\$1,960,417) (\$1,960,417) GF

**Language:**

Page 166, line 41, strike "\$49,674,225" and insert "\$47,713,808".

Page 166, line 41, strike "\$51,390,147" and insert "\$49,429,730".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 186 #4s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

University Of Mary Washington

\$2,700,843

\$4,554,434 GF

**Language:**

Page 166, line 41, strike "\$49,674,225" and insert "\$52,375,068".

Page 166, line 41, strike "\$51,390,147" and insert "\$55,944,581".

Page 167, after line 17, insert:

"C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Virginia	\$130,000	\$130,000	GF

**Language:**

Page 168, line 35, strike "\$416,755,477" and insert "\$416,885,477".

Page 168, line 35, strike "\$434,405,812" and insert "\$434,535,812".

Page 170, line 39, after "J.", insert "1."

Page 170, line 48, insert: "2. Out of this appropriation, \$130,000 from the general fund each year is provided to the Center of Politics to provide civic education resources to all public elementary and secondary schools in the Commonwealth."

**Explanation:**

(This amendment provides an additional \$130,000 GF each year to replace federal funding that had been provided for the Youth Leadership Initiative at UVA's Center for Politics. The replacement of these federal funds with state support will allow the Center to continue providing and enhancing teaching resources for social studies throughout the state, and to host annual statewide mock elections in K-12 schools.)

<b>Education: Higher Education</b>		
University Of Virginia		Language

**Language:**

Page 171, after line 29, insert:

"N. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Senate Bill 675, 2006 General Assembly, as amended."

**Explanation:**

(This amendment provides sum sufficient appropriation for educational and general program revenues collected by the University of Virginia under the terms of the management agreement approved in Senate Bill 675 (2006 Session), as amended.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Virginia	(\$3,917,107)	(\$3,917,107)	GF

**Language:**

Page 168, line 35, strike "\$416,755,477" and insert "\$412,838,370".

Page 168, line 35, strike "\$434,405,812" and insert "\$430,488,705".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Virginia	\$4,275,429	\$8,412,509	GF

**Language:**

Page 168, line 35, strike "\$416,755,477" and insert "\$421,030,906".

Page 168, line 35, strike "\$434,405,812" and insert "\$442,818,321".

Page 171, after line 29, insert:

"N. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding

guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 199 #2s

**Education: Higher Education**

University Of Virginia's College At  
Wise

Language

**Language:**

Page 173, line 29, insert: "A."

Page 173, line 35, insert:

"B. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth."

**Explanation:**

(This amendment requires SCHEV to review the software engineering program proposed at UVA-Wise on its merits, not based on the level of general fund support provided.)

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Item 199 #3s

**Education: Higher Education**

University Of Virginia's College At  
Wise

**FY 06-07**

\$550,000

**FY 07-08**

\$590,000 GF

**Language:**

Page 173, line 18, strike "\$20,499,760" and insert "\$21,049,760".

Page 173, line 18, strike "\$20,878,015" and insert "\$21,468,015".

**Explanation:**

(This amendment provides an additional \$550,000 GF the first year and \$590,000 GF the second year to support the College's efforts to establish an accredited software engineering program to support recent economic development activities in the Southwest. This amendment, when added to the funds, provided in the introduced

budget, will provide the required operating budget for the program.)

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Item 199 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Virginia's College At Wise	\$904,000	\$2,167,582	GF

**Language:**

Page 173, line 18, strike "\$20,499,760" and insert "\$21,403,760".

Page 173, line 18, strike "\$20,878,015" and insert "\$23,045,597".

Page 173, line 29, insert "A."

Page 173, after line 34, insert:

"B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 199 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
University Of Virginia's College At Wise	(\$1,833,528)	(\$1,833,528)	GF

**Language:**

Page 173, line 18, strike "\$20,499,760" and insert "\$18,666,232".

Page 173, line 18, strike "\$20,878,015" and insert "\$19,044,487".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

Item 203 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Commonwealth University	\$600,000	\$600,000	NGF

**Language:**

Page 174, line 31, strike "\$414,108,526" and insert "\$414,708,526".

Page 174, line 31, strike "\$431,886,790" and insert "\$432,486,790".

Page 177, strike line 54, and insert: "Q. Out of this appropriation, \$150,000 from the general fund and \$600,000 from nongeneral funds is provided each year for palliative and hospice care programs offered through the Thomas Palliative Care Unit of the Massey Cancer Center and the Institute for Education and Leadership of Capital Hospice."

**Explanation:**

(This amendment provides an additional \$600,000 NGF each year for palliative and hospice care to terminally ill patients through the Thomas Palliative Care Unit of the Massey Cancer Center and the Institute for Education and Leadership of Capital Hospice. The introduced budget included \$150,000 from the general fund each year for this purpose.)

Item 203 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Commonwealth University	(\$16,456,482)	(\$16,456,482)	GF

**Language:**

Page 174, line 31, strike "\$414,108,526" and insert "\$397,652,044".

Page 174, line 31, strike "\$431,886,790" and insert "\$415,430,308".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 203 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Commonwealth University	\$11,845,539	\$29,544,416	GF

**Language:**

Page 174, line 31, strike "\$414,108,526" and insert "\$425,954,065".  
Page 174, line 31, strike "\$431,886,790" and insert "\$461,431,206".  
Page 178, after line 3, insert:

"N. As Virginia’s public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 208 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Community College System	\$100,000	\$100,000	GF

**Language:**

Page 179, line 5, strike "\$659,556,070" and insert "\$659,656,070".

Page 179, line 5, strike "\$684,276,997" and insert "\$684,376,997".

Page 183, after line 16, insert:

"V. Out of this appropriation, \$100,000 from the general fund is provided each year for the heavy equipment operator program at Southside Virginia Community College. These funds are provided as the first two years of a grant to the program as it identifies nongeneral fund revenues to support its operations. It is the intent of the General Assembly that general fund support for the operation of this program not exceed a period of five years.")

**Explanation:**

(This amendment provides \$100,000 GF each year for the heavy equipment operator program at Southside Virginia Community College. The Governor's Task Force on Workforce Development in the Construction Industry recommended that the General Assembly fund this program for a sufficient period of time so that it could be self-supporting. Accompanying language sets forth the expectation that general fund support be provided for a period of no more than five years beginning in FY 2007.)

Item 208 #3s

**Education: Higher Education**

Virginia Community College System

**FY 06-07**

(\$36,195,779)

**FY 07-08**

(\$36,195,779) GF

**Language:**

Page 179, line 5, strike "\$659,556,070" and insert "\$623,360,291".

Page 179, line 5, strike "\$684,276,997" and insert "\$648,081,218".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Community College System	\$23,273,141	\$55,438,862	GF

**Language:**

Page 179, line 5, strike "\$659,556,070" and insert "\$682,829,211".

Page 179, line 5, strike "\$684,276,997" and insert "\$739,715,859".

Page 183, after line 16, insert:

"V. As Virginia’s public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Community College System	(\$1,346,000)	(\$3,804,500)	GF

**Language:**

Page 179, line 5, strike "\$659,556,070" and insert "\$658,210,070".

Page 179, line 5, strike "\$684,276,997" and insert "\$680,472,497".

Page 183, line 13, strike "\$3,487,500" and insert "\$2,141,500".

Page 183, line 14, strike "\$5,946,000" and insert "\$2,141,500".

**Explanation:**

(This amendment reduces the scope of the expansion of the VCCS Middle College program as proposed in the introduced bill. SB 30, as introduced, provided funding to expand the five Middle College pilot programs to every community college. This amendment would provide funding for nine programs throughout the state. The amendment also removes funding included in the introduced budget for placing community college career counselors into local high schools.)

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Item 208 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Community College System	\$0	\$50,000	GF

**Language:**

Page 179, line 5, strike "\$684,276,997" and insert "\$684,326,997".

Page 183, after line 16, insert:

"V. Out of this appropriation, \$50,000 from the general fund is provided each year to cover the administrative costs of implementing the Community College Transfer Grant Program."

**Explanation:**

(This amendment provides funding to begin implementing the Community College Transfer Grant in accordance with Senate Bill 540, as amended. Under this legislation, students enrolling in the Fall 2006 could become eligible to receive a grant as early as Spring 2009. Although there is no fiscal impact tied to the grant reimbursement program this biennium, the Virginia Community College System anticipates that it will incur some administrative costs as it makes the public aware of the program and begins working with students who are interested in participating in the program.)

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Item 215 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Military Institute	(\$297,706)	(\$297,706)	GF

**Language:**

Page 184, line 22, strike "\$28,096,739" and insert "\$27,799,033".

Page 184, line 22, strike "\$28,347,911" and insert "\$28,050,205".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 215 #1s

**Education: Higher Education**

Virginia Military Institute

**FY 06-07**

\$123,165

**FY 07-08**

\$523,243 GF

**Language:**

Page 184, line 22, strike "\$28,096,739" and insert "\$28,219,904".

Page 184, line 22, strike "\$28,347,911" and insert "\$28,871,154".

Page 184, line 45, insert "A."

Page 184, after line 47, insert:

"B. As Virginia’s public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 220 #5s

**Education: Higher Education**

**Language:**

Page 187, after line 14, insert:

“I. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Senate Bill 675, 2006 General Assembly, as amended.”

**Explanation:**

(This amendment provides sum sufficient appropriation for educational and general program revenues collected by Virginia Tech under the terms of the management agreement approved in Senate Bill 675 (2006 Session), as amended.)

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Item 220 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Polytechnic Institute And State University	(\$1,765,930)	(\$1,765,930)	GF

**Language:**

Page 186, line 12, strike "\$424,505,429" and insert "\$422,739,499".

Page 186, line 12, strike "\$438,030,886" and insert "\$436,264,956".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

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Item 220 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Polytechnic Institute And	\$3,600,880	\$9,233,204	GF

State University

**Language:**

Page 186, line 12, strike "\$424,505,429" and insert "\$428,106,309".

Page 186, line 12, strike "\$438,030,886" and insert "\$447,264,090".

Page 187, after line 14, insert:

"I. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

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Item 224 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Cooperative Extension And	\$540,000	\$1,080,000	GF
Agricultural Experiment Station	9.50	19.00	FTE

**Language:**

Page 188, line 50, strike "\$80,637,255" and insert "\$81,177,255".

Page 188, line 50, strike "\$81,291,255" and insert "\$82,371,255".

**Explanation:**

(This amendment provides \$540,000 GF and 9.5 FTE the first year and \$1.1 million GF and 19 FTE the second year to continue adding extension specialists and research personnel as part of the agency's Commonwealth Staffing Initiative.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia State University	(\$2,496,268)	(\$2,496,268)	GF

**Language:**

Page 189, line 45, strike "\$57,147,545" and insert "\$54,651,277".  
 Page 189, line 45, strike "\$57,913,487" and insert "\$55,417,219".

**Explanation:**

(This amendment removes funding provided in the introduced budget for enrollment growth and degrees awarded. A companion amendment provides additional funding to continue moving towards full funding of the base adequacy guidelines and to provide additional funding in the second year for projected increases in in-state enrollments in FY 2007.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia State University	\$1,490,040	\$3,665,081	GF

**Language:**

Page 189, line 45, strike "\$57,147,545" and insert "\$58,637,585".  
 Page 189, line 45, strike "\$57,913,487" and insert "\$61,578,568".  
 Page 191, after line 12, insert:

"F. As Virginia’s public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible."

**Explanation:**

(This amendment provides additional base operating support to continue making progress on fully funding the general fund share of the base adequacy funding

guidelines adopted by the Joint Subcommittee Studying Higher Education Funding Policies.)

---

Item 232 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Jamestown-Yorktown Foundation	\$261,000	\$298,103	GF

**Language:**

Page 193, line 26, strike "\$17,351,233" and insert "\$17,612,233".

Page 193, line 26, strike "\$17,454,298" and insert "\$17,752,401".

**Explanation:**

(This amendment provides funds to pay escalating energy costs and to properly maintain museum temperature and humidity standards in galleries and artifact storage areas.)

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Item 232 #2s

<b>Education: Other</b>		<b>Language</b>
Jamestown-Yorktown Foundation		

**Language:**

Page 194, after line 14, insert:

"D. The Jamestown-Yorktown Foundation is authorized to transfer ownership of the current *Discovery* replica ship to parties in the United Kingdom "as is and without warranties" without compensation as an official element of the British portion of the commemoration of the founding of Jamestown."

**Explanation:**

(This amendment authorizes the transfer of ownership of the *Discovery* to parties in the United Kingdom.)

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Item 233 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Jamestown 2007	\$347,000	\$0	GF

**Language:**

Page 194, line 23, strike "\$7,034,519" and insert "\$7,381,519".

**Explanation:**

(This amendment provides half of the matching funds requested to implement a transportation plan for anniversary weekend events.)

Item 233 #3s

**Education: Other**

Jamestown 2007

**FY 06-07**

\$500,000

**FY 07-08**

\$0 GF

**Language:**

Page 194, line 23, strike "\$7,034,519" and insert "\$7,534,519".

**Explanation:**

(This amendment provides funding for marketing to enhance the economic impact for Virginia of the 2007 commemoration.)

Item 236 #1s

**Education: Other**

The Library Of Virginia

**FY 06-07**

\$1,000,000

**FY 07-08**

\$2,000,000 GF

**Language:**

Page 197, line 35, strike "\$16,808,571" and insert "\$17,808,571".

Page 197, line 35, strike "\$16,808,571" and insert "\$18,808,571".

**Explanation:**

(This amendment adds \$1.0 million GF the first year and \$2.0 million GF the second year for aid to local public libraries, bringing state funding to 77 percent of the formula-calculated amount.)

Item 236 #2s

**Education: Other**

**FY 06-07**

**FY 07-08**

The Library Of Virginia \$300,000 \$200,000 GF

**Language:**

Page 197, line 35, strike "\$16,808,571" and insert "\$17,108,571".

Page 197, line 35, strike "\$16,808,571" and insert "\$17,008,571".

**Explanation:**

(This amendment provides funding to implement Senate Bill 176, which would establish the Public Library Internet Protection Fund. First year funds would be used to reimburse localities up to \$50 per computer to purchase Internet filters for any public access computers that don't currently have them as well as to purchase necessary hardware up to \$2,500 per library system, to network the filters. Second year funds would be to renew filter licenses that must be renewed annually. There are currently about 3,970 public access computers at local public libraries in Virginia.)

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Item 238 #1s

**Education: Other**

The Science Museum Of Virginia

**FY 06-07**

(\$13,812)

**FY 07-08**

(\$25,500) GF

**Language:**

Page 198, line 17, strike "\$10,366,319" and insert "\$10,352,507".

Page 198, line 17, strike "\$10,396,940" and insert "\$10,371,440".

**Explanation:**

(This amendment is a companion to an amendment in Central Appropriations, which together transfer the proposed funding to support pay equity for outreach educators in the introduced budget to one "Compensation Supplement" account for all affected agencies.)

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Item 244 #1s

**Education: Higher Education**

New College Institute

**FY 06-07**

(\$1,625,000)

**FY 07-08**

(\$1,470,000) GF

**Language:**

Page 202, line 7, strike "\$2,100,000" and insert "\$475,000".

Page 202, line 7, strike "\$2,400,000" and insert "\$930,000".

**Explanation:**

(This amendment adjusts funding provided in the introduced budget for the New College Institute to provide \$475,000 GF in FY 2007 for planning of, and administrative costs associated with, the coordination of "2+2 programs" between community colleges and four-year institutions in the state. The Institute would receive \$930,000 GF the second year to support student enrollment in FY 2008.)

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Item 246 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Roanoke Higher Education Authority	\$498,000	\$498,000	GF

**Language:**

Page 203, line 3, strike "\$912,000" and insert "\$1,410,000".  
Page 203, line 3, strike "\$912,000" and insert "\$1,410,000".

**Explanation:**

(This amendment provides \$498,000 GF each year in additional operating support for the Roanoke Higher Education Center. The additional funds will be used to cover ongoing maintenance of the Center, provide additional security to support increased operational hours, support increased insurance and other routine operating costs, expand library services, create a student career center, and increase public awareness of the Center's programs and offerings.)

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Item 250 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Higher Education Research Initiative	(\$47,030,969)	\$21,092,428	GF
	(\$42,333,683)	(\$26,723,760)	NGF

**Language:**

Page 205, line 3, strike "\$145,798,901" and insert "\$56,434,249".  
Page 205, line 3, strike "\$73,018,013" and insert "\$67,386,681".  
Page 205, strike lines 1 through 54.

Page 206, strike lines 1 through 53.  
 Page 207, strike lines 1 through 57.  
 Page 208, strike lines 1 through 55.  
 Page 205, line 1, insert:

**§ 1-79. HIGHER EDUCATION RESEARCH INITIATIVE (989)**

250. Financial Assistance for			
Educational and General Services (11000)	\$56,434,249		\$67,386,681
Sponsored Programs (11004)	\$56,434,249		\$67,386,681
Fund Sources: General	\$40,057,396		\$36,369,829
Higher Education Operating	\$16,376,853		\$31,016,852

Authority: Discretionary Inclusion.

1.a. Out of this appropriation, \$22,540,682 the first year and \$22,048,752 the second year from the general fund is provided for the first two years of seed money intended to strengthen leading research programs in the areas of biomedical research, biomaterials engineering, and modeling and simulation at public institutions of higher education in Virginia. It is the intent of the General Assembly that general fund support be provided for a three-year period during which time institutions shall attract federal, private, and other nongeneral fund grants to support long-term development in these areas.

1.b. Nongeneral fund amounts included in this Item represent the institutions' minimum contributions towards enhancing their research programs during this biennium. These ongoing amounts shall be invested in support of research programs including but not limited to those identified in this Item.

1.c. The Director, Department of Planning and Budget, shall transfer amounts for this purpose to the institutions of higher education as specified below.

2. Out of this appropriation, \$8,000,000 the first year from the general fund and \$8,000,000 the first year from nongeneral funds is designated for the Commonwealth Technology Research Fund pursuant to §2.2-2233.1., Code of Virginia. These funds shall be used primarily for component (iv) of the Fund, to enhance the capability of institutions of higher education to commercialize technologies developed through their research. Specifically, these funds shall support collaborative, translational research

aimed at commercialization of discoveries, including pre-investment funding to support prototyping and proof-of-concept testing. Awards from the Fund shall be matched on at least a dollar-for-dollar basis by the respective institutions of higher education with institutional funds, private funds, local funds or combinations thereof.

<b>Institution or Agency</b>	<b>Research Area</b>	<b>FY 2007 General Fund</b>	<b>FY 2007 Nongeneral Fund</b>	<b>FY 2008 General Fund</b>	<b>FY 2008 Nongeneral Funds</b>
<b>Biomedical Research and Biomaterials Engineering</b>					
Virginia Polytechnic Institute and State University	Host-Pathogen-Environment Interactions	\$3,007,485	\$2,855,530	\$3,007,485	\$5,711,060
Virginia Polytechnic Institute and State University	Advanced Biomaterials & Nanotechnology	\$2,931,788	\$3,194,400	\$2,931,788	\$6,388,880
University of Virginia	Drug Discovery, Bio- Engineering & Morphogenesis	\$5,333,333	\$4,312,720	\$5,333,333	\$8,625,440
Virginia Commonwealth University	Cancer, Neurological & Metabolic Diseases	\$4,166,667	\$1,737,155	\$4,166,667	\$1,737,155
University of Virginia & Virginia Commonwealth University	Regenerative Medicine	\$1,400,000	\$700,000	\$1,400,000	\$1,400,000
George Mason University	Integrated Biosciences	\$1,833,333	\$1,937,790	\$1,833,333	\$3,875,580
<b>Subtotal, Biomedical</b>		<b>\$18,672,606</b>	<b>\$14,737,595</b>	<b>\$18,672,606</b>	<b>\$27,738,335</b>
<b>Modeling and Simulation Research</b>					
Old Dominion University	Virginia Modeling, Analysis & Simulation Center (VMASC)	\$751,480	\$616,183	\$751,480	\$1,232,367
Old Dominion University	Instructional Game Simulation	\$449,637	\$132,126	\$449,637	\$264,252
Old Dominion University	Course Sharing in Modeling & Simulation	\$42,293	\$133,543	\$42,293	\$267,086

Eastern Virginia Medical School Virginia Economic Development Partnership	Medical Modeling and Simulation Emergency Management Training Simulation	\$1,391,333  \$1,233,333     <b>\$3,868,076</b>	\$350,000  \$0     <b>\$1,231,852</b>	\$1,391,333  \$0     <b>\$3,376,146</b>	\$700,000  \$0     <b>\$2,463,705</b>
<b>Subtotal, Modeling and Simulation</b>					
<b>Research Commercialization Fund</b>					
Commonwealth Technology Research Fund	Technology Transfer	\$8,000,000   <b>\$8,000,000</b>	\$8,000,000   <b>\$8,000,000</b>	\$0   <b>\$0</b>	\$0   <b>\$0</b>
<b>Subtotal, Research Commercial-izati on Fund</b>					
<b>TOTAL</b>		<b>\$30,540,682</b>	<b>\$23,969,447</b>	<b>\$22,048,752</b>	<b>\$30,202,040</b>

3. Out of this appropriation, \$9,516,714 the first year and \$14,321,077 the second year from the general fund is provided to enhance related instructional programs, increase graduate student financial aid, supplement research equipment, and expand research programs in Southside Virginia. The Director, Department of Planning and Budget, shall transfer amounts for these purposes to the institutions of higher education or agency specified below.

<b>Institution or Agency</b>	<b>Research Area</b>	<b>2007 General Fund</b>	<b>2008 General Fund</b>
<b>Program Enhancements</b>			
Old Dominion University	Virginia Modeling, Analysis and Simulation Center (VMASC)	\$1,301,434	\$1,301,434
Old Dominion University	Gaming Technology and Course Sharing in Modeling and Simulation	\$1,119,668	\$1,119,668
Institute for Advanced Learning and Research	Advanced Materials, Vehicle Dynamics,	\$2,095,612	\$2,349,975

	Robotics, High Value Horticulture, and Nanotechnology		
Treasury Board	Debt Service on Higher Education Equipment Trust Fund Supplement for Doctoral Institutions	\$0	\$4,550,000
<b>Subtotal, Program Enhancements</b>		<b>\$4,516,714</b>	<b>\$9,321,077</b>
	<b>Graduate Student Financial Aid</b>		
Virginia Polytechnic Institute	Graduate Student Fellowships	\$1,599,628	\$1,599,628
University of Virginia	Graduate Student Fellowships	\$1,586,859	\$1,586,859
Virginia Commonwealth University	Graduate Student Fellowships	\$946,017	\$946,017
George Mason University	Graduate Student Fellowships	\$395,469	\$395,469
Old Dominion University	Graduate Student Fellowships	\$176,715	\$176,715
Virginia Institute of Marine Science	Graduate Student Fellowships	\$150,655	\$150,655
College of William and Mary	Graduate Student Fellowships	\$144,657	\$144,657
<b>Subtotal, Graduate Aid</b>		<b>\$5,000,000</b>	<b>\$5,000,000</b>
<b>TOTAL</b>		<b>\$9,516,714</b>	<b>\$14,321,077</b>

	2007 General Fund	2007 Nongeneral Funds	2008 General Fund	2008 Nongeneral Funds
<b>Total Research Operating Funds</b>	<b>\$40,057,396</b>	<b>\$23,969,447</b>	<b>\$36,369,829</b>	<b>\$30,202,040</b>

4. Authorization for the Higher Education Equipment Trust Fund Research Supplement shall be allocated to the following institutions:

**Equipment Allocation from Higher Education Equipment Trust Fund**

<b>Institution</b>	<b>FY 2007</b>
Virginia Polytechnic Institute and State University	\$8,140,000
University of Virginia	\$7,240,000
Virginia Commonwealth University	\$5,730,000
George Mason University	\$3,040,000
College of William and Mary	\$1,200,000
Old Dominion University	\$763,120
Virginia Institute of Marine Science	\$300,000
Institute for Advanced Learning and Research	<u>\$79,946</u>
Total	\$26,493,066

5. General fund balances from this Item remaining in the institutions or agencies on June 30, 2006 shall be reappropriated on July 1, 2007.

6.a. Beginning October 1, 2007, each institution receiving funds under this Item shall report annually to the Secretary of Education and the Chairmen of the House Appropriations and Senate Finance Committees on how general fund appropriations were spent the prior fiscal year and how funds will be spent for the upcoming fiscal year.

b. These reports shall include, but need not be limited to: 1) the number of junior and senior faculty recruited in each field, 2) the amount of federal or other grant funds received as the result of those recruitments, 3) additional grants or contracts being pursued, 4) the level of instructional activity conducted by these faculty, 5) the impact of research activities on undergraduate instruction, 6) the use of graduate student aid funds, and 7) the expansion of collaborative efforts with other institutions of higher education, government entities, or private business and industry.

c. The State Council of Higher Education for Virginia shall review these reports, and work collaboratively with the institutions to identify the Commonwealth's short-term return on this investment as well as anticipated long-term prospects. Upon recommendation by the Governor in the next biennial budget and upon approval by the General Assembly, those institutions demonstrating a positive return on the Commonwealth's investment shall be eligible to receive interest earnings on sponsored programs and indirect cost recovery balances, which currently accrue to the general fund.

**Explanation:**

(This amendment provides \$40.1 million the first year and \$36.4 million the second year from the general fund for the first two-years of a three-year higher education research initiative.)

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Item 260 #1s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Accounts Transfer Payments	\$390,000	\$390,000	GF

**Language:**

Page 215, line 3, strike "\$54,800,000" and insert "\$55,190,000".

Page 215, line 3, strike "\$54,800,000" and insert "\$55,190,000".

**Explanation:**

(This amendment provides \$390,000 each year to implement the provisions of SB 655, which authorizes the City of Norfolk to receive sales tax revenues generated at certain public facilities.)

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Item 260.1 #1s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Accounts Transfer Payments	\$0	\$106,600,000	GF

**Language:**

Page 216, insert after line 3:

"260.1. Revenue Stabilization Fund 73500

\$106,600,000

Fund Sources: General

\$106,600,000."

"1. Out of this appropriation, \$106,600,000 the second year from the general fund shall be paid into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia, by the State Comptroller on or before June 30, 2008, based on the certification of the Auditor of Public Accounts of actual tax revenues for FY 2006 and the required deposit, net of the prepayment made in June 2006.

2. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The Auditor shall, at the same time, provide his report on (i) the 10

percent limitation and the amount that could be paid into the Fund and (ii) any amounts necessary for deposit into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia, as well as any additional deposit requirement of § 2.2-1829, Code of Virginia."

**Explanation:**

(This amendment provides the second year Revenue Stabilization Fund deposit based on Fiscal Year 2006 estimated revenue collections.)

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Item 264 #1s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Taxation	(\$65,000)	(\$67,000)	GF
	-1.00	-1.00	FTE

**Language:**

Page 220, line 7, strike "\$3,005,607" and insert "\$2,940,607".

Page 220, line 7, strike "\$3,003,737" and insert "\$2,936,737".

**Explanation:**

(This amendment eliminates \$65,000 GF the first year and \$67,000 GF the second year and 1.00 FTE position proposed for reporting on sales and use tax exemptions.)

---

Item 265 #1s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Taxation	\$128,325	\$0	GF

**Language:**

Page 220, line 34, strike "\$54,975,009" and insert "\$55,103,334".

**Explanation:**

(This amendment provides funds to cover the cost of forms development and systems modifications related to SB 42, which requires the Department of Taxation to provide the Department of Social Services information on their clients' use of the federal earned income tax credit.)

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Item 265 #3s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Taxation	(\$19,078)	(\$19,078)	GF

**Language:**

Page 220, line 34, strike "\$54,975,009" and insert "\$54,955,931".  
Page 220, line 34, strike "\$54,970,435" and insert "\$54,951,357".

**Explanation:**

(This amendment removes the remaining funding in the Department of Taxation's budget for enforcement of the Master Settlement Agreement. A companion amendment to Item 48 transfers this funding to the Office of the Attorney General.)

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Item 270 #1s

<b>Finance</b>		<b>Language</b>
Department Of The Treasury		

**Language:**

Page 225, following line 3, insert:  
"B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar."

**Explanation:**

(This amendment extends insurance coverage to constitutional officers and staff in administrative proceedings before the Equal Employment Opportunity Commission or the Virginia State Bar.)

---

Item 270 #2s

<b>Finance</b>		<b>Language</b>
Department Of The Treasury		

**Language:**

Page 225, following line 3, insert:  
"Beginning October 1, the Department of the Treasury shall report quarterly to the

Governor and the chairmen of the House Appropriations and Senate Finance Committees, in a form agreeable to each or in a unified report mutually agreeable to them, changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken by the Commonwealth. The report shall also identify 1) any anticipated changes in debt service that will result from planned refinancing, refunding, or issuance changes during the next 24 months, and 2) any opportunities for savings in debt service that might accrue as the result of the potential to refinance, refund, or alter issuances during the next 24 months. In addition to the quarterly reports, the Department of the Treasury shall provide an update to this report on February 1 of each year."

**Explanation:**

(This amendment requires a quarterly report on actual and projected changes in the Commonwealth's debt service requirements.)

---

Item 270 #3s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of The Treasury	\$438,998	\$0 GF

**Language:**

Page 224, line 41, strike "\$7,384,559" and insert "\$7,823,557".

**Explanation:**

(This amendment provides \$438,998 GF the first year for the relief of Troy Hopkins, as provided for in SB 609.)

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Item 273 #1s

**Finance**

Treasury Board

Language

**Language:**

Page 227, strike lines 5 through 48.  
Page 228, strike lines 1 through 55.  
Page 229, strike lines 1 through 56.  
Page 230, strike lines 1 through 62.  
Page 231, strike lines 1 through 56.

Page 232, strike lines 1 through 56.

Page 233, strike lines 1 through 22 and insert:

**"Treasury Board (155)**

276. Bond and Loan Retirement and Redemption (74300)	\$356,729,460	\$411,431,845
Debt Service Payments on General Obligation Bonds (74301)	89,074,782	103,782,142
Capital Lease Payments (74302)	14,159,123	14,160,961
Debt Service Payments on Virginia Public Building Authority Bonds (74303)	153,569,520	186,574,863
Debt Service Payments on Virginia College Building Authority Bonds (74304)	99,926,035	106,913,879
Fund Sources: General	347,459,582	402,163,481
Special	2,427,276	2,425,762
Higher Education Operating	6,842,602	6,842,602

Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X, Section 9, Constitution of Virginia.

A. The Director of the Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

<b>Series</b>	<b>FY 2007</b>	<b>FY 2008</b>
1996 Refunding	\$3,540,448	\$3,541,223
1996	\$2,757,675	\$2,623,838
1997	\$5,365,500	\$0
1998 Refunding	\$10,786,989	\$15,275,739
1998	\$3,457,650	\$3,286,325
1999	\$1,215,024	\$1,163,349
2002 Refunding	\$13,240,050	\$7,757,850

2003A	\$4,320,288	\$4,194,538
2004A	\$15,343,538	\$14,927,438
2004B Refunding	\$4,045,550	\$7,015,550
Projected debt service & expenses	<u>\$25,002,070</u>	<u>\$43,996,292</u>
<b>Total Service Area</b>	<b>\$89,074,782</b>	<b>\$103,782,142</b>

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C. Out of the amounts for Capital Lease Payments, the following amounts are hereby appropriated for capital lease payments:

	<b>FY 2007</b>	<b>FY 2008</b>
Big Stone Gap RHA (DOC) (Wallens Ridge, 1995)	\$6,059,500	\$6,038,725
Norfolk RHA (VCCS-TCC), Series 1995	\$2,024,598	\$2,016,079
Innovative Technology Authority (VEDP) (1997)	\$1,381,525	\$1,409,013
Virginia Biotech Research Park, 2001	<u>\$4,693,500</u>	<u>\$4,697,144</u>
<b>Total Capital Lease Payments</b>	<b>\$14,159,123</b>	<b>\$14,160,961</b>

D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the Authority for its various bond issues: 2a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82 of the Code of Virginia for the following:

Series Special	FY 2007		FY 2008	
		General Funds	Special Funds	General Fund
<b>Funds</b>				
1992B Refunding	\$15,230,000	\$0	\$15,230,000	\$0
1997	\$7,272,500	\$0	\$7,261,500	\$0
1998 Refunding	\$20,595,266	\$605,969	\$20,588,619	\$605,492
1998	\$1,953,875	\$0	\$1,950,500	\$0
1999	\$3,167,888	\$0	\$3,165,344	\$0
1999B	\$2,027,402	\$0	\$2,023,820	\$0
2000	\$5,072,383	\$0	\$5,052,668	\$0
2001	\$2,753,195	\$0	\$2,748,333	\$0
2002	\$4,196,100	\$0	\$4,192,200	\$0
2003 Refunding	\$4,898,974	\$177,464	\$4,893,020	\$177,293

2004A	\$16,740,856	\$0	\$16,720,544	\$0
2004B	\$19,143,850	\$0	\$19,130,850	\$0
2004C	\$4,519,800	\$0	\$4,525,575	\$0
2004D	\$5,487,638	\$0	\$5,486,088	\$0
2005A Refunding	\$2,868,575	\$0	\$4,978,913	\$0
2005B Refunding	\$6,792,150	\$1,643,843	\$10,194,150	\$1,642,977
Projected debt service & expenses	<u>\$28,421,792</u>	<u>\$0</u>	<u>\$56,006,977</u>	<u>\$0</u>
<b>Total Service Area</b>	<b>\$151,142,244</b>	<b>\$2,427,276</b>	<b>\$184,149,101</b>	<b>\$2,425,762</b>

2a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82 of the Code of Virginia for the following:

Riverside Regional Jail Expansion  
Southwest Virginia Regional Jail  
Middle River Regional Jail  
Hampton City Jail  
Loudoun County Adult Detention Center  
Botetourt-Craig Regional Jail  
Eastern Shore Regional Jail  
Chesterfield County Jail Replacement  
Virginia Beach Local Jail  
Northwest Virginia Regional Jail  
Rappahanock Regional Jail Expansion  
Western Virginia Regional Jail  
Gloucester County Jail

b. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects, pursuant to § 2.2-2261, Code of Virginia.

3.a. Funding is included in this Item for reimbursement of the state share of the costs of juvenile residential care facilities in accordance with §16.1-309.5 of the Code of Virginia and guidelines approved by the State Board of Juvenile Justice, for the following:

Newport News Detention	\$5,904,094
Virginia Beach Detention	\$5,764,514

b. This paragraph shall constitute the authority for the Virginia Public Building

Authority to finance the reimbursement of the state share of costs of the foregoing projects by the issuance of revenue bonds in accordance with § 2.2-2261 of the Code of Virginia.

E.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

<b>Series</b>	<b>FY 2007</b>	<b>FY 2008</b>
1996	\$2,724,775	\$2,722,874
1998	\$3,375,313	\$3,378,988
1999	\$1,419,661	\$1,422,280
2000	\$665,288	\$665,363
2001	\$1,446,069	\$1,441,869
2002	\$6,604,363	\$6,608,963
2003A	\$8,367,963	\$8,369,213
2004A	\$10,512,995	\$10,514,245
2004B Refunding	\$3,117,825	\$3,121,450
2005A	\$5,082,200	\$5,082,700
Projected 21st Century debt service & expenses	<u>\$8,854,500</u>	<u>\$14,453,561</u>
Subtotal 21st Century	\$52,170,952	\$57,781,508

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

<b>Series</b>	<b>FY 2007</b>	<b>FY 2008</b>
2002	\$10,758,800	\$0
2003	\$7,265,500	\$7,266,000
2004	\$8,543,000	\$8,539,000
2005	\$11,437,500	\$11,437,000
Projected debt service Item 251 & expenses	<u>\$9,750,283</u>	<u>\$21,890,371</u>
Subtotal Equipment	<u>\$47,755,083</u>	<u>\$49,132,371</u>
<b>Total Service Area</b>	<b>\$99,926,035</b>	<b>\$106,913,879</b>

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

<b>Institution</b>	<b>FY 2007</b>	<b>FY 2008</b>
George Mason University	\$114,035	\$114,035
Old Dominion University	\$108,790	\$108,790
University of Virginia	\$376,300	\$376,300
Virginia Polytechnic Institute and State University	\$386,400	\$386,400
Virginia Commonwealth University	\$94,125	\$94,125
College of William and Mary	\$133,950	\$133,950
Christopher Newport University	\$7,190	\$7,190
University of Virginia's College at Wise	\$3,790	\$3,790
James Madison University	\$219,230	\$219,230
Norfolk State University	\$75,375	\$75,375
Longwood University	\$9,130	\$9,130
University of Mary Washington	\$55,465	\$55,465
Radford University	\$51,190	\$51,190
Virginia Military Institute	\$36,135	\$36,135
Virginia State University	\$68,770	\$68,770
Richard Bland College	\$1,165	\$1,165
Virginia Community College System	<u>\$258,960</u>	<u>\$258,960</u>
<b>TOTAL</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>

4. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:

<b>Institution</b>	<b>FY 2007</b>		<b>FY 2008</b>	
	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>General Fund</b>	<b>Nongeneral Fund</b>
College of William & Mary	\$1,115,246	\$259,307	\$1,194,854	\$259,307
University of Virginia	\$6,527,239	\$1,088,024	\$6,910,206	\$1,088,024
Virginia Polytechnic Institute and State University	\$6,187,111	\$992,321	\$6,348,791	\$992,321

Virginia Military Institute	\$487,742	\$88,844	\$556,428	\$88,844
Virginia State University	\$774,494	\$108,886	\$839,170	\$108,886
Norfolk State University	\$1,168,943	\$108,554	\$1,277,285	\$108,554
Longwood University	\$462,311	\$54,746	\$475,877	\$54,746
University of Mary Washington	\$512,757	\$97,063	\$495,422	\$97,063
James Madison University	\$1,673,973	\$254,504	\$1,679,408	\$254,504
Radford University	\$906,626	\$135,235	\$986,402	\$135,235
Old Dominion University	\$2,633,259	\$374,473	\$2,821,105	\$374,473
Virginia Commonwealth University	\$5,497,974	\$401,647	\$5,821,729	\$401,647
Richard Bland College	\$175,410	\$2,027	\$119,086	\$2,027
Christopher Newport University	\$537,107	\$17,899	\$560,484	\$17,899
University of Virginia's College at Wise	\$197,485	\$19,750	\$210,355	\$19,750
George Mason University	\$3,501,024	\$205,665	\$3,443,450	\$205,665
Virginia Community College System	\$9,234,535	\$633,657	\$9,030,582	\$633,657
Virginia Institute of Marine Science	\$396,210	\$0	\$415,497	\$0
Roanoke Higher Education Authority	\$74,394	\$0	\$88,094	\$0
Southwest Virginia Higher Education Center	\$140,195	\$0	\$152,336	\$0
Institute for Advanced Learning and Research	\$648,449	\$0	\$798,900	\$0
Southern Virginia Higher Education Center	\$0	\$0	\$4,310	\$0
<b>TOTAL</b>	<b>\$42,852,483</b>	<b>\$4,842,602</b>	<b>\$44,229,771</b>	<b>\$4,842,602</b>

F. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 447, paragraph E of this act and §§ 58.1-815, 58.1-815.1 and 58.1-816.1, Code of Virginia, as follows:

	<b>FY 2007</b>	<b>FY 2008</b>
Transportation Contract Revenue Refunding Bonds, Series 2002 (Route 28)	\$7,529,845	\$7,524,883
<b><i>Commonwealth of Virginia Transportation Revenue Bonds</i></b>		
U.S. Route 58 Corridor Development Program: Series 1996B	\$4,235,155	\$4,236,750

Series 1997C	\$4,879,944	\$4,879,194
Series 1999B	\$8,179,663	\$8,176,438
Series 2001B	\$5,591,613	\$5,591,688
Series 2002B (Refunding)	\$7,233,288	\$7,235,438
Series 2003A (Refunding)	\$9,914,875	\$9,916,075
Series 2004B	\$11,563,050	\$11,563,050
<b><i>Northern Virginia Transportation District Program</i></b>		
Series 1996A	\$2,709,540	\$2,709,000
Series 1997B	\$2,333,613	\$2,333,769
Series 1999A	\$1,328,863	\$1,327,988
Series 2001A	\$3,210,013	\$3,211,163
Series 2002A	\$14,935,019	\$14,951,219
Series 2004A	\$4,102,000	\$4,102,000
Transportation Program Revenue Bonds, Series 1997 (Oak Grove Connector, City of Chesapeake)		
	\$2,328,870	\$2,326,620

G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.

**Explanation:**

(This amendment revises the text set out in the introduced budget for the Treasury Board to make the text and tables more closely align with the appropriated amounts. This amendment is technical in nature and does not impact the level of general or nongeneral funds provided for debt service in the bill.)

Item 276 #2s

<b>Finance</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Treasury Board	(\$878,000)	(\$6,200,000)	GF

**Language:**

Page 228, line 7, strike "\$356,729,460" and insert "\$355,851,460".  
Page 228, line 7, strike "\$411,431,845" and insert "\$405,231,845".

**Explanation:**

(This amendment reduces required debt service payments by \$878,000 GF the first year and \$6.2 million GF the second year to reflect projected requirements.)

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Item 278 #3s

**Health And Human Resources**

Secretary Of Health And Human Resources

Language

**Language:**

Page 235, line 8, before "Out", insert: "A."

Page 235, after line 20, insert:

"B. The Secretary of Health and Human Resources and the Commissioner of Insurance may conduct a public information campaign to increase awareness among citizens about the need to prepare for their future long-term care needs. The campaign may incorporate national efforts to educate and inform citizens of the importance of long-term care planning. The Secretary and the Commissioner may seek the assistance of the private sector in the development and execution of this campaign."

**Explanation:**

(This amendment allows for the creation and execution of a long-term care awareness campaign to be administered either by the Commonwealth or in conjunction with a federally sponsored long-term care awareness campaign. Virginia launched a long-term care awareness campaign in FY 2005 in conjunction with a federally-sponsored campaign as a pilot project with one-time funding.)

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Item 279 #2s

**Health And Human Resources**  
Comprehensive Services For At-Risk Youth And Families

**FY 06-07**  
\$750,000

**FY 07-08**  
\$750,000 GF

**Language:**

Page 235, line 26, strike "\$264,861,138" and insert "\$265,611,138".

Page 235, line 26, strike "\$285,619,904" and insert "\$286,369,904".

Page 240, after line 12, insert:

"K. Out of this appropriation, \$750,000 from the general fund each year is for the

Community Development Infrastructure Grant program. On a competitive basis, the director of CSA shall allocate funding for start-up costs to localities that are interested in developing community-based services for children and adolescents who are placed in out-of-community residential care or are at risk of such placement."

**Explanation:**

(This amendment provides competitive, start-up funding to localities to create innovative, community-based services that will allow children and adolescents in the CSA program to be served in local communities as opposed to high-cost, residential facilities outside of these localities. Services may include comprehensive assessments, behavioral aides, crisis intervention and stabilization services, family support, substance abuse services, school-based services, therapeutic day treatment and foster care, intensive in-home services, and respite care.)

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Item 280 #11s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department For The Aging	\$390,000	\$390,000	GF

**Language:**

Page 240, line 18, strike "\$30,506,751" and insert "\$30,896,751".

Page 240, line 18, strike "\$30,506,751" and insert "\$30,896,751".

Page 241, line 43, before the period, insert:

"and \$390,000 the first year and \$390,000 the second year from the general fund shall be used to supplement private donations and other resources for Adult Day Break Services provided by Bay Aging in partnership with local churches".

**Explanation:**

(This amendment provides \$390,000 from the general fund each year to supplement private donations and other resources for four Adult Day Break Services in partnership with local churches. Bay Aging Area Agency on Aging will provide health, social, and support services for frail elderly and disabled persons and their caregivers to allow individuals to receive care at home and prevent or delay entry into more expensive institutional settings.)

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Item 281 #2s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department For The Aging	\$500,000	\$500,000	GF

**Language:**

Page 242, line 1, strike "\$15,833,165" and insert "\$16,333,165".

Page 242, line 1, strike "\$15,833,165" and insert "\$16,333,165".

**Explanation:**

(This amendment provides additional funds to increase the number of home-delivered meals provided to the frail elderly by local area agencies on aging. It is estimated that this funding will provide 2,394 additional home-delivered meals each week.)

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Item 284 #2s

**Health And Human Resources**

Department For The Deaf And  
Hard-Of-Hearing

Language

**Language:**

Page 243, line 34, strike "is authorized to" and insert:  
"shall".

Page 243, line 39, strike "maintain at least" and insert:  
"shall not fall below".

**Explanation:**

(This language amendment requires the deaf and hard of hearing services Relay Center to continue to be located in Norton, Virginia. Language is also added to continue the requirement that employment not fall below 105 full-time equivalent positions.)

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Item 286 #2s

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 245, strike lines 13 through 16.

Page 245, line 17, strike "B" and insert "A".

Page 245, line 17, strike "\$230,750 the first year and" and insert:  
"\$25,000 each year shall be provided from".

Page 245, strike line 18.

Page 245, line 22, strike ", to the" and insert "."

Page 245, strike lines 23 through 45.

Page 245, line 46, strike "E" and insert "B".

Page 245, line 49, strike "F" and insert "C".

Page 245, line 50, strike "special funds" and insert:  
"the Rescue Squad Assistance Fund".

**Explanation:**

(This amendment eliminates unnecessary language citing Code of Virginia provisions for distributing the \$4-for-Life funding for emergency medical services. New statutory language was passed by the 2004 General Assembly which realigned the funding formula guiding the distribution of the \$4-for-Life funding. However, the new distribution formula was contingent upon receipt of the full amount of \$4-for-Life funding which will occur beginning July 1, 2007. The implementation of the new formula makes the current language in the budget related to this distribution obsolete. In addition, language is added to clarify that funding provided to the Department of State Police for med-flight operations will be provided from the Rescue Squad Assistance Fund, thereby ensuring that the new funding formula adopted for \$4-for-Life will be effective on July 1, 2007.)

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Item 286 #7s

**Health And Human Resources**

**FY 06-07**

**FY 07-08**

Department Of Health

\$1,725,000

\$3,450,000 NGF

**Language:**

Page 245, line 1, strike "\$24,774,923" and insert "\$26,499,923".

Page 245, line 1, strike "\$24,774,923" and insert "\$28,224,923".

**Explanation:**

(This technical amendment increases the nongeneral fund appropriation for Emergency Medical Services to reflect language changes in § 3-6.02 of this Act eliminating the transfer of emergency medical motor vehicle fees to the general fund.)

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Item 287 #4s

**Health And Human Resources**

**FY 06-07**

**FY 07-08**

Department Of Health	\$195,000	\$195,000	GF
	3.00	3.00	FTE

**Language:**

Page 245, line 53, strike "\$6,987,695" and insert "\$7,182,695".

Page 245, line 53, strike "\$7,020,915" and insert "\$7,215,915".

**Explanation:**

(This amendment provides funding for the Office of the Chief Medical Examiner's Central District office to hire three medical death investigators to provide coverage 24 hours per day, 7 days a week for receiving and screening death investigation calls from local medical examiners and law enforcement officers. The additional positions will restore full accreditation of the Office by the National Association of Medical Examiners. The Office is on probation for staffing deficiencies. The Office of the Chief Medical Examiner lost medical death investigator positions during the budget reductions in the 2002-04 biennium. Funding had been approved during the 1998 General Assembly Session for the additional staff, based on recommendations of the Crime Commission in its 1998 "Report on the Need for a Lay Medical Investigator System", to address the shortage of local medical examiners across the state. Loss of these positions has resulted in case delays, complaints from law enforcement, and stress on staff from the lack of backup personnel to cover during vacations and illnesses.)

Item 288 #2s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$445,000	\$890,000	NGF

**Language:**

Page 246, line 6, strike "\$6,524,168" and insert "\$6,969,168".

Page 246, line 6, strike "\$6,524,168" and insert "\$7,414,168".

**Explanation:**

(This amendment increases the nongeneral fund appropriation for the Vital Records Program to reflect language in § 3-1.01 of this Act eliminating the transfer of vital records fees to the general fund.)

**Health And Human Resources**

Department Of Health

Language

**Language:**

- Page 246, strike lines 34 through 46.
- Page 246, line 47, strike "D." and insert "A."
- Page 247, line 3, strike "E." and insert "B."
- Page 247, line 10, strike "F." and insert "C."

**Explanation:**

(This technical amendment corrects and removes duplicate language in this item. The introduced budget included language within two separate items.)

**Health And Human Resources**

Department Of Health

**FY 06-07**

**FY 07-08**

\$22,386	\$280,110	GF
\$819,826	\$840,288	NGF

**Language:**

- Page 246, line 21, strike "\$45,482,621" and insert "\$46,324,833".
- Page 246, line 21, strike "\$45,482,621" and insert "\$46,603,019".
- Page 247, after line 15, insert:  
 "G. Out of this appropriation, \$22,386 the first year and \$280,110 the second year from the general fund and \$819,826 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance. The Department shall use available balances to fully fund the program in the first year."

**Explanation:**

(This amendment provides funding to provide a booster dose to the tetanus/diphtheria/pertussis (Tdap) vaccine to children prior to entering the sixth grade if more than five years have elapsed since the last dose. Pertussis is the only vaccine-preventable disease with increasing numbers of reported cases. Approximately 30 percent of unvaccinated children are expected to receive their vaccines at local health departments.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$300,000	\$300,000	GF

**Language:**

Page 246, line 21, strike "\$45,482,621" and insert "\$45,782,621".

Page 246, line 21, strike "\$45,482,621" and insert "\$45,782,621".

Page 247, after line 15, insert:

"G. Out of this appropriation, \$300,000 the first year and \$300,000 the second year shall be provided to establish a state pharmaceutical assistance program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries."

**Explanation:**

(This amendment provides funding to create a state pharmaceutical assistance program (SPAP) to cover the cost of prescription drugs that are not covered by the Medicare Part D program for HIV-positive individuals. The SPAP will pay individual's premiums, coinsurance and coverage for prescription drug expenses in the so-called "donut hole", the gap in Medicare coverage between \$2,850 and \$5,100 for some beneficiaries with incomes above 150 percent of the federal poverty level. In addition, Medicare Part D requires individuals with income between 135 percent and 150 percent of poverty to pay 15 percent of their annual prescription drug expenses up to \$5,100 in total expenditures, before qualifying for full coverage. It is estimated this would cost persons living with HIV/AIDS \$200 to \$300 per month. This program would help to ensure that medications are continuously available without interruption for persons living with HIV/AIDS who require medication to maintain health and prevent more costly illnesses.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$96,940	\$96,940	GF
	0.50	0.50	FTE

**Language:**

Page 248, line 35, strike "\$98,678,581" and insert "\$98,775,521".

Page 248, line 35, strike "\$98,678,581" and insert "\$98,775,521".

Page 249, after line 37, insert:

"G. Out of this appropriation, \$96,940 each year and a part-time position shall be used to establish and operate a Prostate Cancer Awareness program. Funding shall be used to conduct a public awareness and outreach campaign targeted to males 45 and over in high risk areas as determined by stage of diagnosis and mortality rates."

**Explanation:**

(This amendment provides \$96,940 from the general fund each year to implement a Prostate Cancer Awareness Program.)

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Item 293 #1s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$200,000	\$200,000	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$13,935,416".

Page 250, line 38, strike "\$13,235,416" and insert "\$13,435,416".

**Explanation:**

(This amendment provides \$200,000 from the general fund each year to implement the Virginia Cord Blood Bank Initiative contingent upon passage of Senate Bill 370. Funding will be divided equally between two blood banks that already possess the cell-sorting technology to process blood donated to the hospitals and used to provide laboratory staff to process and store donations. This amendment is contingent upon final passage of Senate Bill 370.)

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Item 293 #5s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$850,000	\$1,000,000	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$14,585,416".

Page 250, line 38, strike "\$13,235,416" and insert "\$14,235,416".

Page 251, line 37, after "E.", insert "1."

Page 251, after line 56, insert:

"2. Out of this appropriation, \$850,000 the first year and \$1,000,000 the second year from the general fund shall be provided to the Virginia Primary Care Association to develop new community health centers in medically underserved and economically disadvantaged areas of the Commonwealth. It is the intent of the General Assembly that funding be used to match funding solicited by the Virginia Primary Care Association from local and federal sources, and other public or private organizations. On September 1, 2007 and each year thereafter, the Virginia Primary Care Association shall report on the use of the funding to the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Commission on Health Care."

**Explanation:**

(This amendment provides \$850,000 the first year and \$1.0 million the second year from the general fund each year in a matching grant to the Virginia Primary Care Association to develop new community health centers in underserved regions of the Commonwealth.)

Item 293 #13s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$75,000	\$75,000	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$13,810,416".

Page 250, line 38, strike "\$13,235,416" and insert "\$13,310,416".

Page 255, after line 20, insert:

"Q. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund is provided to the Virginia Department of Health and the Virginia Transplant Council to maintain and operate the Virginia Organ and Tissue Donor Registry."

**Explanation:**

(This amendment provides funding to support the Virginia Organ and Tissue Donor Registry, established in § 32.1-292.2, Code of Virginia.)

Item 293 #15s

<b>Health And Human Resources</b>	
Department Of Health	Language

**Language:**

Page 250, line 43, strike "\$396,000" and insert "\$571,000".

Page 250, line 44, strike "\$396,000" and insert "\$571,000".

**Explanation:**

(This technical amendment corrects the amount of funding for Comprehensive Health Investment Project (CHIP) of Virginia in the language included in this item.)

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Item 293 #16s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$0	\$135,000	GF

**Language:**

Page 250, line 38, strike "\$13,235,416" and insert "\$13,370,416".

**Explanation:**

(This amendment provides \$135,000 from the general fund the second year for lease costs associated with the construction and occupancy of Phase II of the Our Health complex, a one-stop shop for rehabilitative, health and social services co-located in the City of Winchester. The amount specified is the Department of Health's share of additional lease costs.)

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Item 293 #17s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	(\$2,276,620)	(\$1,276,620)	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$11,458,796".

Page 250, line 38, strike "\$13,235,416" and insert "\$11,958,796".

Page 254, line 32, strike "\$3,776,620" and insert "\$1,500,000".

Page 254, line 33, strike "\$3,276,620" and insert "\$2,000,000".

Page 254, line 37, strike "\$176,620" and insert "\$50,000".

Page 254, line 38, strike "\$176,620" and insert "\$50,000".

Page 254, line 52, strike "\$3,000,000" and insert "\$800,000".

Page 254, line 53, strike "\$3,000,000" and insert "\$1,800,000".

**Explanation:**

(This amendment reduces \$2.3 million the first year and \$1.3 million the second year from the general fund for the implementation of electronic health records. The introduced budget included \$3.3 million the first year and \$3.3 million the second year. The initiative will be funded with \$1.5 million the first year and \$2.0 million the second year from the general fund. Budget language is modified to reflect grants to providers of \$800,000 the first year and \$1.8 million the second year and a reduction in funding for administrative costs.)

Item 293 #18s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$79,244	\$59,938	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$13,814,660".

Page 250, line 38, strike "\$13,235,416" and insert "\$13,295,354".

Page 255, after line 20, insert:

"Q. Out of this appropriation, \$79,244 the first year and \$59,938 the second year from the general fund shall be transferred to the Piedmont Access to Health Services, Inc. program for an additional family nurse practitioner to deliver health care services at community health centers in Danville and Martinsville. The Commissioner of Health shall not allot the funds appropriated until the organization submits a financial plan to ensure the new position will be self-sustaining by fiscal year 2009."

**Explanation:**

(This amendment provides \$79,244 the first year and \$59,938 the second year from the general fund to Piedmont Access to Health Services, Inc. (PATHS) to allow the program to hire an additional family nurse practitioner who will provide services at community health centers located in Danville and Martinsville. Funding is contingent upon the submission of a financial plan for the position to be self-sufficient by FY 2009.)

Item 293 #19s

<b>Health And Human Resources</b>	
Department Of Health	Language

**Language:**

Page 254, after line 36, insert:

"2. The State Health Commissioner shall establish an Advisory Committee on Electronic Health Records for the purpose of developing recommendations for the design and implementation of electronic health records systems in Virginia that will advance interoperability while protecting patient privacy. The Advisory Committee shall be comprised of representatives from the hospital industry, the Medical Society of Virginia, the Virginia Pharmaceutical Association, licensed health insurance carriers, corporate purchasers of health care, consumers, the Department of Medical Assistance Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Virginia Information Technology Agency, and the Department of Human Resource Management. Members of the Advisory Committee shall be appointed by the State Health Commissioner, in consultation with the Secretary of Health and Human Resources and the Office of the Governor. The Advisory Committee shall submit to the Governor, the General Assembly and the State Board of Health an annual report of its activities, findings and recommendations."

Page 254, line 37, strike "2." and insert "3."

Page 254, line 43, strike "3." and insert "4."

Page 254, line 52, strike "4" and insert "5".

Page 255, line 4, strike "5" and insert "6".

**Explanation:**

(This amendment adds language to establish an Advisory Committee on Electronic Health Records as part of the initiative to encourage the adoption of electronic health records throughout the Commonwealth. Language designates the composition of the Advisory Committee and requires an annual report.)

Item 293 #20s

**Health And Human Resources**

Department Of Health

**FY 06-07**

\$150,000

**FY 07-08**

\$0 GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$13,885,416".

Page 255, after line 20, insert:

"Q. Out of this appropriation, \$150,000 from the general fund the first year shall be used for start-up costs related to pilot projects in the Northern Neck and Emporia, pursuant to Chapter 926, 2005 Acts of Assembly, to provide alternative arrangements for prenatal and delivery services in areas where obstetrical departments at community hospitals no longer exist."

**Explanation:**

(This amendment adds funds to support the start-up and operation of two pilot projects in the Northern Neck and Emporia. The purpose of these pilots is to provide alternative arrangements for prenatal and delivery services in areas where obstetrical departments at community hospitals no longer exist. Funds will support the development of policies and protocols, including evaluation of the pilot projects; establishment of a 501(c)(3) corporation to administer the pilots; identification of options for medical malpractice coverage; and engagement of community partners to explore the feasibility of child-birthing in birth centers. It is expected that matching support from the communities will be obtained to renovate space and a capital fund raising campaign will be undertaken with the goal of having the centers fully operational in the second year.)

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Item 293 #21s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$58,000	\$63,000	GF

**Language:**

Page 250, line 38, strike "\$13,735,416" and insert "\$13,793,416".  
Page 250, line 38, strike "\$13,235,416" and insert "\$13,298,416".  
Page 254, line 1, strike "\$75,000" and insert "\$133,000".  
Page 254, line 2, strike "\$75,000" and insert "\$138,000".

**Explanation:**

(This amendment adds \$58,000 the first year and \$63,000 the second year from the general fund to the Rx Partnership for the state match for procuring bulk medications for more than 20 affiliated Free Clinics and 35 clinical delivery sites at Community Health Centers across Virginia. The Rx Partnership has leveraged its state funds to provide in excess of \$33 in medications for every \$1 provided. This funding will help the Rx Partnership to improve access to free medications for low-income Virginians and equalize funding provided by the private sector.)

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Item 294 #1s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	(\$2,400,000)	(\$2,400,000)	GF

**Language:**

Page 255, line 21, strike "\$38,822,690" and insert "\$36,422,690".  
Page 255, line 21, strike "\$38,822,690" and insert "\$36,422,690".  
Page 255, line 51, strike "\$5,000,000" and insert "\$2,600,000".  
Page 255, line 52, strike "\$5,000,000" and insert "\$2,600,000".

**Explanation:**

(This amendment reduces \$2.4 million from the general fund each year for local drinking water projects funded through the Department of Health. The introduced budget included \$5.0 million each year. Of this amount, \$2.6 million was provided to restore a reduction in federal funding for drinking water improvement projects and \$2.4 million to expand the program to communities lacking safe and reliable drinking water. A separate amendment to Item 104 provides \$2.4 million to the Department of Housing and Community Development for drinking water and wastewater improvement projects in the Commonwealth.)

Item 297 #3s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Health	\$0	\$100,000	GF

**Language:**

Page 256, line 20, strike "\$14,775,758" and insert "\$14,875,758".

**Explanation:**

(This amendment provides \$100,000 from the general fund the second year to provide increased lease funding to support the development of a "build-to-suit" facility in downtown Suffolk to co-locate the local Departments of Social Services and Health. A separate amendment to Item 340 provides for the Social Services Departments' share of increased lease costs.)

Item 297 #4s

<b>Health And Human Resources</b>	
Department Of Health	Language

**Language:**

Page 256, after line 31, insert:

"The Commissioner of Health shall examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the Commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system."

**Explanation:**

(This amendment is self-explanatory.)

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Item 300 #2s

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 257, line 19, before "Any" insert "A."

Page 257, after line 25, insert:

"B. Out of this appropriation, payments may be made from the Involuntary Mental Commitment Fund to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808 of the Code of Virginia."

**Explanation:**

(This amendment adds language allowing the Department of Medical Assistance Services to reimburse qualified providers from the Involuntary Mental Commitment Fund for medical assessments required for those persons in emergency custody before admission to a psychiatric unit or hospital. Most hospitals require some medical screening and will not admit a patient unless "medical clearance" has been granted.)

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Item 300 #3s

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 06-07**  
(\$1,000,000)

**FY 07-08**  
(\$1,000,000) GF

**Language:**

Page 257, line 14, strike "\$11,180,391" and insert "\$10,180,391".

Page 257, line 14, strike "\$11,180,391" and insert "\$10,180,391".

**Explanation:**

(This amendment reduces \$1.0 million from the general fund appropriation for the involuntary mental health commitment fund to reflect recent underspending in the program. The fund pays for emergency and psychiatric services associated with temporary detention orders.)

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Item 301 #3s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance	\$1,856,014	\$2,482,754	GF
Services	\$3,446,884	\$4,610,829	NGF

**Language:**

Page 257, line 26, strike "\$85,848,005" and insert "\$91,150,903".

Page 257, line 26, strike "\$95,894,133" and insert "\$102,987,716".

Page 258, line 13, strike "with annual family income in".

Page 258, line 14, strike "excess of the Medicaid limit but less than or equal to".

Page 258, line 15, strike "150" and insert:

"who are ineligible for Medicaid and have income less than or equal to 175."

**Explanation:**

(This amendment provides funding to increase the income eligibility limit for the FAMIS Moms program from 150 to 175 percent of the federal poverty level. This allows the mothers of FAMIS-eligible newborns to access prenatal care which may improve birth outcomes and reduce perinatal costs. The amendment also includes language that clarifies that the FAMIS Moms program may provide coverage to lower income pregnant women who do not qualify for Medicaid for non-financial reasons.)

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Item 302 #4s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance	\$0	\$1,016,890	GF
Services	\$0	\$1,016,890	NGF

**Language:**

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,327,459,956".

**Explanation:**

(This amendment provides \$1.0 million the second year from the general fund and an equal amount of federal Medicaid matching funds to pay for additional caseload growth expected from an increase in the monthly auxiliary grant payment from \$982 to \$1,110 contained in Item 337. Increasing the maximum monthly auxiliary payment has the effect of increasing Medicaid eligibility.)

Item 302 #5s

**Health And Human Resources**

**FY 06-07**

**FY 07-08**

Department Of Medical Assistance  
Services

\$500,000  
\$500,000

\$500,000  
\$500,000

GF  
NGF

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,990,007,434".  
Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,326,426,176".  
Page 270, line 47, strike "150" and insert "180".

**Explanation:**

(This amendment provides funding to increase the personal maintenance allowance for individuals enrolled in Medicaid home- and community-based services waivers from 150 percent to 180 percent of the Supplemental Security Income (SSI) payment standard. This amendment excludes the AIDS waiver which is already at 300 percent of the SSI payment standard. The introduced budget provided an increase from 100 percent to 150 percent in the personal maintenance allowance for these individuals.)

Item 302 #19s

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 269, line 50, after "program.", insert:  
"In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others as appropriate."

Page 269, line 51, after "program to", insert:  
"implement appropriate care management and".

Page 269, line 51, after "utilization", insert:  
"through appropriate case management".

Page 269, line 58, after "program", insert:  
"and publish same on the department's website".

Page 269, after line 58, insert:

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

Page 269, line 59, after "review", insert ",".

Page 269, line 59, after "update", insert ", and publish".

**Explanation:**

(This amendment adds language that requires the Department of Medical Assistance Services to work with stakeholders in developing the Specialty Drug Program. Language is added to prohibit the Department of Medical Assistance Services from offering or paying incentives to any potential contractor for the Specialty Drug Program based on denying or delaying medically appropriate prescription drug therapy, should the Department decide to contract for these services.)

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Item 302 #35s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance	\$72,500	(\$2,503,667)	GF
Services	\$72,500	(\$2,503,667)	NGF
	1.00	1.00	FTE

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,989,152,434".

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,320,418,842".

Page 271, after line 53, insert:

"TT. The Director of the Department of Medical Assistance Services shall seek the necessary waiver from the United States Centers for Medicare and Medicaid Services to expand eligibility for Medicaid coverage of family planning services to individuals with a family income up to 133 percent of the federal poverty level. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions."

**Explanation:**

(This amendment directs the Department of Medical Assistance Services to seek a waiver to expand eligibility for Medicaid coverage of family planning services to individuals with a family income up to 133 percent of the federal poverty level. Family planning services under the waiver may not cover abortion services or referrals for abortions.)

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Item 302 #36s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance Services	(\$16,123,099)	(\$16,123,099)	GF

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,972,884,335".

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,309,303,077".

**Explanation:**

(This amendment reduces \$16.1 million from the general fund each year to reflect a lower estimate of the Medicare Part D "clawback" payment. The introduced budget included \$16.3 million the first year and \$20.2 million the second year for the clawback, a general fund payment to the federal government for the Medicare Part D prescription drug benefit. Based on downward revisions to the projected growth in pharmacy spending from calendar year 2003 to 2006, the federal government reduced the Commonwealth's annual payment amount. The overall general fund impact of the new prescription drug benefit is now projected to be \$48.2 million for the biennium, less than the previous estimate of \$80.4 million that was reflected in the introduced budget.)

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**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 268, line 22, after "FF." insert "1."

Page 268, after line 36, insert:

"2. The Department shall request any clinical laboratory performing a serum creatinine test on a Medicaid recipient over the age of 18 years to calculate and report to the physician requesting the serum creatinine test the estimated glomerular filtration rate (eGFR) of the patient as a percent of kidney function remaining."

**Explanation:**

(This amendment adds language requesting any clinical laboratory performing a creatinine test on a Medicaid recipient to report the glomerular filtration rate (eGFR) of the patient. The eGFR is a calculation which measures how well a patient's kidneys are filtering wastes from the blood. Currently, physicians are required to ask for this calculation. The calculation is necessary in order to accurately classify patients into the proper disease stages of chronic kidney disease.)

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 06-07**

**FY 07-08**

\$0	\$3,705,710	GF
\$0	\$4,478,706	NGF

**Language:**

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,333,610,592".

Page 270, line 27, strike "three percent;" and insert "fifteen percent."

Page 270, strike lines 28 through 30.

Page 270, line 31 strike "increased three percent."

**Explanation:**

(This amendment provides \$3.7 million from the general fund and \$4.5 million from federal matching dollars to increase reimbursement rates for pediatric services by fifteen percent effective July 1, 2007. This increase applies to physicians and practitioners that deliver pediatric services to children age 21 and under who are enrolled in Medicaid and FAMIS. Language included in the introduced budget that

provided an across the board increase for Medicaid physician services is stricken and funding redirected to increase reimbursement rates for services provided to children age 21 and younger.)

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Item 302 #40s

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 271, strike lines 50 through 53.

**Explanation:**

(This amendment deletes a transfer of \$250,000 from the general fund to the Uninsured Medical Catastrophe Fund. No additional appropriation was included in the introduced budget for this transfer, resulting in a shortfall in the Medicaid program of \$500,000 when federal matching funds are included. A separate amendment to the caboose bill provides an appropriation of \$500,000 from the general fund for the Uninsured Medical Catastrophe Fund; the fund provides financial assistance to uninsured persons who need treatment for a life threatening illness or injury.)

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Item 302 #41s

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 06-07**

\$252,832

\$252,832

2.00

**FY 07-08**

\$644,552

\$644,552

2.00

GF

NGF

FTE

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,989,513,098".

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,326,715,280".

Page 266, strike lines 7 through 14 insert:

"X. Within the limits of this appropriation, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services to implement a Medicaid Buy-in Program on January 1, 2007. The program shall be designed to include cost sharing provisions. The agency shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act."

**Explanation:**

(This amendment provides funding and staff to implement a Medicaid Buy-in Program, within the limits of the appropriation, allowing individuals with disabilities who are on Medicaid to continue receiving health care services while working. The Medicaid Buy-In option in the Balanced Budget Act of 1997 provides states with the opportunity to develop work incentives that encourage people with disabilities to work or increase their level of work and continue to receive Medicaid benefits. Language contained in the introduced budget is stricken which would have required the department to re-submit a Medicaid Buy-in Program Research and Demonstration Waiver to the federal Centers for Medicare and Medicaid (CMS). CMS has already rejected this approach by Virginia, since 32 other states already implement a Medicaid Buy-in Program and previous research has demonstrated the value of this type of program.)

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Item 302 #42s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance Services	\$1,500,000	\$0	GF

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,990,507,434".

Page 271, after line 53, insert:

"TT.1. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall develop a long-range blueprint for the development and implementation of an integrated acute and long-term care system. This plan shall: (i) explain how the various community and state level stakeholders will be involved in the development and implementation of the new program model(s); (ii) describe the various steps for development and implementation of the program model(s), include a review of other states' models, funding, populations served, services provided, education of clients and providers, and location of programs; (iii) describe how the existing system is funded and how integration will impact funding; and (iv) describe the evaluation methods that will be used to ensure that the program provides access, quality, and consumer satisfaction.

2. The Department of Medical Assistance Services shall report on its plan for integrating acute and long-term care services to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2006.

UU. The Department of Medical Assistance Services shall implement one or more Program for All Inclusive Care for the Elderly (PACE) programs by July 2007. Out of this appropriation, \$1,500,000 the first year from the general fund is provided to make grants of up to \$250,000 per site for start-up funds for potential PACE programs. The grant funds may be used for staffing, development of business plans, and other start-up activities. To be eligible for grant funding, organizations must submit the following documentation to the Department of Medical Assistance Services no later than June 1, 2006: (i) completion of a market assessment that demonstrates sufficient potential PACE participants to develop a PACE program; (ii) demonstration of partnerships with acute care hospitals, nursing facilities, and other potential partners; (iii) designation of an adult day health care center from which to operate a PACE program; and (iv) identification of funding partners to sustain a PACE project.

VV. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance Services to develop and implement a regional model for the integration of acute and long-term care services by no later than January 2007. This model would be offered to elderly and disabled clients on a voluntary basis. The Department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act."

**Explanation:**

(This amendment provides \$1.5 million for the establishment of up to six PACE (Program for the All-Inclusive Care of the Elderly) programs. The funding will be used to fund grants of up to \$250,000 for the start-up costs for each program. The amendment also authorizes the Department of Medical Assistance Services to develop a plan for integrating the acute and long-term care systems and to report to the Governor and the Chairmen of the House Appropriation and Senate Finance Committees on its plan by October 15, 2006. The Department is further authorized to develop and implement a regional model for the integration of acute and long-term care services by January 2007. Development of integrated services will combine Medicaid and Medicare resources and result in a cost effective alternative for long-term care.)

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Item 302 #43s

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 271, after line 53, insert:

"TT. The Department of Medical Assistance Services shall amend the Day Support home- and community-based waiver to include supported employment as a service option."

**Explanation:**

(This amendment adds a service category to the services available to individuals with mental retardation who are enrolled in the Medicaid Day Support waiver. The Day Support Waiver was designed to serve 300 individuals with an original appropriation of \$2.9 million GF and \$2.9 million from matching federal Medicaid funds, effective July 1, 2005. Currently, more than 200 individuals receive services through the Day Support waiver. Supported employment would be an appropriate addition to the continuum of services to better serve these individuals. The addition of these services would not require additional funding, as the program is not yet at projected capacity.)

Item 302 #44s

**Health And Human Resources**

**FY 06-07**

**FY 07-08**

Department Of Medical Assistance Services

\$1,009,553  
\$1,009,553

\$1,586,100 GF  
\$1,586,100 NGF

**Language:**

Page 258, line 32, strike "\$4,989,007,434" and insert "\$4,991,026,540".

Page 258, line 32, strike "\$5,325,426,176" and insert "\$5,328,598,376".

Page 271, after line 53, insert:

"TT. Out of this appropriation, the expenditure of \$1,009,553 the first year and \$1,586,100 the second year from the general fund and \$1,009,553 the first year and \$1,586,100 the second year from nongeneral funds shall be used for additional slots for the Medicaid Individual and Family Developmental Disabilities (DD) Support Waiver."

**Explanation:**

(This amendment adds \$1.0 million the first year and \$1.6 million the second year from the general fund and an equal amount of federal matching funds to phase in 100 additional community-based waivers under the Medicaid Individual and Family Developmental Disabilities (DD) support waiver program.)

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 271, line 25, after the period insert:

"A specific goal of such an enhanced process would be to decrease by one year the look-back period used within the biennial cost ceiling rebase determination."

**Explanation:**

(This language amendment includes an additional goal for the department to consider when developing a revised cost-reporting methodology for nursing home reimbursements.)

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 06-07**  
(\$212,952)

**FY 07-08**  
(\$212,952) GF

**Language:**

Page 272, line 9, strike "\$1,612,952" and insert "\$1,400,000".

Page 272, line 9, strike "\$1,612,952" and insert "\$1,400,000".

**Explanation:**

(This amendment reduces \$212,952 from the general fund each year to adjust the program's appropriation to the level of anticipated spending. This program provides a supplemental payment of \$3.00 per day to assisted living facilities that care for individuals receiving auxiliary grants or general relief who need extra assistance. This appropriation adjustment will not affect the level of service provided.)

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 06-07**  
(\$1,200,000)  
\$1,200,000

**FY 07-08**  
(\$1,200,000) GF  
\$1,200,000 NGF

**Language:**

**Explanation:**

(This amendment captures general fund savings due to a change in the reimbursement rate for the agency's prior authorization contract. The federal government will reimburse the state 75 percent of its costs rather than 50 percent assumed in the introduced budget. The savings are estimated at \$1,200,000 general fund, which will be offset by a like amount of federal funding.)

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Item 307 #5s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Medical Assistance	\$76,350	\$100,300	GF
Services	\$76,350	\$100,300	NGF
	3.00	3.00	FTE

**Language:**

Page 273, line 17, strike "\$97,753,128" and insert "\$97,905,828".  
Page 273, line 17, strike "\$95,429,308" and insert "\$95,629,908".

**Explanation:**

(This amendment provides funding for three positions for the Department of Medical Assistance Services for the development and implementation of an integrated acute and long-term care system in the Commonwealth, including Programs for the All-Inclusive Care of the Elderly (PACE). Development of an integrated system will combine Medicaid and Medicare resources and is intended to result in a cost effective alternative for long-term care.)

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Item 311 #7s

<b>Health And Human Resources</b>	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	

Language

**Language:**

Page 280, after line 35, insert:

"V. The Department, in collaboration with the Virginia Association of Community Services Boards, the Virginia Hospital and Healthcare Association, the Virginia College of Emergency Physicians and other stakeholders, shall develop and implement by September 30, 2006, a clear and consistent medical screening and assessment process for individuals who are the subject of an emergency custody or temporary detention order pursuant to §37.2-808 or §37.2-809 of the Code of Virginia that reflects current consensus best practice to be used by all Department facilities, private psychiatric hospitals, and emergency departments of hospitals."

**Explanation:**

(This language amendment requires the Department of Mental Health, Mental Retardation, and Substance Abuse Services to work with key partners such as CSBs, hospitals, and emergency room physicians to develop a consensus around the best practice of medical screening and assessment to be used in the Commonwealth for emergency custody and temporary detention orders).

Item 311 #8s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$1,000,000	\$1,000,000	GF

**Language:**

Page 276, line 51, strike "\$33,083,876" and insert "\$34,083,876".

Page 276, line 51, strike "\$34,218,119" and insert "\$35,218,119".

Page 280, after line 35, insert:

"V. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from the general fund shall be used to expand community-based programs that divert individuals with mental illness from jails or for aftercare programs for individuals with mental illness who have been released from jail. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish criteria, administer and evaluate the grants provided for this purpose. Beginning October 1, 2007, the Department shall report program information and outcomes data annually to the Chairmen of the Senate Finance and House Appropriations Committees and the Joint Commission on Health Care."

**Explanation:**

(This budget amendment provides funding for community-based programs designed

to divert when possible, or otherwise provide services for, individuals with mental illness who are in jail or being released from jail. The programs have been developed at the local level and in most instances include broad-based collaboration and agreements between such entities as judges and court personnel, sheriffs and jail personnel, community services board staff, nonprofit association personnel, probation, parole and law enforcement officers. The Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) will be responsible for determining the programs that will receive funding and for providing oversight and evaluation of funded programs. Funding is provided to expand and not supplant current funding. DMHMRSAS will report annually to the Chairmen of the Senate Finance and House Appropriations Committees.)

Item 311 #9s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	(\$100,000)	\$0	GF

**Language:**

Page 276, line 51, strike "\$33,083,876" and insert "\$32,983,876".  
Page 280, strike lines 32 through 35.

**Explanation:**

(This amendment removes funding for the Celebrating Special Children project, an initiative designed to create resource information for families of children with special needs. The introduced budget included \$100,000 from the general fund in FY 2007 for this project; the initiative received one-time general fund support of \$75,000 from the Department of Mental Health, Mental Retardation, and Substance Abuse Services and \$75,000 from Item 531 (non-state agencies) in FY 2006. An appropriation of \$100,000 is included within Item 481 (non-state agencies) for this project.)

Item 311 #10s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	(\$750,000)	\$0	GF

**Language:**

Page 276, line 51, strike "\$33,083,876" and insert "\$32,333,876".

Page 280, strike lines 28 through 31.

**Explanation:**

(This amendment removes \$750,000 from the general fund the first year and budget language for the Greater Richmond ARC (Association for Retarded Citizens). Funding in the introduced budget was provided to expand community capacity at the Greater Richmond ARC. An appropriation of \$500,000 is included within Item 481 (non-state agencies) for this project.)

Item 311 #11s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mental Health,	\$200,000	\$300,000	GF
Mental Retardation And Substance Abuse Services	3.00	4.00	FTE

**Language:**

Page 276, line 51, strike "\$33,083,876" and insert "\$33,283,876".

Page 276, line 51, strike "\$34,218,119" and insert "\$34,518,119".

**Explanation:**

(This amendment provides \$200,000 the first year and three positions and \$300,000 the second year and four positions from the general fund to provide administrative costs for the Center for Behavioral Rehabilitation. The rate of civil commitments to the Sexually Violent Predator Program is expected to increase at a rate of 6 to 9 individuals each month based on changes included in Senate Bill 559. Additional staff will provide oversight for the program and monitor compliance with treatment conditions of individuals who are conditionally released. DMHMRSAS was not provided central office staff to implement and oversee the program when it was initiated in 2003.)

Item 311 #12s

**Health And Human Resources**  
Department Of Mental Health,  
Mental Retardation And Substance

Language

Abuse Services

**Language:**

Page 280, after line 35, insert:

"V. The Commissioner of the Department of Mental Health, Mental Retardation, and Substance Abuse Services shall work with the Madison County Mental Health Clinic to reopen the clinic for services as soon as possible."

**Explanation:**

(This language amendment requires the Commissioner to work with the staff of the Madison County Mental Health Clinic to reopen as soon as practical. Since the clinic closed, a 4-6 week delay for an intake appointment has developed and the response to crisis calls has been exceedingly slow.)

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Item 311 #13s

**Health And Human Resources**

Department Of Mental Health,  
Mental Retardation And Substance  
Abuse Services

Language

**Language:**

Page 280, after line 35, insert:

"V. The Department of Mental Health, Mental Retardation, and Substance Abuse Services, with the assistance of the Department of Housing and Community Development, shall conduct a study of the extent to which local zoning ordinances in Virginia accommodate innovative housing initiatives for the benefit of Virginians with mental illness, such as Single Room Occupancy residential units, and shall investigate the availability of state or federal funds for such initiatives. The study shall also examine the feasibility of developing a model Virginia zoning ordinance that permits Single Room Occupancy residential units for persons with mental illness."

**Explanation:**

(This language amendment requires the Department of Mental Health, Mental Retardation, and Substance Abuse Services to work with the Department of Housing and Community Development to study the extent to which local zoning ordinances accommodate innovative housing initiatives for the benefit of Virginians with mental illness.)

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<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	(\$148,658)	(\$811,861)	GF

**Language:**

Page 276, line 51, strike "\$33,083,876" and insert "\$32,935,218".

Page 276, line 51, strike "\$34,218,119" and insert "\$33,406,258".

Page 280, strike lines 10 through 23.

**Explanation:**

(This amendment removes funding to implement a developmental career path program for direct care associates that work in state mental retardation training centers and state mental health treatment centers in order to improve the continuity of staff and enhance patient care. Full funding for this initiative is included in Item 461 (compensation supplements). The program is designed to reduce turnover rates that have exceeded 20 percent annually in the last five years -- more than twice the average for state employees.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Grants To Localities	\$350,000	\$350,000	GF

**Language:**

Page 280, line 45, strike "\$321,010,704" and insert "\$321,360,704".

Page 280, line 45, strike "\$334,289,754" and insert "\$334,639,754".

Page 285, after line 18, insert:

"EE. Out of this appropriation, \$350,000 the first year and \$350,000 the second year from the general fund shall be provided to the Virginia Primary Care Association for the development and evaluation of three or more pilot projects to provide behavioral health services to persons in medically underserved areas. On October 1, 2007 and each year thereafter, the Association shall report outcomes data including but not limited to the number of individuals served, services provided, and the cost of providing services, to the Chairmen of the Senate Finance and House Appropriations Committees."

**Explanation:**

(This budget amendment provides funding to assist community health centers in meeting the behavioral health needs of their communities. Funding will be provided to the Virginia Primary Care Association to assist community health centers in planning, implementing, and evaluating three or more innovative pilot projects to bring behavioral health services to those persons in medically underserved areas.)

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Item 312 #6s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Grants To Localities	\$335,000	\$350,000	GF

**Language:**

Page 280, line 45, strike "\$321,010,704" and insert "\$321,345,704".

Page 280, line 45, strike "\$334,289,754" and insert "\$334,639,754".

Page 285, after line 18, insert:

"EE. Out of this appropriation, \$335,000 the first year and \$350,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to provide mental health services for low-income, uninsured adults. On October 1, 2007 and each year thereafter, the Association shall report outcomes data including but not limited to the number of individuals served, services provided, and the cost of providing services, to the Chairmen of the Senate Finance and House Appropriations Committees."

**Explanation:**

(This budget amendment provides funding to allow community services boards to contract with free clinics to provide mental health services for low-income, uninsured adults. Fund may be used for one or more of the following purposes: to recruit and deploy additional volunteer mental health professionals, to help underwrite the salary of a staff mental health provider, to expand the overall service hours or numbers of appointments, or to expand the scope of mental health services provided. It is estimated that 1,000 more low-income, uninsured adult Virginians would receive care through this appropriation.)

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Item 312 #13s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Grants To Localities	\$1,068,000	\$1,068,000	GF

**Language:**

Page 280, line 45, strike "\$321,010,704" and insert "\$322,078,704".

Page 280, line 45, strike "\$334,289,754" and insert "\$335,357,754".

Page 285, after line 18, insert:

"EE. Out of this appropriation, \$1,068,600 the first year and \$1,068,600 the second year from the general fund shall be provided to implement two model projects with community services boards for opioid treatment expansion in one rural and one urban region. The projects shall be designed to improve the availability of treatment and integrate buprenorphine therapy into the region's continuum of care for opioid addiction. The department shall evaluate the results of these projects for improving treatment outcomes and improving key performance indicators, such as recruitment, retention and maintenance of treatment effects for individuals served by the projects. The department shall report the progress on project implementation to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2006, and shall report the results of the projects to the Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2007."

**Explanation:**

(This amendment provides \$1.1 million each year to evaluate alternative treatment services for opiate addiction in a rural and urban region of the Commonwealth.)

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Item 312 #14s

**Health And Human Resources**

Grants To Localities

Language

**Language:**

Page 283, line 40, after the period insert:

"When allocating funds in Health Planning Region II, consideration shall be given to projects that are designed to provide specialized geriatric mental health services that allow individuals to be served in their home communities."

**Explanation:**

(This amendment requires that funding allocated within Health Planning Region II (Alexandria, Fairfax, Loudoun, and Prince William) be considered for the development of a pilot project geared toward geriatric mental health services.)

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Item 312 #15s

**Health And Human Resources**

**Language:**

Page 284, line 51, after residential, insert:

"or day support".

Page 284, line 57, strike "residential" and insert:

"service".

Page 284, line 58, after "for", insert:

"those".

**Explanation:**

(This amendment allows start-up funding allocated for community residential services under the mental retardation waiver program to be used for day support services under the waiver.)

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Item 312 #16s

**Health And Human Resources**

**Language:**

Page 284, line 41, after "delivering" insert "unique".

Page 284, line 41, after "services" insert "provided".

Page 284, line 41, after "through" insert "one or more".

Page 284, line 42, before "Home" insert ", Individual and Family Developmental Disabilities Support or Day Support".

Page 284, line 42, strike "Program" and insert "Programs (but not provided in other waiver programs)".

Page 284, line 47, after the period insert:

"The increase does not apply to personal care and related services, nursing services or services that are either fixed price or determined through individual consideration."

**Explanation:**

(This amendment clarifies that the 5 percent rate increase included in the introduced budget also applies to unique services provided under the developmental disabilities and day support waivers and does not apply to personal care and related services.)

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Item 317 #2s

**Health And Human Resources**

Mental Health Treatment Centers

Language

**Language:**

Page 286, after line 27, insert:

"C. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state mental retardation training centers when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and House Appropriations Committees for their review and consideration."

**Explanation:**

(This language amendment requires the Commissioner to prepare a plan for spending resources from the Mental Health, Mental Retardation, and Substance Abuse Services Trust Fund with proceeds from the sale of buildings or land at state facilities. Priority must be given to the capital and programmatic needs of other state facilities.)

Item 326 #4s

**Health And Human Resources**

Virginia Center For Behavioral  
Rehabilitation

**FY 06-07**

\$253,125

**FY 07-08**

\$506,250 GF

**Language:**

Page 289, line 13, strike "\$828,507" and insert "\$1,081,632".

Page 289, line 13, strike "\$828,507" and insert "\$1,334,757".

**Explanation:**

(This amendment provides \$253,125 the first year and \$506,250 the second year from the general fund for clinical evaluations (\$433,500 in FY 2008) and court testimony (\$72,750 in FY 2008) related to the civil commitment of sexually violent predators (SVPs). Clinical evaluations are required under § 37.2-904 of the Code of Virginia for sexually violent predators. It is estimated that 289 SVP eligible offenders will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment; 67% (194) will require an evaluation prior to the state initiating civil commitment proceedings. Each evaluation costs approximately

\$3,000 and evaluators are paid \$750 per day for court testimony.)

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Item 326 #5s

**Health And Human Resources**

Virginia Center For Behavioral  
Rehabilitation

Language

**Language:**

Page 289, after line 17, insert:

"In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the Center for Behavioral Rehabilitation or conditionally released, the Commissioner is authorized to seek such services from another state."

**Explanation:**

(This language amendment authorizes the Commissioner to seek specific services from other states in the event that such services are not available in the Commonwealth for individuals who are committed for treatment at the Center for Behavioral Rehabilitation or conditionally released.)

---

Item 326 #6s

**Health And Human Resources**

Virginia Center For Behavioral  
Rehabilitation

**FY 06-07**

\$0

**FY 07-08**

\$4,280,034 GF

**Language:**

Page 289, line 13, strike "\$828,507" and insert "\$5,108,541".

**Explanation:**

(This amendment provides \$4.3 million the second year to fund the costs associated with operating 100 inpatient civil commitment beds for nine months at the proposed Center for Behavioral Rehabilitation in Nottoway County. General fund operating costs of \$6.1 million will be transferred from the existing facility to the new facility when it opens in the fall of 2007. Implementation of an Intensive Community Containment Program contained in Item 383, based on the state of Texas' successful and cost-effective outpatient treatment program, will diminish the need for additional

beds at the new facility.)

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Item 326 #7s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Center For Behavioral Rehabilitation	\$39,600	\$111,600	GF

**Language:**

Page 289, line 13, strike "\$828,507" and insert "\$868,107".

Page 289, line 13, strike "\$828,507" and insert "\$940,107".

**Explanation:**

(This amendment provides \$39,600 the first year and \$111,600 the second year from the general fund for the costs associated with supervising and treating individuals who are civilly committed to the sexually violent predator program but conditionally released).

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Item 326 #8s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Center For Behavioral Rehabilitation	\$101,200	\$285,200	GF

**Language:**

Page 289, line 13, strike "\$828,507" and insert "\$929,707".

Page 289, line 13, strike "\$828,507" and insert "\$1,113,707".

**Explanation:**

(This amendment provides \$101,200 the first year and \$285,200 the second year from the general fund for the costs associated with contracting with a Global Positioning System (GPS) service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released).

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Item 327 #10s

**Health And Human Resources**

Department Of Rehabilitative  
Services

Language

**Language:**

Page 290, line 44, after "support" insert:  
"direct case management".

**Explanation:**

(This amendment adds budget language to clarify that new funding included in the introduced budget for brain injury services in Southwestern Virginia is used for direct case management services.)

Item 327 #11s

**Health And Human Resources**

Department Of Rehabilitative  
Services

**FY 06-07**

\$300,000

**FY 07-08**

\$300,000

GF

**Language:**

Page 289, line 31, strike "\$89,560,900" and insert "\$89,860,900".

Page 289, line 31, strike "\$89,560,900" and insert "\$89,860,900".

Page 291, after line 3, insert:

"I. Out of this appropriation, \$300,000 from the general fund each year shall be used to expand case management services for individuals with brain injuries in Planning District 6 and other unserved or underserved regions of the Commonwealth."

**Explanation:**

(This amendment provides \$300,000 from the general fund each year to expand case management services for individuals with brain injuries in Planning District 6 and other unserved or underserved regions of the commonwealth. Planning District 6 includes Augusta, Amherst, parts of Alleghany, Bath, parts of Bedford, Botetourt, Highland, parts of Roanoke, Rockbridge, and Rockingham Counties.)

Item 327 #12s

**Health And Human Resources**

Department Of Rehabilitative  
Services

**FY 06-07**

\$0

**FY 07-08**

\$30,000

GF

**Language:**

Page 289, line 31, strike "\$89,560,900" and insert "\$89,590,900".

**Explanation:**

(This amendment provides \$30,000 from the general fund the second year for lease costs associated with the construction and occupancy of Phase II of the Our Health complex, a one-stop shop for rehabilitative, health and social services co-located in the city of Winchester. The amount specified is the Department of Rehabilitative Services share of additional lease costs.)

Item 327 #13s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Rehabilitative Services	\$800,000	\$800,000	GF

**Language:**

Page 289, line 31, strike "\$89,560,900" and insert "\$90,360,900".

Page 289, line 31, strike "\$89,560,900" and insert "\$90,360,900".

Page 289, line 43, after "B." insert "1."

Page 289, line 43, strike "\$4,214,538" and insert "\$5,014,538".

Page 290, line 1, strike "\$4,214,538" and insert "\$5,014,538".

Page 290, after line 2, insert:

"2. Of this appropriation, \$800,000 from the general fund each year shall be used to expand brain injury services provided by centers for independent living."

**Explanation:**

(This amendment provides \$800,000 from the general fund each year to expand services for individuals with brain injuries, for example, peer counseling, independent living skills training, advocacy and information and referral, provided by centers for independent living. The expansion of brain injury services provided by centers for independent living may prevent or delay placement in a more costly institutional setting.)

Item 334 #12s

**Health And Human Resources**

**Language:**

Page 294, line 23, after "D." insert:

"The Department of Social Services is authorized to make necessary changes in the Temporary Assistance for Needy Families (TANF) program to meet federal TANF requirements and minimize the Commonwealth's exposure to federal financial penalties, provided it does so in the most efficient and least costly manner."

**Explanation:**

(This amendment authorizes the Department of Social Services to make changes to the federal TANF program consistent with the recent reauthorization of the program.)

Item 334 #13s

**Health And Human Resources**

**FY 06-07**

**FY 07-08**

Department Of Social Services

\$178,308

\$507,492 GF

**Language:**

Page 293, line 31, strike "\$338,805,406" and insert "\$338,983,714".

Page 293, line 31, strike "\$341,518,480" and insert "\$342,025,972".

**Explanation:**

(This amendment provides funding to implement the provisions of Senate Bill 32, contingent upon its passage. The bill extends TANF benefits beyond 24 months for minor children of Virginia Initiative for Employment Not Welfare (VIEW) participants when the participating parent is no longer the child's legal guardian, another relative of the children now has legal custody, and the children otherwise meet the program's eligibility requirements. This amendment is contingent upon final passage of Senate Bill 32.)

Item 335 #4s

**Health And Human Resources**

Department Of Social Services

Language

**Language:**

Page 298, after line 14, insert:

"G. The Department of Social Services in cooperation with the Department of Human

Resource Management shall conduct a study of all classifications in local departments of social services. The study shall consider the position descriptions and duties, compensation and appropriate salary ranges for programs administered for such classifications with respect to: 1) the level of judgment and skill required to perform the job, 2) adequacy of compensation as commensurate with the duties assigned to such classifications, and 3) the salary ranges of comparable state-employed social work and related positions. The study shall be reported to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2007."

**Explanation:**

(This amendment requires the Department of Social Services to work with the Department of Human Resource Management to study employee classifications and appropriate compensation and salary ranges for employees of local departments of social services based on the employees requisite roles and responsibilities.)

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Item 337 #9s

**Health And Human Resources**

Department Of Social Services

Language

**Language:**

Page 300, after line 39, insert:

"H. For the period of time in which the Emergency Regulations, 22 VAC 40-71-10 et. seq. Standards and Regulations for Licensed Assisted Living Facilities (hereinafter Emergency Regulations) are in effect, the Department of Social Services shall enforce certain provisions of the Emergency Regulations as follows (i) 22 VAC 40-71-60 Administrator: The "department approved course for a manager" pursuant to 22 VAC 40-71-60 L.3 e (4) (c) shall not exceed 40 hours and shall be made available and accessible in multiple regions within the Commonwealth, (ii) 22 VAC-71-130 Standards for staffing: The exception relating to staffing requirements in buildings that house 19 or fewer residents shall be reinstated, and (iii) 22 VAC-71-485 Interventions for high risk behavior: The provisions of this section shall not apply to or be enforced against any assisted living facility."

**Explanation:**

(This amendment directs the Department of Social Services to enforce certain provisions of the emergency regulations in a manner that gives relief to smaller facilities and suspends certain sections of the emergency regulations which may

exceed the intent of statutory changes made in Chapter 610 and Chapter 924 of the 2005 Acts of Assembly.)

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Item 337 #10s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$0	\$960,224	GF

**Language:**

Page 299, line 18, strike "\$44,604,968" and insert "\$45,565,192".

Page 299, line 32, strike "\$982" and insert "\$1,010".

**Explanation:**

(This amendment provides \$960,224 from the general fund the second year to increase the maximum payment allowed under the Auxiliary Grant Program from \$982 to \$1,010 each month. A companion amendment to Item 302 provides \$1.0 million from the general fund for anticipated caseload growth in Medicaid as a result of increasing the monthly auxiliary grant amount).

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Item 337 #11s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$150,000	\$0	GF

**Language:**

Page 299, line 18, strike "\$44,604,968" and insert "\$44,754,968".

Page 300, line 8, strike "\$350,000" and insert "\$500,000".

**Explanation:**

(This amendment adds \$150,000 the first year from the general fund for the Caregivers Grant Program. Funding for the program would increase from \$350,000 to \$500,000 in FY 2007. This program provides up to \$500 each year for caregivers who have income under \$50,000 and who provide unreimbursed care for a person who is aged, infirm, or disabled.)

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Item 338 #5s

<b>Health And Human Resources</b>	
Department Of Social Services	

Language

**Language:**

Page 302, strike lines 50 through 56, and insert:

"O.1. The Department of Social Services, in collaboration with the Virginia League of Social Services Executives, shall perform a comprehensive study and make recommendations on the policies and procedures related to the management of the special needs adoptions subsidy program. The study shall examine the relationship of the special needs adoption program to the Federal Child Welfare review and the Program of Improvement requirements. The focus of the study shall be to examine the causes of recent expenditure growth and make recommendations to moderate expenditure growth while continuing to meet the needs of the affected children. The Department shall not make recommendations to change who is eligible for a subsidized adoption.

2. In making its recommendation, the Department shall examine the services provided under the adoption program, and whether the appropriate levels of ancillary adoptive services and funding options are available to local departments of social services when developing a service plan for an adopted child and adopting family. The study shall make recommendations on (1) the establishment of a list of allowable ancillary adoption services for reimbursement, and (2) make recommendations for policy guidance on the use of alternative funding sources after an examination of the relationship between the adoptions subsidy program and alternative reimbursement sources available to local departments of social services for providing adoption services.

3. Measures to be studied shall include, but not be limited to, setting income guidelines for prospective adoptive parents, utilizing available federal sources such as Medicaid, and setting rates for children's residential facilities.

4. Neither the Commissioner nor the state Board of Social Services shall: (1) issue emergency regulations, (2) issue Departmental Policy, or (3) take other administrative action to alter the funding formula in place for the reimbursement of adoption services without approval of the General Assembly.

5. The Department shall provide a report to the Governor, Chairmen of the House Appropriations and Senate Finance Committees, and the Department of Planning and Budget on or before June 1, 2007."

Page 303, strike lines 1 through 9.

**Explanation:**

(This amendment replaces language included in the introduced budget to study recent growth in the special needs adoptions program and recommend options to moderate expenditure growth. New language also requires the Department to study recent growth and recommend options to control spending but includes prohibitions against reducing eligibility and recommending emergency regulations, policy guidance or other administrative action without the approval of the General Assembly.)

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Item 340 #1s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$600,000	\$600,000	GF

**Language:**

Page 303, line 21, strike "\$35,896,286" and insert "\$36,496,286".

Page 303, line 21, strike "\$34,896,286" and insert "\$35,496,286".

**Explanation:**

(This amendment provides \$600,000 from the general fund each year to expand services provided by community action agencies.)

---

Item 340 #9s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$0	\$160,000	GF

**Language:**

Page 303, line 21, strike "\$34,896,286" and insert "\$35,056,286".

**Explanation:**

(This amendment provides \$160,000 from the general fund the second year for lease costs associated with the construction and occupancy of Phase II of the Our Health complex, a one-stop shop for rehabilitative, health and social services co-located in the city of Winchester. The amount specified is the Department of Social Services' share of additional lease costs.)

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<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	(\$3,800,000)	(\$1,800,000)	GF

**Language:**

Page 303, line 21, strike "\$35,896,286" and insert "\$32,096,286".  
Page 303, line 21, strike "\$34,896,286" and insert "\$33,096,286".  
Page 303, line 52, strike "\$4,800,000" and insert "\$1,000,000".  
Page 303, line 53, strike "\$3,800,000" and insert "\$2,000,000".

**Explanation:**

(This amendment reduces funding included in the introduced budget for the establishment of the Virginia Early Childhood Foundation. The Foundation will receive \$1.0 million the first year and \$2.0 million the second year from the general fund to be matched with local public and private resources to expand the adoption of early childhood activities.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$100,000	\$200,000	GF

**Language:**

Page 303, line 21, strike "\$35,896,286" and insert "\$35,996,286".  
Page 303, line 21, strike "\$34,896,286" and insert "\$35,096,286".  
Page 304, after line 18, insert:

"D. Out of this appropriation, \$100,000 the first year and \$200,000 the second year from the general fund shall be provided to the Tri-County Community Action Agency, Inc. to ensure funding parity for Charlotte and Mecklenburg Counties.")

**Explanation:**

(This amendment provides \$100,000 the first year and \$200,000 the second year from the general fund to ensure that adequate resources are available in Charlotte and Mecklenburg counties to provide appropriate services. Additional state funding was not provided to these jurisdictions despite their addition to the Tri-County organization and changes to the statewide community action agency formula appear unlikely to remedy the disparity.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$0	\$100,000	GF

**Language:**

Page 303, line 21, strike "\$34,896,286" and insert "\$34,996,286".

**Explanation:**

(This amendment provides \$100,000 from the general fund the second year to provide increased lease funding to support the development of a "build-to-suit" facility in downtown Suffolk to co-locate the local departments of Social Services and Health. A separate amendment to Item 297 provides for the Health Departments' share of increased costs.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$132,242	\$97,944	GF
	\$113,350	\$41,095	NGF

**Language:**

Page 305, line 17, strike "\$74,819,347" and insert "\$75,064,939".

Page 305, line 17, strike "\$77,563,377" and insert "\$77,702,416".

**Explanation:**

(This amendment provides \$132,242 the first year and \$97,944 the second year from the general fund and \$113,350 the first year and \$41,095 the second year from nongeneral funds to provide funding to establish and operate a Putative Father Registry as required by Senate Bill 534, contingent upon its passage. The bill requires any man who desires to be notified of an adoption proceeding regarding a child he may have fathered to participate in the registry. If he fails to do so, he loses his right to object to the adoption. Future operating costs will be partially offset by a \$50 filing fee. This amendment is contingent upon final passage of Senate Bill 534.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$500,000	\$500,000	GF
	\$288,201	\$288,201	NGF

**Language:**

- Page 305, line 17, strike "\$74,819,347" and insert "\$75,607,548".
- Page 305, line 17, strike "\$77,563,377" and insert "\$78,351,578".
- Page 306, line 16, strike "\$473,844" and insert "\$973,844".
- Page 306, line 16, strike "\$387,691" and insert "\$675,892".
- Page 306, line 17, strike "\$473,844" and insert "\$973,844".
- Page 306, line 18, strike "\$387,691" and insert "\$675,892".
- Page 306, line 19, after "statewide" insert "implementation of a 2-1-1".
- Page 306, line 20, delete the comma and insert "to".

**Explanation:**

(This amendment provides \$500,000 from the general fund and \$288,201 from nongeneral funds each year to expand the current Information and Referral System to a 2-1-1 System with expanded hours and service. Funding will be used to launch the 2-1-1 system including expanding the hours of operation from 8:30 a.m. to midnight seven days a week.)

Item 342 #10s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Social Services	\$150,000	\$200,000	GF
	2.00	2.00	FTE

**Language:**

- Page 305, line 17, strike "\$74,819,347" and insert "\$74,969,347".
- Page 305, line 17, strike "\$77,563,377" and insert "\$77,763,377".

**Explanation:**

(This amendment provides funding to the Department of Social Services to coordinate responses to natural disasters and emergencies. This office will support and coordinate the relief efforts of faith-based and community organizations during natural disasters or other emergencies. In addition, the office will serve as an information clearing house for non-profit groups prior to such events.)

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Item 356 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Secretary Of Natural Resources	(\$262,500)	(\$162,500)	GF

**Language:**

Page 313, line 3, strike "\$974,502" and insert "\$712,002".

Page 313, line 3, strike "\$849,702" and insert "\$687,202".

Page 313, line 45, strike "\$300,000" and insert "\$37,500".

Page 313, line 46, strike "\$200,000" and insert "\$37,500".

**Explanation:**

(This amendment reduces general fund support for the Virginia Indian Heritage Program to \$37,500 each year.)

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Item 358 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	\$1,000,000 15.00	\$1,000,000 15.00	NGF FTE

**Language:**

Page 314, line 14, strike "\$25,856,846" and insert "\$26,856,846".

Page 314, line 14, strike "\$25,556,846" and insert "\$26,556,846".

Page 315, after line 54, insert:

"I. The Department is authorized to use up to \$1,000,000 each year from the balance of the Water Quality Improvement Fund apportioned to nonpoint source activities to cover the expenses of fifteen full-time positions dedicated to the delivery of nonpoint source pollution control technical services. As a condition to use these funds, the Department shall first certify to the Department of Planning and Budget that the interest earned on the Water Quality Improvement Fund is already obligated by the General Assembly for other purposes. Any interest not obligated by the General Assembly from the Fund shall be used by the Department before using any portion of the \$1,000,000."

**Explanation:**

(This amendment provides 15 full-time positions for the Department to use in

managing the TMDL program. Funding for these positions is from interest earned on the nonpoint source portion of the Water Quality Improvement Fund and from the principal in the Fund not to exceed \$1.0 million in any given year.)

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Item 358 #3s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	\$400,000	\$0	NGF

**Language:**

Page 314, line 14, strike "\$25,856,846" and insert "\$26,256,846".

**Explanation:**

(This amendment provides \$400,000 of nongeneral fund support for the Department to contract with individuals qualified by the Department as certified nutrient management plan writers to prepare up to one-half of the 1,100 nutrient management plans required under Virginia Pollution Abatement permits for poultry, dairy, swine and beef operations. The source of funding is interest earned on the nonpoint source portion of the Water Quality Improvement Fund.)

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Item 358 #4s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	\$1,500,000	\$1,500,000	GF
	\$500,000	\$500,000	NGF

**Language:**

Page 314, line 14, strike "\$25,856,846" and insert "\$27,856,846".

Page 314, line 14, strike "\$25,556,846" and insert "\$27,556,846".

Page 315, line 47, strike "\$500,000" and insert "\$2,000,000".

Page 315, line 48, strike "\$500,000" and insert "\$2,000,000".

Page 315, line 48, after "fund", insert "and \$500,000 the first year and \$500,000 the second year from interest earned on the nonpoint source portion of deposits made and balances in the Water Quality Improvement Fund".

Page 315, line 50, after "for", insert "direct delivery of nonpoint source pollution control activities." and strike the remainder of the line.

Page 315, strike lines 51 through 54 and insert: "The funding will be used to provide

for the employment of district conservation specialists in the Chesapeake Bay and Southern Rivers watershed and shall be distributed with priority given to those districts in the Chesapeake Bay watershed who rank highest in base and priority agricultural best management practice workload, and to the districts in the Southern Rivers watershed with the greatest number and extent of water bodies designated as impaired under Section 303(d) of the United States Clean Water Act and attributed to agricultural nonpoint source pollution."

**Explanation:**

(This amendment provides an additional \$3.0 million of general fund support and \$1.0 million nongeneral fund support for the Soil and Water Conservation Districts to work with the agricultural community in carrying out best management practices. Budget language authorizes the use of interest earned on Water Quality Improvement Funds to support the districts.)

Item 358 #6s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	\$5,000	\$5,000	GF

**Language:**

Page 314, line 14, strike "\$25,856,846" and insert "\$25,861,846".  
 Page 314, line 14, strike "\$25,556,846" and insert "\$25,561,846".

**Explanation:**

(This amendment includes \$10,000 GF to support participation by members of the General Assembly in the Rappahannock River Basin Commission. The Commission works to improve the water quality of the Rappahannock River from the headwaters to the Chesapeake Bay.)

Item 359 #2s

<b>Natural Resources</b>	
Department Of Conservation And Recreation	Language

**Language:**

Page 317, after line 34, insert:

"J. The Director of the Department of Conservation and Recreation, at his discretion, is authorized to accept on behalf of the Commonwealth a gift of property known as Grand Caverns Park from the Upper Valley Regional Park Authority. This property is to be developed into a State Park and the existing facilities are to be demolished or upgraded to State Park standards when a source of funding has been identified for these purposes. The Director is authorized to make the necessary upgrades to the park facilities to meet State Park standards, as funding is available."

**Explanation:**

(This amendment authorizes the agency to accept Grand Caverns Park located near Grottoes in the Shenandoah Valley into the state park system and to upgrade the park to state park standards upon securing adequate funding.)

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Item 359 #3s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	\$1,000,000	\$1,000,000	GF

**Language:**

Page 315, line 55, strike "\$39,050,177" and insert "\$40,050,177".

Page 315, line 55, strike "\$37,960,177" and insert "\$38,960,177".

**Explanation:**

(This amendment provides \$2.0 million of additional general fund support to operate and maintain Virginia's state parks.)

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Item 359 #10s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	(\$475,000)	\$0	GF

**Language:**

Page 315, line 55, strike "\$39,050,177" and insert "\$38,575,177".

Page 317, line 30, strike "\$950,000" and insert "\$475,000".

**Explanation:**

(This amendment reduces general fund support for the Southside Rails-to-Trails project to \$475,000.)

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Item 359 #11s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Conservation And Recreation	(\$140,000)	\$0	GF

**Language:**

Page 315, line 55, strike "\$39,050,177" and insert "\$38,910,177".

**Explanation:**

(This amendment eliminates the general fund support of \$140,000 for the Captain John Smith Water Trail.)

---

Item 361 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$75,000 1.00	\$75,000 1.00	GF FTE

**Language:**

Page 317, line 51, strike "\$12,452,730" and insert "\$12,527,730".

Page 317, line 51, strike "\$12,414,096" and insert "\$12,489,096".

**Explanation:**

(This amendment provides \$75,000 from the general fund each year and one full-time position for DEQ to develop a program to safely remove and recycle the mercury switches in vehicles ready to be scrapped. The objective is to reduce the amount of mercury released to the environment.)

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Item 362 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
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Department Of Environmental Quality \$60,000 \$0 NGF

**Language:**

Page 318, line 16, strike "\$41,184,871" and insert "\$41,244,871".

**Explanation:**

(This amendment provides \$60,000 the first year from the interest earned on the point source portion of the Water Quality Improvement Fund to replace obsolete water quality monitoring equipment for use by the Friends of the Shenandoah River.)

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Item 362 #2s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$1,000,000	\$1,000,000	NGF

**Language:**

Page 318, line 16, strike "\$41,184,871" and insert "\$42,184,871".

Page 318, line 16, strike "\$41,238,412" and insert "\$42,238,412".

Page 319, after line 7, insert:

"G. Out of this appropriation, \$1,000,000 the first year and \$1,000,000 the second year from interest earned on the point source portion of the Water Quality Improvement Fund shall be used to match U.S. Army Corps of Engineer funding and other nonstate funding for cleanup projects and wetlands restoration on the Elizabeth River."

**Explanation:**

(This amendment provides \$2.0 million NGF for the state's portion of sediment remediation projects for the Elizabeth River.)

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Item 362 #4s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$2,000	\$2,000	GF

**Language:**

Page 318, line 16, strike "\$41,184,871" and insert "\$41,186,871".  
Page 318, line 16, strike "\$41,238,412" and insert "\$41,240,412".

**Explanation:**

(This amendment provides \$4,000 GF to cover the travel expenses of members of the Roanoke River Basin Advisory Committee for attending meetings.)

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Item 362 #5s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	(\$150,000)	(\$150,000)	GF

**Language:**

Page 318, line 16, strike "\$41,184,871" and insert "\$41,034,871".  
Page 318, line 16, strike "\$41,238,412" and insert "\$41,088,412".  
Page 319, strike lines 3 through 7.

**Explanation:**

(This amendment removes general fund support of \$150,000 each year for the Chesapeake Bay Foundation.)

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Item 362 #6s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$1,098,814	\$1,819,307	GF
	3.00	5.00	FTE

**Language:**

Page 318, line 16, strike "\$41,184,871" and insert "\$42,283,685".  
Page 318, line 16, strike "\$41,238,412" and insert "\$43,057,719".

**Explanation:**

(This amendment provides \$2.9 million GF and five full-time positions to increase monitoring and assessments of the state's efforts to clean up the Chesapeake Bay and its tributaries.)

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<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$45,000	\$45,000	NGF

**Language:**

Page 319, line 30, strike "\$296,793,413" and insert "\$296,838,413".

Page 319, line 30, strike "\$67,473,413" and insert "\$67,518,413".

Page 324, line 18 after "fund", insert: "and \$45,000 the first year and \$45,000 the second year from interest earned on the point source portion of the Water Quality Improvement Fund".

**Explanation:**

(This amendment provides \$90,000 NGF to the Tri-County Lake Administrative Commission for water quality monitoring and analysis at Smith Mountain Lake.)

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Environmental Quality	\$2,500,000	\$0	NGF

**Language:**

Page 319, line 30, strike "\$296,793,413" and insert "\$299,293,413".

Page 324, line 9, after "fund", insert: "and \$2,500,000 the first year from interest earned on the point source portion of the Water Quality Improvement Fund".

Page 324, line 12, strike "3,750,000" and insert "5,000,000".

page 324, line 13, strike "3,750,000" and insert "5,000,000".

**Explanation:**

(This amendment increases the support for the combined sewer overflow projects of the Cities of Richmond and Lynchburg by \$2.5 million NGF. The source of the nongeneral fund revenue is interest earned on Water Quality Improvement Fund. This results in a total appropriation of \$5.0 million for each jurisdiction.)

**Natural Resources**

Department Of Environmental  
Quality

Language

**Language:**

Page 323, after line 43, insert:

"7. Out of the amounts appropriated in subparagraph B.1., the Director of the Department of Environmental Quality is authorized to continue to make technical assistance grants to the Virginia Nutrient Credit Exchange Association created pursuant to § 62.1-44.19:17, Code of Virginia. The Department of Environmental Quality shall give priority to reimbursement for any such grants and shall establish conditions applicable to such grants."

**Explanation:**

(This amendment continues authorization for DEQ to provide financial assistance for nutrient trading as a means of reducing point source pollution.)

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Item 364 #7s

**Natural Resources**

Department Of Environmental  
Quality

Language

**Language:**

Page 320, line 26, after "day.", strike the remainder of the line.  
Page 320 strike lines 27 through 58.  
Page 321, strike lines 1 through 63.  
Page 322, strike lines 1 through 58.  
Page 323, strike lines 1 through 43.

**Explanation:**

(This amendment removes language in the introduced budget that duplicates language in the Code of Virginia and in the regulations promulgated by the State Water Control Board.)

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Item 364 #8s

**Natural Resources**

Department Of Environmental

**FY 06-07**  
\$1,300,000

**FY 07-08**  
\$0 NGF

Quality

**Language:**

Page 319, line 30, strike "\$296,793,413" and insert "\$298,093,413".

Page 324, after line 21, insert:

"F. Out of the amounts appropriated for Environmental Financial Assistance, \$1,300,000 the first year from interest earned on the point source portion of the Water Quality Improvement Fund shall be deposited to the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund."

**Explanation:**

(This amendment provides \$1.3 million NGF to address redevelopment of properties considered to be too environmentally unsound to warrant investment. Since 2003, DEQ has worked on 63 redevelopment projects through its Brownfields Program, resulting in over \$500 million in new investments for commercial, retail and residential properties and over 1400 full-time jobs created. The revenue source is interest earned on Water Quality Improvement Funds.)

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Item 364 #9s

**Natural Resources**

Department Of Environmental  
Quality

**FY 06-07**

\$375,000

**FY 07-08**

\$375,000 GF

**Language:**

Page 319, line 30, strike "\$296,793,413" and insert "\$297,168,413".

Page 319, line 30, strike "\$67,473,413" and insert "\$67,848,413".

Page 324, after line 21, insert:

"F. Out of the amounts appropriated for Environmental Financial Assistance, the Department of Environmental Quality shall provide \$375,000 the first year and \$375,000 the second year from the general fund to the W.E. Skelton 4-H Educational Conference Center located in Franklin County. The funds shall be used to match federal dollars to upgrade the Center's wastewater treatment facility. As a condition for this assistance, the Center shall agree to assume the ongoing annual operating cost of the upgraded facility."

**Explanation:**

(This amendment provides \$750,000 GF to upgrade the wastewater treatment plant

at the W.E. Skelton 4-H Educational Conference Center. The Center's sewage lagoon no longer meets the state's wastewater standards. The federal government has already provided a matching grant.)

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Item 366 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Game And Inland Fisheries	\$110,195	\$110,195	NGF

**Language:**

Page 325, line 11, strike "\$38,520,118" and insert "\$38,630,313".

Page 325, line 11, strike "\$37,690,059" and insert "\$37,800,254".

**Explanation:**

(This amendment increases the NGF appropriation for the Department of Game and Inland Fisheries by an amount equal to the transfer of general fund revenue to the Game Protection Fund. The source of the revenue is the portion of the state general sales and use tax allocated by state statute to the Game Protection Fund.)

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Item 367 #2s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Game And Inland Fisheries	\$25,000	\$25,000	NGF

**Language:**

Page 325, line 26, strike "\$5,118,529" and insert "\$5,143,529".

Page 325, line 26, strike "\$4,978,588" and insert "\$5,003,588".

**Explanation:**

(This amendment provides \$50,000 NGF to support the maintenance and repair of the navigational system at Smith Mountain Lake. Boating traffic at the lake is greater than any other lake in Virginia, and has increased by 45 percent in the last nine years, increasing concerns for the public's safety.)

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**Natural Resources**

Department Of Game And Inland  
Fisheries

Language

**Language:**

Page 325, line 35, before "The", insert "A."

Page 325, after line 41, insert:

"B. "The Department shall assess the need for greater enforcement activity on Smith Mountain Lake as well as the Rappahannock and Rapidan Rivers near Fredericksburg. The Department shall submit a request for additional appropriations in the 2007 Session, if current resources are insufficient to meet the assessed need."

**Explanation:**

(This amendment requires the Department to assess the enforcement needs at Smith Mountain Lake and on the Rappahannock and Rapidan Rivers near Fredericksburg. If the Department's assessment concludes there is a need for greater enforcement and the Department's appropriations are insufficient to meet the need, the Department is directed to submit a budget request to the 2007 Session of the General Assembly.)

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**Natural Resources**

Department Of Game And Inland  
Fisheries

Language

**Language:**

Page 325, strike lines 35 through 41.

**Explanation:**

(This amendment strikes outdated language from the Budget Bill. The stricken language authorizes actions already taken by the Board of Game and Inland Fisheries in this biennium, and is not needed in the 2006-08 biennium.)

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**Natural Resources**

**Language:**

Page 326, line 12, strike "\$16,432,503 the first" and insert "\$16,542,698 the first".

Page 326, line 12, strike "\$16,532,503 the second" and insert "\$16,642,698 the second".

**Explanation:**

(This amendment increases the transfer from the general fund to the Game Protection Fund pursuant to § 58.1-638E., Code of Virginia. With this amendment, the Department will receive all funds to which the agency is permitted based on the most recent equipment sales figures reported in the "National Survey of Fishing, Hunting, and Wildlife-Associated Recreation" for Virginia, as provided for under HB38, enacted by the 1998 General Assembly.)

Item 370 #2s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Historic Resources	\$72,056	\$72,056	GF
	1.00	1.00	FTE

**Language:**

Page 326, line 35, strike "\$4,259,164" and insert "\$4,331,220".

Page 326, line 35, strike "\$4,110,480" and insert "\$4,182,536".

**Explanation:**

(This amendment provides \$144,112 GF and one full-time position for the Department of Historic Resources (DHR) to increase its review of federal construction projects at military installations. Military requests for DHR assistance have increased by 44 percent in four years. BRAC-related activities will further increase the need for project reviews.)

Item 370 #5s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Historic Resources	(\$150,000)	\$0	GF

**Language:**

Page 326, line 35, strike "\$4,259,164" and insert "\$4,109,164".  
Page 328, strike lines 7 through 9.

**Explanation:**

(This amendment removes funding of \$150,000 GF for Weston Manor located in the City of Hopewell.)

---

Item 372 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Marine Resources Commission	\$20,000	\$20,000	GF

**Language:**

Page 328, line 29, strike "\$14,485,581" and insert "\$14,505,581".  
Page 328, line 29, strike "\$14,485,581" and insert "\$14,505,581".  
Page 328, line 50, strike "\$155,000" and insert "\$175,000".  
Page 329, line 1, strike "\$155,000" and insert "\$175,000".

**Explanation:**

(This amendment increases general fund support by \$40,000 for the Potomac River Fisheries Commission.)

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Item 372 #2s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Marine Resources Commission	\$200,000	\$0	GF

**Language:**

Page 328, line 29, strike "\$14,485,581" and insert "\$14,685,581".

**Explanation:**

(This amendment provides \$200,000 GF support for the agency's oyster propagation and habitat improvement program.)

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Item 372 #3s

<b>Natural Resources</b>		
Marine Resources Commission		Language

**Language:**

Page 329, after line 33, insert:

"H. Upon the effective date of this act, the Commissioner of Marine Resources shall, as soon as practicable, apply for a permit from the United States Army Corps of Engineers to introduce, on an extensive scale, the oyster *Crassostrea ariakensis* into the waters of the Chesapeake Bay. If necessary, the Commissioner shall expeditiously exhaust all administrative appeals and remedies to obtain such permit. If all such administrative appeals and remedies have been exhausted and the permit described herein has not been granted, the Commissioner shall, as soon as practicable, appeal such denial of the permit in the proper court."

**Explanation:**

(This amendment directs the Marine Resources Commission to seek a federal permit to introduce the oyster *Crassostrea ariakensis* into the waters of the Chesapeake Bay. If denied a permit, the agency is directed to seek remedy in federal court.)

Item 377 #1s

**Public Safety**

Secretary Of Public Safety

Language

**Language:**

Page 332, line 8, before "The Secretary" insert "A."

Page 332, following line 21, insert:

"B. The Secretary of Public Safety shall present a report on the status of reentry programs in Virginia by October 16, 2006 to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees."

**Explanation:**

(This amendment directs the Secretary of Public Safety to present a report on reentry programs for offenders released from correctional facilities.)

Item 377 #2s

**Public Safety**

Secretary Of Public Safety

Language

**Language:**

Page 332, line 8, before "The Secretary" insert "A."

Page 332, following line 21, insert:

"B. The Secretaries of Public Safety and Health and Human Resources shall present a preliminary report on implementation of the sexually violent predator program, pursuant to Senate Bill 559 of the 2006 General Assembly. Copies of the report shall be presented to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees and the Chairman of the Virginia State Crime Commission, by October 16, 2006."

**Explanation:**

(This amendment directs the Secretaries of Public Safety and Health and Human Resources to present a preliminary report on the implementation of the sexually violent predator initiative.)

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Item 383 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Corrections	\$2,589,015	\$4,896,645	GF
	15.00	28.00	FTE

**Language:**

Page 334, line 35, strike "\$77,324,630" and insert "\$79,913,645".

Page 334, line 35, strike "\$78,273,280" and insert "\$83,169,925".

**Explanation:**

(This amendment provides \$2,589,015 and 15 positions the first year and \$4,896,645 and 28 positions the second year from the general fund, for community supervision of an estimated 666 sex offenders by the end of fiscal year 2008 who are eligible for, but not committed, as sexually violent offenders. Included in this amendment are funds for 13 probation officers the first year and 26 officers the second year, satellite tracking, polygraph testing, psychological assessments and other expenses. Also included are funds for a continuous monitoring post at the Department of Corrections headquarters, and two psychologists. This amendment is contingent upon final passage of Senate Bill 559.)

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Item 383 #6s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
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Department Of Corrections	(\$875,077)	(\$1,368,052)	GF
	-15.00	-15.00	FTE

**Language:**

Page 334, line 35, strike "\$77,324,630" and insert "\$76,449,553".

Page 334, line 35, strike "\$78,273,280" and insert "\$76,905,228".

**Explanation:**

(This amendment is the first of two amendments that restructure the increased funding recommended in the introduced budget for new sex offender containment programs. This amendment removes \$875,077 the first year and \$1,368,052 the second year and 15 positions each year from the general fund. A companion amendment to this Item provides additional funding for an intensive, cost-effective community containment program designed to control the rate of growth of the resident population at the Virginia Center for Behavioral Rehabilitation. This amendment is contingent upon final passage of Senate Bill 559.)

Item 383 #7s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Corrections	\$732,138	\$835,138	GF
	8.00	8.00	FTE

**Language:**

Page 334, line 35, strike "\$77,324,630" and insert "\$78,056,768".

Page 334, line 35, strike "\$78,273,280" and insert "\$79,108,418".

**Explanation:**

(This amendment is the second of two amendments that restructure the increased funding recommended in the introduced budget for new sex offender containment programs. This amendment adds \$732,138 the first year and \$835,138 the second year and eight positions each year from the general fund to institute a more intensive community containment program to control the rate of growth of the resident population at the Virginia Center for Behavioral Rehabilitation. This amendment provides six probation officers and two psychologists, along with satellite monitoring, for up to 48 offenders who would otherwise be civilly committed to the Virginia Center for Behavioral Rehabilitation. This amendment is contingent upon final passage of Senate Bill 559.)

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a.".

Page 335, following line 29, insert:

"b. Adjustments to previously approved project funding levels for PPEA projects, which had been based on planning study estimates, to conform to the actual project costs as determined by completion of subcontractor buyout."

**Explanation:**

(This amendment provides authority for the Board of Corrections to approve adjustments to the state share of the capital cost for local and regional jail projects which are being constructed pursuant to the Public Private Education and Infrastructure Act of 2002 (PPEA). The adjustment is necessary to provide for state reimbursement of up to fifty percent of the actual project cost for regional jails and up to 25 percent of the actual project cost for local jails, when the jail project is being developed pursuant to the PPEA. The Board already has similar authority with respect to traditional jail capital projects, when the price as determined by competitive bid exceeds the initial planning estimate.)

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**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a.".

Page 335, following line 36, insert:

"f. The Counties of Page, Rappahannock, Shenandoah and Warren, for a regional jail."

**Explanation:**

(This amendment provides authority for the Board of Corrections to approve the state share (up to 50 percent) of the capital cost of a new regional jail serving the Counties of Page, Rappahannock, Shenandoah and Warren, conditioned on the approval by the Board of Corrections of a planning study for the regional jail to be

conducted by the participating jurisdictions.)

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Item 384 #4s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Blue Ridge Regional Jail Authority, for a new facility to replace the Appomattox and Amherst County Jails and to replace the Moneta facility operated by the Authority. Furthermore, the Authority may expand its membership to include Appomattox and Amherst Counties. Notwithstanding the provisions of Section 53.1-82.3 of the Code of Virginia, the Authority shall submit the required community-based corrections plans, facility specifications, and expected financing costs to the Department of Corrections by July 5, 2006. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2007 Session."

**Explanation:**

(This amendment authorizes the Board of Corrections to approve plans to be submitted by the Blue Ridge Regional Jail Authority for a new facility to replace the Appomattox and Amherst County Jails and the Moneta facility.)

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Item 384 #6s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Southside Regional Jail Authority, for an expansion facility of approximately 114 beds. Furthermore, the Authority may expand its membership to include Brunswick and Dinwiddie Counties."

**Explanation:**

(This amendment authorizes the Board of Corrections to approve plans to be

submitted by the Southside Regional Jail Authority for an expansion facility of approximately 114 beds at the regional jail facility in Emporia.)

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Item 384 #7s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Brunswick County, in order to proceed in planning for an expansion of secure detention beds required by Brunswick County. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Brunswick County may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, to the Department of Corrections and State Board of Corrections for review. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2008 Session. Brunswick County shall explore the feasibility of expanding the local detention capacity or joining a regional jail authority or board as part of the planning process. The decision to expand locally or as part of a regional jail authority or board shall be at the discretion of the Brunswick County Board of Supervisors. In conjunction with the decision concerning joining a regional jail authority or board, the Community-Based Corrections Plan shall address the continued operation of the Brunswick County Jail. The decision to continue to operate the Brunswick County Jail shall be at the discretion of the Brunswick County Board of Supervisors."

**Explanation:**

(This amendment authorizes the Board of Corrections to approve plans to be submitted by the Brunswick County Board of Supervisors for either an expansion of the existing county jail or a plan to join a regional jail authority or board to provide additional beds.)

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Item 384 #10s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Virginia Beach City Jail."

**Explanation:**

(This amendment provides authority for the Board of Corrections to approve the state share (up to 25 percent) of the capital cost of an expansion of the Virginia Beach City Jail.)

Item 384 #11s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Western Virginia Regional Jail Authority, for a new facility to serve Franklin, Montgomery and Roanoke Counties and the City of Salem.

g. Notwithstanding the provisions of Section 53.1-82.3 of the Code of Virginia, the City of Roanoke may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, to the Department of Corrections and State Board of Corrections for review. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2008 session. The City of Roanoke shall explore the feasibility of joining the Western Virginia Regional Jail Authority as part of the planning process or expanding its existing jail. The decision to join the regional jail authority shall be at the discretion of the City Council of the City of Roanoke and the governing board of the Western Virginia Regional Jail Authority."

**Explanation:**

(This amendment enables the City of Roanoke to join the Western Virginia Regional Jail Authority in order to become part of the new regional jail or to proceed with planning for an expansion of its existing local jail.)

Item 384 #12s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 336, following line 13, insert:

"D.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody without the prior approval of the Board of Corrections.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to all rules, regulations, and inspections established by the Board of Corrections."

**Explanation:**

(This amendment requires prior approval of the Board of Corrections before any jail facility is built, remodeled, renovated or rehabilitated to house inmates in secure custody, regardless of funding source. This amendment also establishes that all facilities housing inmates in secure custody are subject to Board of Corrections' rules, regulations and inspections.)

Item 386 #5s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 339, line 54, strike "13,460.00" and "13,460.00" and insert: "13,483.00" and "13,483.00".

Page 339, line 55, strike "252.50" and "252.50" and insert: "229.50" and "229.50".

**Explanation:**

(This amendment transfers 23 nongeneral fund positions to the general fund. These positions have been supported by federal grant funds in the past. The grants have expired and a general fund appropriation is required for their continued support.)

Item 386 #6s

**Public Safety**

Department Of Corrections

**FY 06-07**

\$894,000

**FY 07-08**

\$930,000

GF

15.00 15.00 FTE

**Language:**

Page 337, line 4, strike "\$804,012,132" and insert "\$804,906,132".  
Page 337, line 4, strike "\$853,334,194" and insert "\$854,264,194".

**Explanation:**

(This amendment provides \$894,000 the first year and \$930,000 the second year and 15 positions from the general fund each year to restore 15 psychologist positions. The 2002 General Assembly eliminated 30 psychologist positions, and restored 15 the following year. This amendment restores the remaining 15 psychologists. These positions may be assigned to either state correctional facilities or to community corrections.)

Item 386 #7s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Corrections	(\$3,000,000)	(\$3,000,000)	GF

**Language:**

Page 337, line 4, strike "\$804,012,132" and insert "\$801,012,132".  
Page 337, line 4, strike "\$853,334,194" and insert "\$850,334,194".

**Explanation:**

(This amendment defers the opening date for Phase 2 of the replacement facility at St. Brides Correctional Center in the City of Chesapeake by six months, from June to December 2007.)

Item 386.1 #3s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Corrections	\$2,949,367	\$0	GF

**Language:**

Page 338, following line 5, insert: "386.1. Corrections Special Reserve Fund (35900)	\$2,949,367	\$0	
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Corrections Operating Special Reserve  
(35901)

Fund Sources: General

\$2,949,367

\$0."

A. From the appropriation in this Item, \$2,949,367 the first year from the general fund is provided for the estimated net increase in the operating costs of adult correctional facilities resulting from enactment, in the 2006 Session of the General Assembly, of Senate Bills 372, 460, 473, 553, and 559.

B. The funds in this Item shall be paid into the Corrections Special Reserve Fund, established in accordance with Section 30-19.1:4, Code of Virginia."

**Explanation:**

(This amendment provides \$2,949,367 the first year from the general fund for the estimated corrections fiscal impact of Senate Bills 372, 460, 473, 553, and 559, as engrossed. These bills are projected to require an increase of 124 adult correctional beds by 2012. This amendment is contingent upon final passage of these bills.)

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Item 387 #2s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 339, following line 52, insert:

"G. The Department of Corrections shall conduct a planning study of alternatives for developing a satellite training facility in Southwest Virginia. The study shall consider the potential for cost savings through the provision of training services on a regional basis. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

**Explanation:**

(This amendment directs the Department of Corrections to study alternatives for developing a satellite training facility in Southwest Virginia.)

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Item 387 #3s

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 339, following line 52, insert:

"G. The Department of Corrections shall conduct a planning study of alternatives for developing additional medical, mental health and geriatric facilities. The study shall consider the potential for cost savings through the expansion or replacement of the medical unit at Powhatan Correctional Center, the optimum mix of services and facilities at other facilities, the use of contract services, requirements for mental health services, requirements for geriatric services for older inmates, and financing options. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006."

**Explanation:**

(This amendment directs the Department of Corrections to study the need for medical, mental health and geriatric facilities.)

Item 387 #4s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Corrections	\$1,500,000	\$0 GF

**Language:**

Page 338, line 6, strike "\$60,663,380" and insert "\$62,163,380".

Page 339, following line 52, insert:

"G. Included in this appropriation is \$1,500,000 the first year for the Department of Corrections to continue moving forward towards final identification, selection and acquisition of a site in the Mount Rogers Planning District for a medium security correctional facility, including moving to Phase 2 of the PPEA process as envisioned in Item 410.H.2 of Chapter 951, Acts of Assembly 2006. The Department shall provide a report on the status of this project to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006."

**Explanation:**

(This amendment provides \$1,500,000 the first year from the general fund to enable the Department of Corrections to move forward to Phase 2 of the PPEA process for the development of a correctional facility in the Mount Rogers Planning District. These funds will provide for surveys and land use planning, environmental impact review and assessment, permitting fees, legal and consultant fees, other expenses associated with public involvement, and site acquisition.)

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 339, following line 52, insert:

"G. The Department of Corrections shall study the feasibility of developing a therapeutic incarceration program for criminal defendants who otherwise would have been sentenced to a fixed term of incarceration of three years or longer for a felony conviction and who the court determines require treatment for drug or alcohol substance abuse issues. The Department shall provide copies of its report to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

**Explanation:**

(This amendment directs the Department of Corrections to study the feasibility of developing a therapeutic incarceration program for defendants with drug or alcohol substance abuse issues, as suggested in Senate Bill 611, which has been carried over to the 2007 General Assembly.)

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**Public Safety**

Department Of Corrections

**FY 06-07**

(\$225,000)

**FY 07-08**

\$120,000 GF

**Language:**

Page 338, line 6, strike "\$60,663,380" and insert "\$60,438,380".

Page 338, line 6, strike "\$57,903,137" and insert "\$58,023,137".

Page 339, strike lines 34 through 37 and insert:

"F.1. Included within this appropriation is \$1,094,000 the first year from the general fund for the initial portion of the Commonwealth's estimated 56 percent share of the cost of constructing a wastewater treatment plant by the Town of Craigsville."

Page 339, following line 52, insert:

"2. Also included within this appropriation is \$120,000 the second year from the general fund, as the initial annual payment on a 20-year, zero-interest loan from the Department of Environmental Quality for this project."

Page 339, at the beginning of line 38, insert: "4."

Page 339, following line 54, insert:

"5. The Department of Corrections shall assist the Town of Craigsville, the County of Augusta, and the Central Shenandoah Planning District Commission in applying for a Water Quality Improvement Fund grant for an estimated amount of \$750,000, which represents the 50 percent share of the portion of the cost of this project which is attributable to nutrient reduction, pursuant to Senate Bill 644 of the 2006 General Assembly. The Department shall provide a report on the status of this project, the status of all federal and state grants and loans applicable to the project, and the total estimated construction cost of the project. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006."

**Explanation:**

(This amendment provides for the 56 percent state share of the estimated cost of an expanded wastewater treatment plant operated by the Town of Craigsville in Augusta County. Augusta Correctional Center is expected to utilize 56 percent of the capacity of the expanded wastewater treatment plant.)

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Item 391 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$338,063	\$338,063	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$77,023,725".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,310,619".

**Explanation:**

(This amendment provides \$338,063 each year from the general fund to replace federal funds which are expiring for the Chesterfield County Community Corrections Program to support the specialized dual-diagnosis day reporting program for offenders who are both mentally ill and substance abusers.)

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Item 391 #2s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice	\$25,000	\$25,000	GF

Services

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,710,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$74,997,556".

Page 343, line 5, strike "75,000" and "75,000" and insert "100,000" and "100,000".

**Explanation:**

(This amendment provides an additional \$25,000 each year from the general fund for the Fairfax Partnership for Youth, which will raise the annual grant to this organization from \$75,000 to \$100,000 each year.)

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Item 391 #4s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$150,000	\$150,000	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,835,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,122,556".

Page 343, following line 12, insert:

"J. Included within this appropriation is \$150,000 each year from the general fund for the New River Valley Crisis Intervention Team. The department shall provide a report on the feasibility and requirements for utilizing the specialized training program developed by the New River Valley CIT program in selected additional jurisdictions in other regions of Virginia. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committee by September 15, 2006."

**Explanation:**

(This amendment provides \$150,000 each year from the general fund for the New River Valley Crisis Intervention Team, and directs the Department of Criminal Justice Services to study the feasibility of utilizing the training component of this program in other jurisdictions.)

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Item 391 #8s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice	\$0	\$1,000,000	GF

Services

**Language:**

Page 340, line 33, strike "\$74,972,556" and insert "\$75,972,556".

Page 341, line 30, after "dedicated special revenue" insert: ", and \$1,000,000 the second year from the general fund. The Department of Criminal Justice Services shall report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 16, 2006."

**Explanation:**

(This amendment provides \$1,000,000 the second year from the general fund to offset reductions in federal Victims of Crime Act funds for the Virginia Crime Victim/Witness Fund, and directs the Department of Criminal Justice Services to report on the status of funding for victim-witness programs supported by the Fund.)

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Item 391 #8s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$712,629	\$712,629	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$77,398,291".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,685,185".

**Explanation:**

(This is the first of two amendments which restore a general fund appropriation that was incorrectly transferred to the new Department of Forensic Science when it was separated from the Department of Criminal Justice Services. A companion amendment to Item 402 removes these funds from the Department of Forensic Science.)

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Item 391 #9s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice	\$200,000	\$200,000	GF

Services

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,885,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,172,556".

Page 341, line 32, strike "975,000" and "975,000" and insert "1,175,000" and "1,175,000".

**Explanation:**

(This amendment provides an additional \$200,000 each year from the general fund for the Court Appointed Special Advocates, or CASA program.)

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Item 391 #9s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$207,094	\$207,094	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,892,756".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,179,650".

Page 343, after line 12, insert:

"J. Out of this appropriation, \$207,094 each year from the general fund shall be used to replace expiring federal grants supporting Project Exile programs in Henrico County and the Cities of Lynchburg and Portsmouth. A local match shall be required for these grants."

**Explanation:**

(This amendment provides \$207,094 each year from the general fund to replace federal grants for Project Exile programs providing enhanced penalties for illegal possession of firearms. These funds are intended to replace expiring federal grants for Assistant Commonwealth's Attorneys to prosecute firearms offenses.)

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Item 391 #13s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$200,000 2.00	\$200,000 2.00	GF FTE

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,885,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,172,556".

Page 343, following line 3, insert:

"3. Included within this appropriation is \$200,000 each year from the general fund to develop specialized training and standards for campus police and security officers, provide technical assistance, and develop model policies to improve safety at public colleges and universities in Virginia."

**Explanation:**

(This amendment provides \$200,000 and two positions each year from the general fund to improve campus security at public colleges and universities in Virginia. This amendment is contingent upon final passage of Senate Bill 560.)

Item 391 #17s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	\$100,000	\$100,000	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$76,785,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,072,556".

**Explanation:**

(This amendment provides \$100,000 each year from the general fund to replace a federal grant which is expiring for the Virginia Crime Prevention Association. General fund support for this program was eliminated as part of the department's budget reduction in 2002 and the federal grant which has supported crime prevention since that time has been eliminated. This amendment is intended to offset the loss of these federal funds.)

Item 391 #18s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Criminal Justice Services	(\$2,611,106)	(\$1,000,000)	GF

**Language:**

Page 340, line 33, strike "\$76,685,662" and insert "\$74,074,556".

Page 340, line 33, strike "\$74,972,556" and insert "\$73,972,556".

Page 341, strike lines 39 through 50 and insert:

"4. The Department of Criminal Justice Services shall determine the total amounts of federal and other grants, and existing state and local funds, which are available for anti-gang initiatives in Virginia, and recommend best practices for developing the most effective programs to reduce criminal gang activity. Copies of the report shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2006."

**Explanation:**

(This amendment removes \$2,611,106 the first year and \$1,000,000 the second year from the general fund which was proposed in the budget as introduced for new grant programs for preventing criminal gang activity. The amendment further directs the Department of Criminal Justice Services to report on the total amount of funding already available for this purpose along with best practices for developing effective programs to reduce criminal gang activity.)

Item 393 #1s

**Public Safety**

Department Of Criminal Justice Services

**FY 06-07**

\$3,460,129

**FY 07-08**

\$0 GF

**Language:**

Page 343, line 18, strike "\$202,879,162" and insert "\$206,339,291".

Page 343, after line 40, insert:

"D. Out of this appropriation, \$3,460,129 the first year from the general fund is provided to hold harmless those localities that would otherwise lose funding as a result of updated input data in the House Bill 599 formula. Accordingly, in the first year, the Department shall distribute funds to eligible localities as provided for in Section 9.1-165, et seq, Code of Virginia, except that no locality shall receive an amount from this Item which is less than the amount it received for this program in the immediately preceding fiscal year.

E. The Secretaries of Public Safety and Finance shall conduct a study of state aid to localities with police departments (HB 599 of 1979) to determine if the enabling language and funding formula warrant modification. Copies of the report shall be provided to the Governor and the Chairmen of the Senate Finance and House

Appropriations Committees by September 15, 2006."  
Page 343, line 41, strike "D." and insert "F."

**Explanation:**

(This amendment provides \$3,460,129 the first year from the general fund for state aid to localities with police departments to prevent localities from losing funds based on the most recent update of the funding formula. In addition, this amendment directs the Secretaries of Public Safety and Finance to conduct a study of the House Bill 599 program to determine if the funding formula needs to be revised. Based on the most recent update of the formula, a number of localities would experience a reduction in funding despite an increase in total funding for the program.)

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Item 393 #2s

**Public Safety**

Department Of Criminal Justice  
Services

Language

**Language:**

Page 343, line 52, after "locality" insert "when such corrections are made within the same fiscal year that funds have been withheld".

**Explanation:**

(This amendment modifies language included in the introduced budget that allows the Department of Criminal Justice Services to withhold House Bill 599 funding to localities that do not provide accurate or updated criminal activity data to the Department of State Police. Specifically, this amendment provides that the funding withheld may only be restored upon satisfactory correction of the data error or omission in the same fiscal year in which the withholding takes place.)

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Item 394 #2s

**Public Safety**

Department Of Criminal Justice  
Services

**FY 06-07**

-3.00

**FY 07-08**

-3.00 FTE

**Language:**

Page 344, line 7, strike "63.50" and "63.50" and insert "60.50" and "60.50".

**Explanation:**

(This amendment transfers five administrative positions funded by the Department of Forensic Science (DFS) from the Department of Criminal Justice Services to DFS. This transfer should have been included in the introduced budget which sets out the newly-created Department of Forensic Science, formerly a division of the Department of Criminal Justice Services. A companion amendment to Item 402 adds these five positions to the Department of Forensic Science. This amendment also adds back two general fund positions for the Department of Criminal Justice Services, so the net reduction in positions for DCJS is three rather than five positions.)

Item 401 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Fire Programs	\$600,000	\$0	GF

**Language:**

Page 346, line 6, strike "\$30,304,144" and insert "\$30,904,144".

Page 346, following line 26, insert:

"B. Included in this appropriation is up to \$600,000 the first year from the general fund for reimbursement of the Bloxom Volunteer Fire Department for the cost of replacing necessary firefighting and rescue equipment destroyed by fire on January 18, 2006. The Executive Director shall determine the amount of state reimbursement required upon satisfactory evidence that all insurance recoveries have been received, and shall provide a report on the final amount of state funds required to cover the loss. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees within ten days of the approval of the final reimbursement by the department."

**Explanation:**

(This amendment provides up to \$600,000 the first year from the general fund for the Bloxom Volunteer Fire Department in Bloxom, on the Eastern Shore of Virginia. This represents the estimated replacement cost of the firefighting and rescue equipment destroyed by fire on January 18, 2006, less insurance recoveries.)

Item 401 #3s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Fire Programs	(\$12,000,000)	\$0	GF

**Language:**

Page 346, line 6, strike "\$30,304,144" and insert "\$18,304,144".  
Page 346, strike lines 13 through 26.

**Explanation:**

(This amendment removes \$12,000,000 the first year from the general fund which was included in the budget, as introduced, as a supplement for aid to localities from the Fire Programs Fund. The Fire Programs Fund has traditionally been supported with Special Funds from the one percent tax on property insurance premiums, rather than general funds. These general funds are redirected to other essential services in the Office of Public Safety which rely on general fund support.)

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Item 402 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Forensic Science	5.00	5.00	FTE

**Language:**

Page 347, following line 24, insert:

"4. Any incumbent of a position who is performing duties predominately for the Department of Forensic Science shall be transferred with their position from the Department of Criminal Justice Services to the Department of Forensic Science. Other positions will be transferred and subject to competitive recruitment. The Departments of Forensic Science and Criminal Justice Services shall work with the Department of Human Resources Management to ensure that appropriate documentation exists to support any employee and position transfer."

Page 347, line 26, strike "305.00" in the first year and insert "310.00".

Page 347, line 26, strike "311.00" in the second year and insert "316.00".

**Explanation:**

(This is one of two amendments which transfer five administrative positions funded by the Department of Forensic Science (DFS) from the Department of Criminal Justice Services to DFS. This transfer should have been included in the introduced budget which sets out the newly created Department of Forensic Science, formerly a division of the Department of Criminal Justice Services. A companion amendment to Item 394 removes these positions from the Department of Criminal Justice Services.)

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Item 402 #2s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
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Department Of Forensic Science (\$712,629) (\$712,629) GF

**Language:**

Page 346, line 34, strike "\$32,478,850" and insert "\$31,766,221".

Page 346, line 34, strike "\$32,136,754" and insert "\$31,424,125".

**Explanation:**

(This amendment removes a general fund appropriation that was incorrectly transferred to the Department of Forensic Science when it was separated from the Department of Criminal Justice Services. A companion amendment to Item 394 restores these funds to the Department of Criminal Justice Services.)

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Item 403 #1s

**Public Safety**

Department Of Juvenile Justice

Language

**Language:**

Page 350, line 17, strike "2,486.00" and "2,486.00" and insert:  
"2,488.00" and "2,488.00"

Page 350, line 18, strike "16.00" and "16.00" and insert "14.00" and "14.00"

**Explanation:**

(This amendment transfers two nongeneral fund positions to the general fund. These positions have been supported by federal grant funds in the past. These grants have expired and a general fund appropriation is required for their continued support.)

---

Item 404 #2s

**Public Safety**

Department Of Juvenile Justice

**FY 06-07**

\$200,000

**FY 07-08**

\$200,000 GF

**Language:**

Page 347, line 44, strike "\$53,532,939" and insert "\$53,732,939".

Page 347, line 44, strike "\$53,532,939" and insert "\$53,732,939".

**Explanation:**

(This amendment provides \$200,000 each year from the general fund for mental

health treatment and reentry services for juvenile offenders through the Juvenile Court Services Units. A companion amendment to Item 406 removes certain funds from the proposed expansion of the capacity of the juvenile correctional centers in order to support these services.)

Item 406 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Juvenile Justice	(\$1,350,000)	(\$700,000)	GF

**Language:**

Page 349, line 38, strike "\$85,531,132" and insert "\$84,181,132".

Page 349, line 38, strike "\$86,079,815" and insert "\$85,379,815".

Page 350, following line 15, insert:

"The Department of Juvenile Justice shall provide a report on plans for utilization of the state juvenile correctional centers, including, but not limited to, alternative programs for housing juvenile offenders in local or regional detention centers on a contractual basis. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2006."

**Explanation:**

(This amendment removes \$1,350,000 the first year and \$700,000 the second year from the general fund from the budget as introduced, by delaying the opening of the fourth housing unit at Culpeper Juvenile Correctional Center for six months and by maintaining the current population at Hanover Juvenile Correctional Center when the newly-renovated housing units are opened. This amendment also directs the Department of Juvenile Justice to provide a report on facility utilization. A companion amendment to Item 404 redirects a portion of the savings from this amendment to mental health services and reentry programs for juvenile offenders.)

Item 413 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of State Police	\$202,694	\$202,694	GF
	2.00	2.00	FTE

**Language:**

Page 352, line 10, strike "\$37,939,098" and insert "\$38,141,792".

Page 352, line 10, strike "\$38,313,927" and insert "\$38,516,621".

**Explanation:**

(This amendment provides \$202,694 and two positions each year from the general fund for a Systems Analyst and Senior Programmer Analyst to maintain the State Police Sex Offender Registry utilizing a new website and database. This amendment is contingent upon final passage of Senate Bill 559.)

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Item 413 #2s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of State Police	\$220,338	\$228,421	GF
	6.00	6.00	FTE

**Language:**

Page 352, line 10, strike "\$37,939,098" and insert "\$38,159,436".

Page 352, line 10, strike "\$38,313,927" and insert "\$38,542,348".

**Explanation:**

(This amendment provides \$220,338 the first year and \$228,421 the second year and six positions each year from the general fund for an Office Manager and five program support technicians to administer the registration process for an estimated 13,265 registered sex offenders. This amendment is contingent upon final passage of Senate Bill 559.)

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Item 414 #2s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of State Police	\$3,994,950	\$2,697,090	GF
	30.00	30.00	FTE

**Language:**

Page 353, line 19, strike "\$202,502,482" and insert "\$206,497,432".

Page 353, line 19, strike "\$202,502,482" and insert "\$205,199,572".

**Explanation:**

(This amendment provides \$3,994,950 the first year and \$2,697,090 the second

year from the general fund and 30 sworn State Police Officers each year to conduct twice yearly physical verifications and registry violation investigations for an estimated 4,000 registered sex offenders living in Virginia communities. This amendment also includes sufficient funds to supplement the 30 sworn officers with ten retired officers, in order to provide a ratio of approximately one officer for every 100 registered sex offenders.)

Item 414 #3s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of State Police	\$1,178,550	\$745,930	GF
	10.00	10.00	FTE

**Language:**

Page 353, line 19, strike "\$202,502,482" and insert "\$203,681,032".

Page 353, line 19, strike "\$202,502,482" and insert "\$203,248,412".

**Explanation:**

(This amendment provides \$1,178,550 the first year and \$745,930 the second year from the general fund for ten State Police Officers each year to oversee the monitoring of sex offender compliance and Sex Offender Registry violation investigations and arrests in each State Police division.)

Item 419 #1s

<b>Technology</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Innovative Technology Authority	(\$1,000,000)	\$0	GF

**Language:**

Page 356, line 15, strike "\$7,122,989" and insert "\$6,122,989".

Page 357, strike lines 32 through 35.

**Explanation:**

(This amendment removes \$1.0 million of general fund support to operate the Innovation Identification and Acceleration program.)

Item 426 #1s

**Technology**

Virginia Information Technologies Agency

Language

**Language:**

Page 362, following line 42, insert:

"Total outstanding tax supported capital leases entered into as part of the infrastructure public private partnership shall not exceed the following amounts:

FY 2007	\$27,641,748
FY 2008	\$79,034,672
FY 2009	\$100,924,511
FY 2010	\$92,869,429
FY 2011	\$80,077,305
FY 2012	\$69,165,610
FY 2013	\$63,449,809
FY 2014	\$61,996,583
FY 2015	\$48,585,958
FY 2016	\$42,280,313"

**Explanation:**

(This amendment establishes annual upper limits on the capital leases entered into as part of the infrastructure public private partnership by the Virginia information Technologies Agency.)

Item 426.10 #1s

**Technology**

Enterprise Applications  
Public-Private Partnership Project  
Office

	<b>FY 06-07</b>	<b>FY 07-08</b>	
	\$5,293,908	\$9,293,908	GF

**Language:**

Page 362, following line 49, insert:

"426.10.	\$5,293,908	\$9,293,908
Fund Sources: General	\$5,293,908	\$9,293,908."

"1-121.10 Enterprise Applications Public-Private Partnership Project Office

426.10 Public/Private Partnership (74700).....	\$5,293,908	\$9,293,908
Administrative and Support Services (747xx) .....	\$1,887,152	\$1,887,152
Enterprise Architecture Development Services (74703)..	\$3,406,756	\$7,406,756
Fund Sources: General.....	\$5,293,908	\$9,293,908

Authority: Title, Chapter, Article , Code of Virginia.

A.1. The amounts provided in the subprogram Administrative and Support Services shall be expended for the Enterprise Applications Public-Private Partnership Project Office. The Project Office shall be headed by a Director, selected by the Governor to serve under a six-year contract. The Project Office Director shall be a state employee however his position shall not be considered an agency head for purposes of 4-6.00 of this act. The Information Technology Investment Board shall review and approve the Director's qualifications prior to finalizing the contract. The Director shall report directly to the Governor.

2. The Project Office Director shall have all the powers necessary to direct the Commonwealth's efforts to modernize central administrative systems through the Enterprise Applications Public-Private Partnership. Specifically, the Director shall: (a) have authority to hire staff necessary to support the Project Office and such employees shall be considered state employees except such positions shall be restricted to the life of the partnership project. (b) develop an implementation strategy with milestones, deliverables and funding requirements for presentation and approval of the Information Technology Investment Board and Governor, (c) plan, coordinate, monitor and control individual agency involvement, (d) prioritize efforts to ensure the implementation strategy is executed as planned and approved, (e) monitor development efforts and provide reports to the Governor, the Information Technology Investment Board, and the Chairmen of the House Appropriations and Senate Finance Committees, as requested.

3.a. All Executive Department agencies and institutions shall comply with the directives and requirements established by the Director.

b. The Project Office Director shall report unacceptable agency cooperation to the affected Cabinet Secretary and to the Governor's Chief of Staff, and Chairmen of the

House Appropriations and Senate Finance Committees. The Chief of Staff may direct the Project Office to assume responsibility for the management of an agency's enterprise applications related work for the period of time considered necessary by the Project Office Director.

c. For agencies whose enterprise applications management efforts are the responsibility of the Project Office, the Project Office shall have responsibility for operational decisions relative to the enterprise applications efforts.

4. Legislative, Judicial, Independent agencies, and institutions of higher education shall work cooperatively with the Project Office Director to ensure the successful completion of the Enterprise Applications Public-Private Partnership activities.

5. The Director shall make reports no less than quarterly as follows: (i) to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on major aspects of the Partnership, including status of funding needs, areas of risk, and major problems and implications, (ii) to the Information Technology Investment Board that compare actual performance to the milestones, deliverables and funding in the approved implementation strategy.

B. The amounts provided in the subprogram Enterprise Architecture Development Services shall be expended to support the Enterprise Applications Master Services Interim Agreement between the Commonwealth of Virginia and CGI-AMS, pending approval of the comprehensive agreement by the Information Technology Investment Board, to perform the following activities: (1) for each business process (a) document the system requirements, recommended solutions, and an implementation plan for review and approval by the Governor and the Information Technology Investment Board, (b) identify existing policy and statutory conflicts that are impediments to the recommended solution and a plan for managing those conflicts, and also (2) work towards enhanced collections and cost recoveries above current baselines through specific management agreements with involved agencies with the appropriate approval of the Attorney General. Work on enhanced collections and recoveries shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and General Assembly.

C. The amounts appropriated in this Item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023 of the Code of Virginia and shall only be available for the purpose of this Item after approval of their use by the Information

## Technology Investment Board.

1. The Project Office Director shall prepare a budget of administrative cost for the Information Technology Investment Board to review and consider providing such amount does not exceed the amount appropriated in this Item. The Information Technology Investment Board shall review and approve the budget and therefore release the funds for such use. The Project Office Director shall prepare and submit quarterly reports to the Information Technology Investment Board of how the Project Office Director is spending these funds. No funds may be expended for this project except as specifically appropriated in this Item.

2. Within subprogram Enterprise Architecture Development Services the Project Office Director shall prepare and submit a budget for each business process and other activities in accordance with paragraph B of this Item. The budget shall include the amount, if any, of salary and other costs that participating agencies will incur for their involvement in the business process and activity as set forth in paragraph A.2. The Information Technology Investment Board shall review and approve the budget for each business process and other activity and therefore release the funds for such use. The Project Office Director shall prepare and submit quarterly reports to the Information Technology Investment Board of how the Project Office Director is spending these funds.

D. Moneys resulting from enhanced collections and cost recoveries pursuant to paragraph B.2. of this Item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023 of the Code of Virginia. Except for amounts appropriated and held in the Fund as described in paragraph C of this Item, no moneys shall be used for additional work on Enterprise Applications Public Private Partnership activities without the approval of the Information Technology Investment Board, who shall inform the Governor, the Chairmen of House Appropriation, House Finance and Senate Finance Committees of the anticipated use. The Information Technology Investment Board shall inform any vendor that these additional funds are subject to review and approval by the General Assembly.

E. The Department of Planning and Budget shall not take any administrative actions to reduce these amounts without notification to the Chairmen of House Appropriation and Senate Finance Committees.

F. No funds shall be used from this Item to pay any costs incurred before July 1, 2006 related to the Enterprise Applications Master Services Agreement dated December 30,

2005.

Total for Enterprise Applications Public-Private

Partnership Project Office.....	\$5,293,908	\$9,293,908
Fund Sources: General.....	\$5,293,908	\$9,293,908"

**Explanation:**

(This amendment provides \$5.3 million GF the first year and \$9.3 million GF the second year to create the Enterprise Applications Public-Private Partnership Project Office to oversee the Enterprise Applications Public-Private Partnership and fund the partnership's initial activities.)

Item 427 #2s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 367, after line 22, insert:

"G. The Virginia Department of Transportation, with the approval of the Governor and in a form approved by the Attorney General, is hereby authorized to transfer surplus property owned by the Department of Transportation on Route 604 in New Kent County to the County for its purposes."

**Explanation:**

(This amendment authorizes the transfer of VDOT surplus land on Route 604 in New Kent County to the County. The site is no longer used by VDOT. The County will locate its Public Utility Department on the site.)

Item 427 #2s

**Transportation**

Secretary Of Transportation

<b>FY 06-07</b>	<b>FY 07-08</b>	
\$100,000	\$100,000	GF
\$3,500,000	\$3,640,000	NGF

**Language:**

Page 364, line 3, strike "\$685,500" and insert "\$4,285,500".  
Page 364, line 3, strike "\$685,500" and insert "\$4,425,500".  
Page 367, after line 22, insert:

"G.1. In accordance with the purposes articulated in Senate Bill 412 (2006 Session), revenues dedicated to transportation shall be deposited into a fund that is part of the Commonwealth Transportation Fund at an amount up to \$3,500,000 the first year and \$3,640,000 in the second year for this Item to fully establish the Intermodal Office. Of this amount, up to \$3,000,000 each year shall be used to support integrated land use and transportation planning. The Office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled.

2. The Commonwealth Transportation Board may allocate funds for such purposes as part of its annual update to the Six-Year Improvement Program.

3. At the request of the Secretary of Transportation, the Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Intermodal Office, to establish the Office as a separate agency for budget and accounting purposes and to transfer appropriations and positions from other transportation agencies.

4. The Director, Department of Planning and Budget, shall report any such actions to the Chairmen of the House Appropriations and Senate Finance Committees within 60 days of any such action being taken."

**Explanation:**

(This amendment increases the appropriation and fully establishes the Transportation Intermodal Office in accordance with the provisions of SB 412, (2006 Session).)

---

Item 427 #3s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 367, after line 22, insert:

"G. The Secretary of Transportation shall initiate a study to determine the interest of affected states in the construction of a new Interstate highway (I-99) with terminus

points in Wilmington, Delaware and Charleston, South Carolina, and traversing the Delmarva Peninsula, and the eastern portions of the Commonwealth of Virginia and the states of North Carolina and South Carolina. The Secretary shall report his findings by November 30, 2006, to the Chairmen of the Senate Committees on Transportation and Finance and to the Chairmen of the House Committees on Transportation and Appropriations."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 427 #4s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 364, strike lines 42 through 53.

Page 365, strike lines 1 through 3.

**Explanation:**

(This amendment removes language in the budget item for the Secretary of Transportation which outlined the use of \$624.5 million GF for transportation purposes. The Senate transportation plan uses one-time general fund support of \$369.8 million.)

---

Item 427 #5s

**Transportation**

Secretary Of Transportation

**FY 06-07**

\$50,000

**FY 07-08**

\$50,000 GF

**Language:**

Page 364, line 3, strike "\$685,500" and insert "\$735,500".

Page 364, line 3, strike "\$685,500" and insert "\$735,500".

Page 367, after line 22, insert:

"G.1. The Secretary of Transportation, with the assistance of the Secretaries of Natural Resources, and Commerce and Trade, shall review the actions recommended in January 2006 by the Statewide Transportation Analysis and Recommendation Task Force (START), and report to the 2007 Session of the General Assembly on incentives and disincentives the Commonwealth can provide to maximize the capacity of existing

transportation infrastructure, improve mobility, increase accessibility, protect the environment, increase public safety on the state's road network, increase more affordable housing to provide opportunities for people to live closer to where they work, and promote economic development. The Secretary shall include in his report the incentives and disincentives that can be implemented through executive action and those incentives and disincentives that require new legislative authority.

2. To develop the report, the Secretary shall seek input from representatives of local government, local and regional planning organizations, developers, homebuilders, environmental organizations, road builders, rail, and public transit.

3. In preparing the report, the Secretary shall cooperate with the Senate Finance, Senate Transportation, House Appropriations, House Finance, and House Transportation Committees. The Committees shall make periodic inquiries on the progress and content of the report."

**Explanation:**

(This amendment provides \$100,000 of one-time GF support for the Secretary of Transportation to develop recommendations on the use of state incentives and disincentives to improve transportation in Virginia. The Secretary is to work in a collaborative manner with other state agencies and with affected stakeholders, including local governments, environmental groups, developers, and advocates of rail and transit. The first recommendations are to be submitted to the 2007 Session. The amendment is based on a START Task Force recommendation.)

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Item 427 #6s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 366, line 20, after "allocations.", insert: "The Secretary of Transportation shall annually report to the General Assembly on the status of major bridge maintenance and replacement projects and the financial resources of the Highway Bridge Program to fund these projects."

**Explanation:**

(This amendment implements a START Task Force recommendation to highlight the bridge maintenance and replacement program. The language requires the

Secretary of Transportation to report annually on the program's progress.)

---

Item 427 #7s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 364, strike lines 42 through 53.

Page 365, strike lines 1 through 3 and insert:

"B.1. New or increased revenues designated by the General Assembly as regional or local transportation dollars shall be used exclusively for transportation projects and services within that region or localities. The Commonwealth shall not use the revenues for any other purpose.

2. Those localities receiving increased local revenues from actions taken by the 2006 Session of the General Assembly shall not have reductions of state funding provided for maintenance, construction or transit below the amounts provided in fiscal year 2006."

**Explanation:**

(This amendment is based on a START Task Force recommendation. The language makes clear that the state cannot reduce its support to a region or locality if localities and regions increase local revenues for transportation. SB 708 amends the grantor tax in order to provide financial support at the local and regional level. The amount of this support is estimated at \$210.0 million per year.)

---

Item 427 #8s

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 367, after line 22, insert:

"G.1. The Intermodal Office shall coordinate the efforts of the Departments of Transportation, and Rail and Public Transportation to work with local governments to develop specific performance measures and criteria by which to measure the success

of transportation projects funded with revenues derived from §§ 58.1-802 and 58.1-802.1, Code of Virginia. Such criteria shall measure performance, including but not limited to, improvements related to safety, connectivity, economic development, improved air quality, and traffic mitigation.

2. As part of this effort, the Intermodal Office shall work with the relevant state agencies and representatives of local government to develop a standard cost/ benefit methodology to analyze projects."

**Explanation:**

(This amendment requires the Intermodal Office to work with VDOT, DRPT and local governments to develop performance standards to measure the success of transportation projects in improving congestion, safety, air quality, and other variables. The two Code sites reference the grantor tax.)

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Item 430 #1s

**Transportation**

Department Of Aviation

Language

**Language:**

Page 368, strike lines 31 through 34 and insert:

“Out of this appropriation \$500,000 the first year and \$500,000 the second year from uncommitted aviation special funds is provided for purchase or lease-purchase of a replacement aircraft through the master equipment leasing program.”

**Explanation:**

(This amendment permits the agency to either purchase outright or purchase through a lease agreement a replacement aircraft for state use.)

---

Item 435 #1s

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 372, after line 3, insert:

“D. At the direction of the Secretary of Transportation, the Commissioner shall submit

a plan to the General Assembly by December 1, 2006, to address the issues raised in *The Governor's Task Force on the Real ID Act* issued December 29, 2005 and to implement the Task Force's recommendations. The plan shall include legislative proposals and executive actions necessary to carry out the Task Force recommendations, to effectively execute the federal law, and to minimize the cost to the Commonwealth and her citizens."

**Explanation:**

(This amendment requires the Department to develop and implement a plan addressing the issues and recommendations included in the study conducted by DMV and released in December of 2005. The plan is to be submitted to the General Assembly.)

---

Item 435 #3s

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 372, after line 3, insert:

"D.1. To implement § 58.1-2259.1 of Senate Bill 708 (2006 Session) regarding the refund of sales tax paid by individuals for nonbusiness purposes on motor fuels, the Department is hereby authorized to use outside vendors to administer the refund program at an amount up to \$15,000,000 each year.

2. The Director, Department of Planning and Budget, is hereby authorized to adjust the appropriations for the Department in accordance with the subsection above."

**Explanation:**

(This amendment authorizes the Commissioner of the Department of Motor Vehicles to outsource the gasoline tax refund program. The refunds only apply to the sales tax portion paid by consumers and does not include federal or state excise taxes.)

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Item 435 #4s

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 372, after line 3, insert:

“D. The Commissioner shall report to the General Assembly by December 1, 2006, on the department’s efforts to address policy and administrative issues identified in the *Customer Service Study* (House Document No. 108; 2005). The report examined the impact of potential changes to the department’s services in order to reduce customer waiting times.”

**Explanation:**

(This amendment requires the Department to report on its efforts to follow-up on the recommendations included in the *Customer Service Study* (House Document No. 108; 2005).)

Item 435 #5s

**Transportation**

Department Of Motor Vehicles

Language

**Language:**

Page 372, after line 3, insert:

"D.1. In order to implement § 46.2-206.1 D. through G. of Senate Bill 708 (2006 Session), the Commissioner may impose an administrative cost of up to eighteen percent of the revenues collected or up to \$5,100,000 the first year, whichever is less. The Commissioner is also authorized to use outside vendors, where appropriate, to assist in the administration of the abuser driver program.

2. The Director, Department of Planning and Budget, is hereby authorized to adjust the appropriations for the Department."

**Explanation:**

(This amendment sets a cap on the administrative costs to implement the abuser driver portion of SB 708.)

Item 437 #1s

**Transportation**

Department Of Rail And Public

**FY 06-07**

\$1,500,000

**FY 07-08**

\$0 GF

Transportation

**Language:**

Page 372, line 38, strike "\$224,580,850" and insert "\$226,080,850".

**Explanation:**

(This amendment provides \$1.5 million of general fund support for preliminary engineering and environmental assessment studies for extension of VRE services to the Gainesville/Haymarket area.)

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Item 437 #7s

**Transportation**

	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Rail And Public	(\$73,500,000)	(\$29,100,000)	GF
Transportation	\$106,800,000	\$99,500,000	NGF

**Language:**

Page 372, line 38, strike "\$224,580,850" and insert "\$257,880,850".

Page 372, line 38, strike "\$180,180,850" and insert "\$250,580,850".

Page 372, strike lines 46-51

Page 373, strike lines 6-40 and insert:

“A.1. The allocation of Formula Assistance to each recipient shall be limited to the recipient’s maximum eligibility as defined in § 58.1-638, Code of Virginia. When the initial allocation to a recipient is greater than the recipient’s eligibility to receive Formula Assistance, the Commonwealth Transportation Board may transfer the surplus funds to the statewide Capital Assistance program for distribution under that program. The Commonwealth Transportation Board may hold harmless from a reduction in state formula assistance any transit system that maintains service levels from the previous year.

2. Included in this item is \$106,800,000 the first year and \$99,500,000 the second year from increased revenues dedicated to transportation during the 2006 Session of the General Assembly and deposited into the Mass Transit Trust Fund for the purpose outlined in § 58.1-638 A4f.

3. Such funds deposited as set out in this paragraph each year are to be in addition to and shall not diminish the amounts provided to mass transit as the local share. As a

condition of receiving such funding, no locality may reduce its total contribution to mass transit below the amount provided in fiscal year 2006. Any funds not required to be allocated to achieve the purpose outlined in § 58.1-638 A.4.f. of the Code of Virginia shall be allocated by the Commonwealth Transportation Board for Formula Assistance for distribution under that program.”

Page 373, line 41, strike “b” and insert “4.”.

Page 373, line 48 before “\$10,000,000”, insert “and”.

Page 373, line 49 strike “; and \$1,000,000 the first year from the general fund to promote and develop network programs in the Commonwealth”.

**Explanation:**

(This amendment removes on-going general fund revenues of \$27.5 million the first year and \$29.1 million the second year as well as one-time general fund dollars for specific projects in the introduced Budget Bill. The amendment also appropriates sustainable revenue derived from SB 708. Budget language makes clear that localities are to use the funds to supplement and not supplant local dollars for mass transit purposes.)

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Item 437 #8s

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Rail And Public Transportation	\$22,500,000	\$22,500,000	GF

**Language:**

Page 372, line 38, strike "\$224,580,850" and insert "\$247,080,850".

Page 372, line 38, strike "\$180,180,850" and insert "\$202,680,850".

Page 373, strike lines 41 through 51 and insert:

"b. Included within the Public Transportation Programs appropriations for Capital Assistance is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to the Washington Metropolitan Area Transit Authority for capital improvements, including railcar storage improvements; \$7,500,000 the first year and \$7,500,000 the second year from the general fund for the Virginia Railway Express rolling stock purchases; and \$5,000,000 the first year and \$5,000,000 the second year from the general fund for statewide bus purchases."

**Explanation:**

(This amendment provides \$22.5 million GF each year for Metro, VRE and a statewide bus purchase program.)

---

Item 438 #4s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 375, after line 13, insert:

"C. The Department shall establish a passenger rail project to assist in the alleviation of congestion on the state's Interstate and highway system of roads. This project will provide passenger rail service between the Cities of Bristol and Richmond, and Washington, D.C."

**Explanation:**

(This amendment is self-explanatory.)

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Item 438 #5s

**Transportation**

Department Of Rail And Public  
Transportation

**FY 06-07**  
(\$9,000,000)

**FY 07-08**  
\$0 GF

**Language:**

Page 374, line 36, strike "\$36,400,000" and insert "\$27,400,000".  
Page 375, strike lines 4 through 13.

**Explanation:**

(This amendment removes one-time general fund dollars for a rail project. A companion amendment restores funding for the intermodal project as part of the Senate Transportation Plan.)

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Item 438 #6s

**Transportation**

Department Of Rail And Public

**FY 06-07**  
\$4,500,000

**FY 07-08**  
\$4,500,000 GF

Transportation \$50,000,000 \$50,000,000 NGF

**Language:**

Page 374, line 36, strike "\$36,400,000" and insert "\$90,900,000".

Page 374, line 36, strike "\$27,900,000" and insert "\$82,400,000".

Page 374, line 50, strike "\$3,000,000 the first year and \$3,000,000" and insert "\$8,000,000 the first year and \$8,000,000".

Page 375, line 8, strike "\$9,000,000" and insert "\$4,500,000 the first year and \$4,500,000 the second year".

**Explanation:**

(This amendment provides \$50.0 million NGF each year for rail as provided in SB 708. Of this amount \$5.0 million each year is for the Shortline Railway Preservation and Development Fund. The amendment also provides \$9.0 million GF for the rail intermodal project in the Route 460 corridor.)

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Item 438 #7s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 375, after line 13, insert:

“C. The Department of Rail and Public Transportation shall report to the General Assembly by December 1, 2006, on the number of rail grade separations in the metropolitan areas of Hampton Roads, Richmond, and Northern Virginia. The report shall take into consideration the impediments to safety, mobility and economic development caused by rail grade separations as measured by the number of trains and frequency of train traffic; the number of vehicles crossing these structures; and the lack of nearby rail and road alternatives. The report shall include an estimate of the costs to remove, relocate or remediate those rail grade separations that have the greatest impacts on communities, including environmental. The Department of Transportation shall assist the Department in preparing the report.”

**Explanation:**

(This amendment directs the Department to report to the General Assembly for the 2007 Session on the impacts of rail grade separations in Virginia's metropolitan areas. These separations are often of major concern to localities. Rail grade separations can

negatively affect traffic, local economies and public safety.)

---

Item 439 #2s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 375, after line 35, insert:

“D.1. Out of the new revenues included in Senate Bill 708 (2006 Session) for deposit to the Commonwealth Mass Transit Fund, up to a maximum of \$10,000,000 the first year shall be made available to the Cities of Norfolk and Virginia Beach, to be shared equally between the two cities, for the acquisition of some 15.4 miles of right-of-way owned by the Norfolk Southern Corporation and located between Newtown Road and the Oceanfront.

2. The Director, Department of Planning and Budget is hereby authorized to transfer the appropriation from Item 437 of this act to carry out this purpose.”

**Explanation:**

(This amendment provides \$10.0 million to be divided evenly between the Cities of Norfolk and Virginia Beach. The cities will use the funds to purchase right-of-way (abandoned rail track) from Norfolk Southern. The rail connects the two localities.)

---

Item 439 #3s

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 375, after line 35, insert:

"D. In conjunction with the construction of rail mass transit in the right of way of the Dulles Access/Toll Road Connector, a sound wall shall be constructed to replace the existing privacy fence abutting the Hallcrest Heights townhouse subdivision and the ramp connecting the Dulles Access/Toll Road Connector to Route 123 in McLean,

Virginia pursuant to the provisions of the Memorandum of Agreement between the Commonwealth of Virginia, Department of Transportation and the Metropolitan Washington Airports Authority signed September 28, 2005. This action is contingent upon the Authority paying for the sound wall project."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 442 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 377, after line 23, insert:

"B. Contingent upon passage of Senate Bill 699 (2006 Session), the Commissioner shall be responsible for implementing the legislation's provisions concerning the development of traffic impact analyses. If resources are needed in addition to the appropriations included in this act, the Commissioner shall develop and submit a budget request for the 2007 Session to the Secretary of Transportation and the Chairmen of the Senate Finance and House Appropriations Committees."

**Explanation:**

(This amendment assigns responsibility for carrying out the provisions of SB 699 for coordinating state and local transportation planning to the VDOT Commissioner. If additional resources are needed, then the Commissioner is directed to submit a budget request for consideration by the 2007 Session.)

---

Item 443 #7s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 378, after line 47, insert:

"E. The Department shall develop a report detailing the status of the Coalfields Expressway and the Coalfields Connector that includes a financial plan for completing

each phase of the project and for identifying the cost of each phase and the source of revenue to pay for said costs, separately and together. In addition, the report shall include the schedules for each phase of the project, including any environmental impact studies required under NEPA because of changes to the Expressway's route. The Department shall submit the report by November 30, 2006, to the Secretary of Transportation and to the Chairmen of the Senate Committees on Transportation and Finance and to the Chairmen of the House Committees on Transportation and Appropriations."

**Explanation:**

(This amendment requires the Department of Transportation to submit a status report on the Coalfields Expressway and the Coalfields Connector.)

---

Item 443 #24s

**Transportation**

Department Of Transportation

**FY 06-07**

(\$284,000,000)

**FY 07-08**

\$0 GF

**Language:**

Page 377, line 24, strike "\$1,972,525,260" and insert "\$1,688,525,260".

Page 377, strike lines 37 through 58.

Page 378, strike lines 1 through 26.

**Explanation:**

(This amendment removes the general fund dollars included in the Budget Bill as introduced for highway construction. Companion budget amendments appropriate, in accordance with the Senate Transportation Plan, one-time general fund dollars for a number of projects in Northern Virginia, Hampton Roads, Southside, and Southwest Virginia.)

---

Item 443 #25s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 378, after line 47, insert:

“E. The department shall report to the Chairmen of the Senate Finance and House

Appropriations Committees by December 1, 2006, on the feasibility of the Commonwealth matching dollars generated by local transportation referendum provided that such funds not be used for debt service and that projects included in the transportation referendum meet state standards and are in the Six-Year Improvement Program. The department shall base the match on one state dollar for every two local dollars.”

**Explanation:**

(This amendment directs the Department to explore the feasibility of establishing another matching program for localities. The intent is for VDOT to match local dollars generated by local transportation referendum. The state money cannot be used for debt service, and would have to be matched on a basis of one state dollar for every two local dollars.)

---

Item 443 #26s

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Transportation	\$619,700,000	\$577,700,000	NGF

**Language:**

Page 377, line 24, strike "\$1,972,525,260" and insert "\$2,592,225,260".  
Page 377, line 24, strike "\$1,688,525,260" and insert "\$2,266,225,260".

**Explanation:**

(This amendment appropriates the additional, dedicated revenue provided under SB 708 for highway system construction.)

---

Item 443 #27s

<b>Transportation</b>		<b>Language</b>
Department Of Transportation		

**Language:**

Page 378, after line 47, insert:

“E. Under the direction of the Commonwealth Transportation Board, the department shall develop a legislative proposal for the 2007 Session of the General Assembly to establish a comprehensive limited access management program. The proposal shall

include the goals of such a program and the process for developing and amending a comprehensive access management plan, including the review of requests by localities or regional authorities to alter the level of service for any transportation facility constructed under the Primary Construction Program beginning July 1, 2007.”

**Explanation:**

(This amendment directs the CTB and VDOT to develop a comprehensive limited access management program. This is a START Task Force recommendation dealing with concern that unlimited access causes deterioration of a new road's service level.)

---

Item 443 #28s

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Transportation	\$43,250,000	\$29,450,000	GF

**Language:**

Page 377, line 24, strike "\$1,972,525,260" and insert "\$2,015,775,260".

Page 377, line 24, strike "\$1,688,525,260" and insert "\$1,717,975,260".

Page 377, strike lines 37 through 58.

Page 378, strike lines 1 through 32 and insert:

“A.1. Included within the amount for Dedicated and Statewide Construction is \$39,050,000 the first year and \$33,950,000 the second year from the general fund to provide the required match not otherwise available from other Commonwealth revenues for Congressionally-designated projects included in P.L. 109-59 of the 109th Congress. Such funds shall be deposited into the Transportation Trust Fund and used to advance those projects in accordance with federal laws, guidance, and/or regulations. Upon federal notification and/or approval, the Director, Department of Planning and Budget shall transfer the appropriation to the managing state agency. It is the intent of the General Assembly to match all of such federal earmarked projects while the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* remains in effect.”

**Explanation:**

(This amendment provides \$72.7 million GF to match federal earmarked transportation projects included in the SAFETEA-LU law passed the Congress in 2005. Budget language expresses legislative intent to match all of these projects while SAFETEA-LU remains in effect.)

---

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Transportation	\$75,800,000	\$75,500,000	GF

**Language:**

Page 377, line 24, strike "\$1,972,525,260" and insert "\$2,048,325,260".

Page 377, line 24, strike "\$1,688,525,260" and insert "\$1,764,025,260".

Page 377, line 55, strike "\$30,000,000 the first year" and insert "\$7,500,000 the first year and \$7,500,000 the second year".

Page 377, line 57, strike "\$16,000,000" and insert "\$8,000,000 the first year and \$8,000,000 the second year from the general fund".

Page 378, line 8, strike "\$36,000,000 the first year" and insert "\$18,000,000 the first year and \$18,000,000 the second year".

Page 378, line 12, strike "\$45,000,000 the first year" and insert "\$22,500,000 the first year and \$22,500,000 the second year".

Page 378, line 17, after "Commonwealth.", insert:

"In addition, there is included in Primary Construction \$4,500,000 the first year and \$4,500,000 the second year from the general fund to construct the portion of Route 58 from Abingdon to Damascus; and \$300,000 the first year from the general fund to complete the Taylor's Creek Road Project."

Page 378, line 19, strike "\$15,000,000 the first year" and insert "\$15,000,000 the first year and \$15,000,000 the second year".

**Explanation:**

(This amendment provides \$151.3 million of one-time general fund support for several transportation projects, including: (1) \$16.0 million for I-66 Westbound in NVA; (2) \$15.0 million for the I-264/I-64 interchange; (3) \$30.0 million for the Route 164 rail relocation project; (4) \$36.0 million for the Route 460 Coalfields Connector; (5) \$9.0 million for Route 58 Abingdon to Damascus; and (6) \$45.0 million for the Route 58 Hillsville Bypass.)

---

**Transportation**

Department Of Transportation

Language

**Language:**

Page 379, after line 38, insert:

"E. Should federal law be changed to permit privatization of rest area operations, the Department is hereby authorized to accept or solicit proposals for their development and/or operation under the Public Private Transportation Act."

**Explanation:**

(This amendment authorizes VDOT to accept or solicit PPTA proposals to develop and/or operate rest areas along the state's Interstate Highways, if Congress enacts legislation to permit such projects.)

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**Transportation**

Department Of Transportation

Language

**Language:**

Page 379, after line 17, insert:

"4. The Department shall seek replacement property for land used as a maintenance facility known as Short Pump Area Headquarters in Western Henrico County due to the decreased utility of the site and due to the value of the land having exceeded the current operations as the highest and best use of the property. The Department shall report to the Chairmen of the Senate Finance and House Appropriations Committees by December 6, 2006, on efforts to relocate this facility and to make this land available for the highest and best use."

**Explanation:**

(This amendment is self-explanatory.)

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**Transportation**

**FY 06-07**

**FY 07-08**

Department Of Transportation -123.00 -123.00 FTE

**Language:**

Page 386, line 7, strike "9,945.00" and "9,945.00" and insert: "9,822.00" and "9,822.00".

Page 386, line 8, strike "9,945.00" and "9,945.00" and insert: "9,822.00" and "9,822.00".

**Explanation:**

(This amendment reduces the authorized position level for the Virginia Department of Transportation by 123 positions to equal expected position operating levels.)

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Item 444 #8s

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Transportation	\$64,963,630	\$111,759,149	NGF

**Language:**

Page 378, line 48, strike "\$1,107,337,368" and insert "\$1,172,300,998".

Page 378, line 48, strike "\$1,107,337,368" and insert "\$1,219,096,517".

**Explanation:**

(This amendment makes technical adjustments to reflect needed increases in the appropriations for the maintenance program based on the most recent revenue forecast.)

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Item 444 #9s

<b>Transportation</b>		<b>Language</b>
Department Of Transportation		

**Language:**

Page 379, after line 17, insert:

“4. The Department shall develop an asset management methodology for the review by the General Assembly in the 2007 Session. As part of the methodology, the Department shall develop and include performance targets to monitor and evaluate the effectiveness of maintenance activities. The methodology shall, in accordance with generally accepted engineering principles and business practices, identify and

prioritize statewide and district maintenance and operations needs. These needs include, but are not limited to, pavement, structures and bridges, pipes and drainage, roadside operations and statewide programs such as snow removal and equipment replacement. The Commonwealth Transportation Board shall review the proposed methodology before submission to the General Assembly. The Department shall report to the General Assembly by December 31, 2006 on progress made and future plans to incorporate principles of asset management into its maintenance and operations practices.

5. Prior to adoption, the Department shall develop and submit to the General Assembly a six-year maintenance and operations program no later than July 1, 2007, to provide greater transparency, predictability and equity of funding, and stability of investment over time. This program shall equitably distribute maintenance funds to districts based on objectively identified needs, define the base needs for each district and include future adjustments based on additional funding in district budgets to address differences in need across them. The Commonwealth Transportation Board shall review and approve the six-year maintenance and operations program and the annual updates."

**Explanation:**

(This amendment is based on a START Task Force recommendation, and directs VDOT to develop an asset management methodology to be used in preparing a six-year maintenance and operations program. Both the methodology and 6-Year maintenance and operations program would be submitted for review to the General Assembly prior to adoption.)

Item 446 #2s

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Department Of Transportation	\$14,666,285	\$25,299,652	NGF

**Language:**

Page 380, line 5, strike "\$313,912,100" and insert "\$328,578,385".  
 Page 380, line 5, strike "\$313,912,100" and insert "\$339,211,752".

**Explanation:**

(This amendment makes technical adjustments to reflect needed adjustments in the appropriations for financial assistance to localities for maintenance and access roads

based on the most recent revenue forecast.)

---

Item 447 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 382, after line 12, insert:

"3. The Commissioner shall report on or before July 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the cash balances in the Route 58 Corridor Development Fund. In addition, the report shall include the following: (i) allocations and expenditures from the Fund for the preceding fiscal year by project and district; (ii) a comparison of actual spending to allocations by projects and district; and (iii) a six-year plan for planned future expenditures from the Fund by project and district."

**Explanation:**

(This amendment requires VDOT to report on the status of the Route 58 Corridor Program and its Development Fund, including the Fund's cash balance, planned spending by district, actual spending by district, and planned expenditures over a six-year period.)

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Item 447 #2s

**Transportation**

Department Of Transportation

**FY 06-07**

\$37,400,000

**FY 07-08**

\$37,400,000 GF

**Language:**

Page 380, line 45, strike "\$329,292,729" and insert "\$366,692,729".

Page 380, line 45, strike "\$335,592,729" and insert "\$372,992,729".

Page 384, strike lines 35 through 49 and insert:

"3. Included in this item for deposit to the Priority Transportation Fund is \$37,400,000 the first year and \$37,400,000 the second year from the general fund to offset the debt service payment requirements on the Transportation Trust Fund attributable to the \$317,000,000 of the Federal Highway Reimbursement Notes."

**Explanation:**

(This amendment continues the General Assembly's commitment to pay the debt service on the \$317.0 million FRAN issuance resulting from actions taken in the 2002 Session. In that year, \$317.0 million of general fund revenue (1/2 percent sales tax for the TTF) was transferred from VDOT. FRAN revenue was substituted in lieu of the general fund dollars.)

---

Item 447 #3s

**Transportation**

Department Of Transportation

**FY 06-07**

(\$111,300,000)

**FY 07-08**

(\$117,600,000) GF

**Language:**

Page 380, line 45, strike "\$329,292,729" and insert "\$217,992,729".

Page 380, line 45, strike "\$335,592,729" and insert "\$217,992,729".

Page 384, strike lines 35 through 49.

**Explanation:**

(This amendment removes proceeds from the automobile insurance taxes for FRAN debt service. A companion amendment appropriates these revenues for the purposes of road construction, transit, and rail as called for in SB 708.)

---

Item 448 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 386, after line 2, insert:

"I. Out of the amounts for General Management and Direction, allocations shall be provided to support the capital lease agreement pursuant to Item C-319 of this act. An amount estimated at \$3,500,000 the first year and \$8,000,000 the second year shall be provided from Commonwealth Transportation Funds."

**Explanation:**

(This amendment authorizes the agency to make payments on the capital lease for an office building in Northern Virginia being developed jointly by the agency and Fairfax County.)

---

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Virginia Port Authority	\$15,000,000	\$0	GF

**Language:**

Page 386, line 36, strike "\$56,626,635" and insert "\$71,626,635".

Page 389, after line 9, insert:

"D. Out of the amounts appropriated in this Item, \$15,000,000 the first year from the general fund is authorized for the preliminary engineering and design of the Craney Island Marine Terminal."

**Explanation:**

(This amendment provides \$15.0 million GF to begin the engineering and design work for the Craney Island Marine Terminal. These funds are part of the Senate's transportation initiative.)

<b>Transportation</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Board of Towing and Recovery	\$350,000	\$350,000	NGF
Operations	3.00	3.00	FTE

**Language:**

Page 389, after line 32

"455.1. Towing and Recovery Operations	\$350,000	\$350,000
Fund Sources: Special	\$350,000	\$350,000."

"Contingent upon passage of Senate Bill 134 (2006 Session), the Department of Treasury shall provide a treasury loan of up to \$350,000 the first year and of up to \$350,000 the second year for the operations of the Board of Towing and Recovery Operations. Revenues received during the biennium and which are due to the Board in accordance with provisions of Senate Bill 134 shall be used to repay any treasury loans made to the Board. Any treasury loan made shall be in compliance with § 4-3.02 of this act."

**Explanation:**

(This amendment establishes the appropriation for the Board of Towing and Recovery Operations created under SB 134. Language authorizes the use of a treasury loan to fund the Board's operations until the Board's fee structure and fee collection

processes are sufficient. It is anticipated that the Board will be self-funding before the close of the 2006-2008 biennium.)

---

Item 456 #1s

**Central Appropriations**

Central Appropriations

**FY 06-07**

(\$1,000,000)

**FY 07-08**

\$0 GF

**Language:**

Page 390, line 3, strike "\$4,500,000" and insert "\$3,500,000".

Page 390, line 7, Strike "\$4,500,000" and insert "\$3,500,000"

**Explanation:**

(This amendment reduces the increase for the Council on Virginia's Future from \$3.5 million GF the first year to \$2.5 million GF the first year.)

---

Item 457 #1s

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 390, line 45, after "value", insert:

"for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002".

Line 46, after "10", insert "or 15".

**Explanation:**

(This amendment corrects language to reflect the portion of the coalfield employment enhancement tax credit revenue stream that goes to the Virginia Coalfields Economic Development Authority in current law.)

---

Item 460 #1s

**Central Appropriations**

Central Appropriations

**FY 06-07**

(\$18,086,472)

**FY 07-08**

(\$9,048,621) GF

**Language:**

Page 394, line 38, strike "\$18,086,472" and insert "\$0".

Page 394, line 38, strike "\$9,048,621" and insert "\$0".

Page 394, strike lines 38 to 57.

Page 395, strike lines 1 to 56.

**Explanation:**

(This amendment eliminates funding for the Enterprise Public Private Partnership from the Central accounts. A companion amendment provides reduced funding for this initiative in the Technology Secretariat.)

---

Item 461 #1s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$270,136	\$270,136	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$125,105,662".

Page 396, line 1, strike "\$172,094,188" and insert "\$172,364,324".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$270,136 the first year and \$270,136 the second year from the general fund to increase the salaries of attorneys employed in the office of the Attorney General by \$2,000 per annum."

**Explanation:**

(This amendment provides \$270,136 GF the first year and \$270,136 GF the second year to increase the salaries of attorneys employed in the office of the Attorney General by \$2,000 per annum. This amendment incorporates a \$1,000 salary increase transferred from the Office of the Attorney general.)

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Item 461 #5s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$11,100,770	\$21,917,392	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$135,936,296".

Page 396, line 1, strike "\$172,094,188" and insert "\$194,011,580".

Page 397, line 51, strike "three" and insert "four".

Page 397, line 51, following "2006" insert "and April 25, 2007 for agency heads and

appointed officials, as provided for in section 4-6.01 of this Act"

Page 399, following line 13, insert:

"5. performance evaluations of supervisory personnel shall include the upward evaluations required by Item 77, of this Act.

6. Agency Heads and other officials whose salaries are listed in section 4-6.01 of this Act shall receive a one time payment equal to 1.67 percent of base salary on December 16, 2006 as a transition payment in recognition of the delay of their annual salary increase for FY 2007 until April 25, 2007, as provided for in section 4-6.01 of this act."

**Explanation:**

(This amendment provides an additional \$11.1 million GF the first year and \$21.9 million GF the second year for an additional 1.0 percent salary increase for state classified employees. The total increase for classified employees will average 4.0 percent and will vary by employee based on an evaluation of performance.)

---

Item 461 #6s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$4,902,445	\$8,404,193	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$129,737,971".

Page 396, line 1, strike "\$172,094,188" and insert "\$180,498,381".

Page 400, line 24, strike "three" and insert "four".

**Explanation:**

(This amendment provides an additional \$4.9 million GF the first year and \$8.4 million GF the second year for an additional 1.0 percent salary increase for state-supported local employees. The total increase for state-supported local employees will be 4.0 percent.)

---

Item 461 #7s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$0	\$48,489,756	GF

**Language:**

Page 396, line 1, strike "\$172,094,188" and insert "\$220,583,944".

Page 397, line 51, following "2006" insert "; and three percent on November 25, 2007 for state employees, and April 25, 2008 for agency heads and appointed officials, as provided for in section 4-6.01 of this Act"

Page

Page 399, following line 13, insert:

"5. performance evaluations of supervisory personnel shall include the upward evaluations required by Item 77, of this Act.

Page 400, line 24, following "2006", insert:

" and three percent on December 1, 2007"

**Explanation:**

(This amendment provides \$48.5 million GF the second year for a 3.0 percent salary increase for state classified and state-supported local employees. The total increase for classified employees will average 3.0 percent and will vary by employee based on an evaluation of performance.)

---

Item 461 #8s

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Appropriations

\$0

\$12,864,000 GF

**Language:**

Page 396, line 1, strike "\$172,094,188" and insert "\$184,958,188".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$12,864,000 to provide for a three percent salary increase and related employee benefit costs effective November 25, 2007. Such Non-general funds as may be required to implement this increase are hereby appropriated."

**Explanation:**

(This amendment provides \$12.9 million GF the second year for an average 3.0 percent salary increase for faculty.)

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Item 461 #9s

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Appropriations

\$5,576,040

\$5,818,468 GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$130,411,566".  
Page 396, line 1, strike "\$172,094,188" and insert "\$177,912,656".  
Page 401, line 17, following "of", strike "30" and insert "26"

**Explanation:**

(This amendment reduces the amortization period for the calculation of retirement rates from the thirty years recommended in SB 30, as introduced to twenty-six years. The VRS Board of Trustees had adopted rates based on a 21 year amortization period. A companion amendment to Direct Aid for Public Education makes the same change for teacher retirement.)

Item 461 #10s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$18,584,000	\$20,591,000	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$143,419,526".  
Page 396, line 1, strike "\$172,094,188" and insert "\$192,685,188".  
Page 403, following line 38, insert:  
"Q. Out of the amounts for Compensation Supplements shall be paid \$18,584,000 the first year and \$20,591,000 the second year for increased retirement and Line of Duty Act benefits provided for in SB 393."

**Explanation:**

(This amendment provides \$18.6 million GF the first year and \$20.6 million GF the second year for increased retirement and Line of Duty Act benefits provided for in SB 393.)

Item 461 #11s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$317,203	\$317,203	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$125,152,729".  
Page 396, line 1, strike "\$172,094,188" and insert "\$172,411,391".  
Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$317,203 the first year and \$317,203 for the correction of internal compensation alignment at Longwood University. Such Non-general fund amounts as are required to carry out the purpose of this paragraph are hereby appropriated."

**Explanation:**

(This amendment provides \$317,203 GF each year for the correction of internal compensation alignment at Longwood University.)

---

Item 461 #12s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$148,658	\$811,861	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$124,984,184".

Page 396, line 1, strike "\$172,094,188" and insert "\$172,906,049".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$148,658 the first year and \$811,861 the second year from the general fund shall be used to implement a developmental career path program for direct service associates at mental health treatment centers and mental retardation training centers. The funds shall be used to provide training and educational programs and to increase salaries to qualifying direct service associates. The department shall submit a quarterly report to the Chairmen of the Senate Finance and House Appropriations Committees and the Office of the Secretary of Health and Human Resources on the progress of the program, including the number of direct service associates participating at each facility. Such Non-general fund amounts as are required to carry out the purpose of this paragraph are hereby appropriated."

**Explanation:**

(This amendment provides \$148,658 GF the first year and \$811,861 GF the second year for implementation of a developmental career path for direct care associates at the Department of Mental Health.)

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Item 461 #13s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$31,696	\$58,515	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$124,867,222".

Page 396, line 1, strike "\$172,094,188" and insert "\$172,152,703".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$31,696 the first year and \$58,515 the second year to provide a 1.5 percent pay parity increase for instructional faculty at the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton effective on November 25, 2006, as required by section 22.1-349 of the Code of Virginia. Such Non-general fund amounts as are required to carry out the purpose of this paragraph are hereby appropriated."

**Explanation:**

(This amendment provides \$31,696 GF the first year and \$58,515 GF the second year from the general fund to provide a 1.5 percent pay parity increase for instructional faculty at the Virginia School for the Deaf, Blind and Multi-Disabled at Hampton effective on November 25, 2006, as required by Section 22.1-349 of the Code of Virginia.)

Item 461 #14s

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Appropriations

\$38,132

\$70,398 GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$124,873,658".

Page 396, line 1, strike "\$172,094,188" and insert "\$172,164,586".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$38,132 the first year and \$70,398 the second year to provide a 1.5 percent pay parity increase for instructional faculty at the Virginia School for the Deaf and the Blind at Staunton effective on November 25, 2006, as required by Section 22.1-349 of the Code of Virginia. Such Non-general fund amounts as are required to carry out the purpose of this paragraph are hereby appropriated."

**Explanation:**

(This amendment provides \$38,132 GF the first year and \$70,398 GF the second year from the general fund to provide a 1.5 percent pay parity increase for instructional faculty at the Virginia School for the Deaf and the Blind at Staunton effective on November 25, 2006, as required by Section 22.1-349 of the Code of Virginia.)

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Item 461 #15s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$13,812	\$25,500	GF

**Language:**

Page 396, line 1, strike "\$124,835,526" and insert "\$124,849,338".

Page 396, line 1, strike "\$172,094,188" and insert "\$172,119,688".

Page 403, following line 38, insert:

"Q. Out of the amounts for Compensation Supplements shall be paid \$13,812 the first year and \$25,500 the second year to provide a pay parity increase for educational outreach coordinators at the Science Museum of Virginia effective on November 25, 2006. Such Non-general fund amounts as are required to carry out the purpose of this paragraph are hereby appropriated."

**Explanation:**

(This amendment provides \$13,812 GF the first year and \$25,500 GF the second year to provide a pay parity increase for educational outreach coordinators at the Science Museum of Virginia effective on November 25, 2006.)

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Item 462 #3s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
Central Appropriations	\$1,145,485	(\$485,000)	GF

**Language:**

Page 403, line 40, strike "\$58,620,000" and insert "\$59,765,485".

Page 403, line 40, strike "\$44,000,000" and insert "\$43,515,000".

**Explanation:**

(This amendment provides \$1.1 million GF the first year and a reduction of \$485,000 GF the second year to complete the update of the Virginia Base Map Program in FY 2007.)

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Item 462 #13s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
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Central Appropriations (\$300,000) \$0 GF

**Language:**

Page 403, line 40, strike "\$58,620,000" and insert "\$58,320,000".

Page 407, line 31, strike "\$600,000 the first year" and insert "\$300,000 the first year".

**Explanation:**

(This amendment reduces by half, to \$300,000, the general fund support for the Governor's Motion Picture Opportunity Fund to attract film industry production activity to Virginia.)

---

Item 462 #15s

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Appropriations

\$1,600,000

\$1,600,000 GF

\$2,900,000

\$2,900,000 NGF

**Language:**

Page 403, line 40, strike "\$58,620,000" and insert "\$63,120,000".

Page 403, line 40, strike "\$44,000,000" and insert "\$48,500,000".

**Explanation:**

(This amendment provides \$1.6 million GF and \$2.9 million NGF each year to increase the reimbursement rate for use of a personal vehicle on State business from the current \$0.325 per mile to the IRS allowed rate of \$0.445 per mile. A companion amendment to Section 4-5.04 of this act authorizes this increase.)

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Item 462 #15s

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 408, line 18, after "Trade", strike "and" and insert ",".

Page 408, line 19, after "Finance," insert "and the Virginia National Defense Industrial Authority,".

**Explanation:**

(This amendment adds the Virginia National Defense Industrial Authority to the

agencies that will evaluate proposals for Base Realignment and Closure Assistance funding.)

---

Item 462 #16s

<b>Central Appropriations</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Central Appropriations	\$500,000	\$0 GF

**Language:**

Page 403, line 40, strike "\$58,620,000" and insert "\$59,120,000".

Page 408, after line 29, insert:

"T. Out of the appropriation for Economic Development Assistance \$500,000 the first year from the general fund shall be provided to the Virginia Biotechnology Research Park Authority to facilitate the creation of a seed investment fund that will significantly expand access to capital for emerging bioscience companies in central Virginia. The grant amount shall be matched equally by private contributions."

**Explanation:**

(This amendment creates a seed investment fund for emerging Virginia bioscience companies. This fund will be managed by the Virginia Biotechnology Research Park Authority. The Commonwealth's grant will be matched equally by private contributions.)

---

Item 462 #17s

<b>Central Appropriations</b>	
Central Appropriations	Language

**Language:**

Page 408, following line 29, insert:

"T. The Governor is authorized to expend from the unappropriated general fund balance in this Act such amounts as are required to reimburse Virginia state and local law enforcement and emergency services agencies for their necessary expenses in excess of amounts appropriated in this Act, for the provision of essential security and emergency services for the Jamestown 2007 commemorative events, including the Yorktown 225th Anniversary (October 19-22, 2006); the Jamestown 400th Anniversary Weekend (May 11-15, 2007); and the Democracy Conference (September 16-19, 2007). Reimbursement under this Item may be provided to, but is not limited to, the Departments of Emergency Management, Military Affairs, State

Police, and Transportation and the Marine Resources Commission, as well as local police and sheriffs' departments, fire departments, and emergency medical services agencies and volunteer rescue squads. Any reimbursement authorized herein shall be based on a review of actual expenses incurred in the course of these events as documented in a manner to be determined in advance by the Departments of Planning and Budget and Emergency Management. The Governor shall provide interim reports by December 31, 2006 and December 31, 2007, and a final report by June 30, 2008, to the Chairmen of the Senate Finance and House Appropriations Committees, on the expenses reimbursed."

**Explanation:**

(This amendment provides authority for the Governor to reimburse state and local law enforcement and emergency services agencies out of unappropriated balances for costs incurred during the Jamestown 2007 commemorative events.)

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Item 462 #18s

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 404, strike lines 52 through 56.

Page 405, strike lines 1 through 5.

**Explanation:**

(This amendment eliminates language authorizing the Governor to use unappropriated general fund balances to attract a major national tourism venue to the Richmond metropolitan area.)

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Item 462 #19s

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 408, line 9, after "actions.", insert: "Such assistance may include, but not be limited to, capital projects or relocation of critical defense activities to more suitable space in order to comply with Department of Defense Force Protection Standards for Buildings."

**Explanation:**

(This amendment clarifies the purposes for which the \$30.0 million GF provided in the Budget Bill can be used for BRAC-related actions.)

---

Item 473 #1s

**Independent Agencies**

Virginia Retirement System

**FY 06-07**

\$200,000

**FY 07-08**

\$0 NGF

**Language:**

Page 414, line 35, strike "\$8,614,217" and insert "\$8,814,217".

**Explanation:**

(This amendment provides \$200,000 NGF the first year for the administrative and systems modification costs of implementing benefit changes authorized in SB 393.)

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Item 473 #2s

**Independent Agencies**

Virginia Retirement System

**FY 06-07**

\$75,000

**FY 07-08**

\$0 NGF

**Language:**

Page 414, line 35, strike "\$8,614,217" and insert "\$8,689,217".

Page 415, following line 31, insert:

"The Virginia Retirement System shall conduct a post-implementation review of the Virginia Sickness and Disability Program. The purpose of this review is to benchmark the program against current industry standards and best practices that could be implemented in the Commonwealth. Customer satisfaction surveys shall be conducted as part of the review. The Department of Human Resource Management and other agencies of the Commonwealth will provide assistance to the Virginia Retirement System upon request.

The Virginia Retirement System shall report its findings and recommendations to the Chairmen of House Appropriations and Senate Finance Committees by November 1, 2007."

**Explanation:**

(This amendment provides \$75,000 NGF the first year for post-implementation

review of the Virginia Sickness and Disability Program.)

Item 481 #1s

<b>Nonstate Agencies</b>	<b>FY 06-07</b>	<b>FY 07-08</b>	
State Grants To Nonstate	\$9,942,500	\$0	GF
Entities-Nonstate Agencies			

**Language:**

Page 418, line 4, strike "\$19,210,000" and insert "\$29,152,500".

Page 418, strike lines 51 through 53.

Page 419, strike lines 1 through 50, and insert:

	<b>Year 1</b>	<b>Year 2</b>
4-H Education Conference Centers (Northern Virginia, Holiday Lake, Jamestown, W.E. Skelton, Southeast, Southwest)	\$ 300,000	\$ -
Abram's Delight, to the Winchester Frederick County Historical Society for	20,000	-
Academy of Music	3,500	-
Air Force Memorial Foundation	100,000	-
Alliance to Conserve Old Richmond Neighborhoods (ACORN)	25,000	-
American Horticulture Society	10,000	-
An Achievable Dream, Inc.	400,000	400,000
Archaearium, to Historic Jamestown for	200,000	-
Arlington Arts Center	50,000	-
Arlington Signature Theatre	75,000	-
Art Museum of Western Virginia	2,000,000	-
Arts Enter Cape Charles, Inc.	25,000	-
Avoca Museum and Historical Society	5,000	-
Barksdale Theater	10,000	-
Barter Theater	200,000	-
Battersea, to the City of Petersburg for	50,000	-
Bay School Cultural Arts Center	10,000	-
Belle Grove Plantation	50,000	-
Ben Lemond Manor Historic Site, to Prince		

William County, Department of Public Works for	25,000	-
Benedictine Aid and Relief for Neighbors (BARN) Homeless Shelter	40,000	-
Beverly Mill	25,000	-
Birmingham Green Adult Care Residence	200,000	-
Birthplace of Country Music	600,000	-
Black History Museum and Cultural Center of Virginia	50,000	-
Blue Ridge Foundation	15,000	-
Blue Ridge Zoological Society of Virginia, Inc.	40,000	-
Brentsville Historic Courthouse Centre, to Prince William County, Department of Public Works for	25,000	-
Bridging Boundaries International	50,000	-
Bristoe Station Heritage Battlefield Park, to Prince William County, Department of Public Works for	25,000	-
Bristol Fire Museum	100,000	-
Celebrating Special Children	100,000	-
Chantilly Mews Higher Education Program, to Black Women United for Action for	3,000	-
Chesapeake Arboretum	10,000	-
Children's Museum of Virginia	300,000	-
Chrysler Museum of Art	500,000	-
City of Manassas Museum Expansion	125,000	-
Clarksville Regional Museum	10,000	-
Colonial Beach Historical Society	5,500	-
Colonial Williamsburg Foundation	250,000	-
Communities in Schools of Virginia	400,000	-
Contemporary Arts Center of Virginia	150,000	-
Corrottoman Civic Center	25,000	-
Council for America's First Freedom	1,000,000	-
Danville Museum of Fine Arts and History	75,000	-
Discovery of Flight Foundation, Spirit of 08	50,000	-
Domestic Violence Emergency Services		

(DOVES)	20,000	-
Doorways for Women and Families	225,000	-
E.N.S. Foundation of America	30,000	-
Empowerment, 2010, Inc.	100,000	-
Fairfax Symphony Orchestra	10,000	-
Fairfield Foundation	10,000	-
Fisher House at McGuire V.A. Medical Center, to the Fisher House Foundation for	1,000,000	-
Flory Small Business Center	65,000	-
For Inspiration and Recognition of Science and Technology (FIRST)	75,000	75,000
Fort Ward Museum and Historic Site	37,000	-
Fredericksburg Area Museum & Cultural Center	200,000	-
Freedom Museum	50,000	-
Gadsby's Tavern Museum	75,000	-
George Marshall Foundation	100,000	-
George Washington's Fredericksburg Foundation	50,000	-
Georgetown South Community Center, to Northern Virginia Family Service for	100,000	-
Georgetown Day Care Center for Indigent Women, to Northern Virginia Family Service for	200,000	-
Girls Incorporated, for Operation SMART	5,000	-
Great Bridge Battlefield and Waterways	100,000	-
Great Dismal Swamp Interpretive Center, to the City of Suffolk for	50,000	-
Greater Reston Arts Center	75,000	-
Greater Richmond Association for Retarded Citizens	500,000	-
Hampton Roads Arts Trust	200,000	-
Hampton University Museum Foundation.	75,000	-
Harrison Museum of African American Culture	100,000	-
Highland Center	1,000	-
Historic Bluff Point School, Bluff Point Community League	5,000	-
Historic Conner House, to the City of Manassas Park for	75,000	-

Historic Crab Orchard Museum	50,000	-
Historic Ratcliffe Cemetery, to the City of Fairfax for	5,000	-
Historical Society of Western Virginia	25,000	-
Hoffler Creek Wildlife Preserve Nature Center	100,000	-
Independent Order of Oddfellows 1842 Charity Lodge No. 27	5,000	-
Jack Kestner Natural Area, to The Nature Conservancy for	40,000	-
James Madison Museum	50,000	-
Jubal Early Homeplace Preservation Fund	5,000	-
Ker Place	25,000	-
Kinsale Foundation	20,000	-
Let's Talk It Out Not Act It Out Program, to the Town of Tazewell for the	2,500	-
Lewis & Clark Exploratory Center	100,000	-
Lime Kiln Theater	1,000	-
Louisa Town Hall and Arts Center	50,000	-
Lynnhaven House	80,000	-
Marine Corps Heritage Foundation	500,000	-
Mary Ball Washington Museum and Library	30,000	-
Maryview Foundation Healthcare Center	25,000	-
Maymont Foundation	600,000	-
McLean Project for the Arts	25,000	-
Menokin Foundation	30,000	-
Metropolitan Richmond Sports Backers	25,000	-
Mill Mountain Playhouse Company, Inc.	50,000	-
Montpelier Foundation	200,000	-
Morattico Waterfront Museum	20,000	-
Moton Community House	10,000	-
Museum of Culpeper History	40,000	-
Museum of the Confederacy	50,000	-
Museum of the Shenandoah Valley	200,000	-
National Museum of the U.S. Army, to the Army Historical Foundation for	500,000	-

National Rehabilitation & Rediscovery Foundation, Inc.	50,000	-
National Senior Games, to the Foundation of Virginia Recreation & Park Society for Neediest Kids	50,000 25,000	- -
New Point Comfort Island Restoration, to the County of Mathews for	25,000	-
Newsome House Museum & Cultural Center	50,000	-
Nikki Giovanni Slave Memorial Youth Writers Educational Project, to Black Women United for Action for	50,000	-
Norfolk Botanical Garden	100,000	-
Northern Neck Farm Museum	10,000	-
Northern Neck of VA Historical Society	100,000	-
Ocean View Station Museum	10,000	-
Opera Roanoke	10,000	-
Our Military Kids, Inc.	100,000	-
Patrick County Music Association	35,000	-
Peninsula Fine Arts Center	250,000	-
Pentagon Memorial Fund, Inc.	100,000	-
Pocahontas Train Station	10,000	-
Poquoson Museum, to the City of Poquoson for Postive Vibe Café	150,000 100,000	- -
Prince William Amphitheatre	10,000	-
Pulaski Theatre	50,000	-
R.E. Lee Commission	1,000	-
Railroad Museum of Virginia, Inc.	25,000	-
Ralph Stanley Museum and Traditional Mountain Music Center	50,000	-
Reedville Fishermen's Museum	100,000	-
Reston Historic Trust	10,000	-
Rice's Hotel/Hughlett's Tavern	10,000	-
Richmond Ballet	350,000	-
Richmond Boys Choir	10,000	-
Richmond County Musuem	10,000	-

Rippon Lodge, to Prince William County, Department of Public Works for	10,000	-
Roanoke Symphony Orchestra	20,000	-
Rosenwald School, to Citizens United to Preserve Greensville County Training School for	100,000	-
Sanders House Center, Graham Historical Society	5,000	-
Schooner Virginia	100,000	-
Science Museum of Western Virginia	100,000	-
Scottsville Veterans Memorial, to American Legion Post 74, Inc. for	3,000	-
SERVE Homeless Shelter	40,000	-
Shenandoah Valley Discovery Museum	500,000	-
Special Olympics of Virginia, Inc.	100,000	-
St. John's Church Foundation	15,000	-
St. Luke's Church (1632)	20,000	-
Staunton Performing Arts Center	200,000	-
Steamboat Era Museum	50,000	-
Stonewall Camp #380, Confederate Monument	5,000	-
Stratford Hall	100,000	-
Suffolk Center for Cultural Arts	100,000	-
Suffolk Museum of African-American History	25,000	-
Swift Creek Mill Theatre, Inc.	75,000	-
Tameroa Maritime Foundation	10,000	-
The Haven Shelter & Services, Inc.	100,000	-
The Paramount Theater of Charlottesville, Inc.	10,000	-
The Paxton House Historical Society, Inc.	15,000	-
Theatre IV	50,000	-
Therapeutic Riding Association Horse Show	3,000	-
Thomas Jefferson's Poplar Forest	200,000	-
Town of Mineral	10,000	-
Trail of the Lonesome Pine	50,000	-
USS Monitor Center at the Mariners Museum	750,000	-
Valentine Richmond History Center	50,000	-
Vinton War Memorial	50,000	-
Virginia Air and Space Museum	1,000,000	-

Virginia Aquarium & Marine Science Center	500,000	-
Virginia Arts Festival	400,000	-
Virginia Ballet	10,000	-
Virginia Ballet Theater	25,000	-
Virginia Beach Convention Center	250,000	-
Virginia Beach Performing Arts Center	1,460,000	-
Virginia Center for Architecture Foundation	75,000	-
Virginia Center for the Creative Arts	150,000	-
Virginia Commonwealth Games	10,000	-
Virginia Economic Bridge, Inc.	125,000	125,000
Virginia Historical Society	100,000	-
Virginia Horse Center Foundation	890,000	-
Virginia Living Museum	750,000	-
Virginia Maritime Heritage Foundation	75,000	-
Virginia Museum of Transportation	100,000	-
Virginia Opera Family Opera Program	75,000	-
Virginia Quality Life	300,000	-
Virginia Sports Hall of Fame	50,000	-
Virginia Symphony	100,000	-
Virginia War Museum Foundation, to the City of Newport News for	50,000	-
Virginia YMCA	5,000	-
Virginia Zoo	50,000	-
Virginia's Explore Park	200,000	-
Watermen's Museum	10,000	-
Western Virginia Foundation for the Arts and Sciences (Center in the Square)	100,000	-
Westmoreland County Museum	100,000	-
Westmoreland Poor School Society*	25,000	-
Weston Manor, to the Historic Hopewell Foundation for	150,000	-
William Atkinson Jones Memorial	5,000	-
William King Regional Arts Center	250,000	-
Williamsburg Area Performing Arts Center	25,000	-
Williamsburg-James City County for a 400th		

Anniversary Memorial Placard	10,000	-
Wolf Creek Indian Village and Museum	5,000	-
Wolf Trap Foundation for the Performing Arts	850,000	-
Woodrow Wilson Presidential Library	2,000,000	-
Working Watermen's Memorial	2,000	-
Youth Corporation, Inc.	25,000	-
<b>TOTAL</b>	<b>\$ 29,152,500</b>	<b>\$ 600,000</b>

".

**Explanation:**

(This amendment adds a net \$9.9 million GF to the \$19.2 million GF in the budget as introduced for a total of \$29.2 million GF for grants to non-state agencies in the first year.)

Item C-0 #1s

**General Conditions**

General Conditions

Language

**Language:**

Page 425, following line 14, insert:

"N. In his budget submission to the 2007 Session of the General Assembly the Governor shall include a brief summary of the appropriation history for all capital projects funded in whole or in part from the General Fund or General Fund supported debt. This summary shall be similar in format to that included by the General Assembly in Item C-1.10 of Chapter 951 (2005 Acts of Assembly.)"

**Explanation:**

(This amendment requires a brief summary of previous funding for a capital project beginning with the 2007 session.)

Item C-7.10 #2s

**Administration**

Department Of General Services

Language

**Language:**

Page 426, following line 3, insert:

"C-7.10. New Construction: Isle of Wight  
Health Services Building

Fund Sources:

"The Department of General Services shall conduct a study of the feasibility of constructing a new health services building in Isle of Wight County and report its findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2006. All agencies of the Commonwealth shall provide such assistance as the Department shall require in the completion of this study."

**Explanation:**

(This amendment requires the Department of General Services to study the feasibility of constructing a new health services building in Isle of Wight County.)

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Item C-7.10 #4s

**Administration**

Department Of General Services

Language

**Language:**

Page 426, following line 3, insert:

"C-7.10. New Construction: Harrisonburg  
Human Services Building

Fund Sources:

"The Departments of Health and Social Services shall conduct a study of the need and feasibility of constructing a new human services building in Harrisonburg to house the human services offices currently serving Harrisonburg and Rockingham residents and report their findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2006. All agencies of the Commonwealth shall provide such assistance as the Department shall require in the completion of this study."

**Explanation:**

(This amendment requires the Departments of Health and Social Services to study the feasibility of constructing a new health services building in Harrisonburg.)

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Item C-7.10 #8s

**Administration**

Department Of General Services

Language

**Language:**

Page 426, following line 3, insert:

"C-7.10. New Construction: Suffolk Human Services Building

Fund Sources:

"The Departments of Health and Social Services shall conduct a study of the need and feasibility of constructing a new human services building in Suffolk and report their findings and recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2006. All agencies of the Commonwealth shall provide such assistance as the Department shall require in the completion of this study."

**Explanation:**

(This amendment requires the Departments of Health and Social Services to study the feasibility of constructing a new health services building in Suffolk.)

Item C-7.10 #5s

**Administration**

Department Of General Services

**FY 06-07**

\$16,753,272

**FY 07-08**

\$0 GF

**Language:**

Page 426, line 4, insert:

"C-7.10. New Construction: Renovation of the 9th Street Office Building and Replacement of the 8th Street Office Building

Fund Sources: General \$16,753,272".

"C-7.10 New Construction: Renovation of the 9th Street Office Building and Replacement of the 8th Street Office Building (17091)

1. The Department of General Services shall enter into an interim agreement under the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq. of the Code of Virginia) to provide:
  - a. Architectural and engineering work up through production of final working drawings for renovation of the 9th Street Office Building and replacement of the 8th Street Office Building, as described in paragraph 2 of this Item,
  - b. Demolition of the 8th Street Office Building. The contract for such demolition

shall be entered into no later than June 30, 2006 and the demolition work begun no later than August 1, 2006, and

c. Such ancillary services as may be necessary to complete the work authorized in this Item.

d. The cost of this interim agreement shall not exceed the \$16,753,272 provided in this Item.

2. The architectural and engineering work provided for in paragraph 1, of this Item, shall provide working drawings and detailed cost estimates for:

a. Renovation and expansion of the 9th Street Office Building into an office building of approximately 193,000 gross square feet for continued use by the Commonwealth, and

b. Construction of a new office building on Broad Street between 8th Street and 9th Street, which shall be used primarily as an office building for the Commonwealth, but may provide for limited commercial and retail space on the first floor. This structure shall be designed to provide approximately 375,000 gross square feet with approximately 270 on-site parking spaces, which would utilize approximately 111,000 gross square feet of this total.

c. The total cost for both the renovation of the 9th Street Office Building and the new office building on Broad Street is estimated at \$139,610,605.

3. That portion of the design work provided for in paragraph 2, of this Item, that is related to the use of the renovated 9th Street Office Building and the new office building on Broad Street as temporary office space for the Legislative Branch of government shall be carried out in cooperation with representatives of each legislative agency.

4. The General Assembly determines that time is of the essence in making available the facilities described herein, and the Department of General Services is directed to initiate the project as soon as practical following the enactment of this Chapter.

5. The Governor shall a) report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the plans and status of this project for their review and comment, and b) provide the final, full appropriation for this project in his budget submission to the 2007 Session of the General Assembly. The cost of the on-site parking may be borne by the state employee parking fund only if such parking spaces will be routinely made available to the general state workforce on a continuing basis after work on the General Assembly Building is completed.

6. It is anticipated that sufficient general fund appropriations or Virginia Public Building Authority bond authorization will be provided in future fiscal years to cover all phases of the project as specified in the final contract."

**Explanation:**

(This amendment provides \$16.8 million GF for architectural and engineering work through working drawings, and related support costs associated with replacement of the 8th Street Office Building and renovation of the 9th Street Office Building.)

Item C-7.10 #6s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of General Services	\$500,000	\$0 GF

**Language:**

Page 426, following line 4, insert:

"C-7.10. Planning: general Assembly Building	\$500,000
Fund Sources: General	\$500,000".

Out of the appropriation for this Item shall be paid \$500,000 from the general fund the first year for architectural and engineering services for replacement of the General Assembly Building. Phase one of this project will include the development of a detailed scope of work, conceptual plans, specifications and renderings to fully define option number 3 of the preliminary study. This option provides for demolition of the west wing, retention of the architecturally significant east wing façade, and construction of a new building with underground parking on site. Development of the project scope will also include: 1) further refinement of the cost estimate, which is approximately \$180,700,000, 2) selective destructive or nondestructive testing of building systems, components, materials, and soils as necessary, and 3) further development of the space utilization program and adjacencies of the building occupants."

**Explanation:**

(This amendment provides \$500,000 GF to begin planning for replacement of the General Assembly Building.)

Item C-7.10 #7s

<b>Administration</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
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**Explanation:**

(This amendment authorizes a treasury loan for construction of the Southwest Virginia Veterans' Cemetery. The cemetery will be constructed with federal funds on donated property, and will fill the need for a veterans' cemetery in this region of the state. The treasury loan will allow for construction prior to reimbursement from the United States Department of Veterans Affairs.)

Item C-9.1 #1s

**Administration**

Department Of Veterans Services

Language

**Language:**

Page 426, after line 32, insert:

"C-9.1. Planning: Veterans Care Center in Hampton Roads

Fund Sources:

"The Governor is authorized to request federal funds to construct a 240-bed Veterans Care Center (or multiple centers with a total capacity of 240 beds) in the Hampton Roads region. After the United States Department of Veterans Affairs has confirmed that it has officially accepted the application for a 240-bed facility (or facilities), the Director, Department of Planning and Budget, may establish a capital project for the purpose of care center construction, with Commonwealth of Virginia funding to total 35 percent of project costs. The purpose of these funds shall be to move Virginia forward on the priority list of the United States Department of Veterans Affairs for approval of the application."

**Explanation:**

(This amendment enables the new construction of the Hampton Roads Veterans Care Center to move Virginia forward on the priority list of the United States Department of Veterans Affairs for approval of the application. The Department of Veterans Services has established a need for the care center based on the veterans population in the eastern Virginia area.)

Item C-22 #1s

**Education: Higher Education**

Christopher Newport University

**FY 06-07**

(\$14,159,000)

**FY 07-08**

\$0 GF

**Language:**

Page 428, line 24, strike "\$15,389,000" and insert "\$1,230,000".  
Page 428, line 23, strike "New Construction" and insert "Planning".  
Page 428, line 25, strike "\$15,389,000" and insert "\$1,230,000".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.2 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

Item C-22.10 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Christopher Newport University	\$4,800,000	\$0 NGF

**Language:**

Page 428, following line 25, insert:	
"C-22.10. New Construction: Student Center Supplement	\$4,800,000
Fund Sources: Bond Proceeds	\$4,800,000".

**Explanation:**

(This amendment authorizes \$4.8 million NGF in 9(d) revenue bonds to supplement previous appropriations for the new student center at CNU.)

Item C-28 #1s

<b>Education: Higher Education</b>	
The College Of William And Mary In Virginia	Language

**Language:**

Page 429, strike "Higher Education Operating" and insert "Bond Proceeds".

**Explanation:**

(This amendment changes the fund source for William and Mary's share of the cost to acquire the Williamsburg Community Hospital from Higher Education Operating

Funds to 9(d) Revenue Bonds. Debt service on the bonds will come from a general fee to be paid by students.)

---

Item C-29 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
The College Of William And Mary In Virginia	(\$7,612,000)	\$0 GF

**Language:**

Page 429, line 37, strike "\$13,636,000" and insert "\$6,024,000".

Page 429, line 36, strike "Improvements" and insert "Planning".

Page 429, line 38, strike "\$8,272,000" and insert "\$660,000".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$660,000 GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-33.10 #3s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
The College Of William And Mary In Virginia	\$3,700,000	\$0 GF

**Language:**

Page 430, after line 4, insert:

"C-33.10. Planning: Williamsburg \$3,700,000

Community Hospital Renovation

Fund Sources: General \$3,700,000".

**Explanation:**

(This amendment provides \$3.7 million GF for detailed A&E planning and design. Funding is provided in order to keep the project moving forward and to provide renovated space for the School of Education as quickly as possible.)

---

Item C-36 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Richard Bland College	(\$300,000)	\$0 GF

**Language:**

Page 430, line 23, strike "\$300,000" and insert "\$0".  
Page 430, line 24, strike "\$300,000" and insert "0."

**Explanation:**

(This amendment removes \$300,000 GF provided in the introduced budget to renovate Pecan Grove Hall.)

---

Item C-39 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Institute Of Marine Science	(\$3,433,000)	\$0 GF

**Language:**

Page 431, line 2, strike "\$3,433,000" and insert "\$0".  
Page 431, line 3, strike "\$3,433,000" and insert "\$0".

**Explanation:**

(This amendment removes \$3.4 million GF provided in the introduced budget to replace the Eastern Shore Seawater Lab.)

---

Item C-40.10 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Institute Of Marine Science	\$267,500	\$0 GF

**Language:**

Page 431, after line 6,  
"C-40.10. Improvements: Chesapeake Bay                      \$267,500  
Hall Power  
Fund Sources: General    \$267,500".

**Explanation:**

(This amendment provides \$267,500 GF to address on-going problems with power

distribution in the existing facility.)

---

Item C-46 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
George Mason University	(\$25,045,000)	\$0 GF

**Language:**

Page 432, line 8, strike "\$50,363,000" and insert "\$25,318,000".

Page 432, after line 8, insert:

"George Mason University (GMU) is hereby granted approval, pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002 (§56-575.1 et seq., *Code of Virginia*) to enter into an agreement with a private entity to construct the Academic VI/Research II facility on the Fairfax campus. This project will support the Volgenau School of Information Technology and Engineering with general classrooms, faculty offices, instructional labs and research labs."

Page 432, line 9, strike "\$25,045,000" and insert "\$0".

**Explanation:**

(This amendment removes \$25.0 million GF in the introduced budget for the Academic VI and Research II facility but provides language authorizing the project to proceed under the PPEA.)

---

Item C-55.10 #3s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
George Mason University	\$900,000	\$0 GF
	\$900,000	\$0 NGF

**Language:**

Page 433, following line 40, insert:

"C-55.10. New Construction: Supplement: \$1,800,000

Fairfax Research I

Fund Sources: General \$900,000

Higher Education Operating \$900,000".

**Explanation:**

(This amendment provides \$900,000 GF and \$900,000 NGF to George Mason

University to supplement construction and equipment for the Fairfax Research I facility.)

---

Item C-55.10 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
George Mason University	\$8,616,000	\$0 NGF

**Language:**

Page 433, following line 40, insert:

"C-55.10. New Construction: Supplement: \$8,616,000

Data Center Surge Space

Fund Sources: Bond Proceeds \$8,616,000".

**Explanation:**

(This amendment provides \$8.6 million NGF the first year in 9(d) revenue bonds to George Mason University to supplement previous appropriations for construction of Data Center Surge Space.)

---

Item C-55.10 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
George Mason University	\$4,000,000	\$0 GF
	\$4,000,000	\$0 NGF

**Language:**

Page 433, following line 40, insert:

"C-55.10. New Construction: Supplement: \$8,000,000

Fairfax Performing Arts Center

Fund Sources: General \$4,000,000

Trust and Agency \$4,000,000".

**Explanation:**

(This amendment provides \$4.0 million GF to match \$4.0 million NGF private gift to George Mason University for the construction of an addition to the Fairfax Performing Arts Center.)

---

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
James Madison University	(\$34,284,000)	\$0 NGF

**Language:**

Page 434, line 12, strike "\$34,284,000" and insert "\$0".  
 Page 434, strike lines 11 through 13.

**Explanation:**

(This amendment transfers the \$34.3 million NGF in 9(d) bond authorization in SB 30, as introduced, to FY 2006 in SB 29. A companion amendment to SB 29 is provided.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
James Madison University	\$18,914,170	\$0 NGF

**Language:**

Page 434, following line 19, insert:  
 "C-61.10. New Construction: Dining Facility  
 Fund Sources: Bond Proceeds \$18,914,170".

**Explanation:**

(This amendment authorizes \$18.9 million NGF in 9(d) bonds for James Madison University to construct a new dining facility to address enrollment growth.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
James Madison University	\$2,528,232	\$0 GF

**Language:**

Page 434, following line 19, insert:  
 "C-61.10. New Construction: Supplements: Miller Hall & CISAT Library  
 Fund Sources: General \$2,528,232".

**Explanation:**

(This amendment provides \$2.5 million GF to supplement previous appropriations for renovation of Miller Hall (\$968,085) and the CISAT Library (\$1,560,147) at JMU.)

Item C-61.10 #3s

**Education: Higher Education**

James Madison University

**FY 06-07**

\$1,875,000

\$1,875,000

**FY 07-08**

\$0 GF

\$0 NGF

**Language:**

Page 434, following line 19, insert:

"C-61.10. New Construction: South Main Street Pedestrian Tunnel

\$3,750,000

Fund Sources: General

\$1,875,000

Higher Education Operating

\$1,875,000".

**Explanation:**

(This amendment authorizes \$1.9 million GF and \$1.9 million NGF for James Madison University to construct a pedestrian tunnel under South Main Street.)

Item C-66 #1s

**Education: Higher Education**

Longwood University

Language

**Language:**

Page 435, line 15, strike, "Housing Facilities" and insert "Wheeler Hall".

**Explanation:**

(This amendment changes the title of the capital project from "Renovate Housing Facilities" to "Renovate Wheeler Hall".)

Item C-70 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Longwood University	(\$140,000)	\$0 GF
	\$413,000	\$0 NGF

**Language:**

Page 435, line 45, strike "\$140,000" and insert "\$413,000".

Page 436, line 1, strike "General \$140,000" and insert "Bond Proceeds \$413,000".

**Explanation:**

(This amendment corrects the appropriation for the renovation of Lancer Gymnasium and Willett Hall. This amendment is offset by a corresponding amendment for Item C-71 of this Act.)

Item C-71 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Longwood University	\$140,000	\$0 GF
	(\$413,000)	\$0 NGF

**Language:**

Page 436, line 8, strike "\$413,000" and insert "\$140,000".

Page 436, line 9, strike "Bond Proceeds \$413,000" and insert:  
"General \$140,000".

**Explanation:**

(This amendment corrects the appropriation for the addition to Willett Hall. This amendment is offset by a corresponding amendment for Item C-70 of this Act.)

Item C-72 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Longwood University	\$10,480,122	\$0 GF

**Language:**

Page 436, line 16, strike "\$7,962,000" and insert "\$18,442,122".

Page 436, line 16, strike "\$7,962,000" and insert "\$18,442,122".

**Explanation:**

(This amendment provides an additional \$10.5 million GF to provide for the renovation and addition to Bedford Hall. The introduced budget provided funding

only for the renovation of the facility, which cannot be completed until the addition has been added. With this amendment, the total project budget is \$18.4 million GF.)

---

Item C-80.10 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Longwood University	\$2,332,000	\$0 GF

**Language:**

Page 437, after line 3, insert:

"C-80.10. Improvements: Asbestos Abatement

Fund Sources: General \$2,332,000".

**Explanation:**

(This amendment provides \$2.3 million GF for asbestos abatement at Longwood University.)

---

Item C-80.10 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Longwood University	\$2,378,000	\$0 GF

**Language:**

Page 437, after line 3, insert:

"C-80.10. Improvements: ADA Accessibility

Fund Sources: General \$2,378,000".

**Explanation:**

(This amendment provides \$2.4 million GF to address needed improvements for handicapped accessibility.)

---

Item C-85 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Mary Washington	(\$851,000)	(\$7,655,000) GF

**Language:**

Page 437, line 25, strike "\$851,000" and insert "\$0".  
Page 437, line 25, strike "\$7,655,000" and insert "\$0".  
Page 437, strike lines 10 through 16.

**Explanation:**

(This amendment removes \$8.5 million GF over the biennium for the renovations to Monroe Hall.)

---

Item C-86.10 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Mary Washington	\$2,000,000	\$0 GF

**Language:**

Page 437, following line 32, insert:  
"C-86.10. Improvements: Supplement: Lee Hall Renovation (16594)  
Fund Sources: General \$2,000,000  
\$2,000,000".

**Explanation:**

(This amendment authorizes \$2.0 million GF to supplement the renovation of the Lee Hall at the University of Mary Washington.)

---

Item C-86.10 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Mary Washington	\$600,000	\$0 GF

**Language:**

Page 437, after line 32, insert:  
"C-86.10. Improvements: James Monroe Center Equipment  
Fund Sources: General \$600,000  
\$600,000".

**Explanation:**

(This amendment provides \$600,000 GF for furnishings and equipment in the

newly renovated James Monroe Center at the University of Mary Washington.)

---

Item C-91 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Norfolk State University	(\$14,524,040)	\$0 GF

**Language:**

Page 438, line 23, strike "\$15,787,000" and insert "\$1,262,960".

Page 438, line 24, strike "\$15,787,000" and insert "\$1,262,960".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.3 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-94.10 #3s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Norfolk State University	\$7,656,976	\$0 GF

**Language:**

Page 438, following line 37, insert:

"C-94.10. New Construction: Renovate the \$7,656,976

L. Douglas Wilder Center

Fund Sources: General \$7,656,976".

**Explanation:**

(This amendment authorizes \$7.7 million GF for renovations to address safety issues at NSU's L. Douglas Wilder Center.)

---

Item C-100 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Old Dominion University	\$759,000	\$0 NGF

**Language:**

Page 439, line 39, strike "\$741,000" and insert "\$1,500,000".  
Page 439, line 40, strike "\$741,000" and insert "\$1,500,000".

**Explanation:**

(This amendment provides an additional \$759,000 NGF in 9(d) bond authorization to supplement existing appropriations for expansion of athletic facilities at ODU.)

---

Item C-101 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Old Dominion University	\$2,800,000	\$0 NGF

**Language:**

Page 439, line 47, strike "\$6,230,000" and insert "\$9,030,000".  
Page 440, line 1, strike "\$6,230,000" and insert "\$9,030,000".

**Explanation:**

(This amendment provides an additional \$2.8 million NGF in 9(d) bond authorization to supplement existing appropriations for the Health & PE Renovation and Addition at ODU.)

---

Item C-102 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Old Dominion University	(\$404,120)	(\$18,190,000) GF

**Language:**

Page 440, line 8, strike "\$2,721,000" and insert "\$2,316,880".  
Page 440, line 8, strike "\$24,490,000" and insert "\$6,300,000".  
Page 440, line 9, strike "\$2,021,000" and insert "\$1,616,880".  
Page 440, line 9, strike "\$18,190,000" and insert "\$0".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.6 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-109 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Old Dominion University	(\$574,000)	\$0 GF

**Language:**

Page 440, line 29, strike "\$574,000" and insert "\$0".  
Page 440, line 30, strike "\$574,000" and insert "\$0".

**Explanation:**

(This amendment removes \$574,000 GF provided in the introduced budget for the demolition of buildings on 48th and 49th Streets.)

---

Item C-127.10 #1s

**Education: Higher Education**

University Of Virginia

Language

**Language:**

Page 442, following line 28, insert:  
"C-127.10. Improvements: Renovation of Rouse Hall \$0  
Fund Sources: Special (\$6,900,000)  
Bond Proceeds \$6,900,000".

**Explanation:**

(This amendment shifts \$6.9 million NGF previously approved for the renovation of Rouse Hall at UVa from gifts to 9(d) revenue bonds .)

---

Item C-127.10 #3s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$4,738,000	\$0 GF
	\$8,662,000	\$0 NGF

**Language:**

Page 442, following line 28, insert:  
"C-127.10. New Construction: Supplement \$13,400,000  
Medical Research Building, MR-6 (16282)  
Fund Sources: General \$4,738,000

Higher Education Operating \$8,662,000".

**Explanation:**

(This amendment authorizes \$4.7 million GF and \$8.6 million NGF for UVa to supplement previously approved funds for construction of the Medical Research Building-6.)

---

Item C-127.10 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$5,000,000	\$0 GF
	\$21,900,000	\$0 NGF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Supplement: \$26,900,000  
Arts and Sciences Building (16528)

Fund Sources: General \$5,000,000  
Higher Education Operating \$21,900,000".

**Explanation:**

(This amendment authorizes \$5.0 million GF and \$21.9 million NGF to supplement previously approved funds for construction of UVa's Arts and Sciences Building .)

---

Item C-127.10 #5s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$575,000	\$0 GF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Supplement: \$575,000  
Gilmer Teaching Labs (16788)

Fund Sources: General \$575,000".

**Explanation:**

(This amendment authorizes \$575,000 GF for UVa to supplement previously

approved GO Bond funds for construction of the Gilmer Teaching Labs.)

---

Item C-127.10 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$800,000	\$0 NGF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Supplement: \$800,000

Arts Grounds Parking Garage (17151)

Fund Sources: Dedicated Special Revenue \$800,000".

**Explanation:**

(This amendment authorizes \$800,000 NGF from gifts and grants for UVa to supplement previously approved funds for construction of the Arts Grounds Parking Garage.)

---

Item C-127.10 #7s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$35,000,000	\$0 NGF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Translation \$35,000,000

Research Center - MR-7

Fund Sources: Dedicated Special Revenue \$35,000,000".

**Explanation:**

(This amendment authorizes \$35.0 million NGF from gifts for UVa to construct the new Translation Research Center - MR-7.)

---

Item C-127.10 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$2,630,000	\$0 NGF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Supplement: \$2,630,000

Advanced Research Technology Building -  
ART (17106)

Fund Sources: Bond Proceeds \$2,630,000".

**Explanation:**

(This amendment authorizes \$2.6 million NGF in 9(d) revenue bonds for UVa to supplement previously appropriated bond funds for construction of the Advanced Research Technology (ART) building.)

Item C-127.10 #9s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

University Of Virginia

\$4,000,000

\$0 NGF

**Language:**

Page 442, following line 28, insert:

"C-127.10. New Construction: Supplement: \$4,000,000

Main Heating Plant (16872)

Fund Sources: Bond Proceeds \$4,000,000".

**Explanation:**

(This amendment authorizes \$4.0 million NGF in 9(d) revenue bonds to supplement previously appropriated funds for renovation of the Main Heating Plant at the University of Virginia.)

Item C-127.10 #10s

**Education: Higher Education**

University Of Virginia

Language

**Language:**

Page 442, after line 28, insert

"C-127.10. New Construction: Arts and \$26,900,000

Science Building Supplement

Fund Sources: General	\$5,000,000
Higher Education Operating	\$21,900,000".

**Explanation:**

(This amendment provides \$5 million GF and \$21.9 million NGF to supplement the construction of the new arts and sciences building.)

Item C-127.10 #11s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia	\$8,010,356	\$0 GF

**Language:**

Page 442, after line 28, insert:

"C-127.10. Improvements: Fayerweather Hall Cost Overrun	\$8,010,356
Fund Sources: General	\$8,010,356".

**Explanation:**

(This amendment provides \$8.0 million GF to cover the cost overrun between the current project appropriation and bids received in February 2006.)

Item C-129 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia Medical Center	(\$10,000,000)	\$0 GF

**Language:**

Page 443, line 5, strike "\$25,000,000" and insert "\$15,000,000".

Page 443, line 6, strike "\$25,000,000" and insert "\$0".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$15 million GF to leverage private resources in constructing a new clinical cancer center at the University's hospital.)

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia Medical Center	\$9,600,000	\$0 NGF

**Language:**

Page 443, following line 33, insert:

"C-135.10. New Construction: Supplement: Hospital Expansion (16392) Fund Sources: Bond Proceeds	\$9,600,000  \$9,600,000".
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**Explanation:**

(This amendment authorizes \$9.6 million NGF in 9(d) revenue bonds for UVa to supplement previously appropriated funds for hospital expansion.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
University Of Virginia Medical Center	\$4,000,000	\$0 NGF

**Language:**

Page 443, following line 33, insert:

"C-135.10. Acquisition: Renovate Hospital Link Fund Sources: Special Bond Proceeds	\$4,000,000  \$4,000,000".
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**Explanation:**

(This amendment authorizes \$4.0 million NGF in hospital revenues for UVa to supplement previously appropriated funds for the renovation of the Hospital Link into offices.)

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<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
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University Of Virginia's College At Wise \$1,429,000 \$0 GF

**Language:**

Page 443, following line 33, insert:

"C-137. Improvements: Supplement: \$1,429,000

Smiddy Hall Renovation

Fund Sources: General \$1,429,000".

**Explanation:**

(This amendment provides \$1.4 million GF to The University of Virginia's College at Wise to supplement the existing appropriation for renovation of Smiddy Hall.)

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Item C-140.10 #3s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

University Of Virginia's College At Wise

\$550,000

\$0 GF

**Language:**

Page 443, following line 33, insert:

"C-140.10. Improvements: Replace IT \$550,000

Infrastructure

Fund Sources: General \$550,000".

**Explanation:**

(This amendment provides \$550,000 GF to The University of Virginia's College at Wise for renewal and replacement of the information technology infrastructure for Educational and General Programs.)

---

Item C-140.10 #3s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

University Of Virginia's College At Wise

\$1,640,100

\$0 GF

**Language:**

Page 444, after line 19

"C-140.10. Planning: Science Building \$1,640,100  
Fund Sources: General \$1,640,100".

**Explanation:**

(This amendment provides \$1.6 million GF to plan a new science building at the College of Wise.)

---

Item C-144 #4s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Commonwealth University	\$3,750,000	\$0 GF
	\$214,000	\$0 NGF

**Language:**

Page 445, line 2, strike "\$17,736,000" and insert "\$21,700,000".  
Page 445, line 3, strike "\$12,377,000" and insert "\$16,127,000".  
Page 445, line 4, strike "\$5,359,000" and insert "\$5,573,000".

**Explanation:**

(This amendment provides an additional \$3.8 million GF and \$214,000 NGF to supplement the existing appropriation for the Medical Science Building II at VCU Medical Center.)

---

Item C-151 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Commonwealth University	(\$1,900,000)	(\$17,097,000) GF

**Language:**

Page 446, line 10, strike "\$1,900,000" and insert "\$0".  
Page 446, line 10, strike "\$17,097,000" and insert "\$0".  
Page 446, strike line 11.

**Explanation:**

(This amendment removes \$19.0 million GF provided in the introduced budget for the renovation of the Old Business Building.)

---

Item C-152 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Commonwealth University	(\$5,400,000)	\$0 GF

**Language:**

Page 446, line 12, strike "\$5,400,000" and insert "\$0".  
Page 446, strike line 13.

**Explanation:**

(This amendment removes \$5.4 million GF for renovations to Theater Row.)

---

Item C-155.10 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Commonwealth University	\$1,410,000	\$0 GF
	\$0	\$0 NGF

**Language:**

Page 446, following line 21, insert:  
"C-155.10. New Construction: Expansion of \$1,410,000  
School of Dentistry Facilities  
Fund Sources: General \$1,410,000".

**Explanation:**

(This amendment provides \$1.4 million GF for detailed A&E planning and design for new dental facilities at Virginia Commonwealth. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-174 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$5,818,500)	\$0 GF

**Language:**

Page 450, line 2, strike "\$8,778,000" and insert "\$2,959,500".  
Page 450, line 3, strike "\$8,728,000" and insert "\$2,959,500".

**Explanation:**

(This amendment adjusts funding provided in the first year of the introduced budget to provide \$3.0 million GF for repairs to major mechanical systems in community college facilities. An additional \$2.9 million GF included in the introduced budget for the second year remains unchanged.)

---

Item C-176 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$552,000)	(\$24,857,000) GF

**Language:**

Page 450, line 9, strike "\$6,308,000" and insert "\$5,756,000".

Page 450, line 9, strike "\$24,857,000" and insert "\$0".

Page 450, line 10 strike, "\$2,762,000" and insert "\$2,210,000".

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$2.2 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-177 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$390,000)	(\$17,464,000) GF

**Language:**

Page 450, line 15, strike "\$3,896,000" and insert "\$3,506,000".

Page 450, line 15, strike "\$17,464,000" and insert "\$0".

Page 450, line 16, strike "\$1,940,000" and "\$17,464,000" and insert "\$1,550,000" and "\$0", respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.6 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-178 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$135,000)	(\$6,250,000) GF

**Language:**

Page 450, line 19, strike "\$959,000" and insert "\$824,000".

Page 450, line 19, strike "\$6,250,000" and insert "\$0".

Page 450, line 20, strike "\$695,000" and "\$6,250,000" and insert "\$560,000" and "\$0" respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$560,000 GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-180 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$869,000)	(\$7,817,000) GF

**Language:**

Page 450, line 28, strike "\$1,129,000" and insert "\$260,000".

Page 450, line 28, strike "\$7,817,000" and insert "\$0".

Page 450, strike line 29.

**Explanation:**

(This amendment removes funding provided in the introduced budget for the Student Services Building at Southside Virginia Community College.)

---

Item C-181 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	(\$316,880)	(\$14,255,000) GF

**Language:**

Page 450, line 32, strike "\$1,931,000" and insert "\$1,614,120".

Page 450, line 32, strike "\$14,255,000" and insert "\$0".

Page 450, line 33, strike "\$1,584,000" and "\$14,255,000" and insert "\$1,267,120" and "\$0" respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.3 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-183 #1s

**Education: Higher Education**

Virginia Community College  
System

**FY 06-07**

(\$187,840)

**FY 07-08**

(\$8,462,000) GF

**Language:**

Page 450, line 39, strike "\$1,164,000" and insert "\$976,160".

Page 450, line 39, strike "\$8,462,000" and insert "\$0".

Page 450, line 40, strike "\$940,000" and "\$8,462,000" and insert "\$752,160" and "\$0" respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$752,000 GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-185 #1s

**Education: Higher Education**

Virginia Community College  
System

**FY 06-07**

(\$378,200)

**FY 07-08**

(\$17,019,000) GF

**Language:**

Page 451, line 3, strike "\$4,174,000" and insert "\$3,795,800".

Page 451, line 3, strike "\$17,019,000" and insert "\$0".

Page 451, line 4, strike "\$1,891,000" and "\$17,019,000" and insert "\$1,512,800" and "\$0" respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$1.5 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-186 #1s

**Education: Higher Education**

Virginia Community College  
System

**FY 06-07**

(\$548,240)

**FY 07-08**

(\$24,657,000) GF

**Language:**

Page 451, line 9, strike "\$4,672,000" and insert "\$4,123,760".

Page 451, line 9, strike "\$24,657,000" and insert "\$0".

Page 451, line 10, strike "\$2,740,000" and "\$24,657,000" and insert "\$2,191,760" and "\$0" respectively.

**Explanation:**

(This amendment adjusts funding in the introduced budget to provide \$2.2 million GF for detailed A&E planning and design. Once planning has been completed, the General Assembly will be better positioned to assess the full cost of the project and appropriate funding if merited.)

---

Item C-197.10 #1s

**Education: Higher Education**

Virginia Community College  
System

**FY 06-07**

\$1,939,000

**FY 07-08**

\$0 GF

**Language:**

Page 452, after line 7, insert:

"C-197.10. Planning: Construct Phase III

\$1,939,000

Building, Manassas Campus

Fund Sources: General

\$1,939,000".

"This Item provides funding to plan the construction of a new academic building."

**Explanation:**

(This amendment provides planning funds for construction of a third classroom building at the Manassas Campus of Northern Virginia Community College. A new facility will help accommodate rapidly growing enrollment at the college and reduce reliance on rented off-campus space for instruction.)

---

Item C-198.10 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	\$0	\$4,095,000 GF

**Language:**

Page 452, following line 13, insert:

"C-198.10. Improvements: CVCC - \$4,095,000

Renovate Library

Fund Sources: General \$4,095,000".

**Explanation:**

(This amendment provides \$4.1 million GF to Central Virginia Community College for renovation of the library.)

---

Item C-198.10 #6s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	\$125,000	\$0 GF

**Language:**

Page 452, line 14, insert:

"C-198.10. Improvements: Historic Triangle \$125,000

Campus Wetlands Mitigation

Fund Sources: General \$125,000".

**Explanation:**

(This amendment provides \$125,000 GF the first year for wetlands mitigation on

site development for the Historic Triangle Campus of Tidewater Community College.)

---

Item C-198.10 #7s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Community College System	\$3,000,000	\$0 NGF

**Language:**

Page 452, line 14, insert:

"C-198.10. Planning: Joint-Use Library, \$3,000,000

Virginia Beach Campus, Tidewater Community College

Fund Sources: Trust and Agency \$3,000,000".

**Explanation:**

(This amendment provides \$3 million from local trust and agency funds for planning of a joint-use library facility to include 100,000 square feet for Tidewater Community College and 20,000 square feet for the City of Virginia Beach on the Virginia Beach Campus of Tidewater Community College.)

---

Item C-200 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Military Institute	\$12,573,000	\$0 GF

**Language:**

Page 452, line 27, strike "\$13,827,000" and insert "\$26,400,000".

Page 452, after line 27, insert: "The Board of Visitors shall review its fee structure for room and board and identify options for moving toward full recovery of costs for third and fourth year students, with the provision for a discounted rate for those students who have contracted for a military commission. The Institute shall report its findings to the Chairmen of the Senate Finance and House Appropriations Committees no later than November 15, 2006."

**Explanation:**

(This amendment provides full funding of the planned expansion of the Barracks at VMI and tasks the Board of Visitors with reviewing its student fee structure.)

---

Item C-201 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Military Institute	\$19,200,000	\$0 GF

**Language:**

Page 452, line 29, strike "\$1,200,000" and insert "\$20,400,000".

"The Board of Visitors shall review its fee structure for room and board and identify options for moving toward full recovery of costs for third and fourth year students, with the provision for a discounted rate for those students who have contracted for a military commission. The Institute shall report its findings to the Chairmen of the Senate Finance and House Appropriations Committees no later than November 15, 2006."

**Explanation:**

(This amendment provides an additional \$19.2 million GF for renovation of the Old and New Barracks at VMI and tasks the Board of Visitors with reviewing its student fee structure.)

---

Item C-202 #1s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Military Institute	(\$318,000)	(\$2,861,000) GF

**Language:**

Page 452, line 32, strike "\$318,000" and insert "\$0".

Page 452, line 32, strike "\$2,861,000" and insert "\$0".

**Explanation:**

(This amendment removes \$318,000 million GF the first year and \$2.9 million GF the second year that was proposed for construction of the North Post Leadership facility at VMI.)

---

Item C-202.10 #1s

<b>Education: Higher Education</b>
Virginia Military Institute

Language

**Language:**

Page 202, line 33, insert:

"C-202.10. Acquisition: Danville  
Community College - Health Sciences  
Building

Fund Sources:

Page 202 following line 33, insert:

"Virginia Military Institute is authorized to acquire by gift the real property known as the Truman House."

**Explanation:**

(This amendment authorizes VMI to acquire the Truman House as a gift.)

---

Item C-209 #1s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

Virginia Polytechnic Institute And  
State University

(\$12,437,480)

\$0 GF

**Language:**

Page 453, line 39, strike "\$31,019,000" and insert "\$18,581,520".

**Explanation:**

(This amendment removes \$12.4 million GF the first year that was proposed for construction of the Institute for Critical Technology and Applied Science at Virginia Tech. The remaining funds will be used to plan the facility before budgeting for construction.)

---

Item C-218.10 #3s

**Education: Higher Education**

**FY 06-07**

**FY 07-08**

Virginia Polytechnic Institute And  
State University

\$3,200,000

\$0 GF

**Language:**

Page 454, following line 35, insert:

"C-218.10. New Construction: Hazardous  
Materials Facility

\$3,200,000

Fund Sources: General

\$3,200,000".

**Explanation:**

(This amendment authorizes \$3.2 million GF for Va. Tech to construct a new hazardous materials facility.)

---

Item C-218.10 #5s

**Education: Higher Education**

Virginia Polytechnic Institute And  
State University

**FY 06-07**

\$1,630,000

**FY 07-08**

\$0 GF

**Language:**

Page 454, following line 35, insert:

"C-218.10. New Construction: Supplement  
Litton-Reaves Hall Exterior Repairs

\$1,630,000

Fund Sources: General

\$1,630,000".

**Explanation:**

(This amendment authorizes \$1.6 million GF for Va. Tech to supplement previously approved GOB bond funds for Litton-Reaves Hall exterior repairs.)

---

Item C-218.10 #7s

**Education: Higher Education**

Virginia Polytechnic Institute And  
State University

**FY 06-07**

\$7,000,000

**FY 07-08**

\$0 NGF

**Language:**

Page 454, following line 35, insert:

"C-218.10. New Construction: Supplement  
New Residence Hall (16682)

\$7,000,000

Fund Sources: Bond Proceeds

\$7,000,000".

**Explanation:**

(This amendment authorizes \$7.0 million NGF in 9(c) revenue bonds for Va. Tech to supplement previously approved revenue bond funds for construction of a new

dormitory.)

---

Item C-218.10 #8s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Polytechnic Institute And State University	\$2,600,000	\$0 GF
	\$0	\$0 NGF

**Language:**

Page 454, following line 35, insert:

"C-218.10. New Construction: Supplement \$2,600,000

Cowgill Hall HVAC and Power

Improvements (16792)

Fund Sources: General \$2,600,000".

**Explanation:**

(This amendment authorizes \$2.6 million GF for Va. Tech to supplement previously approved GOB bond funds for Cowgill Hall HVAC and Power Improvements.)

---

Item C-232.10 #3s

**Education: Higher Education**

Virginia State University

Language

**Language:**

Page 456, following ,line 13, insert:

"1. Virginia State University is authorized to enter into a long-term lease or other written agreements, with the Virginia State University Real Estate Foundation (VSUREF), for the development, design, construction and financing of the new Campus Dining Facility. The University currently has one dining facility, Jones Dining Hall. Due to the predicted steady increase in student enrollment, construction of a new dining facility is required to meet the dining needs of the students, faculty, staff and campus visitors. To provide a logical balance in distance from the present Jones Dining Hall, the new Campus Dining Facility will be located in the proximity of the Student Village and the proposed Campus Gateway Housing Complex. VSUREF will develop this dining facility to be an integral part of and in support of the Virginia State University dining system needs.

2. Virginia State University, with approval from the Governor, is further authorized to enter into written agreements with a public or private entity to support such a dining facility. The support may include agreements to: (i) manage the operation and maintenance of the facility, including collection of dining fees; and (ii) otherwise support the dining facility consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia."

**Explanation:**

(This amendment authorizes Virginia State University to enter into a long-term lease or other written agreements, with the Virginia State University Real Estate Foundation (VSUREF), for the development, design, construction and financing of the new Campus Dining Facility.)

---

Item C-232.10 #4s

**Education: Higher Education**

Virginia State University

Language

**Language:**

Page 456, following ,line 13, insert:

"1. Virginia State University is authorized to enter into a long-term lease or other written agreements, with the Virginia State University Real Estate Foundation (VSUREF), for the development, design, construction and financing of the Campus Gateway Housing Complex which is approved as part of the Virginia State University Housing Master Plan Phase I, with a size modification. Current housing needs have forced Virginia State University to a.) expand upon the initial size and scope of the Campus Gateway Housing Complex and b.) reduce the construction time frame of the new residential housing facility. The Campus Gateway Housing Complex will be constructed on the northeast approach to campus and will provide an aesthetic enhancement to the most widely used campus entrance. The Campus Gateway Housing Complex, with the increase in size, will be a 500 bed housing complex that will provide suite style living quarters for Virginia State University students. VSUREF will develop this housing complex to be an integral part of the Virginia State University housing system, in support of the University's housing needs.

2. Virginia State University, with approval from the Governor, is further authorized

to enter into written agreements with a public or private entity to support such a housing complex. The support may include agreements to: (i) manage the operation and maintenance of the facility, including collection of rental fees; and (ii) otherwise support the housing complex 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 Virginia State University to enter into a long-term lease or other written agreements, with the Virginia State University Real Estate Foundation (VSUREF), for the development, design, construction and financing of the Campus Gateway Housing Complex.)

Item C-232.10 #2s

<b>Education: Higher Education</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia State University	\$500,000	\$500,000 NGF

**Language:**

Page 456, after line 14, insert:

"C-232.10. Improvements: Energy Efficiency Project

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

"This Item authorizes the University to enter into an energy performance contract with an approved energy services company in order to reduce energy operating costs in one or more facilities. Prior to entering into such contract, the University shall submit a financial feasibility study to the Treasury Board for its review and approval."

**Explanation:**

(This amendment provides \$500,000 NGF each year for the University to participate in the Commonwealth's Virginia Energy Loan Program (VELP), which provides consistent and competitive credit terms for agencies and institutions wishing to enter into a performance contract to reduce energy-related operating costs.)

Item C-233.10 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
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Frontier Culture Museum Of Virginia \$500,000 \$0 GF

**Language:**

Page 456, line 19, insert:  
"C-233.10. New Construction: Facility Improvements \$500,000  
Fund Sources: General \$500,000".

**Explanation:**

(This amendment provides \$500,0000 GF the first year for facility improvements and new construction at the Frontier Culture Museum.)

---

Item C-233 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Frontier Culture Museum Of Virginia	(\$484,000)	\$0 GF

**Language:**

Page 456, line 20, strike "\$306,000" and insert "(\$178,000)".

**Explanation:**

(This amendment removes \$484,000 GF the first year that was proposed for farmsite improvements at the Frontier Culture Museum.)

---

Item C-235 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Frontier Culture Museum Of Virginia	(\$300,000) (\$40,000)	\$0 GF \$0 NGF

**Language:**

Page 456, line 30, strike "\$340,000" and insert "\$0".

**Explanation:**

(This amendment removes \$300,000 GF and \$40,000 NGF the first year that was

proposed for Upgrades to the Bowman House at the Frontier Culture Museum.)

---

Item C-236 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Frontier Culture Museum Of Virginia	(\$426,000)	\$0 GF

**Language:**

Page 456, line 33, strike "\$426,000" and insert "\$0".

**Explanation:**

(This amendment removes \$426,000 GF the first year that was proposed for relocation of the American farm at the Frontier Culture Museum.)

---

Item C-237 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Frontier Culture Museum Of Virginia	(\$426,000)	\$0 GF

**Language:**

Page 456, line 36, strike "\$426,000" and insert "\$0".

**Explanation:**

(This amendment removes \$426,000 GF the first year that was proposed for construction of an African farm at the Frontier Culture Museum.)

---

Item C-241 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
The Science Museum Of Virginia	(\$2,950,000)	\$0 GF

**Language:**

Page 457, line 27, strike "\$2,950,000" and insert "\$0".

**Explanation:**

(This amendment removes \$3.0 million GF the first year that was proposed for construction of the Discovery Park exhibit at the Science Museum of Virginia.)

---

Item C-241.10 #3s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
The Science Museum Of Virginia	\$1,200,000	\$0 GF

**Language:**

Page 457, following line 28, insert:

"C-241.10. Planning: Belmont Bay Science Center

Fund Sources: General \$1,200,000".

**Explanation:**

(This amendment provides \$1.2 million GF the first year to plan for construction of the Belmont Bay Science Center.)

---

Item C-243 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Virginia Museum Of Fine Arts	(\$712,000)	\$0 GF

**Language:**

Page 457, line 38, strike "\$712,000" and insert "\$0".

**Explanation:**

(This amendment removes \$712,000 GF the first year that was proposed for renovation of the Robinson House at the Virginia Museum of Fine Arts.)

---

Item C-244.10 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Southwest Virginia Higher Education Center	\$634,800	\$0 GF

**Language:**

Page 457, after line 21, insert:

"C-244.10. New Construction: Supplement: \$634,800  
Expansion of the Southwest Virginia Higher  
Education Center  
Fund Sources: General \$634,800".

**Explanation:**

(This amendment authorizes \$634,800 GF to plan for the expansion of the Southwest Virginia Higher Education Center.)

---

Item C-244.10 #1s

<b>Education: Other</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Southwest Virginia Higher Education Center	\$310,000	\$0 GF

**Language:**

Page 458, after line 5, insert:

"C-244.10. New Construction: Construct \$310,000  
Southwest Virginia Higher Education Center  
Addition (16864)  
Fund Sources: General \$310,000".

"This item contains supplemental funding to construct an addition to the existing Center facility originally authorized in 2002 (Chapters 827 and 859, 2002 Acts of Assembly). The total cost of the project with this supplement is \$2,210,000."

**Explanation:**

(This amendment provides supplemental funding to address a cost overrun on the addition at the Southwest Virginia Higher Education Center.)

---

Item C-247.10 #1s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Mental Health,	\$2,944,000	\$0 GF
Mental Retardation And Substance Abuse Services	\$0	\$0 NGF

**Language:**

Page 458, following line 21, insert:

"C-247.10. Planning: Southeastern Virginia  
Training Center

Fund Sources: General \$2,944,000".

The Department of Mental Health and Mental Retardation is authorized to plan for the replacement of the Southeastern Virginia Training Center at an estimated cost of \$55,375,000."

**Explanation:**

(This amendment authorizes \$2.9 million GF for the Department of Mental Health to plan for replacement of the Southeastern Virginia Training Center.)

---

Item C-247.10 #2s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Mental Health,	\$4,622,000	\$0 GF
Mental Retardation And Substance Abuse Services	\$0	\$0 NGF

**Language:**

Page 458, following line 21, insert:

"C-247.10. Planning: Central Virginia  
Training Center

Fund Sources: General \$4,622,000".

The Department of Mental Health and Mental Retardation is authorized to plan for the replacement of the Central Virginia Training Center at an estimated cost of \$94,372,000."

**Explanation:**

(This amendment authorizes \$4.6 million GF for The Department of Mental Health to plan for replacement of the Central Virginia Training Center.)

---

Item C-247.10 #3s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Mental Health,	\$3,720,000	\$0 GF
Mental Retardation And Substance Abuse Services	\$0	\$0 NGF

**Language:**

Page 458, following line 21, insert:

"C-247.10. Planning: Eastern State Hospital                   \$3,720,000  
Fund Sources: General   \$3,720,000".

The Department of Mental Health and Mental Retardation is authorized to plan for the replacement of the Eastern State Hospital at an estimated cost of \$59,715,000."

**Explanation:**

(This amendment authorizes \$3.7 million GF for The Department of Mental Health to plan for replacement of the Eastern State Hospital.)

Item C-247.10 #4s

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$31,594,178	\$0 GF

**Language:**

Page 458, following line 28, insert:

"C-247.10. New Construction: Sexually                         \$31,594,178  
Violent Predator Facility  
Fund Sources: General   \$31,594,178".

"New Construction: Construct Permanent Facility for Sexually Violent Predator Program (16974)

The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the concurrence of the Secretary of Health and Human Resources, is hereby authorized to design and construct a permanent facility for the Sexually Violent Predator Program on state-owned property identified by the Department. The Department is authorized to enter into a comprehensive agreement pursuant to the Public-Private Partnership Educational Facilities and Infrastructure Act of 2002 for the design and construction of the 100 bed facility at a total cost not to exceed \$31,594,178. "

**Explanation:**

(This amendment provides \$31.6 million GF for construction of a 100-bed Sexually Violent Predator facility.)

<b>Health And Human Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$22,513,000	\$0 GF

**Language:**

Page 458, following line 28, insert:

"C-247.10. New Construction: Replace Hancock Geriatric Treatment Center (17140)	\$22,513,000
Fund Sources: General	\$22,513,000".

The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the concurrence of the Secretary of Health and Human Resources, is hereby authorized to design and construct a replacement facility for the existing Hancock Geriatric Treatment Center to be located on state-owned property at Eastern State Hospital. The Department is authorized to enter into a comprehensive agreement pursuant to the Public-Private Partnership Educational Facilities and Infrastructure Act of 2002 for the design and construction of the facility at a total cost not to exceed \$22,513,000.

**Explanation:**

(This amendment provides \$22.5 million GF for construction of a replacement for the Hancock Geriatric Treatment Center.)

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Conservation And Recreation	(\$7,054,000)	\$0 GF

**Language:**

Page 460, line 4, strike "\$7,054,000" and insert "\$0".

**Explanation:**

(This amendment removes \$7.1 million GF the first year that was proposed for construction of cabins and a campground at Shenandoah River State Park.)

---

Item C-253 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Conservation And Recreation	(\$3,316,000)	(\$2,817,000) GF

**Language:**

Page 460, line 7, strike "\$3,316,000" and insert "\$0".

Page 460, line 7, strike "\$2,817,000" and insert "\$0".

**Explanation:**

(This amendment removes \$3.3 million GF the first year and \$2.8 million GF the second year that was proposed for construction of cabins and a campground at Natural Tunnel State Park.)

---

Item C-254 #1s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Conservation And Recreation	(\$921,000)	(\$3,629,000) GF

**Language:**

Page 460, line 10, strike "\$921,000" and insert "\$0".

Page 460, line 10, strike "\$3,629,000" and insert "\$0".

**Explanation:**

(This amendment removes \$921,000 GF the first year and \$3.6 million GF the second year that was proposed for construction of cabins at Occoneechee State Park.)

---

Item C-255 #2s

<b>Natural Resources</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Conservation And Recreation	(\$435,000)	(\$2,198,000) GF

**Language:**

Page 460, line 13, strike "\$435,000" and insert "\$0".  
Page 460, line 13, strike "\$2,198,000" and insert "\$0".

**Explanation:**

(This amendment removes \$435,000 GF the first year and \$2.2 million GF the second year that was proposed for construction of cabins at James River State Park.)

---

Item C-264 #5s

**Public Safety**

Department Of Forensic Science

**FY 06-07**

\$7,396,534

**FY 07-08**

\$0 GF

**Language:**

Page 461, line 12, strike "\$0" and insert "\$7,396,534".

**Explanation:**

(This amendment Provides \$7.4 million GF to plan for a new forensics laboratory in Northern Virginia.)

---

Item C-281 #1s

**Public Safety**

Department Of Corrections

**FY 06-07**

\$800,633

**FY 07-08**

\$0 GF

\$2,949,367

\$0 NGF

**Language:**

Page 464, line 15, strike "\$350,000" and insert "\$4,100,000".

**Explanation:**

(This amendment provides \$800,633 GF and \$2.9 million NGF, from the "Woodrum Fund," for expansion of the waste water treatment plant at the Nottoway Correctional Center. This expansion is required for occupation of the Center for Behavioral Rehabilitation.)

---

Item C-287 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Corrections	(\$45,840)	(\$1,727,000) GF

**Language:**

Page 464, line 40, strike "\$200,000" and insert "\$154,160".

Page 464, line 30, strike "\$1,727,000" and insert "\$0".

**Explanation:**

(This amendment removes \$45,840 GF the first year and \$1.7 million GF the second year that was proposed for construction of a Dormitory and Kitchen at Chesterfield. The remaining funds will be used to plan construction of the facilities)

---

Item C-287 #2s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Corrections	(\$100,000)	\$0 GF

**Language:**

Page 464, line 40, strike "\$200,000" and insert "\$100,000".

**Explanation:**

(This amendment removes \$100,000 GF the first year that was proposed for construction of a Kitchen and Dining Hall at Halifax Correctional Center.)

---

Item C-288 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Corrections	(\$1,000)	(\$2,575,000) GF

**Language:**

Page 464, line 43, strike "\$225,000" and insert "\$224,000".

Page 464, line 43, strike "\$2,575,000" and insert "\$0".

**Explanation:**

(This amendment removes \$224,000 GF the first year and \$2.6 million GF the second year that was proposed for construction of a new housing unit at Marion

Correctional Center. The remaining funds will be used to plan for construction of the facilities.)

---

Item C-289 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Corrections	(\$1,000,000)	\$0 GF

**Language:**

Page 465, line 3, strike "\$1,000,000" and insert "\$0".

**Explanation:**

(This amendment removes \$1.0 million GF the second year that was proposed for construction of a new housing unit at Bland Correctional Center.)

---

Item C-296 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Juvenile Justice	(\$77,360)	(\$3,633,000) GF

**Language:**

Page 466, line 5, strike "\$400,000" and insert "\$322,640".

Page 466, line 5, strike "\$3,633,000" and insert "\$0".

**Explanation:**

(This amendment removes \$77,360 GF the first year and \$3.6 million GF the second year that was proposed for construction of programming space at Oak Ridge Juvenile Center. The remaining funds will be used to plan for construction of the facilities.)

---

Item C-299 #1s

<b>Public Safety</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
Department Of Juvenile Justice	(\$1,104,000)	\$0 GF

**Language:**

Page 466, line 14, strike "\$1,200,000" and insert "\$96,000".

**Explanation:**

(This amendment removes \$1.1 million GF the first year that was proposed for construction of programming space at Bon Air Juvenile Center. The remaining funds will be used to plan for construction of the facilities.)

Item C-319 #1s

**Transportation**

Department Of Transportation

Language

**Language:**

Page 469, line 44, after "100,000,000.", insert:

"Funding for such capital lease payments will be provided from the appropriations in Item 448 of this act."

**Explanation:**

(This amendment authorizes the agency to make payments on the capital lease for an office building in Northern Virginia being developed jointly by the agency and Fairfax County from appropriations in the operating portion of the budget bill.)

Item C-325.10 #1s

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Capital Outlay

\$10,105,960

\$24,630,000 GF

**Language:**

Page 472, following line 34, insert:

"C-325.10. Maintenance Reserve: Deferred

\$10,105,960

\$24,630,000

Maintenance Trust Fund

Fund Sources: General

\$10,105,960".

\$24,630,000".

A.1. There is hereby created upon the books of the Comptroller a special non-reverting, trust fund to be known as the Deferred Maintenance Pilot Trust Fund for each of the agencies listed in this item. No portion of the Trust Fund shall be used for a purpose other than as provided herein. Funds remaining in the Deferred Maintenance Pilot Trust Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Trust Fund, to be used for the purposes provided

herein. Deposits shall consist of:

1. General funds as appropriated in this Item,
2. All interest, dividends and appreciation that may accrue to the Deferred Maintenance Trust Fund, and
3. Any other such funds as may be transferred, allocated, or appropriated for this purpose.
4. Participating agencies may transfer any portion or all of their maintenance reserve funding from Item C-325 to this Trust Fund to supplement any qualifying project, however, such transfers shall not effect their allocations of funding within the Trust Fund.

<b>Agency Name</b>	<b>Project Code</b>	<b>FY 2007</b>	<b>FY 2008</b>
Department for the Blind and Vision Impaired		\$390,000	\$160,022
Department of Corrections		\$12,600,000	\$5,169,919
Department of General Services		\$3,960,000	\$1,624,832
George Mason University		\$900,000	\$369,279
Old Dominion University		\$5,280,000	\$2,166,442
University of Mary Washington		\$1,500,000	\$615,466
		\$24,630,000	\$10,105,960

Participating agencies may use the Trust Fund on general fund deferred maintenance projects. General fund deferred maintenance projects include requirements for general fund supported buildings set out in the Commonwealth's Facility Inventory and Condition Assessment System (FICAS). Funding may only be used on buildings with a Requirements Index (RI) less than 0.60.

Participating agencies and institutions may transfer their maintenance reserve appropriation in Part 2 of this act to the Deferred Maintenance Pilot Trust Fund to supplement the deferred maintenance funding provided above subject to the approval of the Director, Department of Planning and Budget, in consultation with the Director, Department of General Services. Once transferred, these funds will not be subject to the guidelines surrounding the maintenance reserve program and may be used to carry out requirements for general fund supported buildings set out in the Commonwealth's FICAS.

2. The Deferred Maintenance Pilot Trust Fund shall be the responsibility of each agency or institution and shall be maintained and administered separately from any other program or fund of the agency or institution.

3. On or before July 1, 2006, the agency heads of participating agencies shall prepare a written strategic plan for execution of the deferred maintenance funding over the biennium. The strategic plan shall include a narrative that addresses the general condition of its facilities, how the agency will use the deferred maintenance funding, and what impact the agency expects for the planned strategy to have on overall agency facility conditions. The strategic plan should identify measurable results such as addressing facility condition index (FCI) metrics to show the condition of facilities before and after implementation of deferred maintenance funding. The metrics could be at the building, location, or agency level. Projects should include requirements in FICAS for general fund supported facilities with an emphasis on priority one and two requirements. However, agencies are not restricted to priority one and two requirements to enable each agency to have latitude to make decisions that will result in identifiable work accomplishments. The six pilot agencies shall submit all projects proposed for use under the deferred maintenance program to the Department of Planning and Budget for approval.

4. Participating agencies shall complete detailed facility condition assessments on all of their facilities and enter accurate requirements data into FICAS by October 15, 2006. These agencies may each use a maximum of \$100,000 of their allocation of the deferred maintenance funding to perform the assessments. A detailed facility condition assessment must be performed within the past 24 months on all facilities that receive deferred maintenance funding.

5. On or before September 1, 2007, each pilot agency head shall prepare a written report that addresses actual progress on projects and facility condition improvements against the expectations set out in the initial strategic plan. The report should justify any deviations from the original strategic plan, and if the agency did not achieve the expected outcome, the report must explain why this occurred. No later than October 1, 2007, the six pilot agencies shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the results of the pilot project.

6. Participating agencies must perform a complete life cycle study of any building with an RI equal to or greater than 0.60 to determine whether it is more cost effective to repair and renovate the current building or to demolish and construct a new building. Consideration should be given to the building's use, whether the building can meet the current programmatic needs, the future maintenance costs, and any historical significance of the building. Only if it is determined that repair and renovation are the

cost effective solution, the pilot agencies and institutions may use deferred maintenance funding on the building subject to approval by the Director, Department of Planning and Budget, in consultation with the Director, Department of General Services.

B.A Pilot Working Group consisting of representatives from the Department for the Blind and Vision Impaired, Department of Corrections, Department of General Services, George Mason University, Old Dominion University, University of Mary Washington, Department of Planning and Budget, and the Auditor of Public Accounts shall work together during implementation of the pilot deferred maintenance program to develop recommendations on how to implement the deferred maintenance program statewide. These recommendations shall address funding options, funding allocation methods, and policies surrounding a statewide program to reduce deferred maintenance and improve the condition of Commonwealth-owned facilities. The Pilot Working Group shall report these recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2007."

**Explanation:**

(This amendment provides \$24.6 million GF the first year and \$10.1 million GF the second year for a deferred maintenance pilot program.)

---

Item 3-1.01 #6s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 481, after line 4, insert:

"AA. Notwithstanding the provisions of § 18.2-340.31C, Code of Virginia or any other provisions of law, on or before June 30, 2007, the State Comptroller shall transfer to the general fund an amount estimated at \$587,000 from the general account of the former Charitable Gaming Commission representing all assets of the commission held in the local government investment pool by the State Treasurer."

**Explanation:**

(This amendment transfers Charitable Gaming Commission funds to the general fund for use on other priorities. The Commission was abolished by Chapter 884, 2003 Acts of Assembly and was replaced by the Department of Charitable Gaming. The funds now collected through this authority are deposited into the general fund and the

Department is funded through a general fund appropriation in Item 67 of the introduced bill.)

---

Item 3-1.01 #8s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 479, strike lines 58 and 59.

Page 480, strike line 1.

Page 480, line 3, strike "\$5,206,380", and insert "\$4,057,847".

**Explanation:**

(This amendment eliminates the transfer of certain transportation funds associated with transportation services in the Departments of Aviation and Rail and Public Transportation to the general fund.)

---

Item 3-1.01 #9s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 481, after line 4, insert:

"AA. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional office is currently located. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be \$15,000,000, shall be deposited into the general fund no later than June 30, 2007."

**Explanation:**

(This amendment authorizes the sale and subsequent deposit into the general fund of the Department of Alcoholic Beverage Control Alexandria Regional office in fiscal 2007.)

---

Item 3-1.01 #10s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 479, line 22, strike "\$10,525,125" and "\$10,525,125", and insert "\$10,635,320" and "\$10,635,320".

**Explanation:**

(This amendment increases the transfer from the general fund to the Game Protection Fund pursuant to § 58.1-638E., Code of Virginia. With this amendment, the Department will receive all funds to which the agency is permitted based on the most recent equipment sales figures reported in the "National Survey of Fishing, Hunting, and Wildlife-Associated Recreation" for Virginia, as provided for under HB38, enacted by the 1998 General Assembly.)

---

Item 3-1.01 #11s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 480, line 48, after "2007," strike "and June 30, 2008,".

**Explanation:**

(This amendment removes the language requiring transfer of the vital records \$2.00 fee increase authorized by Item 288 of the introduced bill in the second year. The intent of this item was to transfer the fee increase only in the first year.)

---

Item 3-1.01 #12s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 481, following line 4, insert:

"AA. On or before June 30, 2007, the State Comptroller shall transfer \$2,949,367 in Special Funds from the Corrections Special Reserve Fund, pursuant to Section

30-19.1:4 of the Code of Virginia, to the capital project in Item C-281 of this Act (Project 17260)."

**Explanation:**

(This amendment directs the State Comptroller to transfer \$2,949,367 from the Corrections Special Reserve Fund to a capital project for the Department of Corrections.)

---

Item 3-1.01 #13s

**Transfers**

Interfund Transfers

Language

**Language:**

Page 476, line 43, strike "\$22,800,000" and insert "\$27,300,000"

Page 476, line 43, strike "\$24,600,000" and insert "\$29,100,000"

**Explanation:**

(This amendment increases the estimated transfer of ABC profits to the general fund.)

---

Item 3-1.02 #1s

**Transfers**

Interagency Transfers

Language

**Language:**

Page 481, line 16, strike "\$282,905", and insert "\$311,196".

Page 481, line 17, strike "\$282,905", and insert "\$311,196".

**Explanation:**

(This amendment is a technical correction to conform the transfer of funds from the Department of Transportation to the Department of General Services for motor fuels testing to the amounts set out in item 70 B.2. of the introduced bill.)

---

Item 4-1.02 #1s

## **Appropriations**

Withholding of Spending Authority

Language

### **Language:**

Page 485, following line 26, insert:

"a. For purposes of this subsection, withholding of spending authority is defined as any action that impedes or limits the ability to spend the appropriated monies, regardless of the mechanism used to effect such withholding."

Page 485, line 27, strike "a." and insert "b."

Page 485, line 36, strike "b." and insert "c."

Page 486, line 3, strike "c." and insert "d."

Page 486, following line 15, insert:

"4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the Senate Finance, House Appropriations, and House Finance Committees."

Page 486, line 16, strike "4." and insert "b)".

Page 486, line 27, after "Committees." strike the rest of the line 27 and all of lines 28 and 29 and insert:

"Subsequent modifications to the approved reduction plan must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations. This reduction plan, with modifications thereto, shall be the sole basis for withholding spending authority due to reduced revenues."

Page 486, strike lines 30 through 55.

Page 487, strike lines 1 through 33 and insert:

"6. 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.

7. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this Act for operating expenses of any one state or nonstate agency or

institution designated in this Act by title, and 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 Section 4-5.07 b.4. of this Act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate dead.

d) The employer contributions, and employer paid member contributions to the: Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, and the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than

two percent (irrespective of the fund source for payment of salaries and wages). Provided, however, that the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by Section 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

8. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 7a of this subsection.

9. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments on nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations. Provided, however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in Section 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

10. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium or within twenty days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by Section 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

11. The Director, Department of Planning and Budget, shall report spending

authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

12. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President Pro Tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the legislature."

**Explanation:**

(This amendment restores language as adopted by the 2005 General Assembly concerning the withholding of appropriations.)

---

Item 4-1.03 #1s

**Appropriations**

Appropriation Transfers

Language

**Language:**

Page 487, after line 42, insert:

"4) proper accounting between fund sources;"

Page 487, line 43, strike "4" and insert "5".

Page 487, line 43, strike "or,".

Page 487, line 44, strike "5" and insert "6".

Page 487, line 45, after "scope", insert "; or,".

Page 487, after line 45, insert:

"7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly, pursuant to a signed agreement between the respective agencies.".

**Explanation:**

(This amendment corrects language that authorizes appropriation transfers. The language in this amendment was inadvertently removed from the introduced budget and matches the authority that exists in the current Appropriation Act.)

---

Item 4-1.04 #1s

## **Appropriations**

Appropriation Increases

Language

### **Language:**

Page 489, following line 1, insert:

"a. If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto in order to carry out the purposes of the vetoed item."

Page 489, line 2, strike "a." and insert "b.".

Page 489, following line 40, insert:

"f. If the Governor vetoes an item, neither he nor the Director, Department of Planning and Budget, shall administratively re-establish the vetoed program within the agency. In addition, neither the Governor nor the Director, Department of Planning and Budget, shall administratively increase the appropriations of, nor transfer appropriations to, the agency affected by the veto to carry out the purposes of the vetoed item."

### **Explanation:**

(This amendment restores language as adopted by the 2005 General Assembly concerning increases in appropriations.)

---

Item 4-2.01 #3s

## **Revenues**

Nongeneral Fund Revenues

Language

### **Language:**

Page 493, line 39, strike "two years" and insert "one year".

### **Explanation:**

(This amendment maintains the eligibility period for in-state tuition through the military tuition waiver program to one year, as is provided in the current Appropriation Act. Senate Bill 30, as introduced, proposed increasing the eligibility period to two years.)

---

Item 4-4.01 #1s

**Capital Projects**

General

Language

**Language:**

Page 499, strike lines 9 to 11.

**Explanation:**

(This amendment eliminates a proposed requirement that deferred maintenance be the second priority for use of agency maintenance reserve funding.)

---

Item 4-5.03 #1s

**Special Conditions and Restrictions on Expenditures**

Services and Clients

Language

**Language:**

Page 506, line 22, strike "1."

Page 506, strike lines 26 through 28.

**Explanation:**

(This amendment eliminates language proposed in the budget as introduced concerning submission of proposed increases in rates to be charged to internal service funds to the Governor for his approval prior to submission to the Joint Legislative Audit and Review Commission.)

---

Item 4-5.04 #2s

**Special Conditions and Restrictions on Expenditures**

Good and Services

Language

**Language:**

Page 509, line 18, strike "the rate of 32.5 cents per mile" and insert "an amount equal to the most recent business standard mileage rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax deductible costs for operating passenger vehicles

owned or leased by them for business purposes."

**Explanation:**

(This amendment establishes the most recent IRS allowable reimbursement rate as the commonwealth's reimbursement rate for the use of a personal vehicle on state business. A companion amendment to Item 462 provides \$1.9 million GF and \$2.9 million NGF the first year and \$1.9 million GF and \$2.9 million NGF the second year to increase the reimbursement rate for use of a personal vehicle on State business from the current \$0.325 per mile to the IRS allowed rate of \$0.445 per mile.)

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Item 4-5.06 #1s

**Special Conditions and Restrictions on Expenditures**

Delegation of Authority

Language

**Language:**

Page 510, strike lines 33 through 40 and insert:

"e.1. Based on the memoranda of understanding developed pursuant to §23-38.90 of Chapter 945, *Code of Virginia*, § 4-5.08 h of Chapter 1042, 2003 Acts of Assembly, as periodically amended, memoranda of understanding in effect prior to October 1, 2003, as periodically amended, the responsible Cabinet Secretary, or his designee, shall conduct an evaluation of the administrative management of each institution operating under a memorandum of understanding at least once every two years.

2. The Secretary shall report all evaluation findings and recommendations to the Governor and Chairmen of the Senate Finance and House Appropriations Committees within 15 business days of the completion of the evaluation.

3. To the extent an institution operating under the terms of a memorandum of understanding 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.

4. 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 should continue receiving the authority delegated to it through the memorandum of understanding.

5. If during an 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 subparagraph 2.

f. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise."

**Explanation:**

(This amendment restores language that was stricken in the introduced budget, which requires the executive branch to evaluate institutional performance in areas where they have received delegated authority at least once every two years.)

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Item 4-5.11 #1s

**Special Conditions And Restrictions On Expenditures**

PPEA Reviews (SB 541)

Language

**Language:**

Page 511, following line 43, insert:

"4-5.11 PUBLIC PRIVATE PARTNERSHIPS

a. Public Private Partnership Advisory Commission

1. Any responsible public entity seeking to consider a public-private partnership shall notify and involve the Public Private Partnership Advisory Commission in accordance with the requirements set forth in Senate Bill 541. The responsible public entity shall cooperate with the Public Private Partnership Advisory

Commission and shall provide briefings, documents and analysis as necessary to understand the partnership before approving the project.

2. The Public Private Partnership Advisory Commission shall notify the responsible public entity when the Commission will conduct a review and the Commission shall provide its findings and recommendations within 45 days of receiving the detailed proposal. However, no responsible entity will sign a final comprehensive agreement for a qualifying project until the responsible entity determines what actions, if any, the Commission has taken. In those circumstances, where the responsible public entity receives finding and recommendations from the Commission, the responsible public entity must provide the Commission with a written response on how it has addressed the recommendation before entering into either an interim agreement or final comprehensive agreement.

3. The Public Private Partnership Advisory Commission shall provide a written report to the General Assembly regarding their review of qualifying projects and the actions by the responsible public entity to address their recommendations.

b. Other Matters

1. The Secretary of Finance shall set and execute standard financial review and analysis procedures prior to any state entity finalizing an interim or final comprehensive agreement. The standards shall include, at a minimum, a cost-benefit analysis, an assessment of opportunity costs, and consideration of the results of all studies and analyses related to the proposed qualifying project.

2. Upon approval of an interim or final comprehensive agreement, the responsible public entity shall provide the Governor, the Chairmen of the House Appropriation and Senate Finance Committees, and the Auditor of Public Accounts with quarterly status reports on the progress of the project, including work completed to date, project expenditures, and expenditures by state agencies to support the project, if applicable.

3. If applicable, the Director of Department of Planning and Budget, is authorized to transfer funds from other agencies to agencies as needed to pay for costs directly associated with the public private partnership, provided, however, that such transfers are reported to the Chairmen of the House Appropriations and Senate Finance Committees, as provided by this act.

4. The Director of Department of Planning and Budget with the State Comptroller shall establish a separate budget and accounting of non capital outlay public private partnership projects to determine the amount of current resources budgeted for the qualifying project, costs under the projects and take steps to isolate and capture any excess budgeted resources over the partnership project costs. The Director of Department of Planning and Budget shall not authorize the agencies to use the budgeted funds for the qualified project for any other purpose. The Director of Department of Planning and Budget with the State Comptroller shall report this information semi-annually to the Governor, the Chairmen of the House Appropriation and Senate Finance Committees, and the Auditor of Public Accounts.

5. Pursuant to section 4-701 of this act, the Director, Department of Planning and Budget may affect the position level of involved agencies for this purpose of a qualifying public private partnership project. Any such changes shall be reported to the Chairmen of the House Appropriation and Senate Finance Committees, as provided in this act. The Director of Department of Planning and Budget shall not authorize agencies to use funding resulting from reductions in position levels for any purpose other than paying for a qualifying public private partnership project and all budgeted funding in excess of the cost of the qualifying public private partnership projects shall be accounted for in accordance with b4 above.

6. For public private partnerships involving the construction of capital assets, the responsible public entity shall comply with the conditions outlined in Part 2 of this Act, including the conditions applicable to alternative financing.

7. If the public private partnership's alternative financing mechanism involves cost recoveries over and above amounts already collected through existing or planned collection activities, there is hereby created a special fund in the State Treasury. All additional cost recovery activities shall be deposited to this fund, subject to terms and conditions set out in an agreement between each affected agency and the vendor.

8. Any such revenues derived from federal funds shall not be deposited to the Fund but shall be returned to the applicable federal source.

9. No funds may be transferred or expended from this Fund except by legislative appropriation, which shall be based solely on funds already collected and not on projected collections.

10. For public private partnerships that result in capital leases, the responsible public entity shall comply with the conditions outlined in §4-4.00 of this Act, including the conditions requiring the Treasury Board approval."

**Explanation:**

(This amendment provides for the review of Public Private partnerships as required by SB 541.)

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Item 4-6.00 #1s

**Positions and Employment**

Positions and Employment

Language

**Language:**

Page 511, strike lines 45 through 47.

**Explanation:**

(This amendment eliminates language proposed in the budget as introduced concerning nondiscrimination. The language is unnecessary because it duplicates protections already provided under the federal and state constitutions.)

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Item 4-6.01 #1s

**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 513, line 17, strike "prior annual".

Page 513, line 21, strike "of the Director or Librarian of Virginia. The" and page 513, line 21, after "The" insert "and the".

**Explanation:**

(This amendment is intended to clarify that prior approved increases in NGF salary amounts for museum directors and the state librarian are part of a base salary and not subject to re-approval each year.)

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**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 517, after line 41, insert:

"c) The State Council of Higher Education for Virginia may annually supplement the salary of the Director from any available nongeneral fund revenues appropriated to the Council. In approving a supplement, the State Council should be guided by criteria which provide a reasonable limit on the total additional income of the Director. The criteria should include consideration of additional income from outside sources including, but not limited to, service on boards of directors or other such services. The State Council shall report approved supplements to the Department of Human Resource Management for its records."

**Explanation:**

(This amendment provides language to allow the State Council of Higher Education to provide an annual salary supplement to its Executive Director. Language in the current Appropriation Act already allows for salary supplements for public college and university presidents and the Chancellor of the community college system.)

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**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 511, strike lines 48 to 51.

Page 512, strike lines 1 to 56.

Page 513, strike lines 1 to 59.

Page 514, strike lines 1 to 67.

Page 515, strike lines 1 to 67.

Page 516, strike lines 1 to 56.

Page 517, strike lines 1 to 22.

Page 517, strike lines 42 to 45.

Page 511, following line 48, insert:

## "§ 4-6.01 EMPLOYEE SALARIES AND WAGES

### a. Executive Branch Employees:

#### 1. Classified Compensation Plan:

a. The compensation of classified employees in the Executive Branch shall be governed by the Classified Compensation Plan authorized by §4-7.02 of Chapter 1073, 2000 Acts of Assembly, including applicable geographic and shift differentials. This plan shall be administered by the Department of Human Resource Management.

1. Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the Classified Compensation Plan shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if:

a) The agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the subsequent biennial costs, and the Secretary concurs, or

b) Such funds are appropriated by the General Assembly.

2. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with §4-8.00, of this act Reporting Requirements.

b. Salary adjustments for any employee through a promotion, role change exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if:

1. The agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium, or

2. Such funds are appropriated by the General Assembly.

c. No changes to the salary band assignment of individual career group roles administered under the new pay plan that is authorized by the 2000 session of the General Assembly, or similar actions, shall be implemented at the option of affected agencies. Further, no changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

2. The compensation of Executive Branch Employees (other than faculty at institutions of higher education) not covered by the provisions of the Classified Compensation plan shall be administered in a manner consistent with that plan.

3. Faculty: Reserved for future use.

4. Cabinet Officers: Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

	<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>
Chief of Staff	\$141,288	\$145,527	\$145,527
Secretary of Administration	\$141,265	\$145,503	\$145,503
Secretary of Agriculture and Forestry	\$141,265	\$145,503	\$145,503
Secretary of Commerce and Trade	\$141,265	\$145,503	\$145,503
Secretary of the Commonwealth	\$141,265	\$145,503	\$145,503
Secretary of Education	\$141,265	\$145,503	\$145,503
Secretary of Finance	\$141,265	\$145,503	\$145,503
Secretary of Health and Human Resources	\$141,265	\$145,503	\$145,503
Secretary of Natural Resources	\$141,265	\$145,503	\$145,503
Secretary of Public Safety	\$141,265	\$145,503	\$145,503
Secretary of Technology	\$141,265	\$145,503	\$145.50
Secretary of Transportation	\$141,265	\$145,503	\$145,503

5. Executive Branch Agency Heads:

a. Incumbents: The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

	<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>
<b>Level I Range</b>	<b>\$102,770-\$17 7,428</b>	<b>\$106,880-\$ 184,525</b>	<b>\$106,880 -\$184,52 5</b>
Chief Information Officer, Virginia Information Technologies Agency	\$177,428	\$184,525	\$184,525
Commissioner, Department of Motor Vehicles	\$132,627	\$137,932	\$137,932
Commissioner, Department of Social Services	\$132,628	\$137,933	\$137,933
Commissioner of Mental Health, Mental Retardation and Substance Abuse Services	\$178,732	\$185,881	\$185,881
Commonwealth Transportation Commissioner	\$163,591	\$170,135	\$170,135
Director, Department of Corrections	\$136,207	\$141,655	\$141,655
Director, Department of Environmental Quality	\$138,885	\$144,440	\$144,440
Director, Department of Medical Assistance Services	\$137,064	\$142,547	\$142,547
Director, Department of Planning and Budget	\$128,618	\$133,763	\$133,763
Executive Director, Department of Game and Inland Fisheries	\$116,787	\$121,458	\$121,458
State Health Commissioner	\$162,484	\$168,983	\$168,983
State Tax Commissioner	\$130,532	\$135,753	\$135,753
Superintendent of Public Instruction	\$157,572	\$163,875	\$163,875
Superintendent of State Police	\$134,788	\$140,180	\$140,180
	<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>

<b>Level II Range</b>	<b>\$89,366-\$ 141,291</b>	<b>\$92,940-\$1 46,943</b>	<b>\$92,940- \$146,943</b>
Alcoholic Beverage Control Commissioners (two)	\$115,330	\$119,943	\$119,943
Chairman, Alcoholic Beverage Control Board	\$115,330	\$119,943	\$119,943
Commissioner, Department of Agriculture and Consumer Services	\$99,316	\$103,289	\$103,289
Commissioner, Department of Veterans Services	\$115,880	\$120,515	\$120,515
Commissioner, Virginia Employment Commission	\$115,330	\$119,943	\$119,943
Commissioner, Marine Resources Commission	\$107,139	\$111,425	\$111,425
Director, Department of Business Assistance	\$115,330	\$119,943	\$119,943
Director, Department of General Services	\$130,575	\$135,798	\$135,798
Director, Department of Mines, Minerals and Energy	\$128,969	\$134,128	\$134,128
Director, Department of Human Resource Management	\$127,547	\$132,649	\$132,649
Director, Department of Juvenile Justice	\$126,994	\$132,074	\$132,074
Director, Department of Forensic Science	\$139,703	\$145,291	\$145,291
Executive Director, Motor Vehicle Dealer Board	\$101,653	\$105,719	\$105,719
Director, Department of Rail and Public Transportation	\$125,322	\$130,335	\$130,335
Executive Director, Virginia Port Authority	\$126,837	\$131,910	\$131,910
Director, Department of Charitable Gaming	\$102,172	\$106,259	\$106,259
State Comptroller	\$115,330	\$119,943	\$119,943
State Treasurer	\$123,434	\$128,371	\$128,371
	<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>
<b>Level III Range</b>	<b>\$77,711-\$122, 864</b>	<b>\$80,819-\$1 27,778</b>	<b>\$80,819- \$127,778</b>

Adjutant General	\$121,952	\$126,830	\$126,830
Chairman, Virginia Parole Board	\$115,668	\$120,295	\$120,295
Members (three), Virginia Parole Board	\$97,252	\$101,142	\$101,142
Member, Virginia Parole Board	\$100,287	\$104,298	\$104,298
Commissioner, Department of Labor and Industry	\$116,271	\$120,922	\$120,922
Commissioner, Department of Rehabilitative Services	\$120,946	\$125,784	\$125,784
Coordinator, Department of Emergency Management	\$96,329	\$100,182	\$100,182
Director, Department of Aviation	\$118,285	\$123,016	\$123,016
Director, Department of Conservation and Recreation	\$118,347	\$123,081	\$123,081
Director, Department of Criminal Justice Services	\$114,900	\$119,496	\$119,496
Director, Department of Employment Dispute Resolution	\$98,406	\$102,342	\$102,342
Director, Department of Historic Resources	\$97,253	\$101,143	\$101,143
Director, Department of Housing and Community Development	\$109,481	\$113,860	\$113,860
Director, Department of Health Professions	\$112,481	\$116,980	\$116,980
Director, The Science Museum of Virginia	\$113,383	\$117,918	\$117,918
Director, Virginia Museum of Fine Arts	\$117,746	\$122,456	\$122,456
Director, Virginia Museum of Natural History	\$97,253	\$101,143	\$101,143
Executive Director, Jamestown-Yorktown Foundation	\$112,656	\$117,162	\$117,162
Executive Secretary, Virginia Racing Commission	\$94,770	\$98,561	\$98,561
Librarian of Virginia	\$122,864	\$127,779	\$127,779
State Forester, Department of Forestry	\$89,367	\$92,942	\$92,942
Superintendent, Department of Correctional Education	\$119,150	\$123,916	\$123,916
	<b>July 1, 2006 to April 24,</b>	<b>April 25, 2007 to</b>	<b>April 25, 2008 to</b>

	<b>2007</b>	<b>April 24, 2008</b>	<b>July 1, 2008</b>
<b>Level IV Range</b>	<b>\$67,576-\$106,849</b>	<b>\$70,279-\$11,123</b>	<b>\$70,279-\$111,123</b>
Administrator, Commonwealth's Attorneys' Services Council	\$86,480	\$89,939	\$89,939
Commissioner, Department for the Aging	\$103,618	\$107,763	\$107,763
Commissioner, Virginia Department for the Blind and Vision Impaired	\$82,365	\$85,660	\$85,660
Director, Office of Substance Abuse Prevention	\$93,459	\$97,197	\$97,197
Director, Department of Minority Business Enterprise	\$95,000	\$98,800	\$98,800
Director, Department of Professional and Occupational Regulation	\$98,309	\$102,241	\$102,241
Executive Director, Board of Accountancy	\$82,465	\$85,764	\$85,764
Executive Director, Frontier Culture Museum of Virginia	\$93,459	\$97,197	\$97,197
Human Rights Director, Human Rights Council	\$67,576	\$70,279	\$70,279
Secretary, State Board of Elections	\$79,715	\$82,904	\$82,904
	<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>
<b>Level V Range</b>	<b>\$58,760-\$92,996</b>	<b>\$61,110-\$96,716</b>	<b>\$61,110-\$96,716</b>
Director, Gunston Hall	\$75,880	\$78,915	\$78,915
Director, Virginia Department for the Deaf and Hard-of-Hearing	\$73,585	\$76,528	\$76,528
Executive Director, Department of Fire Programs	\$78,616	\$81,761	\$81,761
Executive Director, Virginia Commission for the Arts	\$75,974	\$79,013	\$79,013
Chairman, Compensation Board	\$20,288	\$21,100	\$21,100

b New Appointees: The annual salaries of persons appointed to positions listed in this subsection shall be established at:

1) No more than 15 percent above the appointee's pre-appointment salary, not to exceed the maximum for the salary range, or

2) The minimum for the salary range.

3) The basis for calculation of a new appointees salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.

4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c Annual Salary Increases: In his budget proposals to the General Assembly, the Governor shall propose increases or decreases, if any, to the salaries of incumbents in the positions listed in this subsection.

1) Such proposals shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,

c) No more than the maximum for the salary range and

d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.

2) In making his proposals in the budget, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification of any increase that deviates from the average increase

recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

3) Incumbents with less than six months tenure in the position listed in this subsection shall not be eligible for the salary increase authorized by this subsection.

4) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.c.1) b) above should be reserved for those agency heads who made an exceptional contribution to the operation of their agency. The Governor shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

d. Competitive Salary Increases: At any time, the Governor may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the Governor should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the Governor shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be

confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time, the Governor may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

1) Based on his evaluation of their individual performance,

2) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the Governor shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records.

f. Special Provisions for Executive Branch Agency Heads:

1) Except as may be otherwise provided in this Act, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

2) If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act.

a) Further, such institution may provide compensation in addition to that listed in §

4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

b) If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation."

Page 517, line 42, insert:

"

<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008"</b>
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Page 518, following line 48, insert:

"b. Legislative, Judicial and Independent Agency Employees:

1. The compensation of employees of Legislative, Judicial and Independent Agencies shall be administered in accordance with such pay plans as may be adopted by their respective appointing authorities.

a) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of the judicial or independent agencies that has not been reviewed and approved by the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

b) No funds appropriated by this Act shall be expended for the implementation of a pay plan for employees of Legislative agencies that are under the jurisdiction of the Joint Rules Committee until such plan has been reviewed and approved by the Committee. Such plan shall be provided to the compensation subcommittees of the House Appropriations Committee and the Senate Finance Committee.

2. Judges and Elected Agency Heads:

a) Annual salaries of persons appointed to positions listed below shall be paid in the amounts shown.

<b>July 1, 2006 to April 24, 2007</b>	<b>April 25, 2007 to April 24, 2008</b>	<b>April 25, 2008 to July 1, 2008</b>
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<b>Supreme Court</b>			
Chief Justice	\$158,514	\$164,855	\$164,855
Associate Justice (six)	\$148,682	\$154,629	\$154,629
<b>Court of Appeals</b>			
Chief Judge, Court of Appeals	\$142,248	\$147,938	\$147,938
Judge, Court of Appeals (ten)	\$141,248	\$146,898	\$146,898
<b>Circuit Courts</b>			
Judges	\$138,028	\$143,549	\$143,549
<b>General District Courts</b>			
Judges	\$124,233	\$129,202	\$129,202
<b>Juvenile and Domestic Relations District Courts</b>			
Judges	\$124,233	\$129,202	\$129,202
<b>Combined District Courts</b>			
Judges	\$124,233	\$129,202	\$129,202
<b>Corporation Commission</b>			
Chairman, State Corporation Commission	\$142,815	\$148,528	\$148,528
Members, State Corporation Commission (4)	\$141,250	\$146,900	\$146,900
<b>Workers' Compensation Commission</b>			
Chairman, Virginia Workers' Compensation Commission	\$140,925	\$146,562	\$146,562
Members, Virginia Workers' Compensation Commission (2)	\$138,029	\$143,550	\$143,550
<b>General Assembly</b>			
Clerk of the House	\$133,290	\$138,622	\$138,622
Clerk of the Senate	\$130,481	\$135,700	\$135,700

b) Salaries of the judges in the Court of Appeals are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional \$1,000 annually.

### 3. Agency Heads:

a) Incumbents. The annual salaries listed below shall be paid to the individual(s) who held the listed position on December 20, of the fiscal year listed.

**July 1, 2006    April 25,    April 25,**

	to April 24, 2007	2007 to April 24, 2008	2008 to July 1, 2008
<b>Legislative and Judicial Level I</b>	<b>\$102,770-\$1 77,428</b>	<b>\$106,880-\$ 184,525</b>	<b>\$106,880-\$18 4,525</b>
Auditor of Public Accounts	\$147,843	\$153,757	\$153,757
Director, Division of Legislative Automated Systems	\$131,083	\$136,326	\$136,326
Director, Division of Legislative Services	\$130,606	\$135,830	\$135,830
Director, Joint Legislative Audit and Review Commission	\$148,779	\$154,730	\$154,730
Executive Secretary, Supreme Court of Virginia	\$140,556	\$146,178	\$146,178
Director, Judicial Inquiry and Review Commission	\$120,299	\$125,111	\$125,111
Director, Virginia State Bar	\$153,182	\$159,309	\$159,309
Director, Public Defender Commission	\$123,027	\$127,948	\$127,948
<b>Legislative and Judicial Level II</b>	<b>\$70,678-\$12 8,503</b>	<b>\$73,505-\$1 33,643</b>	<b>\$73,505-\$133, 643</b>
Chief, Division of Capitol Police	\$94,533	\$98,314	\$98,314
Executive Director, Virginia Alcohol Safety Action Program	\$97,099	\$100,983	\$100,983
Director, Virginia Criminal Sentencing Commission	\$120,299	\$125,111	\$125,111
Director, Board of Bar Examiners	\$75,000	\$78,000	\$78,000
<b>Independent Range</b>	<b>\$102,770-\$1 77,428</b>	<b>\$106,880-\$ 184,525</b>	<b>\$106,880-\$18 4,525</b>
Director, State Lottery Department	\$134,328	\$139,701	\$139,701
Executive Director, Virginia College Savings Plan	\$137,350	\$142,844	\$142,844
Executive Director, Virginia Office for Protection and Advocacy	\$104,454	\$108,632	\$108,632
Director, Virginia Retirement System	\$137,350	\$142,844	\$142,844

b New Appointees: The annual salaries of persons appointed to positions listed in this subsection of this Act shall be established at:

1) No more than 15 percent above the appointee's pre-appointment salary, not to

exceed the maximum for the salary range, or

2) The minimum for the salary range.

3) The basis for calculation of a new appointee's salary shall be the last full-time salary, or annualized wage, paid to such individual. If such salary or wage was in compensation for serving in an acting or otherwise temporary capacity, then the calculation shall be based upon the salary or wage of the last permanent position held by the appointee.

4) In proposing the salary for a new appointee as authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.a.5.b.1) not be viewed as the normal increase for new appointees. The appointing authority shall be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's potential contribution to the Commonwealth, and such other criteria as he may find useful.

c Annual Salary Increases: The appointing authority shall annually provide to the Department of Planning and Budget proposals for such increases or decreases as are deemed appropriate for the annual salaries of incumbents appointed to positions listed in this subsection. The Governor shall include such increases or decreases in his budget proposals to the General Assembly.

1) Such proposals shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the range of performance increases granted in that fiscal year for classified employees under the Classified Employee Pay Plan as set out in Item 511, of this Act,

c) No more than the maximum for the salary range and

d) Shall be effective on the first day of the pay period next following the Governor's signature of the budget bill.

2) In proposing the annual salary increase authorized in this subsection, it is the intent of the General Assembly that the maximum set out in §4-6.01.b.3.c.1) b) above should be reserved for those agency heads who made an exceptional

contribution to the operation of their agency. The appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth, and such other criteria as he may find useful.

3) In making his proposals to the Department of Planning and Budget the appointing authority in the Judicial and Independent Agencies shall provide written justification of any increase that deviates from the average increase recommended for classified state employees under the Classified Employee Pay Plan as set out in Item 511, of this Act. Copies of these justifications shall be provided by the appointing authority to the Chairmen of the House Appropriations Committee and the Senate Finance Committee. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act in the budget, with.

4) Incumbents with less than six months tenure in the position listed in this subsection and in §1-1 through §1-15 of this Act shall not be eligible for the salary increase authorized by this subsection.

d. Competitive Salary Increases: At any time the appointing authority may approve a salary increase for the incumbent in a position listed in this subsection, in response to a bona fide job offer from another employer.

1) Such competitive salary increase shall be:

a) Based on his evaluation of their individual performance,

b) No more than the maximum of the salary range,

c) No more than 15 percent for any single competitive offer or for a combination of competitive offers in a single fiscal year, and

d) Temporary and provisional until the first day of the pay period next following the Governor's signature of the budget bill.

2) In approving a competitive offer, the appointing authority should be guided by criteria which provide a reasonable limit on the increase, considering the incumbent's service to the Commonwealth and the relative difficulty of finding a

qualified replacement, and such other criteria as he may find useful.

3) In authorizing a competitive salary increase, the appointing authority in the Judicial Branch and independent Agencies shall provide the Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification for such increase. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

e. Performance Bonuses: At any time the appointing authority may approve a performance bonus for the incumbent in a position listed in this subsection.

1) Such performance bonus shall be:

a) Based on his evaluation of their individual performance,

b) No greater than five percent of the annual salary for the incumbent, as listed in this Act, and

2) Performance bonuses shall not be granted to any individual more than once in a twelve month period.

3) In authorizing a performance bonus, the appointing authority shall provide;

a) The Chairmen of the House Appropriations Committee and the Senate Finance Committee with written justification. Such justification shall be confidential and shall not be subject to the provisions of the Freedom of Information Act.

b) Notification of performance bonuses to the Department of Human Resource Management for retention in its records."

**Explanation:**

(This amendment consolidates the salaries of agency heads and other appointed officials into one series of tables in the appropriations act. it also provides that increases for such employes shall be effective after the authorizing tables have been amended by the Governor and the General Assembly.)

**Statewide Plans**

Manpower Control Program

Language

**Language:**

Page 522, strike lines 35 and 36.

Page 522, Line 41, strike "educational and general programs in the".

Page 522, Line 42, after "availability.", strike through line 44.

**Explanation:**

(This amendment removes restrictions on the number of positions that can be filled by higher education institutions. It maintains language requiring that the Appropriation Act contain an estimate of the number of positions at each institution and that the colleges and universities continue to report employment data as required by the Department of Human Resource Management.)

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Item 4-7.02 #1s

**Statewide Plans**

Telecommuting Plans

Language

**Language:**

Page 523, following line 11, insert:

"4-7.02 TELECOMMUTING PLANS

It shall be the policy of the Commonwealth to offer employees a teleworking option whenever possible."

**Explanation:**

(This amendment is self-explanatory.)

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Item 4-9.01 #1s

**Higher Education Restructuring**Approval of Management Agreement for Virginia  
Polytechnic Institute and State University

Language

**Language:**

Page 524, strike lines 25 through 41.

**Explanation:**

(This amendment removes language provided in the introduced budget to be consistent with the Senate's actions on separate legislation. Senate Bill 675, as engrossed, will put into effect management agreements for Virginia Tech, the University of Virginia, and the College of William and Mary beginning July 1, 2006 for a period of up to four years.)

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Item 4-9.04 #1s

**Higher Education Restructuring**

Conflict of Management Agreements with Other Laws

Language

**Language:**

Page 524, strike lines 38 through 41.

**Explanation:**

(This amendment removes language in the introduced budget that states that the provisions of the higher education management agreements prevail over any general provisions of the Appropriation Act.)

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Item 4-9.06 #1s

**Higher Education Restructuring**

Assessment of Institutional Performance

Language

**Language:**

Page 525, strike lines 1 through 44.

Page 526, strike lines 1 through 45.

Page 527, strike lines 1 through 10, and insert:

"§4-9.06 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with [§23-9.6:1.01](#), Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education for Virginia (SCHEV) shall annually assess and certify institutional performance. Institutional performance on measures set

forth in paragraph K of this section shall be evaluated year-to-date by the Secretaries of Finance and Administration, as appropriate, and communicated to the State Council of Higher Education before June 1 of each year.

By July 15, 2006, the State Council shall publish institutional performance benchmarks and targets for each objective measure, which shall be established in cooperation with the respective institution.

Financial benefits provided to each institution in accordance with §2.2-5009, Code of Virginia, will be evaluated in light of that institution's performance. The first certification will be completed and forwarded in writing to the General Assembly and Governor no later than June 1, 2007.

In general, institutions are expected to achieve their agreed-upon targets and standards on all performance measures in order to be certified by SCHEV. However, the State Council, in working with each institution, shall establish a prescribed range of permitted variance from annual targets for each measure, as appropriate.

Further, the State Council shall have broad authority to certify institutions as having met the standards on measures where they have already achieved high levels of performance in order that they may focus resources toward achieving similar levels of performance on other measures. The State Council shall likewise have the authority to exempt institutions from certification on measures that the State Council deems unrelated to an institution's overall performance.

The State Council shall develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

#### A. Access

1. Institution meets its State Council-approved biennial projection of total in-state student enrollment within the prescribed range of permitted variance.
2. Institution increases the percentage of in-state undergraduate enrollment of under-represented populations. (Such populations should include low income, first-generation college status, geographic origin within Virginia, race, and ethnicity, or other populations as may be identified by the State Council.)

3. Institution annually meets at least 95 percent of its State Council-approved estimates of degrees awarded.

#### B. Affordability

4. With the intent of developing a clearly understandable measure of affordability no later than July 1, 2008, SCHEV shall report annually an institution's in-state undergraduate tuition and fees, both gross and net of need-based gift aid, as a percentage of the institution's median student family income. By October 1, 2008, each institution shall identify a "maintenance of effort" target for ensuring that the institution's financial commitment to need-based student aid shall increase commensurately with planned increases in in-state, undergraduate tuition and fees. The financial plan for these goals should be incorporated into the institution's 2009-2014 six-year plan as required under § 23-9.2:3.02., Code of Virginia.

5. Institution establishes mutually acceptable annual targets for need-based borrowing that reflect institutional commitment to limit the average borrowing of in-state students with established financial need, and the percentage of those students who borrow, to a level that maintains or increases access while not compromising affordability.

6. Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on applications, enrollment, and student indebtedness incurred for the payment of tuition and fees and provides the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plans. The institution shall also make a parent- and student-friendly version of this assessment widely available on the institution's website.

#### C. Breadth of Academics

7. Institution maintains acceptable progress towards an agreed upon target for the total number and percentage of graduates in high-need areas, as identified by the State Council of Higher Education.

#### D. Academic Standards

8. Institution reports on total programs reviewed under Southern Association of Colleges and Schools assessment of student learning outcomes criteria within the institution's established assessment cycle in which continuous improvement plans addressing recommended policy and program changes were implemented.

## E. Student Retention and Timely Graduation

9. Institution demonstrates a commitment to ensuring that lower division undergraduates have access to required courses at the 100- and 200-level sufficient to ensure timely graduation by reporting annually to the State Council of Higher Education on the number of students denied enrollment in such courses for each fall and spring semesters. No later than July 1, 2008, to the extent the institution does not currently track student access and registration attempts at the course level, the institution shall, in consultation with the State Council of Higher Education, establish an appropriate quantitative method to identify the extent to which limited access to 100- and 200-level courses reduces progression, retention, and graduation rates. After July 1, 2008, each institution shall include in its annual report to the State Council its plan of action to increase such access and remediate the identified problems.

10. Institution maintains or increases the ratio of degrees conferred per full-time equivalent instructional faculty member, within the prescribed range of permitted variance.

11. Institution maintains or improves the average annual retention and progression rates of degree-seeking undergraduate students.

12. Within the prescribed range of permitted variance, the institution increases the ratio of total undergraduate degrees awarded to the number of annual full-time equivalent, degree-seeking undergraduate students, except in those years when the institution is pursuing planned enrollment growth as demonstrated by their SCHEV-approved enrollment projections

## F. Articulation Agreements and Dual Enrollment

13. Institution increases the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College consistent with a target agreed to by the institution, the Virginia Community College System, and the State Council of Higher Education for Virginia.

14. Institution increases the total number of associate degree graduates enrolled as transfer students from Virginia's public two-year colleges with the expectation that the general education credits from those institutions apply toward general

education baccalaureate degree requirements, as a percent of all undergraduate students enrolled, within the prescribed range of permitted variance.

15. Institution increases the number of students involved in dual enrollment programs consistent with a target agreed upon by the institution, the Department of Education and the State Council of Higher Education for Virginia.

#### G. Economic Development

16. In cooperation with the State Council, institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. Institution will receive positive feedback on an annual standardized survey developed by the State Council, in consultation with the institutions, of local and regional leaders, and the economic development partners identified in its plans, regarding the success of its local and regional economic development plans.

#### H. Research, Patents, and Licenses

17. Institution maintains or increases the total expenditures in grants and contracts for research, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

18. Institution maintains or increases the annual number of new patent awards and licenses, within the prescribed range of permitted variance, according to targets mutually agreed upon with SCHEV and/or consistent with the institution's management agreement.

#### I. Elementary and Secondary Education

19. In cooperation with the State Council, institution develops a specific set of actions with schools or school district administrations with specific goals to improve student achievement, upgrade the knowledge and skills of teachers, or strengthen the leadership skills of school administrators. Institution will receive positive feedback on an annual standardized survey of the superintendents, principals, and appropriate other parties. The survey shall be developed by the State Council, in consultation with the institution.

#### J. Six-Year Plan

20. Institution prepares six-year financial plan consistent with § 23-9.2:3.02, Code

of Virginia.

#### K. Financial and Administrative Standards

21. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

- a. An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
- b. No significant audit deficiencies attested to by the Auditor of Public Accounts;
- c. Substantial compliance with all financial reporting standards approved by the State Comptroller;
- d. Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and
- e. Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

22. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

23. The Governor or his designees, in consultation with the institutions of higher education, the Auditor of Public Accounts and staff of the House Appropriations and Senate Finance Committees shall develop additional standards to assess the extent to which an institution is well-managed in the areas of personnel, capital outlay, and procurement. The Governor shall report those standards to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2006 for consideration by the 2007 General Assembly."

#### **Explanation:**

(This amendment strengthens the performance measures proposed in the introduced budget and clarifies the assessment process for the annual performance review of higher education institutions required under the 2005 Higher Education

Restructuring Act. Institutions that successfully demonstrate acceptable performance in the state policy areas set forth in this section will be eligible to receive interest earnings on their tuition and fee revenues beginning in FY 2008.)

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Item 5-0 #1s

Part 5: Enactment Numbers 2 through 5

Language

**Language:**

Page 527, strike lines 37 through 52.

Page 528, strike lines 1-14 and insert:

**Explanation:**

(This amendment eliminates the authority of the Virginia College Building Authority to issue \$50 million in bonds to finance equipment or capital improvements related to research activities at certain colleges and universities of the Commonwealth and incorporates legislation passed by the Senate in SB's 93, 267, 504, 571, and 708.)

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1 3. That §§ 2.2-1509.2, 33.1-12, 33.1-23.03:1, 33.1-23.03:2, 33.1-23.03:8, 33.1-221.1:1.1, 33.1-  
2 221.1:1.2, 46.2-694, 46.2-694.1, 46.2-697, 46.2-698, 46.2-700, 46.2-730, 46.2-752, 46.2-753, 46.2-  
3 1135, 58.1-802, 58.1-811, 58.1-2217, 58.1-2249, 58.1-2289, 58.1-2402, 58.1-2425, 58.1-2701, and  
4 58.1-2706 of the Code of Virginia are amended and reenacted, and that the Code of Virginia is  
5 amended by adding sections numbered 46.2-206.1, 46.2-702.1, 58.1-802.1, and 58.1-2259.1, by  
6 adding in Chapter 22 of Title 58.1 an article numbered 8.1, consisting of a section numbered 58.1-  
7 2288.1, and by adding in Article 2 of Chapter 25 of Title 58.1 a section numbered 58.1-2531 as  
8 follows:

9 § 2.2-1509.2. Use of transportation moneys.

10 ~~If any money in the Highway Maintenance and Operating Fund or the Transportation Trust Fund~~  
11 ~~established pursuant to § 33.1-23.03:1 is proposed to be used for any purpose other than administering,~~  
12 ~~planning, constructing, improving, and maintaining the roads embraced in the systems of highways for~~  
13 ~~the Commonwealth and its localities and/or furthering the interests of the Commonwealth in the areas of~~  
14 ~~public transportation, railways, seaports, and/or airports, then the Governor, if such diversion is~~  
15 ~~proposed by the Governor, shall include with any such proposal a plan for repayment of funds diverted~~  
16 ~~within three years of such use in "The Budget Bill" submitted pursuant to § 2.2-1509.~~

17 ~~If such diversion of funds from the Highway Maintenance and Operating Fund or the~~  
18 ~~Transportation Trust Fund is proposed by the General Assembly as an amendment to the Budget Bill,~~  
19 ~~such amendment shall include language setting out the plan for repayment of such funds within three~~  
20 ~~years.~~

21 A. All moneys credited to the Highway Maintenance and Operating Fund, the Priority  
22 Transportation Fund, the Shortline Railway Preservation and Development Fund, the Rail Enhancement  
23 Fund, the Transportation Trust Fund, hereinafter referred to as "the Funds," or any related subaccount,  
24 fund, or subfund of any of the Funds shall be used for the purposes specified in this section.

25 B. 1. Such moneys credited to the Funds shall be the revenues designated for deposit into any of  
26 the Funds from (i) the revenues generated annually from the taxes, fees, or other charges imposed under  
27 Titles 33.1 and 46.2 of the Code of Virginia for such Funds; (ii) the revenues generated annually

28 pursuant to Chapters 11, 12, and 15 of the Acts of Assembly of 1986, Special Session, as the provisions  
29 of such Chapters may be amended; (iii) the revenues generated annually from Chapters 6 (§ 58.1-600 et  
30 seq.), 8 (§ 58.1-800 et seq.), 22 (§ 58.1-2200 et seq.), 24 (§ 58.1-2400 et seq.), 25 (§ 58.1-2500 et seq.),  
31 and 27 (§ 58.1-2700 et seq.) of Title 58.1; and (iv) such other sources as the General Assembly may  
32 dedicate or appropriate to any of the Funds. In addition, all interest, dividends, or appreciation accruing  
33 to any of the Funds shall also be part of the Funds and be used for the purposes specified in this section.

34 2. The revenues described in subdivision 1 shall include but are not limited to the revenues  
35 described in subdivisions A 1 and A 2 of § 33.1-23.03:8; all taxes and fees collected under Chapter 27 (§  
36 58.1-2700 et seq.) of Title 58.1 credited to the Highway Maintenance and Operating Fund as provided in  
37 subsection C of § 58.1-2701; all funds, tolls, revenues, amounts required to be paid over to the  
38 Transportation Trust Fund, and interest, dividends, and appreciation accruing to the Transportation Trust  
39 Fund or the Highway Maintenance and Operating Fund, as designated for the Transportation Trust Fund  
40 pursuant to § 33.1-23.03:1; all state recordation taxes deposited into the U.S. Route 58 Corridor  
41 Development Fund pursuant to § 58.1-815; all state recordation taxes deposited or transferred into the  
42 Northern Virginia Transportation District Fund pursuant to § 58.1-815.1 and any public rights-of-way  
43 use fees or state or local revenues deposited into the Northern Virginia Transportation District Fund  
44 pursuant to such section; all state recordation taxes deposited or transferred into the Transportation  
45 Improvement Program Set-aside Fund pursuant to § 58.1-816.1; the revenues deposited into the  
46 Shortline Railway Preservation and Development Fund, the Rail Enhancement Fund, the  
47 Commonwealth Mass Transit Fund, and the Highway Construction Fund as provided in subsection B of  
48 § 33.1-23.03:2 pursuant to enactments of the 2006 Session of the General Assembly; the revenues from  
49 the motor vehicle sales and use tax deposited into the Transportation Trust Fund pursuant to subsection  
50 A of § 58.1-2425; the revenues from the insurance license tax on automobile premiums deposited into  
51 the Transportation Trust Fund as provided under § 58.1-2531 pursuant to enactments of the 2006  
52 Session of the General Assembly; the revenues from the vehicle registration fees deposited into the  
53 Transportation Trust Fund as provided under § 46.2-702.1 pursuant to enactments of the 2006 Session of  
54 the General Assembly; the revenues from the fuels taxes deposited into the Transportation Trust Fund as

55 provided in subsection F of § 58.1-2289 pursuant to enactments of the 2006 Session of the General  
56 Assembly; the revenues from the motor vehicle sales and use tax deposited into the Rail Enhancement  
57 Fund as provided in clause (iv) of subsection A of § 58.1-2425; the revenues from the liquidated  
58 damages deposited into the Transportation Trust Fund as provided in § 46.2-1135 pursuant to  
59 enactments of the 2006 Session of the General Assembly; the revenues from fees on certain drivers  
60 deposited into the Transportation Trust Fund as provided in § 46.2-206.1 pursuant to enactments of the  
61 2006 Session of the General Assembly; any damages and costs collected pursuant to § 33.1-191 as  
62 designated for deposit into the Transportation Trust Fund under such section; any civil penalties, and  
63 interest thereon, and cost recoveries designated for deposit into any of the Funds as provided under law;  
64 fees for dealer's license plates designated for deposit into the Transportation Trust Fund pursuant to §  
65 46.2-1546; any excess earnings to be deposited into the Transportation Trust Fund under a  
66 comprehensive agreement entered into under the Public-Private Transportation Act of 1995 (§ 56-556 et  
67 seq.) pursuant to subsection E of § 56-566; revenues from the lease, sale, or other conveyance made by  
68 the Commonwealth Transportation Board that are designated for deposit into any of the Funds as  
69 provided under law; and any locally generated revenues deposited into any of the Funds as provided  
70 under law.

71 C. All moneys credited to the Funds shall be used solely for purposes of:

72 1. Administering, planning, constructing, improving, or maintaining the roads embraced in the  
73 systems of highways for the Commonwealth and its localities, including access roads and bikeways  
74 adjacent thereto, or furthering the interests of the Commonwealth in the areas of highways, public  
75 transportation, railways, seaports, airports, and congestion mitigation;

76 2. Making payments on bonds or other obligations (including bond anticipation notes and  
77 refunding bonds) that have been issued or entered into to finance transportation projects that are directly  
78 related to the purposes described in subdivision 1; or

79 3. Making loans to finance transportation projects that are directly related to the purposes  
80 described in subdivision 1.

81 D. No moneys designated for deposit into the general fund of the state treasury shall be used for  
82 any of the purposes described in subsection C or for any other transportation-related purpose except that  
83 moneys designated for deposit into the general fund of the state treasury shall be used for (i) making  
84 debt service payments on the \$317 million in principal amount of Commonwealth of Virginia Federal  
85 Highway Reimbursement Anticipation Notes that were issued for the projects specified in Item 491 H 2  
86 of Chapter 899 of the Acts of Assembly of 2002; (ii) making debt service payments on any  
87 transportation-related bonds or other obligations issued pursuant to Article X, Section 9 (c) of the  
88 Constitution of Virginia in those cases in which the revenues dedicated for the payment of the debt  
89 service on such bonds or other obligations are insufficient to make full payment; and (iii) purposes of  
90 making the \$40 million deposit under § 58.1-815 and the \$40 million deposit under § 58.1-816,  
91 including any portion of such \$40 million deposit under § 58.1-816 that is actually deposited or  
92 transferred into (a) the Northern Virginia Transportation District Fund established under § 58.1-815.1 or  
93 (b) the Transportation Improvement Program Set-aside Fund established under § 58.1-816.1.

94 § 33.1-12. General powers and duties of Board, etc.; definitions.

95 The Commonwealth Transportation Board shall be vested with the following powers and shall  
96 have the following duties:

97 (1) Location of routes. - To locate and establish the routes to be followed by the roads  
98 comprising systems of state highways between the points designated in the establishment of such  
99 systems.

100 (2) Construction and maintenance contracts and activities related to passenger and freight rail  
101 and public transportation.

102 (a) To let all contracts to be administered by the Virginia Department of Transportation or the  
103 Department of Rail and Public Transportation for the construction, maintenance, and improvement of  
104 the roads comprising systems of state highways and for all activities related to passenger and freight rail  
105 and public transportation in excess of \$2 million. The Commonwealth Transportation Commissioner  
106 shall have authority to let all Virginia Department of Transportation-administered contracts for highway  
107 construction, maintenance, and improvements up to \$2 million in value. The Director of the Department

108 of Rail and Public Transportation shall have the authority to let contracts for passenger and freight rail  
109 and public transportation improvements up to \$2 million in value. The Commonwealth Transportation  
110 Commissioner is authorized to enter into agreements with localities, authorities, and transportation  
111 districts to administer projects and to allow those localities, authorities, and transportation districts to let  
112 contracts for highway construction, maintenance, and improvements within their jurisdictions. The  
113 Director of the Department of Rail and Public Transportation is authorized to enter into agreements with  
114 localities, authorities, and transportation districts to administer projects and to allow those localities,  
115 authorities, and transportation districts to let contracts for passenger and freight rail and public  
116 transportation activities within their jurisdictions. The Commonwealth Transportation Commissioner  
117 and the Director of the Department of Rail and Public Transportation shall report on their respective  
118 transportation contracting activities at least quarterly to the Board.

119 (b) The Commonwealth Transportation Board may award contracts for the construction of  
120 transportation projects on a design-build basis. The Board may annually award five design-build  
121 contracts valued no more than \$20 million. The Board may also award design-build contracts valued  
122 more than \$20 million, provided that no more than five of these latter contracts are in force at the same  
123 time. These contracts may be awarded after a written determination is made by the Commonwealth  
124 Transportation Commissioner or the Director of the Department of Rail and Public Transportation,  
125 pursuant to objective criteria previously adopted by the Board regarding the use of design-build, that  
126 delivery of the projects must be expedited and that it is not in the public interest to comply with the  
127 design and construction contracting procedures normally followed. Such objective criteria will include  
128 requirements for prequalification of contractors and competitive bidding processes. These contracts shall  
129 be of such size and scope to encourage maximum competition and participation by agency prequalified  
130 and otherwise qualified contractors. Such determination shall be retained for public inspection in the  
131 official records of the Department of Transportation or the Department of Rail and Public  
132 Transportation, as the case may be, and shall include a description of the nature and scope of the project  
133 and the reasons for the Commissioner's or Director's determination that awarding a design-build contract

134 will best serve the public interest. The provisions of this section shall supersede contrary provisions of  
135 subsection D of § 2.2-4303 and § 2.2-4306.

136 (c) For transportation construction projects valued in excess of \$100 million, the Commonwealth  
137 Transportation Board shall require that a financial plan be prepared. This plan shall include, but not be  
138 limited to, the following: (i) a complete cost estimate for all major project elements; (ii) an  
139 implementation plan with the project schedule and cost-to-complete information presented for each year;  
140 (iii) identified revenues by funding source available each year to meet project costs; and (iv) a detailed  
141 cash-flow analysis for each year of the proposed project.

142 (3) Traffic regulations. - To make rules and regulations, from time to time, not in conflict with  
143 the laws of the Commonwealth, for the protection of and covering traffic on and the use of systems of  
144 state highways and to add to, amend or repeal the same.

145 (4) Naming highways. - To give suitable names to state highways and change the names of any  
146 highways forming a part of the systems of state highways, except such roads as have been or may  
147 hereafter be named by the General Assembly.

148 (5) Compliance with federal acts. - To comply fully with the provisions of the present or future  
149 federal aid acts. The Board may enter into all contracts or agreements with the United States government  
150 and may do all other things necessary to carry out fully the cooperation contemplated and provided for  
151 by present or future acts of Congress in the area of transportation.

152 (6) Information and statistics. - To gather and tabulate information and statistics relating to  
153 transportation and disseminate the same throughout the Commonwealth. In addition, the Commissioner  
154 shall provide a report to the Governor, the General Assembly, the Commonwealth Transportation Board,  
155 and the public concerning the current status of all highway construction projects in the Commonwealth.  
156 This report shall be posted at least four times each fiscal year, but may be updated more often as  
157 circumstances allow. The report shall contain, at a minimum, the following information for every project  
158 in the Six-Year Improvement Program: (i) project description; (ii) total cost estimate; (iii) funds  
159 expended to date; (iv) project timeline and completion date; (v) statement of whether project is ahead of,  
160 on, or behind schedule; and (vi) the name of the prime contractor. Use of one or more Internet websites

161 may be used to satisfy this requirement. Project specific information posted on the Internet shall be  
162 updated daily as information is available.

163 (7) Policies and operation of Departments. - To review and approve policies and transportation  
164 objectives of the Department of Transportation and the Department of Rail and Public Transportation, to  
165 assist in establishing such policies and objectives, to oversee the execution thereof, and to report thereon  
166 to the Commonwealth Transportation Commissioner and the Director of the Department of Rail and  
167 Public Transportation, respectively.

168 (8) Cooperation with other agencies and local governments.

169 (a) To cooperate with the federal government, the American Association of State Highway and  
170 Transportation Officials and any other organization in the numbering, signing and marking of highways,  
171 in the taking of measures for the promotion of highway safety, in research activities, in the preparation  
172 of standard specifications, in the testing of highway materials and otherwise with respect to  
173 transportation projects.

174 (b) To offer technical assistance and coordinate state resources to work with local governments,  
175 upon their request, in developing sound transportation components for their local comprehensive plans.

176 (9) Transportation.

177 (a) To monitor and, where necessary, approve actions taken by the Department of Rail and  
178 Public Transportation pursuant to Chapter 10.1 (§ 33.1-391.1 et seq.) of this title in order to ensure the  
179 efficient and economical development of public transportation, the enhancement of rail transportation,  
180 and the coordination of such rail and public transportation plans with highway programs.

181 (b) To coordinate the planning for financing of transportation needs, including needs for  
182 highways, railways, seaports, airports, and public transportation and to set aside funds as provided in §  
183 33.1-23.03:1. To allocate funds for these needs pursuant to §§ 33.1-23.1, § 33.1-23.03:2, and 58.1-638,  
184 the Board shall adopt a Six-Year Improvement Program of anticipated projects and programs by July 1  
185 of each year. This program shall be based on the most recent official Transportation Trust Fund revenue  
186 forecast and shall be consistent with a debt management policy adopted by the Board in consultation  
187 with the Debt Capacity Advisory Committee and the Department of the Treasury.

188 (c) To recommend to the General Assembly for their consideration at the next session of the  
189 General Assembly, objective criteria to be used by the Board in selecting those transportation projects to  
190 be advanced from the feasibility to the construction stage. If such criteria are enacted into law, such  
191 objectives shall apply to the interstate, primary, and urban systems of highways.

192 (d) To enter into contracts with local districts, commissions, agencies, or other entities created  
193 for transportation purposes.

194 (10) Contracts with other states. - To enter into all contracts with other states necessary for the  
195 proper coordination of the location, construction, maintenance, improvement and operation of  
196 transportation systems, including the systems of state highways with the highways of such other states  
197 and, where necessary, to seek the approval of such contracts by the Congress of the United States.

198 (11) Use of funds. - To administer, distribute, and allocate funds in the Transportation Trust  
199 Fund as provided by law. The Commonwealth Transportation Board shall ensure that the total funds  
200 allocated to any highway construction project are equal to total expenditures within 12 months following  
201 completion of the project. However this requirement shall not apply to debt service apportionments  
202 pursuant to § 33.1-23.3 or 33.1-23.4.

203 (12) Financial and investment advisors. - With the advice of the Secretary of Finance and the  
204 State Treasurer, to engage a financial advisor and investment advisor who may be anyone within or  
205 without the government of the Commonwealth, to assist in planning and making decisions concerning  
206 the investment of funds and the use of bonds for transportation purposes. The work of these advisors  
207 shall be coordinated with the Secretary of Finance and the State Treasurer.

208 (13) The powers of the Virginia Aviation Board set out in Chapter 1 (§ 5.1-1 et seq.) of Title 5.1  
209 and the Virginia Port Authority set out in Chapter 10 (§ 62.1-128 et seq.) of Title 62.1 are in no way  
210 diminished by the provisions of this title.

211 (14) To enter into payment agreements with the Treasury Board related to payments on bonds  
212 issued by the Commonwealth Transportation Board.

213 (15) Outdoor theaters. - By regulation:

214 (a) To prevent the erection of moving picture screens of outdoor theaters in such a manner as to  
215 be ordinarily visible from any highway;

216 (b) To require that a sufficient space is left between any highway and the entrance to any outdoor  
217 theater to prevent congestion on the highway; and

218 (c) To require that outdoor theater entrances and exits are adequately lighted and marked.

219 The term "public transportation" or "mass transit" as used in this title means passenger  
220 transportation by rubber-tired, rail, or other surface conveyance which provides shared ride services  
221 open to the general public on a regular and continuing basis. The term does not include school buses;  
222 charter or sight-seeing service; vehicular ferry service which serves as a link in the highway network; or  
223 human service agency or other client-restricted transportation.

224 § 33.1-23.03:1. Transportation Trust Fund.

225 There is hereby created in the Department of the Treasury a special nonreverting fund to be  
226 known as the Transportation Trust Fund, consisting of:

227 1. Funds remaining for highway construction purposes, among the several highway systems  
228 pursuant to § 33.1-23.1.

229 2. [Repealed.]

230 3. The additional revenues generated by enactments of Chapters 11, 12 and 15 of the Acts of  
231 Assembly, 1986 Special Session, and designated for this fund.

232 4. Tolls and other revenues derived from the projects financed or refinanced pursuant to this title  
233 which are payable into the state treasury and tolls and other revenues derived from other transportation  
234 projects, which may include upon the request of the applicable appointed governing body, as soon as  
235 their obligations have been satisfied, such tolls and revenue derived for transportation projects pursuant  
236 to § 33.1-253 (Chesapeake Bay Bridge and Tunnel District) and § 33.1-320 (Richmond Metropolitan  
237 Authority) or if the appointed governing body requests refunding or advanced refunding by the Board  
238 and such refunding or advanced refunding is approved by the General Assembly. Such funds shall be  
239 held in separate subaccounts of the Transportation Trust Fund to the extent required by law or the Board.

240 5. Tolls and other revenues derived from the Richmond-Petersburg Turnpike, provided that such  
241 funds shall be held in a separate subaccount of the Transportation Trust Fund and allocated as set forth  
242 in Chapter 574 of the Acts of Assembly of 1983 until expiration of that Act.

243 6. Such other funds as may be appropriated by the General Assembly from time to time, and  
244 designated for this fund.

245 7. All interest, dividends and appreciation which may accrue to the Transportation Trust Fund  
246 and the Highway Maintenance and Construction Fund, except that interest on funds becoming part of the  
247 Transportation Trust Fund under subdivision 1 and the Highway Maintenance and Construction Fund  
248 shall not become part of the Transportation Trust Fund until July 1, 1988.

249 8. All amounts required by contract to be paid over to the Transportation Trust Fund.

250 9. The additional revenues generated by enactments of the 2006 Session of the General  
251 Assembly, and designated for this fund, pursuant to §§ 46.2-206.1, 46.2-702.1, 46.2-1135, and 58.1-  
252 2289, clause (vi) of subsection A of § 58.1-2425, and § 58.1-2531.

253 § 33.1-23.03:2. Commonwealth Port Fund, Commonwealth Airport Fund and Commonwealth  
254 Mass Transit Fund.

255 A. Of the funds becoming part of the Transportation Trust Fund pursuant to subdivision 3 of §  
256 33.1-23.03:1, an aggregate of 4.2 percent shall be set aside as the Commonwealth Port Fund; an  
257 aggregate of 2.4 percent shall be set aside as the Commonwealth Airport Fund; and an aggregate of 14.5  
258 percent in fiscal year 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set  
259 aside as the Commonwealth Mass Transit Fund. The remaining 78.9 percent of the funds deposited into  
260 or held in the Transportation Trust Fund in fiscal year 1998-1999, and 78.7 percent of the funds  
261 deposited into or held in the Transportation Trust Fund in fiscal year 1999-2000 and thereafter, pursuant  
262 to subdivision 3 of § 33.1-23.03:1, together with funds deposited pursuant to subdivisions 1 and 6 of §  
263 33.1-23.03:1, shall be expended for capital improvements including construction, reconstruction,  
264 maintenance, and improvements of highways according to the provisions of § 33.1-23.1 B or to secure  
265 bonds issued for such purposes, as provided by the Board and the General Assembly.

266 B. Revenues set forth in subdivision 9 of § 33.1-23.03:1 shall be paid in the manner hereinafter  
267 provided in this section.

268 1. From the first \$50 million of such revenues in each fiscal year, \$45 million shall be deposited  
269 into the Rail Enhancement Fund established under § 33.1-221.1:1.1 and \$5 million shall be deposited  
270 into the Shortline Railway Preservation and Development Fund established under § 33.1-221.1:1.2.

271 2. After the deposits in subdivision 1 have been made, of the remaining revenues set forth in  
272 subdivision 9 of § 33.1-23.03:1:

273 a. 14.7% shall be set aside for capital purposes on the basis provided in subdivision A 4 f of §  
274 58.1-638 and deposited in the Commonwealth Mass Transit Fund. Any funds deposited into the  
275 Commonwealth Mass Transit Fund but not required to achieve the purpose set forth in subdivision A 4 f  
276 of § 58.1-638 shall be allocated in accordance with subdivision A 4 e of § 58.1-638, and

277 b. 85.3% shall be deposited into the Highway Construction Fund, and distributed in accordance  
278 with subdivisions B 1, B 2, and B 3 of § 33.1-23.1.

279 The Commissioner of the Department of Motor Vehicles shall make such written certifications  
280 as are necessary for the Comptroller to make the deposits under this subsection as soon as practicable.

281 § 33.1-23.03:8. Priority Transportation Fund established.

282 A. There is hereby created in the state treasury a special nonreverting fund to be known as the  
283 Priority Transportation Fund, hereafter referred to as "the Fund." The Fund shall be established on the  
284 books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be  
285 credited to it. All funds as may be designated in the appropriation act for deposit to the Fund shall be  
286 paid into the state treasury and credited to the Fund. Such funds shall include:

287 1. A portion of the moneys actually collected, including penalty and interest, attributable to any  
288 increase in revenues from the taxes imposed under Chapter 22 (§ 58.1-2200 et seq.) of Title 58.1, with  
289 such increase being calculated as the difference between such tax revenues collected in the manner  
290 prescribed under Chapter 22 less such tax revenues that would have been collected using the prescribed  
291 manner in effect before the effective date of Chapter 22. The portion to be deposited to the Fund shall be  
292 the moneys actually collected from such increase in revenues (but not including additional revenues

293 described in subsection F of § 58.1-2289) and allocated for highway and mass transit improvement  
294 projects as set forth in subsection A of § 33.1-23.03:2, but not including any amounts that are allocated  
295 to the Commonwealth Port Fund and the Commonwealth Airport Fund under such section. There shall  
296 also be deposited into the Fund all additional federal revenues attributable to Chapter 22 (§ 58.1-2200 et  
297 seq.) of Title 58.1; and

298 2. Beginning with the fiscal year ending June 30, 2000, and for fiscal years thereafter, all  
299 revenues that exceed the official forecast, pursuant to § 2.2-1503, for (i) the Highway Maintenance and  
300 Operating Fund and (ii) the allocation to highway and mass transit improvement projects as set forth in  
301 subsection A of § 33.1-23.03:2, but not including any amounts that are allocated to the Commonwealth  
302 Port Fund and the Commonwealth Airport Fund under such ~~sections~~subsection; and

303 3. Any other such funds as may be transferred, allocated, or appropriated.

304 The Fund shall be considered a part of the Transportation Trust Fund. Any moneys remaining in  
305 the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but  
306 shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes enumerated in  
307 subsection B of this section. Expenditures and disbursements from the Fund shall be made by the State  
308 Treasurer on warrants issued by the Comptroller.

309 B. The Commonwealth Transportation Board shall use the Fund to facilitate the financing of  
310 priority transportation projects throughout the Commonwealth. The Board may use the Fund either (i)  
311 by expending amounts therein on such projects directly, (ii) by payment to any authority, locality,  
312 commission or other entity for the purpose of paying the costs thereof, or (iii) by using such amounts to  
313 support, secure, or leverage financing for such projects. No expenditures from or other use of amounts in  
314 the Fund shall be considered in allocating highway maintenance and construction funds under § 33.1-  
315 23.1 or apportioning Transportation Trust Fund funds under subsection B of § 33.1-23.03:2 or § 58.1-  
316 638, but shall be in addition thereto. The Board shall use the Fund to facilitate the financing of priority  
317 transportation projects as designated by the General Assembly; provided, however, that, at the discretion  
318 of the Commonwealth Transportation Board, funds allocated to projects within a transportation district

319 may be allocated among projects within the same transportation district as needed to meet construction  
320 cash-flow needs.

321 § 33.1-221.1:1.1. Rail Enhancement Fund.

322 A. The General Assembly declares it to be in the public interest that railway preservation and  
323 development of railway transportation facilities are an important element of a balanced transportation  
324 system of the Commonwealth for freight and passengers and further declares it to be in the public  
325 interest that the retention, maintenance, improvement and development of the railways are essential to  
326 the Commonwealth's continued economic growth, vitality, and competitiveness in national and world  
327 markets, and there is hereby created in the state treasury a special nonreverting fund to be known as the  
328 Rail Enhancement Fund which shall be considered a special fund within the Transportation Trust Fund,  
329 hereafter referred to as "the Fund."

330 B. The Fund shall be established on the books of the Comptroller, and shall consist of  
331 dedications pursuant to [subsection B of § 33.1-23.03:2](#), § 58.1-2425, and such funds from other sources  
332 as may be set forth in the appropriation act and shall be paid into the state treasury and credited to the  
333 Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys  
334 remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the  
335 general fund but shall remain in the Fund. Moneys in the Fund shall be used solely as provided in this  
336 section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants  
337 issued by the Comptroller upon written request signed by the Director of the Virginia Department of  
338 Rail and Public Transportation or the Director's designee.

339 C. The Director of the Department of Rail and Public Transportation shall administer and expend  
340 or commit, subject to the approval of the Commonwealth Transportation Board, the Fund for acquiring,  
341 leasing, and/or improving railways or railroad equipment, rolling stock, rights-of-way or facilities, or  
342 assisting other appropriate entities to acquire, lease, or improve railways or railroad equipment, rolling  
343 stock, rights-of-way or facilities, for freight and/or passenger rail transportation purposes whenever the  
344 Board shall have determined that such acquisition, lease, and/or improvement is for the common good of  
345 a region of the Commonwealth or the Commonwealth as a whole. Prior to recommending an allocation

346 of the Fund to the Commonwealth Transportation Board, the Director of the Department of Rail and  
347 Public Transportation shall consult with and obtain the advice and recommendations of the Rail  
348 Advisory Board established pursuant to § 33.1-391.3:1.

349 D. Projects undertaken pursuant to this section shall be limited to those the Commonwealth  
350 Transportation Board shall have determined will result in public benefits to the Commonwealth or to a  
351 region of the Commonwealth that are equal to or greater than the investment of funds under this section.  
352 Such projects shall include a minimum of 30 percent cash or in-kind matching contribution from a  
353 private source, which may include a railroad, a regional authority, or a local government source, or a  
354 combination of such sources.

355 § 33.1-221.1:1.2. Shortline Railway Preservation and Development Fund.

356 A. The General Assembly declares shortline railway preservation and development of railway  
357 transportation support facilities to be important elements of a balanced transportation system of the  
358 Commonwealth for freight and passengers, and further that the retention, maintenance, and  
359 improvement of the shortline railway and development of railway transportation support facilities are  
360 essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national  
361 world markets. There is hereby created in the state treasury a special nonreverting fund to be known as  
362 the Shortline Railway Preservation and Development Fund, hereinafter in this section referred to as "the  
363 Fund." A "shortline railway," for the purposes of this section, shall mean any Class II or Class III  
364 railroad as defined by the United States Surface Transportation Board. "Railway transportation support  
365 facilities," for the purposes of this section, shall mean facilities required for the loading, transfer, or  
366 additional track capacity to facilitate the shipment of goods by rail other than as provided for in § 33.1-  
367 221.1:1 or 33.1-221.1:1.1.

368 B. The Fund shall be established on the books of the Comptroller. Any moneys deposited into  
369 the Fund pursuant to subsection B of § 33.1-23.03:2 and any other public or private moneys designated  
370 for the Fund shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in  
371 the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including  
372 interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the

373 Fund. Moneys in the Fund shall be used solely as provided in this section. Expenditures and  
374 disbursements from the Fund shall be made by the State Treasurer on warrants issued by the  
375 Comptroller upon written request signed by the Director of the Virginia Department of Rail and Public  
376 Transportation or the Director's designee.

377 C. The Director of the Department of Rail and Public Transportation shall administer and expend  
378 or commit, subject to the recommendations of the Rail Advisory Committee and the approval of the  
379 Commonwealth Transportation Board, the Fund for acquiring, leasing, and improving shortline railways  
380 and the development of railway transportation support facilities or assisting other appropriate entities to  
381 acquire, lease, or improve shortline railways and the development of railway transportation purposes  
382 whenever the Board shall have determined that such acquisition, lease, and improvement is for the  
383 common good of a region of the Commonwealth or the Commonwealth as a whole. The Director of the  
384 Department of Rail and Public Transportation may consult with other agencies or their designated  
385 representatives concerning projects to be undertaken under this section.

386 D. Tracks and facilities constructed, and property and equipment purchased, with funds under  
387 this section shall be the property of the Commonwealth for the useful life of the project, not to exceed 15  
388 years, as determined by the Director of the Department of Rail and Public Transportation, and shall be  
389 made available for use by all common carriers using the railway system to which they connect under the  
390 trackage rights agreements between the parties. Projects undertaken pursuant to this section shall be  
391 limited to those in a region of the Commonwealth or the Commonwealth as a whole. Such projects shall  
392 include a minimum of 30% cash or in-kind matching contribution from a private source, which may  
393 include a railroad, a regional authority, private industry, or a local government source, or a combination  
394 of such sources. No single project shall be allocated more than 50% of total available funds.

395 § 46.2-206.1. Imposition of certain additional fees on certain drivers; disposition of revenue.

396 A. The purpose of the civil remedial fees imposed in this section is to generate revenue from  
397 drivers whose proven dangerous driving behavior places significant financial burdens upon the  
398 Commonwealth. The civil remedial fees established by this section shall be in addition to any other fees,  
399 costs, or penalties imposed pursuant to the Code of Virginia.

400 B. The civil remedial fees established by this section shall be assessed on any person operating a  
401 motor vehicle on the highways of Virginia, including a person to whom a Virginia driver's license,  
402 commercial driver's license, or learner's permit has been issued pursuant to this title; a person operating  
403 a motor vehicle without a license or whose license has been revoked or suspended; and a person  
404 operating a motor vehicle with a license issued by a jurisdiction outside Virginia. For the purposes of  
405 this section, a finding of guilty in the case of a juvenile and a conviction under substantially similar laws  
406 of any other state or of the United States shall be a conviction.

407 C. Beginning July 1, 2006, the clerk of the court shall assess a person with a \$200 fee upon each  
408 conviction of § 18.2-102 when a violation of this section would be a misdemeanor, § 18.2-323.1, 46.2-  
409 300, 46.2-328, 46.2-329, 46.2-335, 46.2-341.7, 46.2-341.10, 46.2-346, 46.2-349, 46.2-371, 46.2-687,  
410 46.2-703, 46.2-704, 46.2-707, 46.2-722, or 46.2-832, § 46.2-894 when a violation of this section would  
411 be a misdemeanor, §§ 46.2-895 through 46.2-897, § 46.2-902.1, 46.2-909, 46.2-921.1, 46.2-1091, 46.2-  
412 1104, 46.2-1137, 46.2-1139, 46.2-1163, 46.2-1172, or 46.2-1173, §§ 46.2-1248 through 46.2-1250, §  
413 46.2-1550, 46.2-1556, 46.2-1561, 46.2-1564, 46.2-1565, 46.2-2011.20, 46.2-2099.1, or 46.2-2129.

414 D. Any person whose driver's record with the Department shows a balance of eight or more  
415 driver demerit points on July 15 shall be assessed a fee as set forth below. The Commissioner shall  
416 assess such fees annually, beginning on July 15, 2006. The Department shall notify each person assessed  
417 a fee under this subsection by mailing a notice thereof by first-class mail addressed to such person's  
418 most recent address as shown in the Department's records, and such mailing shall constitute notice to the  
419 person of the assessment of the fee. These fees shall be in addition to the fees set forth in subsection C:

420 1. For a person whose driver's record shows a balance of eight driver demerit points, a fee of  
421 \$400 shall be assessed.

422 2. For a person whose driver's record shows a balance of nine driver demerit points, a fee of  
423 \$475 shall be assessed.

424 3. For a person whose driver's record shows a balance of 10 driver demerit points, a fee of \$550  
425 shall be assessed.

426 4. For a person whose driver's record shows a balance of 11 driver demerit points, a fee of \$625  
427 shall be assessed.

428 5. For a person whose driver's record shows a balance of 12 or more driver demerit points, a fee  
429 of \$700 shall be assessed.

430 E. The Department may, by regulation, provide for payment options by which persons assessed  
431 fees under this section may pay such fees in installments.

432 F. If any assessment made under this section remains unpaid 60 days following the date on  
433 which the notice of assessment was mailed and no arrangements have been made with the Department  
434 for payment of such assessment in installments as authorized herein, the Department shall, pursuant to  
435 Article 1 (§ 46.2-300 et seq.) of Chapter 3 of this title, suspend the driver's license of the person against  
436 whom the assessment was imposed and the Commissioner may institute civil proceedings in any court  
437 of competent jurisdiction to recover any such fees. Jurisdiction for assessments under this section shall  
438 be in the jurisdiction where the person resides as indicated in the records of the Department. The  
439 Commissioner shall be entitled to collect all costs of collection, including but not limited to attorney  
440 fees.

441 G. In the event that a person disputes a conviction on his driver record based upon identity, if the  
442 person presents the Department a certified copy of a petition to a court of competent jurisdiction seeking  
443 to vacate an order of such conviction, the Department shall suspend the imposition of the assessment.  
444 Such suspension shall be valid for one year from the date of commencement or until 30 days after an  
445 entry of a final order on such petition, whichever first occurs.

446 H. The clerk of the court shall return revenues collected pursuant to subsection C to the state  
447 treasury for deposit by the Comptroller into the Transportation Trust Fund established under § 33.1-  
448 23.03:1, and the Comptroller shall deposit revenues generated under subsection D into said Fund.  
449 Revenues deposited into the Transportation Trust Fund pursuant to this section shall be allocated  
450 pursuant to subsection B of § 33.1-23.03:2. For the revenues generated pursuant to subsection D, the  
451 Commissioner of the Department of Motor Vehicles shall make such written certifications as are

452 necessary for the Comptroller to make the required deposits into the Transportation Trust Fund as soon  
453 as practicable.

454 § 46.2-694. Fees for vehicles designed and used for transportation of passengers; weights used  
455 for computing fees; burden of proof.

456 A. The annual registration fees for motor vehicles, trailers, and semitrailers designed and used  
457 for the transportation of passengers on the highways in the Commonwealth are:

458 1. ~~Twenty-three~~ Thirty-three dollars for each private passenger car or motor home if the  
459 passenger car or motor home weighs 4,000 pounds or less, provided that it is not used for the  
460 transportation of passengers for compensation and is not kept or used for rent or for hire, or is not  
461 operated under a lease without a chauffeur.

462 2. ~~Twenty-eight~~ Thirty-eight dollars for each passenger car or motor home which weighs more  
463 than 4,000 pounds, provided that it is not used for the transportation of passengers for compensation and  
464 is not kept or used for rent or for hire, or is not operated under a lease without a chauffeur.

465 3. Thirty cents per 100 pounds or major fraction thereof for a private motor vehicle other than a  
466 motorcycle with a normal seating capacity of more than 10 adults including the driver if the private  
467 motor vehicle is not used for the transportation of passengers for compensation and is not kept or used  
468 for rent or for hire or is not operated under a lease without a chauffeur. In no case shall the fee be less  
469 than ~~\$23~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~\$28~~ \$38 if the vehicle weighs more than  
470 4,000 pounds.

471 4. Thirty cents per 100 pounds or major fraction thereof for a school bus. In no case shall the fee  
472 be less than ~~\$23~~ \$33 if the vehicle weighs 4,000 pounds or less or ~~\$28~~ \$38 if the vehicle weighs more  
473 than 4,000 pounds.

474 5. ~~Twenty-three~~ Thirty-three dollars for each trailer or semitrailer designed for use as living  
475 quarters for human beings.

476 6. ~~Thirteen~~ Twenty-three dollars plus \$ 0.30 per 100 pounds or major fraction thereof for each  
477 motor vehicle, trailer, or semitrailer used as a common carrier of passengers, operating either intrastate  
478 or interstate. Interstate common carriers of interstate passengers may elect to be licensed and pay the

479 fees prescribed in subdivision 7 of this subsection on submission to the Commissioner of a declaration  
480 of operations and equipment as he may prescribe. An additional \$5 shall be charged if the motor vehicle  
481 weighs more than 4,000 pounds.

482 | 7. ~~Thirteen~~ Twenty-three dollars plus \$ 0.70 per 100 pounds or major fraction thereof for each  
483 motor vehicle, trailer, or semitrailer used as a common carrier of interstate passengers if election is made  
484 to be licensed under this subsection. An additional \$5 shall be charged if the motor vehicle weighs more  
485 than 4,000 pounds. In lieu of the foregoing fee of \$ 0.70 per 100 pounds, a motor carrier of passengers,  
486 operating two or more vehicles both within and outside the Commonwealth and registered for insurance  
487 purposes with the Surface Transportation Board of the United States Department of Transportation,  
488 Federal Highway Administration, may apply to the Commissioner for prorated registration. Upon the  
489 filing of such application, in such form as the Commissioner may prescribe, the Commissioner shall  
490 apportion the registration fees provided in this subsection so that the total registration fees to be paid for  
491 such vehicles of such carrier shall be that proportion of the total fees, if there were no apportionment,  
492 that the total number of miles traveled by such vehicles of such carrier within the Commonwealth bears  
493 to the total number of miles traveled by such vehicles within and outside the Commonwealth. Such total  
494 mileage in each instance is the estimated total mileage to be traveled by such vehicles during the license  
495 year for which such fees are paid, subject to the adjustment in accordance with an audit to be made by  
496 representatives of the Commissioner at the end of such license year, the expense of such audit to be  
497 borne by the carrier being audited. Each vehicle passing into or through Virginia shall be registered and  
498 licensed in Virginia and the annual registration fee to be paid for each such vehicle shall not be less than  
499 ~~\$33~~ \$43. For the purpose of determining such apportioned registration fees, only those motor vehicles,  
500 trailers, or semitrailers operated both within and outside the Commonwealth shall be subject to inclusion  
501 in determining the apportionment provided for herein.

502 | 8. ~~Thirteen~~ Twenty-three dollars plus \$ 0.80 per 100 pounds or major fraction thereof for each  
503 motor vehicle, trailer or semitrailer kept or used for rent or for hire or operated under a lease without a  
504 chauffeur for the transportation of passengers. An additional fee of \$5 shall be charged if the vehicle  
505 weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common carriers.

506 | 9. ~~Twenty-three~~ Thirty-three dollars for a taxicab or other vehicle which is kept for rent or hire  
507 | operated with a chauffeur for the transportation of passengers, and which operates or should operate  
508 | under permits issued by the Department as required by law. An additional fee of \$5 shall be charged if  
509 | the vehicle weighs more than 4,000 pounds. This subsection does not apply to vehicles used as common  
510 | carriers.

511 | 10. ~~Eighteen~~ Twenty-eight dollars for a motorcycle, with or without a sidecar. To this fee shall  
512 | be added a surcharge of \$3 which shall be distributed as provided in § 46.2-1191.

513 | 11. ~~Twenty-three~~ Thirty-three dollars for a bus used exclusively for transportation to and from  
514 | church school, for the purpose of religious instruction, or church, for the purpose of divine worship. If  
515 | the empty weight of the vehicle exceeds 4,000 pounds, the fee shall be ~~\$28~~ \$38.

516 | 12. ~~Thirteen~~ Twenty-three dollars plus \$ 0.70 per 100 pounds or major fraction thereof for other  
517 | passenger-carrying vehicles.

518 | 13. An additional fee of \$4 per year shall be charged and collected at the time of registration of  
519 | each pickup or panel truck and each motor vehicle under subdivisions 1 through 12 of this subsection.  
520 | All funds collected pursuant to this subdivision shall be paid into the state treasury and shall be set aside  
521 | as a special fund to be used only for emergency medical service purposes. The moneys in the special  
522 | fund shall be distributed as follows:

523 | a. Two percent shall be distributed to the State Department of Health to provide funding to the  
524 | Virginia Association of Volunteer Rescue Squads to be used solely for the purpose of conducting  
525 | volunteer recruitment, retention and training activities;

526 | b. Thirty percent shall be distributed to the State Department of Health to support (i) emergency  
527 | medical services training programs (excluding advanced life support classes); (ii) advanced life support  
528 | training; (iii) recruitment and retention programs (all funds for such support shall be used to recruit and  
529 | retain volunteer emergency medical services personnel only, including public awareness campaigns,  
530 | technical assistance programs, and similar activities); (iv) emergency medical services system  
531 | development, initiatives, and priorities based on needs identified by the State Emergency Medical  
532 | Services Advisory Board; (v) local, regional, and statewide performance contracts for emergency

533 medical services to meet the objectives stipulated in § 32.1-111.3; (vi) technology and radio  
534 communication enhancements; and (vii) improved emergency preparedness and response. Any funds set  
535 aside for distribution under this provision and remaining undistributed at the end of any fiscal year shall  
536 revert to the Rescue Squad Assistance Fund;

537 c. Thirty-two percent shall be distributed to the Rescue Squad Assistance Fund;

538 d. Ten percent shall be available to the State Department of Health's Office of Emergency  
539 Medical Services for use in emergency medical services; and

540 e. Twenty-six percent shall be returned by the Comptroller to the locality wherein such vehicle is  
541 registered, to provide funding for training of volunteer or salaried emergency medical service personnel  
542 of licensed, nonprofit emergency medical services agencies and for the purchase of necessary equipment  
543 and supplies for use in such locality for licensed, nonprofit emergency medical and rescue services.

544 The Comptroller shall clearly designate on the warrant, check, or other means of transmitting  
545 these funds that such moneys are only to be used for purposes set forth in this subdivision. Such funds  
546 shall be in addition to any local appropriations and local governing bodies shall not use these funds to  
547 supplant local funds. Each local governing body shall report annually to the Board of Health on the use  
548 of the funds returned to it pursuant to this section. In any case in which the local governing body grants  
549 the funds to a regional emergency medical services council to be distributed to the licensed, nonprofit  
550 emergency medical and rescue services, the local governing body shall remain responsible for the proper  
551 use of the funds. If, at the end of any fiscal year, a report on the use of the funds returned to the locality  
552 pursuant to this section for that year has not been received from a local governing body, any funds due  
553 to that local governing body for the next fiscal year shall be retained until such time as the report has  
554 been submitted to the Board.

555 B. All motor vehicles, trailers, and semitrailers registered as provided in subsection B of § 46.2-  
556 646 shall pay a registration fee equal to one-twelfth of all fees required by subsection A of this section  
557 or § 46.2-697 for such motor vehicle, trailer, or semitrailer, computed to the nearest cent, multiplied by  
558 the number of months in the registration period for such motor vehicles, trailers, and semitrailers.

559 C. The manufacturer's shipping weight or scale weight shall be used for computing all fees  
560 required by this section to be based upon the weight of the vehicle.

561 D. The applicant for registration bears the burden of proof that the vehicle for which registration  
562 is sought is entitled by weight, design, and use to be registered at the fee tendered by the applicant to the  
563 Commissioner or to his authorized agent.

564 § 46.2-694.1. Fees for trailers and semitrailers not designed and used for transportation of  
565 passengers.

566 Unless otherwise specified in this title, the registration fees for trailers and semitrailers not  
567 designed and used for the transportation of passengers on the highways in the Commonwealth shall be  
568 as follows:

569

570 Registered Gross Weight	1-Year Fee	2-Year Fee	Permanent Fee
571 0-1,500 lbs	<del>\$8.00</del> <u>\$18</u>	<del>\$16.00</del> <u>\$26</u>	<del>\$50.00</del> <u>\$60</u>
572 1,501-4,000 lbs	<del>\$18.50</del> <u>\$28.50</u>	<del>\$37.00</del> <u>\$47</u>	<del>\$50.00</del> <u>\$60</u>
573 4,001 lbs & above	<del>\$23.50</del> <u>\$33.50</u>	<del>\$47.00</del> <u>\$57</u>	<del>\$50.00</del> <u>\$60</u>

574 From the foregoing registration fees, the following amounts, regardless of weight category, shall  
575 be paid by the Department into the state treasury and set aside for the payment of the administrative  
576 costs of the safety inspection program provided for in Article 21 (§ 46.2-1157 et seq.) of Chapter 10 of  
577 this title: (i) from each one-year registration fee, one dollar and fifty cents; (ii) from each two-year  
578 registration fee, three dollars; and (iii) from each permanent registration fee, four dollars.

579 § 46.2-697. Fees for vehicles not designed or used for transportation of passengers.

580 A. Except as otherwise provided in this section, the fee for registration of all motor vehicles not  
581 designed and used for the transportation of passengers shall be ~~thirteen dollars~~ \$23 plus an amount  
582 determined by the gross weight of the vehicle or combination of vehicles of which it is a part, when  
583 loaded to the maximum capacity for which it is registered and licensed, according to the schedule of fees  
584 set forth in this section. For each 1,000 pounds of gross weight, or major fraction thereof, for which any  
585 such vehicle is registered, there shall be paid to the Commissioner the fee indicated in the following  
586 schedule immediately opposite the weight group and under the classification established by the  
587 provisions of subsection B of § 46.2-711 into which such vehicle, or any combination of vehicles of  
588 which it is a part, falls when loaded to the maximum capacity for which it is registered and licensed. The

589 fee for a pickup or panel truck shall be ~~twenty-three dollars~~ \$33 if its gross weight is 4,000 pounds or  
 590 less, and ~~twenty-eight dollars~~ \$38 if its gross weight is 4,001 pounds through 6,500 pounds. The fee  
 591 shall be ~~twenty-nine dollars~~ \$39 for any motor vehicle with a gross weight of 6,501 pounds through  
 592 10,000 pounds.

593

594 Fee Per Thousand Pounds of Gross Weight

595 Gross Weight	Private	For Rent or
596 Groups (pounds)	Carriers	For Hire Carriers
597 -----	-----	-----
598 -----	-----	-----
599 10,001 - 11,000	<del>2.60</del> <u>5.20</u>	<del>4.75</del> <u>9.50</u>
600 11,001 - 12,000	<del>2.80</del> <u>5.60</u>	<del>4.90</del> <u>9.80</u>
601 12,001 - 13,000	<del>3.00</del> <u>6.00</u>	<del>5.15</del> <u>10.30</u>
602 13,001 - 14,000	<del>3.20</del> <u>6.40</u>	<del>5.40</del> <u>10.80</u>
603 14,001 - 15,000	<del>3.40</del> <u>6.80</u>	<del>5.65</del> <u>11.30</u>
604 15,001 - 16,000	<del>3.60</del> <u>7.20</u>	<del>5.90</del> <u>11.80</u>
605 16,001 - 17,000	<del>4.00</del> <u>8.00</u>	<del>6.15</del> <u>12.30</u>
606 17,001 - 18,000	<del>4.40</del> <u>8.80</u>	<del>6.40</del> <u>12.80</u>
607 18,001 - 19,000	<del>4.80</del> <u>9.60</u>	<del>7.50</del> <u>15.00</u>
608 19,001 - 20,000	<del>5.20</del> <u>10.40</u>	<del>7.70</del> <u>15.40</u>
609 20,001 - 21,000	<del>5.60</del> <u>11.20</u>	<del>7.90</del> <u>15.80</u>
610 21,001 - 22,000	<del>6.00</del> <u>12.00</u>	<del>8.10</del> <u>16.20</u>
611 22,001 - 23,000	<del>6.40</del> <u>12.80</u>	<del>8.30</del> <u>16.60</u>
612 23,001 - 24,000	<del>6.80</del> <u>13.60</u>	<del>8.50</del> <u>17.00</u>
613 24,001 - 25,000	<del>6.90</del> <u>13.80</u>	<del>8.70</del> <u>17.40</u>
614 25,001 - 26,000	<del>6.95</del> <u>13.90</u>	<del>8.90</del> <u>17.80</u>
615 26,001 - 27,000	<del>8.25</del> <u>16.50</u>	<del>10.35</del> <u>20.70</u>
616 27,001 - 28,000	<del>8.30</del> <u>16.60</u>	<del>10.55</del> <u>21.10</u>
617 28,001 - 29,000	<del>8.35</del> <u>16.70</u>	<del>10.75</del> <u>21.50</u>
618 29,001 - 40,000	<del>8.45</del> <u>16.90</u>	<del>10.95</del> <u>21.90</u>
619 40,001 - 45,000	<del>8.55</del> <u>17.10</u>	<del>11.15</del> <u>22.30</u>
620 45,001 - 50,000	<del>8.75</del> <u>17.50</u>	<del>11.25</del> <u>22.50</u>
621 50,001 - 55,000	<del>9.25</del> <u>18.50</u>	<del>13.25</del> <u>26.50</u>
622 55,001 - 76,000	<del>11.25</del> <u>22.50</u>	<del>15.25</del> <u>30.50</u>
623 76,001 - 80,000	<del>13.25</del> <u>26.50</u>	<del>16.25</del> <u>32.50</u>

624 For all such motor vehicles exceeding a gross weight of 6,500 pounds, an additional fee of five  
 625 dollars shall be imposed.

626 B. In lieu of registering any motor vehicle referred to in this section for an entire licensing year,  
 627 the owner may elect to register the vehicle only for one or more quarters of a licensing year, and in such  
 628 case, the fee shall be twenty-five percent of the annual fee plus five dollars for each quarter that the  
 629 vehicle is registered.

630 C. When an owner elects to register and license a motor vehicle under subsection B of this  
631 section, the provisions of §§ 46.2-646 and 46.2-688 shall not apply.

632 D. Notwithstanding any other provision of law, no vehicle designed, equipped, and used to tow  
633 disabled or inoperable motor vehicles shall be required to register in accordance with any gross weight  
634 other than the gross weight of the towing vehicle itself, exclusive of any vehicle being towed.

635 E. All registrations and licenses issued for less than a full year shall expire on the date shown on  
636 the license and registration.

637 § 46.2-698. Fees for farm vehicles.

638 A. The fees for registration of farm motor vehicles having gross weights of 7,500 pounds or  
639 more, when such vehicles are used exclusively for farm use as defined in this section, shall be one-half  
640 of the fee per 1,000 pounds of gross weight for private carriers as calculated under the provisions of §  
641 46.2-697 and one-half of the fee for overload permits under § 46.2-1128, but the annual registration fee  
642 to be paid for each farm vehicle shall not be less than ~~\$15~~ \$25.

643 B. A farm motor vehicle is used exclusively for farm use:

644 1. When owned by a person who is engaged either as an owner, renter, or operator of a farm of a  
645 size reasonably requiring the use of such vehicle or vehicles and when such vehicle is:

646 a. Used in the transportation of agricultural products of the farm he is working to market, or to  
647 other points for sale or processing, or when used to transport materials, tools, equipment, or supplies  
648 which are to be used or consumed on the farm he is working, or when used for any other transportation  
649 incidental to the regular operation of such farm;

650 b. Used in transporting forest products, including forest materials originating on a farm or  
651 incident to the regular operation of a farm, to the farm he is working or transporting for any purpose  
652 forest products which originate on the farm he is working; or

653 c. Used in the transportation of farm produce, supplies, equipment, or materials to a farm not  
654 worked by him, pursuant to a mutual cooperative agreement.

655           2. When the nonfarm use of such motor vehicle is limited to the personal use of the owner and  
656 his immediate family in attending church or school, securing medical treatment or supplies, or securing  
657 other household or family necessities.

658           C. As used in this section, the term "farm" means one or more areas of land used for the  
659 production, cultivation, growing, or harvesting of agricultural products, but does not include a tree farm  
660 that is not also a nursery or Christmas tree farm, unless it is part of what otherwise is a farm. As used in  
661 this section, the term "agricultural products" means any nursery plants; Christmas trees; horticultural,  
662 viticultural, and other cultivated plants and crops; aquaculture; dairy; livestock; poultry; bee; or other  
663 farm products.

664           D. The first application for registration of a vehicle under this section shall be made on forms  
665 provided by the Department and shall include:

- 666           1. The location and acreage of each farm on which the vehicle to be registered is to be used;
- 667           2. The type of agricultural commodities, poultry, dairy products or livestock produced on such  
668 farms and the approximate amounts produced annually;
- 669           3. A statement, signed by the vehicle's owner, that the vehicle to be registered will only be used  
670 for one or more of the purposes specified in subsection B of this section; and
- 671           4. Other information required by the Department.

672           The above information is not required for the renewal of a vehicle's registration under this  
673 section.

674           E. The Department shall issue appropriately designated license plates for those motor vehicles  
675 registered under this section. The manner in which such license plates are designated shall be at the  
676 discretion of the Commissioner.

677           F. The owner of a farm vehicle shall inform the Commissioner within 30 days or at the time of  
678 his next registration renewal, whichever comes first, when such vehicle is no longer used exclusively for  
679 farm use as defined in this section, and shall pay the appropriate registration fee for the vehicle based on  
680 its type of operation. It shall constitute a Class 2 misdemeanor to: (i) operate or to permit the operation  
681 of any farm motor vehicle for which the fee for registration and license plates is herein prescribed on

682 any highway in the Commonwealth without first having paid the prescribed registration fee; or (ii)  
683 operate or permit the operation of any motor vehicle, registered under this section, for purposes other  
684 than as provided under subsection B of this section; or (iii) operate as a for-hire vehicle.

685 G. Nothing in this section shall affect the exemptions of agricultural and horticultural vehicles  
686 under §§ 46.2-664 through 46.2-670.

687 H. Notwithstanding other provisions of this section, vehicles licensed under this section may be  
688 used by volunteer rescue squad members and volunteer firefighters in responding to emergency calls, in  
689 reporting for regular duty, and in attending squad meetings and drills.

690 § 46.2-700. Fees for vehicles for transporting well-drilling machinery and specialized mobile  
691 equipment.

692 A. The fee for registration of any motor vehicle, trailer, or semitrailer on which well-drilling  
693 machinery is attached and which is permanently used solely for transporting the machinery shall be ~~\$15~~  
694 \$25.

695 B. The fee for the registration of specialized mobile equipment shall be ~~\$15~~ \$25. "Specialized  
696 mobile equipment" shall mean any self-propelled motor vehicle manufactured for a specific purpose,  
697 other than for the transportation of passengers or property, which is used on a job site and whose  
698 movement on any highway is incidental to the purpose for which it was designed and manufactured. The  
699 vehicle must be constructed to fall within all size and weight requirements as contained in §§ 46.2-1105,  
700 46.2-1110, 46.2-1113 and Article 17 (§ 46.2-1122 et seq.) of Chapter 10 of this title and must be capable  
701 of maintaining sustained highway speeds of 40 miles per hour or more. Vehicles registered under this  
702 section shall be exempt from the requirements of § 46.2-1157. Nothing in this subsection shall be  
703 construed as prohibiting the transportation on specialized mobile equipment of safety equipment,  
704 including but not limited to highway traffic safety cones, to be used on a job site.

705 C. Specialized mobile equipment which cannot maintain a sustained highway speed in excess of  
706 40 miles per hour, and trailers or semitrailers which are designed and manufactured for a specific  
707 purpose and whose movement on the highway is incidental to the purpose for which it was

708 manufactured and which are not designed or used to transport persons or property, shall not be required  
709 to be registered under this chapter.

710 § 46.2-702.1. Distribution of certain revenue.

711 An amount equivalent to the net additional revenues generated by increases in the registration  
712 fees under §§ 46.2-694, 46.2-694.1, 46.2-697, 46.2-698, 46.2-700, and 46.2-730 pursuant to enactments  
713 of the 2006 Session of the General Assembly, shall be deposited by the Comptroller into the  
714 Transportation Trust Fund established under § 33.1-23.03:1 and allocated pursuant to subsection B of §  
715 33.1-23.03:2.

716 § 46.2-730. License plates for antique motor vehicles and antique trailers; fee.

717 A. On receipt of an application, the Commissioner shall issue appropriately designed license  
718 plates to owners of antique motor vehicles and antique trailers. These license plates shall be valid so  
719 long as title to the vehicle is vested in the applicant. The fee for the registration card and license plates  
720 of any of these vehicles shall be ~~\$10~~ \$20.

721 B. On receipt of an application, the Commissioner may authorize for use on antique motor  
722 vehicles and antique trailers Virginia license plates manufactured prior to 1976 and designed for use  
723 without decals, if such license plates are embossed with or are of the same year of issue as the model  
724 year of the antique motor vehicle or antique trailer on which they are to be displayed. Original metal  
725 year tabs issued in place of license plates for years 1943 and 1953 and used with license plates issued in  
726 1942 and 1952, respectively, also may be authorized by the Commissioner for use on antique motor  
727 vehicles and antique trailers that are of the same model year as the year the metal tab was originally  
728 issued. These license plates and metal tabs shall remain valid so long as title to the vehicle is vested in  
729 the applicant. The fee for the registration card and permission to use the license plates and metal tabs on  
730 any of these vehicles shall be ~~\$10~~ \$20.

731 C. Notwithstanding the provisions of §§ 46.2-711 and 46.2-715, antique motor vehicles may  
732 display single license plates if the original manufacturer's design of the antique motor vehicles allows  
733 for the use of only single license plates or if the license plate was originally issued in one of the

734 following years and is displayed in accordance with the provisions of subsection B of this section: 1906,  
735 1907, 1908, 1909, 1945, or 1946.

736 D. Except as provided in subsection E of this section, motor vehicles and trailers registered with  
737 license plates issued under this section shall not be used for general transportation purposes, including,  
738 but not limited to, daily travel to and from the owner's place of employment, but shall only be used:

- 739 1. For participation in club activities, exhibits, tours, parades, and similar events; and
- 740 2. On the highways of the Commonwealth for the purpose of testing their operation, obtaining  
741 repairs or maintenance, transportation to and from events as described in subdivision 1 of this  
742 subsection, and for occasional pleasure driving not exceeding 250 miles from the residence of the  
743 owner.

744 E. Notwithstanding the foregoing provision of this section, antique motor vehicles and antique  
745 trailers displaying license plates issued pursuant to subsections B and C of this section may be used for  
746 general transportation purposes if the following conditions are met:

- 747 1. The physical condition of the vehicle's license plate or plates has been inspected and approved  
748 by the Department;
- 749 2. The license plate or plates are registered to the specific vehicle by the Department;
- 750 3. The owner of the vehicle periodically registers the vehicle with the Department and pays a  
751 registration fee for the vehicle equal to that which would be charged to obtain regular state license plates  
752 for that vehicle;
- 753 4. The vehicle passes a periodic safety inspection as provided in Article 21 (§ 46.2-1157 et seq.)  
754 of Chapter 10 of this title;
- 755 5. The vehicle displays current decals attached to the license plate, issued by the Department,  
756 indicating the valid registration period for the vehicle; and
- 757 6. When applicable, the vehicle meets the requirement of Article 22 (§ 46.2-1176 et seq.) of  
758 Chapter 10 of this title.

759 If more than one request is made for use, as provided in this subsection, of license plates having  
760 the same number, the Department shall accept only the first such application. Only vehicles titled to the

761 person seeking to use license plates as provided in this subsection shall be eligible to use license plates  
762 as provided in this subsection.

763 F. Nothing in this section shall be construed as prohibiting the use of an antique motor vehicle to  
764 tow a trailer or semitrailer.

765 § 46.2-752. Taxes and license fees imposed by counties, cities, and towns; limitations on  
766 amounts; disposition of revenues; requiring evidence of payment of personal property taxes and certain  
767 fines; prohibiting display of licenses after expiration; failure to display valid local license required by  
768 other localities; penalty.

769 A. Except as provided in § 46.2-755, counties, cities, and towns may levy and assess taxes and  
770 charge license fees on motor vehicles, trailers, and semitrailers. However, none of these taxes and  
771 license fees shall be assessed or charged by any county on vehicles owned by residents of any town  
772 located in the county when such town constitutes a separate school district if the vehicles are already  
773 subject to town license fees and taxes, nor shall a town charge a license fee to any new resident of the  
774 town, previously a resident of a county within which all or part of the town is situated, who has  
775 previously paid a license fee for the same tax year to such county. The amount of the license fee or tax  
776 imposed by any county, city, or town on any motor vehicle, trailer, or semitrailer shall not be greater  
777 than the amount of the license tax imposed by the Commonwealth on the motor vehicle, trailer, or  
778 semitrailer. The license fees and taxes shall be imposed in such manner, on such basis, for such periods,  
779 and subject to proration for fractional periods of years, as the proper local authorities may determine.  
780 Local licenses may be issued free of charge for any or all of the following:

- 781 1. Vehicles powered by clean special fuels as defined in § 46.2-749.3, including dual-fuel and bi-  
782 fuel vehicles,
- 783 2. Vehicles owned by volunteer rescue squads,
- 784 3. Vehicles owned by volunteer fire departments,
- 785 4. Vehicles owned or leased by active members or active auxiliary members of volunteer rescue  
786 squads,

- 787           5. Vehicles owned or leased by active members or active auxiliary members of volunteer fire  
788 departments,
- 789           6. Vehicles owned or leased by auxiliary police officers,
- 790           7. Vehicles owned or leased by volunteer police chaplains,
- 791           8. Vehicles owned by surviving spouses of persons qualified to receive special license plates  
792 under § 46.2-739,
- 793           9. Vehicles owned or leased by auxiliary deputy sheriffs or volunteer deputy sheriffs,
- 794           10. Vehicles owned by persons qualified to receive special license plates under § 46.2-739,
- 795           11. Vehicles owned by any of the following who served at least 10 years in the locality: former  
796 members of volunteer rescue squads, former members of volunteer fire departments, former auxiliary  
797 police officers, former volunteer police chaplains, and former volunteer special police officers appointed  
798 under § 15.2-1737. In the case of active members of volunteer rescue squads and volunteer fire  
799 departments, applications for such licenses shall be accompanied by written evidence, in a form  
800 acceptable to the locality, of their active membership, and no member shall be issued more than one  
801 such license free of charge, or
- 802           12. All vehicles having a situs for the imposition of licensing fees under this section in the  
803 locality.

804           The governing body of any county, city, or town issuing licenses under this section may by  
805 ordinance provide for a 50 percent reduction in the fee charged for the issuance of any such license  
806 issued for any vehicle owned or leased by any person who is 65 years old or older. No such discount,  
807 however, shall be available for more than one vehicle owned or leased by the same person.

808           The governing body of any county, city, or town issuing licenses free of charge under this  
809 subsection may by ordinance provide for (i) the limitation, restriction, or denial of such free issuance to  
810 an otherwise qualified applicant, including without limitation the denial of free issuance to a taxpayer  
811 who has failed to timely pay personal property taxes due with respect to the vehicle and (ii) the grounds  
812 for such limitation, restriction, or denial.

813 The situs for the imposition of licensing fees under this section shall in all cases, except as  
814 hereinafter provided, be the county, city, or town in which the motor vehicle, trailer, or semitrailer is  
815 normally garaged, stored, or parked. If it cannot be determined where the personal property is normally  
816 garaged, stored, or parked, the situs shall be the domicile of its owner. In the event the owner of the  
817 motor vehicle is a full-time student attending an institution of higher education, the situs shall be the  
818 domicile of such student, provided the student has presented sufficient evidence that he has paid a  
819 personal property tax on the motor vehicle in his domicile.

820 B. The-Except as provided in this subsection, subsection L, and § 46.2-753, all revenue derived  
821 from all county, city, or town taxes and license fees imposed on motor vehicles, trailers, or semitrailers  
822 shall be applied to general county, city, or town purposes. However, if a county, city, or town imposes a  
823 license fee or tax pursuant to this section in excess of the maximum amount authorized as of June 30,  
824 2006, an amount approximately equal to one-half of the revenues collected by the county, city, or town  
825 that are attributable to the increase in such fee or tax above such maximum amount shall be used by the  
826 county, city, or town for local or regional projects directly relating to transportation, including debt  
827 service payments on any obligations authorized and issued on or after July 1, 2006.

828 C. A county, city, or town may require that no motor vehicle, trailer, or semitrailer shall be  
829 locally licensed until the applicant has produced satisfactory evidence that all personal property taxes on  
830 the motor vehicle, trailer, or semitrailer to be licensed have been paid and satisfactory evidence that any  
831 delinquent motor vehicle, trailer, or semitrailer personal property taxes owing have been paid which  
832 have been properly assessed or are assessable against the applicant by the county, city, or town. A  
833 county, city, or town may also provide that no motor vehicle license shall be issued unless the tangible  
834 personal property taxes properly assessed or assessable by that locality on any tangible personal property  
835 used or usable as a dwelling titled by the Department of Motor Vehicles and owned by the taxpayer have  
836 been paid. Any county and any town within any such county may by agreement require that all personal  
837 property taxes assessed by either the county or the town on any vehicle be paid before licensure of such  
838 vehicle by either the county or the town.

839 C1. Any county having a population of at least 24,000, but no more than 24,600, or having a  
840 population of at least 39,550, but no more than 41,550, may, by ordinance or resolution adopted after  
841 public notice and hearing and, with the consent of the treasurer, require that no license may be issued  
842 under this section unless the applicant has produced satisfactory evidence that all fees, including  
843 delinquent fees, payable to such county or local solid waste authority, for the disposal of solid waste  
844 pursuant to the Virginia Water and Waste Authorities Act (§ 15.2-5100 et seq.), or pursuant to § 15.2-  
845 2159, have been paid in full. For purposes of this subsection, all fees, including delinquent fees, payable  
846 to a county for waste disposal services described herein, shall be paid to the treasurer of such county;  
847 however, in any county with a population between 39,550 and 41,550, the fee shall be paid to the county  
848 or its agent.

849 D. The Counties of Arlington, Fairfax, Loudoun, and Prince William and towns within them and  
850 any city may require that no motor vehicle, trailer, or semitrailer shall be licensed by that jurisdiction  
851 unless all fines owed to the jurisdiction by the owner of the vehicle, trailer, or semitrailer for violation of  
852 the jurisdiction's ordinances governing parking of vehicles have been paid. The provisions of this  
853 subsection shall not apply to vehicles owned by firms or companies in the business of renting motor  
854 vehicles.

855 E. If in any county imposing license fees and taxes under this section, a town therein imposes  
856 like fees and taxes on vehicles of owners resident in the town, the owner of any vehicle subject to the  
857 fees or taxes shall be entitled, on the owner's displaying evidence that he has paid the fees or taxes, to  
858 receive a credit on the fees or taxes imposed by the county to the extent of the fees or taxes he has paid  
859 to the town. Nothing in this section shall deprive any town now imposing these licenses and taxes from  
860 increasing them or deprive any town not now imposing them from hereafter doing so, but subject to the  
861 limitations provided in subsection D of this section. The governing body of any county and the  
862 governing body of any town in that county wherein each imposes the license tax herein provided may  
863 provide mutual agreements so that not more than one license plate or decal in addition to the state plate  
864 shall be required.

865 F. Notwithstanding the provisions of subsection E of this section, in a consolidated county  
866 wherein a tier-city exists, the tier-city may, in accordance with the provisions of the agreement or plan  
867 of consolidation, impose license fees and taxes under this section in addition to those fees and taxes  
868 imposed by the county, provided that the combined county and tier-city rates do not exceed the  
869 maximum provided in subsection A of this section. No credit shall be allowed on the fees or taxes  
870 imposed by the county for fees or taxes paid to the tier-city, except as may be provided by the  
871 consolidation agreement or plan. The governing body of any county and the governing body of any tier-  
872 city in such county wherein each imposes the license tax herein may provide by mutual agreement that  
873 no more than one license plate or decal in addition to the state license plate shall be required.

874 G. Any county, city, or town may by ordinance provide that it shall be unlawful for any owner or  
875 operator of a motor vehicle, trailer, or semitrailer to fail to obtain and display the local license required  
876 by any ordinance of the county, city or town in which the vehicle is registered or to display upon a  
877 motor vehicle, trailer, or semitrailer any such local license after its expiration date. The ordinance may  
878 provide that a violation shall constitute a misdemeanor the penalty for which shall not exceed that of a  
879 Class 4 misdemeanor and may, in the case of a motor vehicle registered to a resident of the locality  
880 where such vehicle is registered, authorize the issuance by local law-enforcement officers of citations,  
881 summonses, parking tickets, or uniform traffic summonses for violations. Any such ordinance may also  
882 provide that a violation of the ordinance by the registered owner of the vehicle may not be discharged by  
883 payment of a fine except upon presentation of satisfactory evidence that the required license has been  
884 obtained.

885 H. Except as provided by subsections E and F, no vehicle shall be subject to taxation under the  
886 provisions of this section in more than one jurisdiction.

887 I. Purchasers of new or used motor vehicles shall be allowed at least a 10-day grace period,  
888 beginning with the date of purchase, during which to pay license fees charged by local governments  
889 under authority of this section.

890 J. Beginning October 1, 1992, the treasurer or director of finance of any county, city, or town  
891 may enter into an agreement with the Commissioner whereby the Commissioner will refuse to issue or

892 renew any vehicle registration of any applicant therefor who owes to such county, city or town any local  
893 vehicle license fees or delinquent tangible personal property tax or parking citations issued only to  
894 residents of such county, city, or town. Before being issued any vehicle registration or renewal of such  
895 license or registration by the Commissioner, the applicant shall first satisfy all such local vehicle license  
896 fees and delinquent taxes or parking citations and present evidence satisfactory to the Commissioner that  
897 all such local vehicle license fees and delinquent taxes or parking citations have been paid in full. The  
898 Commissioner shall charge a reasonable fee to cover the costs of such enforcement action, and the  
899 treasurer or director of finance may add the cost of this fee to the delinquent tax bill or the amount of the  
900 parking citation. The treasurer or director of finance of any county, city, or town seeking to collect  
901 delinquent taxes or parking citations through the withholding of registration or renewal thereof by the  
902 Commissioner as provided for in this subsection shall notify the Commissioner in the manner provided  
903 for in his agreement with the Commissioner and supply to the Commissioner information necessary to  
904 identify the debtor whose registration or renewal is to be denied. Any agreement entered into pursuant to  
905 the provisions of this subsection shall provide the debtor notice of the intent to deny renewal of  
906 registration at least 30 days prior to the expiration date of a current vehicle registration. For the purposes  
907 of this subsection, notice by first-class mail to the registrant's address as maintained in the records of the  
908 Department of Motor Vehicles shall be deemed sufficient. In the case of parking violations, the  
909 Commissioner shall only refuse to issue or renew the vehicle registration of any applicant therefor  
910 pursuant to this subsection for the vehicle that incurred the parking violations. The provisions of this  
911 subsection shall not apply to vehicles owned by firms or companies in the business of renting motor  
912 vehicles.

913 K. The governing bodies of any two or more counties, cities, or towns may enter into compacts  
914 for the regional enforcement of local motor vehicle license requirements. The governing body of each  
915 participating jurisdiction may by ordinance require the owner or operator of any motor vehicle, trailer,  
916 or semitrailer to display on his vehicle a valid local license issued by another county, city, or town that is  
917 a party to the regional compact, provided that the owner or operator is required by the jurisdiction of  
918 situs, as provided in § 58.1-3511, to obtain and display such license. The ordinance may also provide

919 that no motor vehicle, trailer, or semitrailer shall be locally licensed until the applicant has produced  
920 satisfactory evidence that (i) all personal property taxes on the motor vehicle, trailer, or semitrailer to be  
921 licensed have been paid to all participating jurisdictions and (ii) any delinquent motor vehicle, trailer, or  
922 semitrailer personal property taxes that have been properly assessed or are assessable by any  
923 participating jurisdiction against the applicant have been paid. Any city and any county having the urban  
924 county executive form of government, the counties adjacent to such county and towns within them may  
925 require that no motor vehicle, trailer, or semitrailer shall be licensed by that jurisdiction or any other  
926 jurisdiction in the compact unless all fines owed to any participating jurisdiction by the owner of the  
927 vehicle for violation of any participating jurisdiction's ordinances governing parking of vehicles have  
928 been paid. The ordinance may further provide that a violation shall constitute a misdemeanor the penalty  
929 for which shall not exceed that of a Class 4 misdemeanor. Any such ordinance may also provide that a  
930 violation of the ordinance by the owner of the vehicle may not be discharged by payment of a fine  
931 except upon presentation of satisfactory evidence that the required license has been obtained. The  
932 provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of  
933 renting motor vehicles.

934 L. In addition to the taxes and license fees permitted in subsection A, counties, cities, and towns  
935 may charge a license fee of no more than \$1 per motor vehicle, trailer, and semitrailer. Except for the  
936 provisions of subsection B, such fee shall be subject to all other provisions of this section. All funds  
937 collected pursuant to this subsection shall be paid pursuant to § 51.1-1204 to the Volunteer Firefighters'  
938 and Rescue Squad Workers' Service Award Fund to the accounts of all members of the Fund who are  
939 volunteers for fire departments or rescue squads within the jurisdiction of the particular county, city, or  
940 town.

941 § 46.2-753. Additional license fees in certain localities.

942 Notwithstanding any other provision of law, the governing bodies of Alexandria, Arlington,  
943 Fairfax County, Fairfax City, and Falls Church are authorized to charge annual license fees, in addition  
944 to those specified in § 46.2-752, on passenger cars not used for the transportation of passengers for  
945 compensation. The additional fee shall be no more than five dollars. The total local license fee shall be

946 no more than ~~twenty-five dollars~~ \$35 on any vehicle and this license fee shall not be imposed on any  
947 motor vehicle exempted under § 46.2-739.

948 The governing bodies are also authorized to charge additional annual license fees on the motor  
949 vehicles, trailers, and semitrailers as specified in § 46.2-697 in an amount of no more than five dollars  
950 for each such vehicle. This authorization shall not increase the maximum chargeable by more than five  
951 dollars or affect any existing exemption.

952 Any funds acquired in excess of those allowed by § 46.2-752, shall be allocated to the Northern  
953 Virginia Transportation Commission to be a credit to that jurisdiction making the payment for its share  
954 of any operating deficit assigned to it by the Washington Metropolitan Area Transit Authority. However,  
955 if any of such counties or cities charge a license fee pursuant to this section that is in excess of the  
956 maximum amount authorized as of June 30, 2006, an amount approximately equal to one-half of the  
957 revenues collected by the county or city that is attributable to the increase in such license fee above such  
958 maximum amount shall be used by the county or city for local or regional projects directly relating to  
959 transportation, including debt service payments on any obligations authorized and issued on or after July  
960 1, 2006.

961 § 46.2-1135. Liquidated damages for violation of weight limits.

962 A. Any person violating any weight limit as provided in this chapter or in any permit issued  
963 pursuant to Article 18 (§ 46.2-1139 et seq.) of this chapter by the Department or its designee or by local  
964 authorities pursuant to this chapter shall be assessed liquidated damages. The amount of those damages  
965 shall be:

966 Excess weight over	Assessed
967 the prescribed	amount per
968 or permitted	pound
969 axle weight	
970 limits	
971 <del>4,000 pounds or less</del> <del>1</del> <del>per pound</del>	
972 <u>2,000 pounds or less</u> <u>5 cents per pound</u>	
973 <u>2,001 to 4,000 pounds</u> <u>10 cents per pound</u>	
974 4,001 to 8,000 pounds <del>10</del> <u>15 cents</u> per pound	
975 8,001 to 12,000 pounds <del>20</del> <u>25 cents</u> per pound	
976 12,001 pounds or more <del>30</del> <u>35 cents</u> per pound	
977	
978 Excess weight over	Assessed
979 the prescribed	amount per

980	gross weight	pound
981	limit	
982	<del>4,000 pounds or less</del>	<del>1</del> per pound
983	<del>4,001 to 8,000 pounds</del>	<del>5</del> per pound
984	<u>2,000 pounds or less</u>	5 cents per pound
985	<u>2,001 to 8,000 pounds</u>	10 cents per pound
986	8,001 to 12,000 pounds	<del>10</del> <u>15</u> cents per pound
987	12,001 pounds or more	<del>15</del> <u>20</u> cents per pound

988 All gross permit violations shall be assessed \$.20 per pound over the permitted weight limit.

989 In addition to all damages assessed herein, for every violation of any weight limit as provided in  
990 this chapter or in any permit issued pursuant to Article 18 (§ 46.2-1139 et seq.) of this chapter there shall  
991 be assessed additional liquidated damages of \$20.

992 If a person has no prior violations under the motor vehicle weight laws, and the excess weight  
993 does not exceed ~~2,500~~1,500 pounds, the general district court may waive the liquidated damages against  
994 such person. Except as provided by § 46.2-1138, such assessment shall be entered by the court or by the  
995 Department as a judgment for the Commonwealth, the entry of which shall constitute a lien upon the  
996 overweight vehicle. Except as provided by § 46.2-1138, such sums shall be paid to the Department or  
997 collected by the attorney for the Commonwealth and forwarded to the State Treasurer and allocated to  
998 the fund appropriated for the construction and maintenance of state highways.

999 B. If the gross weight of the vehicle exceeds lawful limits by at least 25 percent but no more than  
1000 50 percent, the amount of the liquidated damages shall be two times the amount provided for in the  
1001 foregoing provisions of this section; if the gross weight of the vehicle exceeds lawful limits by more  
1002 than 50 percent, the amount of the liquidated damages shall be three times the amount provided for in  
1003 the foregoing provisions of this section. The provisions of this subsection shall not apply to pickup or  
1004 panel trucks.

1005 C. The increases in the liquidation damages under subsection A pursuant to enactments of the  
1006 2006 Session of the General Assembly shall not be applicable to any motor vehicle hauling forest  
1007 products from the place where such products are first produced, cut, harvested, or felled to the location  
1008 where they are first processed. Notwithstanding any other provision in this section, except as provided  
1009 by § 46.2-1138, the revenues generated by the increases in the liquidated damages under this section  
1010 pursuant to enactments of the 2006 Session of the General Assembly shall be paid to the Department or

1011 collected by the attorney for the Commonwealth and forwarded to the State Treasurer and deposited into  
1012 the Transportation Trust Fund established under § 33.1-23.03:1 and allocated pursuant to subsection B  
1013 of § 33.1-23.03:2. For the revenues paid to the Department, the Commissioner of the Department shall  
1014 make such written certifications as are necessary for the Comptroller to make the required deposit into  
1015 the Transportation Trust Fund under this subsection as soon as practicable.

1016 § 58.1-802. Additional tax paid by grantor; collection.

1017 A. In addition to any other tax imposed under the provisions of this chapter, a tax is hereby  
1018 imposed on each deed, instrument, or writing by which lands, tenements or other realty sold is granted,  
1019 assigned, transferred, or otherwise conveyed to, or vested in the purchaser, or any other person, by such  
1020 purchaser's direction. The rate of the tax, when the consideration or value of the interest exceeds \$100,  
1021 shall be ~~50 cents for each \$500~~ 30 cents for each \$100 or fraction thereof, exclusive of the value of any  
1022 lien or encumbrance remaining thereon at the time of the sale, whether such lien is assumed or the realty  
1023 is sold subject to such lien or encumbrance. No increase in the city or county recordation tax authorized  
1024 by § 58.1-814 shall be deemed authorized by this section.

1025 The tax imposed by this section shall be paid by the grantor, or any person who signs on behalf  
1026 of the grantor, of any deed, instrument or writing subject to the tax imposed by this section.

1027 No such deed, instrument or other writing shall be admitted to record without certification of the  
1028 clerk of the court wherein first recorded having been affixed thereto that the tax imposed by this section  
1029 has been paid. The clerk shall include within the certificate the amount of such tax collected thereon.

1030 B. Taxes imposed by this section shall be collected as provided in § 58.1-812 and the clerk shall  
1031 return taxes collected hereunder ~~one half into the state treasury and one half into the treasury of the~~  
1032 ~~locality into the treasury of the locality at the rate of 25 cents for each \$100 of value as determined~~  
1033 ~~pursuant to subsection A, with the remainder of such tax collected returned into the state treasury. At~~  
1034 ~~least 80% of the taxes returned into the treasury of the locality pursuant to this section shall be used for~~  
1035 local or regional projects directly relating to transportation.

1036 The local portion of the tax imposed by this section on property which is located in more than  
1037 one jurisdiction shall be collected by the clerk in proportion to the value of the property located in each  
1038 such locality when recorded therein.

1039 Every clerk of court collecting taxes under this section for the county or city which he serves  
1040 shall be entitled to compensation for such service at five percent of the amount so collected and paid,  
1041 with such compensation based on a rate of 10 cents for each \$100 of value as determined pursuant to  
1042 subsection A.

1043 58.1-802.1. Additional local tax paid by grantor; collection.

1044 In addition to the tax imposed by § 58.1-802, the council of any city and the governing body of  
1045 any county may, by ordinance, impose a tax on each deed, instrument, or writing by which lands,  
1046 tenements or other realty sold is granted, assigned, transferred, or otherwise conveyed to, or vested in  
1047 the purchaser, or any other person, by such purchaser's direction. The rate of the tax, when the  
1048 consideration or value of the interest exceeds \$100, shall be 10 cents for each \$100 or fraction thereof,  
1049 exclusive of the value of any lien or encumbrance remaining thereon at the time of the sale, whether  
1050 such lien is assumed or the realty is sold subject to such lien or encumbrance.

1051 The tax authorized under this section shall be paid by the grantor, or any person who signs on  
1052 behalf of the grantor, of any deed, instrument or writing subject to the tax imposed by this section. The  
1053 tax shall be collected pursuant to subsection B of § 58.1-802. The clerk shall return any taxes collected  
1054 hereunder into the treasury of the locality, and such funds shall be used for local or regional projects  
1055 directly relating to transportation, including debt service payments on any obligations authorized and  
1056 issued on or after July 1, 2006.

1057 § 58.1-811. Exemptions.

1058 A. The taxes imposed by §§ 58.1-801 and 58.1-807 shall not apply to any deed conveying real  
1059 estate or lease of real estate:

1060 1. To an incorporated college or other incorporated institution of learning not conducted for  
1061 profit, where such real estate is intended to be used for educational purposes and not as a source of  
1062 revenue or profit;

- 1063           2. To an incorporated church or religious body or to the trustee or trustees of any church or  
1064 religious body, or a corporation mentioned in § 57-16.1, where such real estate is intended to be used  
1065 exclusively for religious purposes, or for the residence of the minister of any such church or religious  
1066 body;
- 1067           3. To the United States, the Commonwealth, or to any county, city, town, district or other  
1068 political subdivision of the Commonwealth;
- 1069           4. To the Virginia Division of the United Daughters of the Confederacy;
- 1070           5. To any nonstock corporation organized exclusively for the purpose of owning or operating a  
1071 hospital or hospitals not for pecuniary profit;
- 1072           6. To a corporation upon its organization by persons in control of the corporation in a transaction  
1073 which qualifies for nonrecognition of gain or loss pursuant to § 351 of the Internal Revenue Code as it  
1074 exists at the time of the conveyance;
- 1075           7. From a corporation to its stockholders upon complete or partial liquidation of the corporation  
1076 in a transaction which qualifies for income tax treatment pursuant to § 331, 332, 333 or 337 of the  
1077 Internal Revenue Code as it exists at the time of liquidation;
- 1078           8. To the surviving or new corporation, partnership or limited liability company upon merger or  
1079 consolidation of two or more corporations, partnerships or limited liability companies, or in a  
1080 reorganization within the meaning of § 368 (a) (1) (C) and (F) of the Internal Revenue Code as  
1081 amended;
- 1082           9. To a subsidiary corporation from its parent corporation, or from a subsidiary corporation to a  
1083 parent corporation, if the transaction qualifies for nonrecognition of gain or loss under the Internal  
1084 Revenue Code as amended;
- 1085           10. To a partnership or limited liability company, when the grantors are entitled to receive not  
1086 less than 50 percent of the profits and surplus of such partnership or limited liability company; provided  
1087 that the transfer to a limited liability company is not a precursor to a transfer of control of the assets of  
1088 the company to avoid recordation taxes;

1089 11. From a partnership or limited liability company, when the grantees are entitled to receive not  
1090 less than 50 percent of the profits and surplus of such partnership or limited liability company; provided  
1091 that the transfer from a limited liability company is not subsequent to a transfer of control of the assets  
1092 of the company to avoid recordation taxes;

1093 12. To trustees of a revocable inter vivos trust, when the grantors in the deed and the  
1094 beneficiaries of the trust are the same persons, regardless of whether other beneficiaries may also be  
1095 named in the trust instrument, when no consideration has passed between the grantor and the  
1096 beneficiaries; and to the original beneficiaries of a trust from the trustees holding title under a deed in  
1097 trust;

1098 13. When the grantor is the personal representative of a decedent's estate or trustee under a will  
1099 or inter vivos trust of which the decedent was the settlor, other than a security trust defined in § 55-58.1,  
1100 and the sole purpose of such transfer is to comply with a devise or bequest in the decedent's will or to  
1101 transfer title to one or more beneficiaries after the death of the settlor in accordance with a dispositive  
1102 provision in the trust instrument; or

1103 14. When the grantor is an organization exempt from taxation under § 501 (c) (3) of the Internal  
1104 Revenue Code that is organized and operated primarily to acquire land and purchase materials to erect or  
1105 rehabilitate low-cost homes on such land, which homes are sold at cost to persons who otherwise would  
1106 be unable to afford to buy a home through conventional means, located in a county with a population of  
1107 not less than 28,500 and not more than 28,650 or a city with a population of not less than 66,000 and not  
1108 more than 70,000.

1109 B. The taxes imposed by §§ 58.1-803 and 58.1-804 shall not apply to any deed of trust or  
1110 mortgage:

1111 1. Given by an incorporated college or other incorporated institution of learning not conducted  
1112 for profit;

1113 2. Given by the trustee or trustees of a church or religious body or given by an incorporated  
1114 church or religious body, or given by a corporation mentioned in § 57-16.1;

1115 3. Given by any nonstock corporation organized exclusively for the purpose of owning and/or  
1116 operating a hospital or hospitals not for pecuniary profit;

1117 4. Given by any local governmental entity or political subdivision of the Commonwealth to  
1118 secure a debt payable to any other local governmental entity or political subdivision; or

1119 5. Securing a loan made by an organization described in subdivision 14 of subsection A of this  
1120 section.

1121 C. The ~~tax~~ taxes imposed by §§ 58.1-802 and 58.1-802.1 shall not apply to any:

1122 1. Transaction described in subdivisions 6 through 13 of subsection A of this section;

1123 2. Instrument or writing given to secure a debt;

1124 3. Deed conveying real estate from an incorporated college or other incorporated institution of  
1125 learning not conducted for profit;

1126 4. Deed conveying real estate from the United States, the Commonwealth or any county, city,  
1127 town, district or other political subdivision thereof;

1128 5. Conveyance of real estate to the Commonwealth or any county, city, town, district or other  
1129 political subdivision thereof, if such political unit is required by law to reimburse the parties taxable  
1130 pursuant to § 58.1-802; or

1131 6. Deed conveying real estate from the trustee or trustees of a church or religious body or from  
1132 an incorporated church or religious body, or from a corporation mentioned in § 57-16.1.

1133 D. No recordation tax shall be required for the recordation of any deed of gift between a grantor  
1134 or grantors and a grantee or grantees when no consideration has passed between the parties. Such deed  
1135 shall state therein that it is a deed of gift.

1136 E. The tax imposed by § 58.1-807 shall not apply to any lease to the United States, the  
1137 Commonwealth, or any county, city, town, district or other political subdivision of the Commonwealth.

1138 F. The taxes imposed by §§ 58.1-801, 58.1-802, 58.1-802.1, 58.1-807, 58.1-808 and 58.1-814  
1139 shall not apply to (i) any deed of gift conveying real estate or any interest therein to The Nature  
1140 Conservancy or (ii) any lease of real property or any interest therein to The Nature Conservancy, where

1141 such deed of gift or lease of real estate is intended to be used exclusively for the purpose of preserving  
1142 wilderness, natural or open space areas.

1143 G. The words "trustee" or "trustees," as used in subdivision 2 of subsection A, subdivision 2 of  
1144 subsection B, and subdivision 6 of subsection C, include the trustees mentioned in § 57-8 and the  
1145 ecclesiastical officers mentioned in § 57-16.

1146 H. No recordation tax levied pursuant to this chapter shall be levied on the release of a  
1147 contractual right, if the release is contained within a single deed that performs more than one function,  
1148 and at least one of the other functions performed by the deed is subject to the recordation tax.

1149 § 58.1-2217. Taxes levied; rate.

1150 A. There is hereby levied a tax at the rate of seventeen and one-half cents per gallon on gasoline  
1151 and gasohol.

1152 B. There is hereby levied a tax at the rate of ~~sixteen~~ seventeen and one-half cents per gallon on  
1153 diesel fuel.

1154 C. Blended fuel that contains gasoline shall be taxed at the rate levied on gasoline. Blended fuel  
1155 that contains diesel fuel shall be taxed at the rate levied on diesel fuel.

1156 D. There is hereby levied a tax at the rate of five cents per gallon on aviation gasoline. Any  
1157 person, whether or not licensed under this chapter, who uses, acquires for use, sells or delivers for use in  
1158 highway vehicles any aviation gasoline shall be liable for the tax at the rate of seventeen and one-half  
1159 cents per gallon, along with any penalties and interest that may accrue.

1160 E. There is hereby levied a tax at the rate of five cents per gallon on aviation jet fuel purchased  
1161 or acquired for use by a user of aviation fuel other than an aviation consumer. There is hereby levied a  
1162 tax at the rate of five cents per gallon upon the first 100,000 gallons of aviation jet fuel, excluding  
1163 bonded aviation jet fuel, purchased or acquired for use by any aviation consumer in any fiscal year.  
1164 There is hereby levied a tax at the rate of one-half cent per gallon on all aviation jet fuel, excluding  
1165 bonded aviation jet fuel, purchased or acquired for use by an aviation consumer in excess of 100,000  
1166 gallons in any fiscal year. Any person, whether or not licensed under this chapter, who uses, acquires for  
1167 use, sells or delivers for use in highway vehicles any aviation jet fuel taxable under this chapter shall be

1168 | liable for the tax imposed at the rate of ~~sixteen~~ seventeen and one-half cents per gallon, along with any  
1169 | penalties and interest that may accrue.

1170 | F. In accordance with § 62.1-44.34:13, a storage tank fee is imposed on each gallon of gasoline,  
1171 | aviation gasoline, diesel fuel (including dyed diesel fuel), blended fuel, and heating oil sold and  
1172 | delivered or used in the Commonwealth.

1173 | § 58.1-2249. Tax on alternative fuel.

1174 | A. There is hereby levied a tax at the rate of ~~sixteen~~ seventeen and one-half cents per gallon on  
1175 | liquid alternative fuel used to operate a highway vehicle by means of a vehicle supply tank that stores  
1176 | fuel only for the purpose of supplying fuel to operate the vehicle. There is hereby levied a tax at a rate  
1177 | equivalent to ~~sixteen~~ seventeen and one-half cents per gallon on all other alternative fuel used to operate  
1178 | a highway vehicle. The Commissioner shall determine the equivalent rate applicable to such other  
1179 | alternative fuels.

1180 | B. In addition to any tax imposed by this article, there is hereby levied an annual license tax of  
1181 | ~~fifty dollars~~ \$70 per vehicle on each highway vehicle that is fueled from a private source if the  
1182 | alternative fuels tax levied under this article has not been paid on fuel used in the vehicle. If such a  
1183 | highway vehicle is not in operation by January 1 of any year, the license tax shall be reduced by one-  
1184 | twelfth for each complete month which shall have elapsed since the beginning of such year.

1185 | § 58.1-2259.1. Additional fuel uses eligible for refund.

1186 | A refund of the tax paid for the purchase of fuel taxable under this chapter shall be granted in  
1187 | accordance with the provisions of subsections A through D of § 58.1-2261 to any person who has  
1188 | established to the satisfaction of the Commissioner that such person has paid the tax levied pursuant to  
1189 | this chapter upon any fuel used in operating or propelling a highway vehicle that is used for nonbusiness  
1190 | purposes.

1191 | Under no circumstances shall a refund be granted more than once for the same fuel under this  
1192 | section, or under this section and § 58.1-2259. The amount of refund under this section shall be equal to  
1193 | the amount of the taxes paid on a per gallon basis that are in excess of 17.5 cents per gallon.

1194 Any person eligible for a refund for fuel used as described in this section may apply for a refund  
1195 with the Commissioner (i) between March 1 and March 31, and (ii) between October 1 and October 31  
1196 of each year. The application for a refund shall be filed within 18 months from the date of the sale as  
1197 shown on the paid ticket or invoice. The Commissioner shall not certify the payment of a refund  
1198 pursuant to § 58.1-2262 if the refund is less than \$5.

1199 Any refunds made pursuant to this section shall be deducted from funds deposited in the  
1200 Commonwealth Mass Transit Fund and the Highway Construction Fund pursuant to subsection B of §  
1201 33.1-23.03:2. Refunds shall be deducted from such Funds on the same proportional basis that moneys  
1202 are allocated to such Funds pursuant to such subsection.

1203 Any person who is required to be licensed under this chapter and is applying for a refund shall  
1204 not be eligible for such refund if the applicant was not licensed at the time the refundable transaction  
1205 was conducted.

#### 1206 Article 8.1.

#### 1207 Additional Taxes.

#### 1208 § 58.1-2288.1. Additional taxes on fuels.

1209 A. Any licensee or person required to precollect the tax imposed on fuels under § 58.1-2217 or  
1210 58.1-2249 shall also be required to precollect an additional tax, which is hereby imposed at the rate  
1211 established in subsection B, on the number of gallons of gasoline, gasohol, diesel fuel, blended fuel, or  
1212 alternative fuel for which the licensee or person is precollecting the tax under such section or sections.  
1213 The tax imposed under this section shall be in addition to all other taxes and fees of every kind now  
1214 imposed by law.

1215 B. The tax imposed under subsection A shall be imposed at a cents per gallon rate determined by  
1216 the Commissioner. Such tax shall be imposed at a cents per gallon rate equal to 5% of the statewide  
1217 average retail price of a gallon of self-serve unleaded regular gasoline for the applicable base period,  
1218 excluding federal and state excise taxes, as determined by the Commissioner rounded up to the nearest  
1219 one-tenth of one cent.

1220 In computing the cents per gallon tax, the Commissioner shall use two base periods. The period  
1221 from April 1 through September 30 shall be the base period for purposes of determining the cents per  
1222 gallon tax for the immediately following period beginning January 1 and ending through June 30,  
1223 inclusive. The period from October 1 through March 31 shall be the base period for purposes of  
1224 determining the cents per gallon tax for the immediately following period beginning July 1 and ending  
1225 through December 31, inclusive.

1226 C. The tax imposed under this section on gallons of fuel for which the licensee or person is  
1227 precollecting the tax under § 58.1-2217 or 58.1-2249 is imposed on the ultimate consumer but shall be  
1228 precollected as prescribed herein, and the levies and assessments imposed on the licensee or person for  
1229 such tax are imposed on them as agents of the Commonwealth for the precollection of the tax.

1230 D. The tax imposed under subsection A shall be due and paid by such licensee or person at the  
1231 same time that the tax under § 58.1-2217 or 58.1-2249, as applicable, is due. All provisions of this  
1232 chapter including but not limited to return filing and reporting requirements, payment requirements and  
1233 due dates for payment of tax, requirements to precollect tax, late payment penalties and interest,  
1234 jeopardy assessments, civil penalties, discounts, deductions, and exemptions from tax shall apply  
1235 mutatis mutandis to the additional tax imposed under this section.

1236 § 58.1-2289. Disposition of tax revenue generally.

1237 A. ~~Unless~~ Except as otherwise provided in subsection F and elsewhere in this section, all taxes  
1238 and fees, including civil penalties, collected by the Commissioner pursuant to this chapter, less a  
1239 reasonable amount to be allocated for refunds, shall be promptly paid into the state treasury and shall  
1240 constitute special funds within the Commonwealth Transportation Fund. Any balances remaining in  
1241 these funds at the end of the year shall be available for use in subsequent years for the purposes set forth  
1242 in this chapter, and any interest income on such funds shall accrue to these funds. Except as provided in  
1243 subsection F and § 33.1-23.03:1, no portion of the revenue derived from taxes collected pursuant to §§  
1244 58.1-2217, 58.1-2249 or § 58.1-2701, and remaining after authorized refunds for nonhighway use of  
1245 fuel, shall be used for any purpose other than the construction, reconstruction or maintenance of the  
1246 roads and projects comprising the State Highway System, the Interstate System and the secondary

1247 system of state highways and expenditures directly and necessarily required for such purposes, including  
1248 the retirement of revenue bonds.

1249 ~~Revenues~~Except as provided in subsection F, revenues collected under this chapter may be also  
1250 used for (i) contributions toward the construction, reconstruction or maintenance of streets in cities and  
1251 towns of such sums as may be provided by law and (ii) expenditures for the operation and maintenance  
1252 of the Department of Transportation, the Department of Rail and Public Transportation, the Department  
1253 of Aviation, the Virginia Port Authority, and the Department of Motor Vehicles as may be provided by  
1254 law.

1255 The Governor is hereby authorized to transfer out of such fund an amount necessary for the  
1256 inspection of gasoline and motor grease measuring and distributing equipment, and for the inspection  
1257 and analysis of gasoline for purity.

1258 B. ~~The~~ Except as provided in subsection F, the tax collected on each gallon of aviation fuel sold  
1259 and delivered or used in this Commonwealth, less refunds, shall be paid into a special fund of the state  
1260 treasury. Proceeds of this special fund within the Commonwealth Transportation Fund shall be disbursed  
1261 upon order of the Department of Aviation, on warrants of the Comptroller, to defray the cost of the  
1262 administration of the laws of this Commonwealth relating to aviation, for the construction, maintenance  
1263 and improvement of airports and landing fields to which the public now has or which it is proposed shall  
1264 have access, and for the promotion of aviation in the interest of operators and the public generally.

1265 C. One-half cent of the tax collected on each gallon of fuel on which ~~the a~~ refund has been paid  
1266 ~~at the rate of seventeen cents per gallon, or in the case of diesel fuel, fifteen and one half cents per~~  
1267 ~~gallon for gasoline, gasohol, diesel fuel, blended fuel, and alternative fuel~~, for fuel consumed in tractors  
1268 and unlicensed equipment used for agricultural purposes shall be paid into a special fund of the state  
1269 treasury, known as the Virginia Agricultural Foundation Fund, to be disbursed to make certain refunds  
1270 and defray the costs of the research and educational phases of the agricultural program, including  
1271 supplemental salary payments to certain employees at Virginia Polytechnic Institute and State  
1272 University, the Department of Agriculture and Consumer Services and the Virginia Truck and  
1273 Ornamentals Research Station, including reasonable expenses of the Virginia Agricultural Council.

1274 D. One and one-half cents of the tax collected on each gallon of fuel used to propel a commercial  
1275 watercraft upon which a refund has been paid shall be paid to the credit of the Game Protection Fund of  
1276 the state treasury to be made available to the Board of Game and Inland Fisheries until expended for the  
1277 purposes provided generally in subsection C of § 29.1-701, including acquisition, construction,  
1278 improvement and maintenance of public boating access areas on the public waters of this  
1279 Commonwealth and for other activities and purposes of direct benefit and interest to the boating public  
1280 and for no other purpose. However, one and one-half cents per gallon on fuel used by commercial  
1281 fishing, oystering, clamming, and crabbing boats shall be paid to the Department of Transportation to be  
1282 used for the construction, repair, improvement and maintenance of the public docks of this  
1283 Commonwealth used by said commercial watercraft. Any expenditures for the acquisition, construction,  
1284 improvement and maintenance of the public docks shall be made according to a plan developed by the  
1285 Virginia Marine Resources Commission.

1286 From the tax collected pursuant to the provisions of this chapter from the sales of gasoline used  
1287 for the propelling of watercraft, after deduction for the additional applicable revenues generated by  
1288 increases in the rates of taxes and the imposition of new taxes under this chapter pursuant to enactments  
1289 of the 2006 Session of the General Assembly and after deduction for lawful refunds, there shall be paid  
1290 into the state treasury for use by the Marine Resources Commission, the Virginia Soil and Water  
1291 Conservation Board, the State Water Control Board, and the Commonwealth Transportation Board to (i)  
1292 improve the public docks as specified in this section, (ii) improve commercial and sports fisheries in  
1293 Virginia's tidal waters, (iii) make environmental improvements including, without limitation, fisheries  
1294 management and habitat enhancement in the Chesapeake and its tributaries, and (iv) further the purposes  
1295 set forth in § 33.1-223, a sum as established by the General Assembly.

1296 E. Notwithstanding other provisions of this section, there shall be transferred from moneys  
1297 collected pursuant to this section to a special fund within the Commonwealth Transportation Fund in the  
1298 state treasury, to be used to meet the necessary expenses of the Department of Motor Vehicles, an  
1299 amount equal to one percent of a sum to be calculated as follows: the tax revenues collected pursuant to

1300 this chapter, at the tax rates in effect on December 31, 1986, less refunds authorized by this chapter and  
1301 less taxes collected for aviation fuels.

1302 F. An amount equivalent to the net additional revenues, as determined by the Commissioner,  
1303 generated by increases in the rates of taxes and the imposition of new taxes under this chapter pursuant  
1304 to enactments of the 2006 Session of the General Assembly shall be deposited by the Comptroller into  
1305 the Transportation Trust Fund established under § 33.1-23.03:1 and allocated pursuant to subsection B  
1306 of § 33.1-23.03:2.

1307 The Commissioner shall provide a monthly certification to the Comptroller reporting such net  
1308 additional revenues generated in the preceding month. The certification for each month shall be  
1309 provided to the Comptroller no later than the twentieth of the immediately following month. The  
1310 Comptroller shall make the required deposits into the Transportation Trust Fund for each month's  
1311 revenues no later than the last day of the immediately following month.

1312 § 58.1-2402. Levy.

1313 A. There is hereby levied, in addition to all other taxes and fees of every kind now imposed by  
1314 law, a tax upon the sale or use of motor vehicles in Virginia, other than (i) vehicles with a gross vehicle  
1315 weight rating or gross combination weight rating of 26,001 pounds or more, or (ii) a sale to or use by a  
1316 person for rental as an established business or part of an established business or incidental or germane to  
1317 such business.

1318 There shall also be levied a tax upon the rental of a motor vehicle in Virginia, without regard to  
1319 whether such vehicle is required to be licensed by the Commonwealth. However, such tax shall not be  
1320 levied upon a rental to a person for re-rental as an established business or part of an established business,  
1321 or incidental or germane to such business.

1322 The amount of the tax to be collected shall be determined by the Commissioner by the  
1323 application of the following rates against the gross sales price or gross proceeds:

1324 1. Three-percent and one-quarter percent through midnight on June 30, 2007, 3.5% beginning  
1325 July 1, 2007, through midnight on June 30, 2008, and 3.75% beginning on and after July 1, 2008, of the  
1326 sale price of each motor vehicle sold in Virginia. If such motor vehicle is a manufactured home as

1327 defined in § 36-85.3, the tax shall be three percent of the sale price of each such manufactured home  
1328 sold in this Commonwealth; if such vehicle is a mobile office as defined in § 58.1-2401, the tax shall be  
1329 two percent of the sale price of each mobile office sold in this Commonwealth.

1330 2. ~~Three percent and one-quarter percent through midnight on June 30, 2007, 3.5% beginning~~  
1331 ~~July 1, 2007, through midnight on June 30, 2008, and 3.75% beginning on and after July 1, 2008,~~ of the  
1332 sale price of each motor vehicle, ~~or three percent of the sale price of each manufactured home as defined~~  
1333 ~~in § 36-85.3, or two percent of the sale price of each mobile office as defined in § 58.1-2401,~~ not sold in  
1334 Virginia but used or stored for use in this Commonwealth; or 3% of the sale price of each manufactured  
1335 home as defined in § 36-85.3 or 2% of the sale price of each mobile office as defined in § 58.1-2401, not  
1336 sold in Virginia but used or stored for use in this Commonwealth. When any such motor vehicle or  
1337 manufactured home is first used or stored for use in Virginia six months or more after its acquisition, the  
1338 tax shall be based on its current market value.

1339 3. Four percent of the gross proceeds from the rental in Virginia of any motor vehicle, except  
1340 those with a gross vehicle weight rating or gross combination weight rating of 26,001 pounds or more.

1341 4. In addition to the tax levied pursuant to subdivision A 3, a tax of four percent of the gross  
1342 proceeds shall be levied on the rental in Virginia of any daily rental vehicle, whether or not such vehicle  
1343 is required to be licensed in the Commonwealth.

1344 5. In addition to all other applicable taxes and fees, a fee of two percent of the gross proceeds  
1345 shall be imposed on the rental in Virginia of any daily rental vehicle, whether or not such vehicle is  
1346 required to be licensed in the Commonwealth. For purposes of this chapter, the rental fee shall be  
1347 implemented, enforced, and collected in the same manner that rental taxes are implemented, enforced,  
1348 and collected.

1349 6. The minimum tax levied on the sale of any motor vehicle in the Commonwealth shall be \$35,  
1350 except as provided by those exemptions defined in § 58.1-2403.

1351 B. A transaction taxed under subdivision A 1 shall not also be taxed under subdivision A 2, nor  
1352 shall the same transaction be taxed more than once under either subdivision. A motor vehicle subject to  
1353 the tax imposed under subdivision A 3 shall be subject to the tax under either subdivision A 1 or A 2

1354 when it ceases to be used for rental as an established business or part of an established business, or  
1355 incidental or germane to such business.

1356 C. Any motor vehicle, trailer or semitrailer exempt from this tax under subdivision 1 or 2 of §  
1357 58.1-2403 shall be subject to the tax, based on the current market value when such vehicle is no longer  
1358 owned, rented or used by the United States government or any governmental agency, or the  
1359 Commonwealth of Virginia or any political subdivision thereof. Further, any motor vehicle, trailer or  
1360 semitrailer exempt from the tax imposed by this chapter under subdivision 11 of § 58.1-2403 or §§ 46.2-  
1361 663 through 46.2-674 shall be subject to the tax, based on the current market value, when such vehicle is  
1362 subsequently licensed to operate on the highways of this Commonwealth.

1363 D. Any person who with intent to evade or to aid another person to evade the tax provided for  
1364 herein, falsely states the selling price of a vehicle on a bill of sale, assignment of title, application for  
1365 title, or any other document or paper submitted to the Commissioner pursuant to any provisions of this  
1366 title or Title 46.2, shall be guilty of a Class 3 misdemeanor.

1367 E. Effective January 1, 1997, any amount designated as a "processing fee" and any amount  
1368 charged by a dealer for processing a transaction, which is required to be included on a buyer's order  
1369 pursuant to subdivision 10 of § 46.2-1530, shall be subject to the tax.

1370 § 58.1-2425. Disposition of revenues.

1371 A. All funds collected hereunder by the Commissioner shall be forthwith paid into the state  
1372 treasury. Except as otherwise provided in this section, these funds shall constitute special funds within  
1373 the Commonwealth Transportation Fund. Any balances remaining in these funds at the end of the year  
1374 shall be available for use in subsequent years for the purposes set forth in this chapter, and any interest  
1375 income on such funds shall accrue to these funds. The revenue so derived, after refunds have been  
1376 deducted, is hereby allocated for the construction, reconstruction and maintenance of highways and the  
1377 regulation of traffic thereon and for no other purpose. However, (i) all funds collected pursuant to the  
1378 provisions of this chapter from manufactured homes, as defined in § 46.2-100, shall be distributed to the  
1379 city, town, or county wherein such manufactured home is to be situated as a dwelling; (ii) all funds  
1380 collected from the additional tax imposed by subdivision A 4 of § 58.1-2402 on the rental of daily rental

1381 vehicles shall be distributed quarterly to the city, town, or county wherein such vehicle was delivered to  
1382 the rentee; (iii) effective January 1, 1987, an amount equivalent to the net additional revenues generated  
1383 by enactments of the 1986 Special Session of the Virginia General Assembly which amended §§ 46.2-  
1384 694, 46.2-697, 58.1-2401, 58.1-2402 and this section shall be distributed to and paid into the  
1385 Transportation Trust Fund, a special fund within the Commonwealth Transportation Fund, and are  
1386 hereby appropriated to the Commonwealth Transportation Board for transportation needs; (iv) except as  
1387 otherwise provided in clause (iii) of this sentence, all moneys collected from the tax on the gross  
1388 proceeds from the rental in Virginia of any motor vehicle pursuant to subdivision A 3 of § 58.1-2402 at  
1389 the tax rate in effect on December 31, 1986, shall be paid by the Commissioner into the state treasury  
1390 and shall be paid into the Rail Enhancement Fund established by § 33.1-221.1:1.1; ~~and~~(v) all additional  
1391 revenues resulting from the fee imposed under subdivision A 5 of § 58.1-2402 as enacted by the 2004  
1392 Session of the General Assembly shall be used to pay the debt service on the bonds issued by the  
1393 Virginia Public Building Authority for the Statewide Agencies Radio System (STARS) for the  
1394 Department of State Police pursuant to the authority granted by the 2004 Session of the General  
1395 Assembly; and (vi) an amount equivalent to the net additional revenues generated by increases in the  
1396 rates of taxes under subdivisions A 1 and A 2 of § 58.1-2402 pursuant to enactments of the 2006 Session  
1397 of the General Assembly shall be deposited by the Comptroller into the Transportation Trust Fund  
1398 established under § 33.1-23.03:1 and allocated pursuant to subsection B of § 33.1-23.03:2.

1399 B. As provided in subsection A of § 58.1-638, of the funds becoming part of the Transportation  
1400 Trust Fund pursuant to clause (iii) of subsection A of this section, an aggregate of 4.2 percent shall be  
1401 set aside as the Commonwealth Port Fund; an aggregate of 2.4 percent shall be set aside as the  
1402 Commonwealth Airport Fund; and an aggregate of 14.5 percent in fiscal year 1998-1999 and 14.7  
1403 percent in fiscal year 1999-2000 and thereafter shall be set aside as the Commonwealth Mass Transit  
1404 Fund.

1405 § 58.1-2531. Distribution of certain revenue.

1406 A. Beginning with the Commonwealth's 2006-2007 fiscal year and for each fiscal year thereafter,  
1407 all revenues collected by the Commission from the tax imposed under this chapter shall be deposited by

1408 the Comptroller into the Transportation Trust Fund established under § 33.1-23.03:1 until the amount  
1409 deposited into the Fund pursuant to this section equals the revenues collected from such tax for the  
1410 immediately preceding calendar year that were attributable to any policy of motor vehicle insurance as  
1411 defined in § 38.2-124, including any motor vehicle insurance included in a combination policy as  
1412 defined in § 38.2-1921.

1413 All revenues deposited to the Transportation Trust Fund pursuant to this section shall be  
1414 allocated pursuant to subsection B of § 33.1-23.03:2.

1415 B. For purposes of the Comptroller's deposits under this section, the Commissioner of the Bureau  
1416 of Insurance shall, no later than July 15 of each year, provide a written certification to the Comptroller  
1417 that reports the amounts to be deposited into the Transportation Trust Fund in the fiscal year as required  
1418 under this section. After the required amount has been deposited into such Fund, the Comptroller shall  
1419 deposit all remaining revenues collected in the fiscal year from the taxes imposed under this chapter into  
1420 the general fund of the state treasury. The Comptroller shall make all deposits under this section as soon  
1421 as practicable.

1422 No refund of the tax imposed under this chapter shall be paid from the revenues designated for  
1423 deposit to the Transportation Trust Fund under this section.

1424 § 58.1-2701. Amount of tax.

1425 A. Except as provided in subsection B, every motor carrier shall pay a road tax equivalent to  
1426 ~~nineteen and one-half~~twenty-one cents per gallon calculated on the amount of motor fuel, diesel fuel or  
1427 liquefied gases (which would not exist as liquids at a temperature of sixty degrees Fahrenheit and a  
1428 pressure of 14.7 pounds per square inch absolute), used in its operations within the Commonwealth.

1429 The tax imposed by this chapter shall be in addition to all other taxes of whatever character  
1430 imposed on a motor carrier by any other provision of law.

1431 B. In lieu of the tax imposed in subsection A, motor carriers registering qualified highway  
1432 vehicles that are not registered under the International Registration Plan shall pay a fee of ~~\$100~~\$150 per  
1433 year for each qualified highway vehicle. The fee is due and payable when the vehicle registration fees  
1434 are paid pursuant to the provisions of Article 7 (§ 46.2-685 et seq.) of Chapter 6 of Title 46.2.

1435 If a vehicle becomes a qualified highway vehicle before the end of its registration period, the fee  
1436 due at the time the vehicle becomes a qualified highway vehicle shall be prorated monthly to the  
1437 registration expiration month. Fees paid under this subsection shall not be refunded unless a full refund  
1438 of the registration fee paid is authorized by law.

1439 C. All taxes and fees paid under the provisions of this chapter shall be credited to the Highway  
1440 Maintenance and Operating Fund, a special fund within the Commonwealth Transportation Fund.

1441 § 58.1-2706. Credit for payment of motor fuel, diesel fuel or liquefied gases tax.

1442 A. Every motor carrier subject to the road tax shall be entitled to a credit on such tax equivalent  
1443 to ~~sixteen~~sixteen and one-half cents per gallon on all motor fuel, diesel fuel and liquefied gases  
1444 purchased by such carrier within the Commonwealth for use in its operations either within or without the  
1445 Commonwealth and upon which the motor fuel, diesel fuel or liquefied gases tax imposed by the laws of  
1446 the Commonwealth has been paid by such carrier. Evidence of the payment of such tax in such form as  
1447 may be required by, or is satisfactory to, the Department shall be furnished by each carrier claiming the  
1448 credit herein allowed.

1449 B. When the amount of the credit to which any motor carrier is entitled for any quarter exceeds  
1450 the amount of the tax for which such carrier is liable for the same quarter, the excess may: (i) be allowed  
1451 as a credit on the tax for which such carrier would be otherwise liable for any of the eight succeeding  
1452 quarters or (ii) be refunded, upon application, duly verified and presented and supported by such  
1453 evidence as may be satisfactory to the Department.

1454 C. The Department may allow a refund upon receipt of proper application and review. It shall be  
1455 at the discretion of the Department to determine whether an audit is required.

1456 D. The refund may be allowed without a formal hearing if the amount of refund is agreed to by  
1457 the applicant. Otherwise, a formal hearing on the application shall be held by the Department after  
1458 notice of not less than ten days to the applicant and the Attorney General.

1459 E. Whenever any refund is ordered it shall be paid out of the Highway Maintenance and  
1460 Construction Fund.

1461 F. Whenever a person operating under lease to a motor carrier to perform transport services on  
1462 behalf of the carrier purchases motor fuel, diesel fuel or liquefied gases relating to such services, such  
1463 payments or purchases may, at the discretion of the Department, be considered payment or purchases by  
1464 the carrier.

1465 **4. That for purposes of the tax imposed under Article 8.1 (§ 58.1-2288.1) of Chapter 22 of Title**  
1466 **58.1 of the Code of Virginia pursuant to the third enactment of this act, the period October 1,**  
1467 **2005, through March 31, 2006, shall be the base period used by the Commissioner of the**  
1468 **Department of Motor Vehicles for purposes of determining the additional cents per gallon taxes to**  
1469 **be imposed under such Article on the effective date of this act. In addition, the Commissioner shall**  
1470 **periodically publish the rates of taxes on fuels taxable under Chapter 22 (§ 58.1-2200 et seq.) of**  
1471 **Title 58.1 of the Code of Virginia.**

1472 **5. That no city or county shall use the additional revenues returned to the locality pursuant to §**  
1473 **58.1-802 for transportation purposes or authorized to be collected by the locality pursuant to §**  
1474 **58.1-802.1 (pursuant to the third enactment of this act) to reduce its local appropriation for**  
1475 **transportation purposes below the amount it appropriated for transportation purposes in its fiscal**  
1476 **year beginning on July 1, 2005.**

1477 **6. That, for purposes of the third enactment of this act, no city or county shall use revenues**  
1478 **received for mass transit pursuant to subdivision B 2 a of § 33.1-23.03:2 of the Code of Virginia to**  
1479 **reduce its local appropriation for transportation purposes below the amount it appropriated for**  
1480 **transportation purposes in its fiscal year beginning on July 1, 2005.**

1481 **7. That §§ 58.1-901 and 58.1-902 of the Code of Virginia are amended and reenacted as follows:**

1482 § 58.1-901. Definitions.

1483 As used in this chapter, unless the context clearly shows otherwise, the term or phrase:

1484 "Decedent" means a deceased person.

1485 "Federal credit" means the maximum amount of the credit for state death taxes allowable by §  
1486 2011 of the United States Internal Revenue Code of 1954, as amended or renumbered, or successor  
1487 provision, in respect to a decedent's taxable estate. The term "maximum amount" shall be construed as to

1488 take full advantage of such credit as the laws of the United States may allow. In no event, however, shall  
1489 such amount be less than the federal credit allowable by § 2011 of the Internal Revenue Code as it  
1490 existed on January 1, 1978.

1491 "Gross estate" means "gross estate" as defined in § 2031 of the United States Internal Revenue  
1492 Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

1493 "Interest in a closely held business" means an "interest in a closely held business" as defined in §  
1494 6166 of the United States Internal Revenue Code of 1986, as amended or renumbered, or the successor  
1495 provision of the laws of the United States.

1496 "Nonresident" means a decedent who was domiciled outside of the Commonwealth of Virginia  
1497 at his death.

1498 "Personal representative" means the personal representative of the estate of the decedent,  
1499 appointed, qualified and acting within the Commonwealth, or, if there is no personal representative  
1500 appointed, qualified and acting within the Commonwealth, then any person in actual or constructive  
1501 possession of the Virginia gross estate of the decedent.

1502 "Resident" means a decedent who was domiciled in the Commonwealth of Virginia at his death.

1503 "State" means any state, territory or possession of the United States and the District of Columbia.

1504 "Taxable estate" means "taxable estate" as defined in § 2051 of the United States Internal  
1505 Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United  
1506 States.

1507 "Value" means "value" as finally determined for federal estate tax purposes under the laws of the  
1508 United States relating to federal estate taxes.

1509 "Working farm" means an interest in a closely held business that operates as an active trade or  
1510 business for agricultural purposes.

1511 Any reference in this chapter to the laws of the United States relating to federal estate and gift  
1512 taxes means the provisions of the Internal Revenue Code of 1954, and amendments thereto, and other  
1513 provisions of the laws of the United States relating to federal estate and gift taxes, as the same may be or  
1514 become effective at any time or from time to time.

1515 § 58.1-902. Tax on transfer of taxable estate of residents; amounts; credit; property of resident  
1516 defined.

1517 A. 1. For deaths occurring before December 31, 2006, a tax in the amount of the federal credit  
1518 is imposed on the transfer of the taxable estate of every resident, subject, where applicable, to the credit  
1519 provided for in subsection B.

1520 2. For deaths occurring on or after December 31, 2006, a tax in the amount of the federal credit is  
1521 imposed on the transfer of the taxable estate of every resident whose gross estate exceeds \$10 million,  
1522 subject, where applicable, to the credit provided for in subsection B. However, no tax shall be imposed  
1523 on a gross estate if the majority of the assets of the total estate are an interest in a closely held business  
1524 or a working farm.

1525 B. If the real and tangible personal property of a resident is located outside of the  
1526 Commonwealth and is subject to a death tax imposed by another state for which a credit is allowed  
1527 under § 2011 of the Internal Revenue Code of 1954, as amended or renumbered, or the successor  
1528 provision of the laws of the United States relating to federal estate taxes, the amount of tax due under  
1529 this section shall be credited with the lesser of:

- 1530 1. The amount of the death tax paid the other state and credited against the federal estate tax; or  
1531 2. An amount computed by multiplying the federal credit by a fraction, the numerator of which is  
1532 the value of that part of the gross estate over which another state or states have jurisdiction to the same  
1533 extent to which Virginia would exert jurisdiction under this chapter with respect to the residents of such  
1534 other state or states and the denominator of which is the value of the decedent's gross estate.

1535 C. Property of a resident includes:

- 1536 1. Real property situated in the Commonwealth of Virginia;  
1537 2. Tangible personal property having an actual situs in the Commonwealth of Virginia; and  
1538 3. Intangible personal property owned by the resident regardless of where it is located.

1539 **8. That §§ 58.1-512 and 58.1-513 of the Code of Virginia are amended and reenacted as follows:**

1540 § 58.1-512. Land preservation tax credits for individuals and corporations.

1541 A. For taxable years beginning on or after January 1, 2000, there shall be allowed as a credit  
1542 against the tax liability imposed by §§ 58.1-320 and 58.1-400, and in limited circumstances against the  
1543 tax liability imposed pursuant to Chapter 9 (§ 58.1-900 et seq.) as such circumstances are provided in  
1544 subsection D of § 58.1-513, an aggregate amount equal to the lesser of \$600,000 or 50-percent% of the  
1545 fair market value of any land or interest in land located in Virginia which is conveyed for the purpose of  
1546 agricultural and forestal use, open space, natural resource, and/or biodiversity conservation, or land,  
1547 agricultural, watershed and/or historic preservation, as an unconditional donation in perpetuity by the  
1548 landowner/taxpayer to a public or private conservation agency eligible to hold such land and interests  
1549 therein for conservation or preservation purposes.

1550 In determining the fair market value of any land, or any interest therein, so conveyed, for  
1551 purposes of the credit under this article, no value shall be included for any structures or other  
1552 improvements to land.

1553 The maximum annual amount of credit that may be claimed under this article for such  
1554 conveyances shall be as provided in subdivision C 1.

1555 B. The fair market value of qualified donations made under this section shall be substantiated by  
1556 a "qualified appraisal" prepared by a "qualified appraiser," as those terms are defined under applicable  
1557 federal law and regulations governing charitable contributions. The value of the donated interest in land  
1558 that qualifies for credit under this section, as determined according to appropriate federal law and  
1559 regulations, shall be subject to the limits established by U.S. Internal Revenue Code § 170 (e). In order  
1560 to qualify for a tax credit under this section, the qualified appraisal shall be signed by the qualified  
1561 appraiser, who must be licensed in the Commonwealth of Virginia as provided in § 54.1-2011, and a  
1562 copy of the appraisal shall be submitted to the Department. In the event that any appraiser falsely or  
1563 fraudulently overstates the value of the contributed property in an appraisal that the appraiser has signed,  
1564 the Department may disallow further appraisals signed by the appraiser and shall refer the appraiser to  
1565 the Real Estate Appraiser Board for appropriate disciplinary action pursuant to § 54.1-2013, which may  
1566 include, but need not be limited to, revocation of the appraiser's license. Any appraisal that, upon audit  
1567 by the Department, is determined to be false or fraudulent, may be disregarded by the Department in

1568 determining the fair market value of the property and the amount of tax credit to be allowed under this  
1569 section.

1570 The appraisal estimating the value of any donation upon which credits are to be based shall  
1571 employ proper methodology and be appropriately supported by market evidence. The Department of  
1572 Taxation shall establish and make publicly available guidelines that incorporate, as applicable (without  
1573 limitation), requirements under § 170 (h) of the U.S. Internal Revenue Code of 1986, as amended, and  
1574 the Uniform Standards of Professional Appraisal Practice (USPAP). The Department shall update the  
1575 guidelines as necessary as determined by the Tax Commissioner. Such guidelines shall be exempt from  
1576 the Administrative Process Act (§ 2.2-4000 et seq.).

1577 Notwithstanding any other provision of law, the fair market value of a qualified donation shall  
1578 not exceed the value for the highest and best use for which the property is adaptable and needed or likely  
1579 to be needed in the reasonably near future. In any review or appeal before the Tax Commissioner or in  
1580 any court of the Commonwealth in which the fair market value is being contested, the burden of proof  
1581 shall be on the taxpayer to show there is a reasonable probability that (i) the property is physically  
1582 adaptable for the highest and best use that is proposed in the appraisal and (ii) there is a need or demand  
1583 for such use in the reasonably near future in the immediate area in which the property is located.

1584 C. 1. The amount of the credit that may be claimed by ~~a taxpayer~~ each taxpayer, including credit  
1585 claimed by applying unused credits as provided under subsection C of § 58.1-513, shall not exceed  
1586 \$50,000 for 2000 taxable years, \$75,000 for 2001 taxable years, and \$100,000 for 2002 taxable years  
1587 and thereafter. In addition, for each taxpayer, in any one taxable year the credit used may not exceed the  
1588 amount of individual, fiduciary or corporate income tax otherwise due. Any portion of the credit which  
1589 is unused in any one taxable year may be carried over for a maximum of five consecutive taxable years  
1590 following the taxable year in which the credit originated until fully expended.

1591 2. Qualified donations shall include the conveyance in perpetuity of a fee interest in real property  
1592 or a less-than-fee interest in real property, such as a conservation restriction, preservation restriction,  
1593 agricultural preservation restriction, or watershed preservation restriction, provided that such less-than-  
1594 fee interest qualifies as a charitable deduction under § 170 (h) of the U.S. Internal Revenue Code of

1595 1986, as amended. ~~Qualified donations shall not include the conveyance of a fee interest, or a less-than-~~  
1596 ~~fee interest, in real property that has been dedicated for the purpose of fulfilling density requirements to~~  
1597 ~~obtain approvals for zoning, subdivision, site plan, or building permits.~~

1598 3. a. Notwithstanding any other provision under this article, credit against the tax liability  
1599 imposed by § 58.1-320 or 58.1-400 shall be allowed only for land or an interest in land that (i) meets  
1600 guidelines of objective criteria established by the Virginia Land Conservation Foundation or (ii) the  
1601 Secretary of Natural Resources has otherwise determined provides exceptional benefit to the  
1602 Commonwealth in cases in which any land or interest therein does not meet the objective criteria  
1603 established by the Virginia Land Conservation Foundation. Prior to making the determination described  
1604 in clause (ii), the Secretary shall provide written notice (describing in detail the exceptional benefit to  
1605 the Commonwealth of the land that is the subject of the donation) to the Chairmen of the Senate  
1606 Committee on Finance and the House Committee on Appropriations for their review. After the  
1607 expiration of 30 days from the date of such notice, the Secretary may make the determination described  
1608 under clause (ii).

1609 b. The objective criteria established by the Virginia Land Conservation Foundation shall describe  
1610 (i) the objective characteristics of land that has important conservation values including but not limited  
1611 to land that is located within the Chesapeake Bay watershed or that is "real estate devoted to open-space  
1612 use" as defined in § 58.1-3230 but not including clause (vii) of such definition; (ii) the objective  
1613 attributes of a donee with a commitment to preserving the conservation values of land; and (iii) the  
1614 terms of donations that are required for different types of land in order to provide an appropriate level of  
1615 protection for the conservation values of land, including reasonable agricultural best management  
1616 practices and appropriate forest management plans. Such criteria shall incorporate, as applicable  
1617 (without limitation), requirements under the Open-Space Land Act (§ 10.1-1700 et seq.), the Virginia  
1618 Conservation Easement Act (§ 10.1-1009 et seq.), and § 170 (h) of the U.S. Internal Revenue Code of  
1619 1986, as amended.

1620 4. Any fee interest, or a less-than-fee interest, in real property that has been dedicated as open  
1621 space within, or as part of, a residential subdivision or any other type of residential or commercial

1622 development; dedicated as open space in, or as part of, any real estate development plan; or dedicated  
1623 for the purpose of fulfilling density requirements to obtain approvals for zoning, subdivision, site plan,  
1624 or building permits shall not be a qualified donation under this article.

1625 In addition, if credit under this article is allowed for a portion of a recorded parcel of land, no  
1626 credit shall be allowed for any other portion of such parcel until at least 15 years have elapsed from the  
1627 time of donation. This prohibition shall not apply if (i) all owners of the parcel who have been allowed  
1628 credit for a qualified donation are not affiliated with the person or entity seeking credit for a different  
1629 portion of the parcel and (ii) in the case of an individual seeking credit, the individual has not previously  
1630 made a qualified donation for any portion of the parcel and is not an immediate family member of any  
1631 such owners.

1632 Pursuant to the criteria set forth in this subdivision, the Department of Taxation shall establish  
1633 and make publicly available guidelines that describe the property and the circumstances under which  
1634 donations of such property shall not be qualified donations. The Department shall update the guidelines  
1635 as necessary as determined by the Tax Commissioner. Such guidelines shall be exempt from the  
1636 Administrative Process Act (§ 2.2-4000 et seq.).

1637 **35.** Qualified donations shall be eligible for the tax credit herein described if such donations are  
1638 made to the Commonwealth of Virginia, an instrumentality thereof, or a charitable organization  
1639 described in § 501 (c) (3) of the U.S. Internal Revenue Code of 1986, as amended, if such charitable  
1640 organization (i) meets the requirements of § 509 (a) (2) or (ii) meets the requirements of § 509 (a) (3)  
1641 and is controlled by an organization described in § 509 (a) (2).

1642 **46.** The preservation, agricultural preservation, historic preservation or similar use and purpose  
1643 of such property shall be assured in perpetuity.

1644 § 58.1-513. Limitations; transfer of credit; gain or loss from tax credit.

1645 A. Any taxpayer claiming a tax credit under this article shall not claim a credit under any similar  
1646 Virginia law for costs related to the same project. To the extent a credit is taken in accordance with this  
1647 article, no subtraction allowed for the gain on the sale of (i) land dedicated to open-space use or (ii) an

1648 easement dedicated to open-space use under subsection C of § 58.1-322 shall be allowed for three years  
1649 following the year in which the credit is taken.

1650 B. Any tax credits that arise under this article from the donation of land or an interest in land  
1651 made by a pass-through tax entity such as a trust, estate, partnership, limited liability company or  
1652 partnership, limited partnership, subchapter S corporation or other fiduciary shall be used either by such  
1653 entity if it is the taxpayer on behalf of such entity or by the member, manager, partner, shareholder or  
1654 beneficiary, as the case may be, in proportion to their interest in such entity in the event that income,  
1655 deductions and tax liability pass through such entity to such member, manager, partner, shareholder or  
1656 beneficiary or as set forth in the agreement of said entity. Such tax credits shall not be claimed by both  
1657 the entity and the member, manager, partner, shareholder or beneficiary for the same donation.

1658 C. Any ~~taxpayer holding a credit person or entity making a qualified donation~~ under this article  
1659 may transfer any unused but otherwise allowable credit that relates to such qualified donation for use by  
1660 another taxpayer on Virginia income tax returns. However, any organization described under § 501 (c)  
1661 of the U.S. Internal Revenue Code of 1986, as amended, shall not be allowed to transfer any credit under  
1662 this article. A ~~taxpayer person or entity~~ who transfers any amount of credit under this article shall file a  
1663 notification of such transfer to the Department in accordance with procedures and forms prescribed by  
1664 the Tax Commissioner.

1665 For purposes of this article, the aggregate amount of unused but otherwise allowable credit that  
1666 may be transferred and claimed as credit by all taxpayers for any qualified donation means (i) the lesser  
1667 of \$600,000 or 50% of the qualified donation minus (ii) the amount claimed as credit by the person or  
1668 entity who made such qualified donation.

1669 D. Any unused credit held by an individual at the time of his death may be used by the estate of  
1670 such person as credit against the tax liability imposed pursuant to Chapter 9 (§ 58.1-900 et seq.)  
1671 provided that the five-year carryover period described under subdivision C 1 of § 58.1-512 had not  
1672 elapsed prior to the date of such individual's death. No estate, however, may transfer any unused credit  
1673 described in this subsection. The use by an estate of any unused credit held by the decedent of the estate  
1674 shall not be considered a transfer for purposes of this article.

1675 | **DE.** To the extent included in and not otherwise subtracted from federal adjusted gross income  
1676 | pursuant to § 58.1-322 or federal taxable income pursuant to § 58.1-402, there shall be subtracted any  
1677 | amount of gain or income recognized by a taxpayer on the application of a tax credit under this article  
1678 | against a Virginia income tax liability.

1679 | **EE.** The transfer of the credit and its application against a tax liability shall not create gain or loss  
1680 | for the transferor or the transferee of such credit.

1681 | **FG.** A pass-through tax entity, such as a partnership, limited liability company or Subchapter S  
1682 | corporation, may appoint a tax matters representative, who shall be a general partner, member/manager  
1683 | or shareholder, and register that representative with the Tax Commissioner. The Tax Commissioner  
1684 | shall be entitled to deal with the tax matters representative as representative of the taxpayers to whom  
1685 | credits have been allocated or transferred by the entity under this article with respect to those credits. In  
1686 | the event a pass-through tax entity allocates or transfers tax credits arising under this article to its  
1687 | partners, members or shareholders and the allocated or transferred credits shall be disallowed, in whole  
1688 | or in part, such that an assessment of additional tax against a taxpayer shall be made, the Tax  
1689 | Commissioner shall first make written demand for payment of any additional tax, together with interest  
1690 | and penalties, from the tax matters representative. In the event such payment demand is not satisfied, the  
1691 | Tax Commissioner shall proceed to collection against the taxpayers in accordance with the provisions of  
1692 | Chapter 18 (§ 58.1-1800 et seq.) of this title.

1693 | **9. That the amendments provided in the eighth enactment of this act shall be applicable to any**  
1694 | **conveyance of property (or the conveyance of any interest in property) under the Virginia Land**  
1695 | **Conservation Incentives Act of 1999 (§ 58.1-510 et seq. of the Code of Virginia) that is made on or**  
1696 | **after July 1, 2006, except that (i) the amendments to subsection B of § 58.1-512 of the Code of**  
1697 | **Virginia shall be applicable to all conveyances, regardless of the date of conveyance, (ii) the**  
1698 | **amendments to subdivision C 3 of § 58.1-512 of the Code of Virginia shall be applicable to any**  
1699 | **conveyance of property made on or after January 1, 2007, (iii) the amendments to subdivision C 1**  
1700 | **of § 58.1-512 of the Code of Virginia shall be applicable for taxable years beginning on or after**

1701 **January 1, 2006, and (iv) the amendments to subsection D of § 58.1-513 of the Code of Virginia**  
1702 **shall be applicable to estates of persons who die on or after January 1, 2006.**

1703 **10. That, for purposes of the eighth enactment of this act, the Virginia Land Conservation**  
1704 **Foundation shall, pursuant to subdivision C 3 of § 58.1-512 of the Code of Virginia, establish**  
1705 **guidelines of objective criteria for qualifying donations under the Virginia Land Conservation**  
1706 **Incentives Act of 1999 (§ 58.1-510 et seq. of the Code of Virginia). Such guidelines shall be**  
1707 **established and made publicly available by December 31, 2006. Such guidelines shall be exempt**  
1708 **from the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).**

1709 **11. That, for purposes of the eighth enactment of this act, the guidelines required under**  
1710 **subdivision C 4 of § 58.1-512 of the Code of Virginia shall first be made publicly available no later**  
1711 **than October 1, 2006.**

1712 **12. That §§ 58.1-603, 58.1-604, 58.1-614, and 58.1-638 of the Code of Virginia are amended and**  
1713 **reenacted as follows:**

1714 § 58.1-603. Imposition of sales tax.

1715 A. There is hereby levied and imposed, in addition to all other taxes and fees of every kind now  
1716 imposed by law, a license or privilege tax upon every person who engages in the business of selling at  
1717 retail or distributing tangible personal property in this Commonwealth, or who rents or furnishes any of  
1718 the things or services taxable under this chapter, or who stores for use or consumption in this  
1719 Commonwealth any item or article of tangible personal property as defined in this chapter, or who leases  
1720 or rents such property within this Commonwealth, in the amount of three and one-half percent through  
1721 midnight on July 31, 2004, and four percent beginning on and after August 1, 2004:

1722 1. Of the gross sales price of each item or article of tangible personal property when sold at retail  
1723 or distributed in this Commonwealth.

1724 2. Of the gross proceeds derived from the lease or rental of tangible personal property, where the  
1725 lease or rental of such property is an established business, or part of an established business, or the same  
1726 is incidental or germane to such business.

1727 3. Of the cost price of each item or article of tangible personal property stored in this  
1728 Commonwealth for use or consumption in this Commonwealth.

1729 4. Of the gross proceeds derived from the sale or charges for rooms, lodgings or  
1730 accommodations furnished to transients as set out in the definition of "retail sale" in § 58.1-602.

1731 5. Of the gross sales of any services which are expressly stated as taxable within this chapter.

1732 B. An additional sales tax of 0.25% is hereby levied and imposed in Arlington County, Fairfax  
1733 County, the City of Alexandria, the City of Fairfax, and the City of Falls Church. All revenues collected  
1734 pursuant to this subsection shall be distributed and used as set forth in subsection G of § 58.1-638.

1735 § 58.1-604. Imposition of use tax.

1736 A. There is hereby levied and imposed, in addition to all other taxes and fees now imposed by  
1737 law, a tax upon the use or consumption of tangible personal property in this Commonwealth, or the  
1738 storage of such property outside the Commonwealth for use or consumption in this Commonwealth, in  
1739 the amount of three and one-half percent through midnight on July 31, 2004, and four percent beginning  
1740 on and after August 1, 2004:

1741 1. Of the cost price of each item or article of tangible personal property used or consumed in this  
1742 Commonwealth. Tangible personal property which has been acquired for use outside this  
1743 Commonwealth and subsequently becomes subject to the tax imposed hereunder shall be taxed on the  
1744 basis of its cost price if such property is brought within this Commonwealth for use within six months of  
1745 its acquisition; but if so brought within this Commonwealth six months or more after its acquisition,  
1746 such property shall be taxed on the basis of the current market value (but not in excess of its cost price)  
1747 of such property at the time of its first use within this Commonwealth. Such tax shall be based on such  
1748 proportion of the cost price or current market value as the duration of time of use within this  
1749 Commonwealth bears to the total useful life of such property (but it shall be presumed in all cases that  
1750 such property will remain within this Commonwealth for the remainder of its useful life unless  
1751 convincing evidence is provided to the contrary).

1752 2. Of the cost price of each item or article of tangible personal property stored outside this  
1753 Commonwealth for use or consumption in this Commonwealth.

1754 3. A transaction taxed under § 58.1-603 shall not also be taxed under this section, nor shall the  
1755 same transaction be taxed more than once under either section.

1756 4. The use tax shall not apply with respect to the use of any article of tangible personal property  
1757 brought into this Commonwealth by a nonresident individual, visiting in Virginia, for his personal use,  
1758 while within this Commonwealth.

1759 5. The use tax shall not apply to out-of-state mail order catalog purchases totaling \$100 or less  
1760 during any calendar year.

1761 B. An additional use tax of 0.25% is hereby levied and imposed in Arlington County, Fairfax  
1762 County, the City of Alexandria, the City of Fairfax, the City of Falls Church. All revenues collected  
1763 pursuant to this subsection shall be distributed and used as set forth in subsection G of § 58.1-638.

1764 § 58.1-614. Vending machine sales.

1765 A. Notwithstanding the provisions of §§ 58.1-603 and 58.1-604, whenever a dealer makes sales  
1766 of tangible personal property through vending machines, or in any other manner making collection of  
1767 the tax impractical, as determined by the Tax Commissioner, such dealer shall be required to report his  
1768 wholesale purchases for sale at retail from vending machines and shall be required to remit an amount  
1769 based on four and one-half percent through midnight on July 31, 2004, and five percent beginning on  
1770 and after August 1, 2004, of such wholesale purchases, except that such wholesale purchases shall be  
1771 taxed at a rate of 5.25% in the localities set forth in subsection B of § 58.1-603 and subsection B of §  
1772 58.1-604 at any time that the tax set forth in subsection B of § 58.1-603 and subsection B of § 58.1-604  
1773 is imposed.

1774 B. Notwithstanding the provisions of §§ 58.1-605 and 58.1-606, dealers making sales of tangible  
1775 personal property through vending machines shall report and remit the one percent local sales and use  
1776 tax computed as provided in subsection A of this section.

1777 C. The provisions of subsections A and B of this section shall not be applicable to vending  
1778 machine operators all of whose machines are under contract to nonprofit organizations. Such operators  
1779 shall report only the gross receipts from machines selling items for more than 10 cents and shall be

1780 required to remit an amount based on a percentage of their remaining gross sales established by the Tax  
1781 Commissioner to take into account the inclusion of sales tax.

1782 D. Notwithstanding any other provisions in this section, when the Tax Commissioner determines  
1783 that it is impractical to collect the tax in the manner provided by those sections, such dealer shall be  
1784 required to remit an amount based on a percentage of gross receipts which takes into account the  
1785 inclusion of the sales tax.

1786 E. The provisions of this section shall not be applicable to any dealer who fails to maintain  
1787 records satisfactory to the Tax Commissioner. A dealer making sales of tangible personal property  
1788 through vending machines shall obtain a certificate of registration under § 58.1-613 in relevant form for  
1789 each county or city in which he has machines.

1790 § 58.1-638. Disposition of state sales and use tax revenue; localities' share; Game Protection  
1791 Fund.

1792 A. The Comptroller shall designate a specific revenue code number for all the state sales and use  
1793 tax revenue collected under the preceding sections of this chapter.

1794 1. The sales and use tax revenue generated by the one-half percent sales and use tax increase  
1795 enacted by the 1986 Special Session of the General Assembly shall be paid, in the manner hereinafter  
1796 provided in this section, to the Transportation Trust Fund as defined in § 33.1-23.03:1. Of the funds paid  
1797 to the Transportation Trust Fund, an aggregate of 4.2 percent shall be set aside as the Commonwealth  
1798 Port Fund as provided in this section; an aggregate of 2.4 percent shall be set aside as the  
1799 Commonwealth Airport Fund as provided in this section; and an aggregate of 14.5 percent in fiscal year  
1800 1998-1999 and 14.7 percent in fiscal year 1999-2000 and thereafter shall be set aside as the  
1801 Commonwealth Mass Transit Fund as provided in this section. The Fund's share of such net revenue  
1802 shall be computed as an estimate of the net revenue to be received into the state treasury each month,  
1803 and such estimated payment shall be adjusted for the actual net revenue received in the preceding  
1804 month. All payments shall be made to the Fund on the last day of each month.

1805           2. There is hereby created in the Department of the Treasury a special nonreverting fund which  
1806 shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Port  
1807 Fund.

1808           a. The Commonwealth Port Fund shall be established on the books of the Comptroller and the  
1809 funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall  
1810 remain in the Fund. Interest earned on such funds shall remain in the Fund and be credited to it. Funds  
1811 may be paid to any authority, locality or commission for the purposes hereinafter specified.

1812           b. The amounts allocated pursuant to this section shall be allocated by the Commonwealth  
1813 Transportation Board to the Board of Commissioners of the Virginia Port Authority to be used to  
1814 support port capital needs and the preservation of existing capital needs of all ocean, river, or tributary  
1815 ports within the Commonwealth.

1816           c. Commonwealth Port Fund revenue shall be allocated by the Board of Commissioners to the  
1817 Virginia Port Authority in order to foster and stimulate the flow of maritime commerce through the ports  
1818 of Virginia, including but not limited to the ports of Richmond, Hopewell and Alexandria.

1819           3. There is hereby created in the Department of the Treasury a special nonreverting fund which  
1820 shall be part of the Transportation Trust Fund and which shall be known as the Commonwealth Airport  
1821 Fund. The Commonwealth Airport Fund shall be established on the books of the Comptroller and any  
1822 funds remaining in such Fund at the end of a biennium shall not revert to the general fund but shall  
1823 remain in the Fund. Interest earned on the funds shall be credited to the Fund. The funds so allocated  
1824 shall be allocated by the Commonwealth Transportation Board to the Virginia Aviation Board. The  
1825 funds shall be allocated by the Virginia Aviation Board to any Virginia airport which is owned by the  
1826 Commonwealth, a governmental subdivision thereof, or a private entity to which the public has access  
1827 for the purposes enumerated in § 5.1-2.16, or is owned or leased by the Metropolitan Washington  
1828 Airports Authority (MWAA), as follows:

1829           Any new funds in excess of \$12.1 million which are available for allocation by the Virginia  
1830 Aviation Board from the Commonwealth Transportation Fund, shall be allocated as follows: 60 percent  
1831 to MWAA, up to a maximum annual amount of \$2 million, and 40 percent to air carrier airports as

1832 provided in subdivision A 3 a. Except for adjustments due to changes in enplaned passengers, no air  
1833 carrier airport sponsor, excluding MWAA, shall receive less funds identified under subdivision A 3 a  
1834 than it received in fiscal year 1994-1995.

1835 Of the remaining amount:

1836 a. Forty percent of the funds shall be allocated to air carrier airports, except airports owned or  
1837 leased by MWAA, based upon the percentage of enplanements for each airport to total enplanements at  
1838 all air carrier airports, except airports owned or leased by MWAA. No air carrier airport sponsor,  
1839 however, shall receive less than \$50,000 nor more than \$2 million per year from this provision.

1840 b. Forty percent of the funds shall be allocated by the Aviation Board for air carrier and reliever  
1841 airports on a discretionary basis, except airports owned or leased by MWAA.

1842 c. Twenty percent of the funds shall be allocated by the Aviation Board for general aviation  
1843 airports on a discretionary basis.

1844 4. There is hereby created in the Department of the Treasury a special nonreverting fund which  
1845 shall be a part of the Transportation Trust Fund and which shall be known as the Commonwealth Mass  
1846 Transit Fund.

1847 a. The Commonwealth Mass Transit Fund shall be established on the books of the Comptroller  
1848 and any funds remaining in such Fund at the end of the biennium shall not revert to the general fund but  
1849 shall remain in the Fund. Interest earned on such funds shall be credited to the Fund. Funds may be paid  
1850 to any local governing body, transportation district commission, or public service corporation for the  
1851 purposes hereinafter specified.

1852 b. The amounts allocated pursuant to this section shall be used to support the public  
1853 transportation administrative costs and the costs borne by the locality for the purchase of fuels,  
1854 lubricants, tires and maintenance parts and supplies for public transportation at a state share of 80  
1855 percent in 2002 and 95 percent in 2003 and succeeding years. These amounts may be used to support up  
1856 to 95 percent of the local or nonfederal share of capital project costs for public transportation and  
1857 ridesharing equipment, facilities, and associated costs. Capital costs may include debt service payments  
1858 on local or agency transit bonds. The term "borne by the locality" means the local share eligible for state

1859 assistance consisting of costs in excess of the sum of fares and other operating revenues plus federal  
1860 assistance received by the locality.

1861 c. Commonwealth Mass Transit Fund revenue shall be allocated by the Commonwealth  
1862 Transportation Board as follows:

1863 (1) Funds for special programs, which shall include ridesharing, experimental transit, and  
1864 technical assistance, shall not exceed 1.5 percent of the Fund.

1865 (2) The Board may allocate these funds to any locality or planning district commission to finance  
1866 up to 80 percent of the local share of all costs associated with the development, implementation, and  
1867 continuation of ridesharing programs.

1868 (3) Funds allocated for experimental transit projects may be paid to any local governing body,  
1869 transportation district commission, or public corporation or may be used directly by the Department of  
1870 Rail and Public Transportation for the following purposes:

1871 (a) To finance up to 95 percent of the capital costs related to the development, implementation  
1872 and promotion of experimental public transportation and ridesharing projects approved by the Board.

1873 (b) To finance up to 95 percent of the operating costs of experimental mass transportation and  
1874 ridesharing projects approved by the Board for a period of time not to exceed 12 months.

1875 (c) To finance up to 95 percent of the cost of the development and implementation of any other  
1876 project designated by the Board where the purpose of such project is to enhance the provision and use of  
1877 public transportation services.

1878 d. Funds allocated for public transportation promotion and operation studies may be paid to any  
1879 local governing body, planning district commission, transportation district commission, or public transit  
1880 corporation, or may be used directly by the Department of Rail and Public Transportation for the  
1881 following purposes and aid of public transportation services:

1882 (1) At the approval of the Board to finance a program administered by the Department of Rail  
1883 and Public Transportation designed to promote the use of public transportation and ridesharing  
1884 throughout Virginia.

1885 (2) To finance up to 50 percent of the local share of public transportation operations planning  
1886 and technical study projects approved by the Board.

1887 e. At least 73.5 percent of the Fund shall be distributed to each transit property in the same  
1888 proportion as its operating expenses bear to the total statewide operating expenses and shall be spent for  
1889 the purposes specified in subdivision 4 b.

1890 f. The remaining 25 percent shall be distributed for capital purposes on the basis of 95 percent of  
1891 the nonfederal share for federal projects and 95 percent of the total costs for nonfederal projects. In the  
1892 event that total capital funds available under this subdivision are insufficient to fund the complete list of  
1893 eligible projects, the funds shall be distributed to each transit property in the same proportion that such  
1894 capital expenditure bears to the statewide total of capital projects.

1895 g. There is hereby created in the Department of the Treasury a special nonreverting fund known  
1896 as the Commonwealth Transit Capital Fund. The Commonwealth Transit Capital Fund shall be part of  
1897 the Commonwealth Mass Transit Fund. The Commonwealth Transit Capital Fund subaccount shall be  
1898 established on the books of the Comptroller and consist of such moneys as are appropriated to it by the  
1899 General Assembly and of all donations, gifts, bequests, grants, endowments, and other moneys given,  
1900 bequeathed, granted, or otherwise made available to the Commonwealth Transit Capital Fund. Any  
1901 funds remaining in the Commonwealth Transit Capital Fund at the end of the biennium shall not revert  
1902 to the general fund, but shall remain in the Commonwealth Transit Capital Fund. Interest earned on  
1903 funds within the Commonwealth Transit Capital Fund shall remain in and be credited to the  
1904 Commonwealth Transit Capital Fund. Proceeds of the Commonwealth Transit Capital Fund may be paid  
1905 to any political subdivision, another public entity created by an act of the General Assembly, or a private  
1906 entity as defined in § 56-557 and for purposes as enumerated in subdivision 4c of § 33.1-269 or  
1907 expended by the Department of Rail and Public Transportation for the purposes specified in this  
1908 subdivision. Revenues of the Commonwealth Transit Capital Fund shall be used to support capital  
1909 expenditures involving the establishment, improvement, or expansion of public transportation services  
1910 through specific projects approved by the Commonwealth Transportation Board. Projects financed by

1911 the Commonwealth Transit Capital Fund shall receive local, regional or private funding for at least 20  
1912 percent of the nonfederal share of the total project cost.

1913 5. Funds for Metro shall be paid by the Northern Virginia Transportation Commission (NVTC)  
1914 to the Washington Metropolitan Area Transit Authority (WMATA) and be a credit to the Counties of  
1915 Arlington and Fairfax and the Cities of Alexandria, Falls Church and Fairfax in the following manner:

1916 a. Local obligations for debt service for WMATA rail transit bonds apportioned to each locality  
1917 using WMATA's capital formula shall be paid first by NVTC. NVTC shall use 95 percent state aid for  
1918 these payments.

1919 b. The remaining funds shall be apportioned to reflect WMATA's allocation formulas by using  
1920 the related WMATA-allocated subsidies and relative shares of local transit subsidies. Capital costs shall  
1921 include 20 percent of annual local bus capital expenses. Hold harmless protections and obligations for  
1922 NVTC's jurisdictions agreed to by NVTC on November 5, 1998, shall remain in effect.

1923 Appropriations from the Commonwealth Mass Transit Fund are intended to provide a stable and  
1924 reliable source of revenue as defined by Public Law 96-184.

1925 B. The sales and use tax revenue generated by a one percent sales and use tax shall be distributed  
1926 among the counties and cities of this Commonwealth in the manner provided in subsections C and D.

1927 C. The localities' share of the net revenue distributable under this section among the counties and  
1928 cities shall be apportioned by the Comptroller and distributed among them by warrants of the  
1929 Comptroller drawn on the Treasurer of Virginia as soon as practicable after the close of each month  
1930 during which the net revenue was received into the state treasury. The distribution of the localities' share  
1931 of such net revenue shall be computed with respect to the net revenue received into the state treasury  
1932 during each month, and such distribution shall be made as soon as practicable after the close of each  
1933 such month.

1934 D. The net revenue so distributable among the counties and cities shall be apportioned and  
1935 distributed upon the basis as certified to the Comptroller by the Department of Education, of the number  
1936 of children in each county and city according to the most recent statewide census of school population  
1937 taken by the Department of Education pursuant to § 22.1-284, as adjusted in the manner hereinafter

1938 provided. No special school population census, other than a statewide census, shall be used as the basis  
1939 of apportionment and distribution except that in any calendar year in which a statewide census is not  
1940 reported, the Department of Education shall adjust such school population figures by the same percent of  
1941 annual change in total population estimated for each locality by The Center for Public Service. The  
1942 revenue so apportionable and distributable is hereby appropriated to the several counties and cities for  
1943 maintenance, operation, capital outlays, debt and interest payments, or other expenses incurred in the  
1944 operation of the public schools, which shall be considered as funds raised from local resources. In any  
1945 county, however, wherein is situated any incorporated town constituting a school division, the county  
1946 treasurer shall pay into the town treasury for maintenance, operation, capital outlays, debt and interest  
1947 payments, or other expenses incurred in the operation of the public schools, the proper proportionate  
1948 amount received by him in the ratio that the school population of such town bears to the school  
1949 population of the entire county. If the school population of any city or of any town constituting a school  
1950 division is increased by the annexation of territory since the last preceding school population census,  
1951 such increase shall, for the purposes of this section, be added to the school population of such city or  
1952 town as shown by the last such census and a proper reduction made in the school population of the  
1953 county or counties from which the annexed territory was acquired.

1954 E. Beginning July 1, 2000, of the remaining sales and use tax revenue, the revenue generated by  
1955 a two percent sales and use tax, up to an annual amount of \$13 million, collected from the sales of  
1956 hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment,  
1957 wildlife-watching equipment, and auxiliary wildlife-watching equipment in Virginia, as estimated by the  
1958 most recent U.S. Department of the Interior, Fish and Wildlife Service and U.S. Department of  
1959 Commerce, Bureau of the Census National Survey of Fishing, Hunting, and Wildlife-Associated  
1960 Recreation, shall be paid into the Game Protection Fund established under § 29.1-101 and shall be used,  
1961 in part, to defray the cost of law enforcement. Not later than 30 days after the close of each quarter, the  
1962 Comptroller shall transfer to the Game Protection Fund the appropriate amount of collections to be  
1963 dedicated to such Fund. At any time that the balance in the Capital Improvement Fund, established  
1964 under § 29.1-101.1, is equal to or in excess of \$35 million, any portion of sales and use tax revenues that

1965 would have been transferred to the Game Protection Fund, established under § 29.1-101, in excess of the  
1966 net operating expenses of the Board, after deduction of other amounts which accrue to the Board and are  
1967 set aside for the Game Protection Fund, shall remain in the general fund until such time as the balance in  
1968 the Capital Improvement Fund is less than \$35 million.

1969 F. 1. Of the net revenue generated from the one-half percent increase in the rate of the state sales  
1970 and use tax effective August 1, 2004, pursuant to enactments of the 2004 Special Session I of the  
1971 General Assembly, the Comptroller shall transfer from the general fund of the state treasury to the  
1972 Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under §  
1973 58.1-638.1 an amount equivalent to one-half of the net revenue generated from such one-half percent  
1974 increase as provided in this subdivision. The transfers to the Public Education Standards of  
1975 Quality/Local Real Estate Property Tax Relief Fund under this subdivision shall be for one-half of the  
1976 net revenue generated (and collected in the succeeding month) from such one-half percent increase for  
1977 the month of August 2004 and for each month thereafter.

1978 2. For the purposes of the Comptroller making the required transfers under subdivision 1, the  
1979 Tax Commissioner shall make a written certification to the Comptroller no later than the twenty-fifth of  
1980 each month certifying the sales and use tax revenues generated in the preceding month. Within three  
1981 calendar days of receiving such certification, the Comptroller shall make the required transfers to the  
1982 Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund.

1983 G. The gross sales and use tax revenue generated and collected pursuant to subsection B of §  
1984 58.1-603 and subsection B of § 58.1-604, less the applicable portion of any refunds to taxpayers, shall  
1985 be deposited into the state treasury into a special fund entitled "Special Sales and Use Tax Fund Account  
1986 of the Northern Virginia Transportation Commission," with the amount attributable to each locality set  
1987 forth in subsection B of § 58.1-603 and subsection B of § 58.1-604 accounted for by point-of-sale  
1988 collections. The amounts deposited in the special fund shall be distributed monthly to the Northern  
1989 Virginia Transportation Commission to be applied by the Commission to each locality's obligations to  
1990 the operating deficit, capital, and debt service of the Washington Metropolitan Area Transit Authority.

1991 | GH. If errors are made in any distribution, or adjustments are otherwise necessary, the errors  
1992 shall be corrected and adjustments made in the distribution for the next quarter or for subsequent  
1993 quarters.

1994 | HI. The term "net revenue," as used in this section, means the gross revenue received into the  
1995 general fund or the Transportation Trust Fund of the state treasury under the preceding sections of this  
1996 chapter, less refunds to taxpayers.

1997 **13. That the additional state sales and use tax provided in subsection B of § 58.1-603 and**  
1998 **subsection B of § 58.1-604 pursuant to the twelfth enactment of this act shall be levied and**  
1999 **imposed only if approved by ordinance by the governing bodies of those localities set forth in**  
2000 **subsection B of § 58.1-603 (as provided in the twelfth enactment of this act) whose population**  
2001 **comprise at least 90% of the population in all of such localities. The tax provided in subsection B**  
2002 **of § 58.1-603 and subsection B of § 58.1-604 pursuant to the twelfth enactment of this act shall be**  
2003 **levied and imposed on the first day of the next month following 60 days from the date that the**  
2004 **provision in the first sentence of this enactment is satisfied. However, in no case shall such tax be**  
2005 **imposed unless and until matching federal funds are appropriated and distributed to the**  
2006 **Washington Metropolitan Area Transit Authority.**

2007 **14. That the Department of Taxation shall promulgate all necessary and reasonable regulations to**  
2008 **govern the administration of the taxes created pursuant to the twelfth enactment of this act.**

2009 **15. That, for purposes of the twelfth enactment of this act, the revenues dedicated to**  
2010 **transportation purposes pursuant to subsection G of § 58.1-638 shall not be used to calculate or**  
2011 **reduce the share of local, federal, and state revenues otherwise available to participating**  
2012 **jurisdictions, or to the Northern Virginia Transportation District. Further, such revenues and**  
2013 **moneys shall not be included in any computation of, or formula for, a locality's ability to pay for**  
2014 **public education, upon which appropriations of state revenues to local governments for public**  
2015 **education are determined.**

2016 **16. That if any clause, sentence, paragraph, section, or part of the twelfth, thirteenth, fourteenth,**  
2017 **or fifteenth enactments of this act or the application thereof to any person, entity, or circumstance**

2018 is adjudged invalid by any court of competent jurisdiction, such judgment shall not affect the  
2019 validity of the remainder of such enactments but shall be confined to the clause, sentence,  
2020 paragraph, section, or part of such enactments directly involved in the controversy in which such  
2021 judgment shall have been rendered, and to this end the provisions of such enactments are  
2022 severable.

2023 17. That §§ 58.1-625 and 58.1-626 of the Code of Virginia are amended and reenacted and that the  
2024 Code of Virginia is amended by adding a section numbered 58.1-611.2 as follows:

2025 § 58.1-611.2. Limited exemption for certain school supplies, clothing, and footwear.  
2026 Beginning in 2006, for a three-day period that begins each year on the first Friday in August and  
2027 ends at midnight on the first Sunday in August, the tax imposed by this chapter or pursuant to the  
2028 authority granted in § 58.1-605 or 58.1-606 shall not apply to certain (i) school supplies including, but  
2029 not limited to, dictionaries, notebooks, pens, pencils, notebook paper, and calculators, and (ii) clothing  
2030 and footwear designed to be worn on or about the human body. The tax exemption shall apply to each  
2031 article of school supplies with a selling price of \$20 or less, and each article of clothing or footwear with  
2032 a selling price of \$100 or less. Any discount, coupon, or other credit offered either by the retailer or by a  
2033 vendor of the retailer to reduce the final price to the customer shall be taken into account in determining  
2034 the selling price for purposes of this exemption.

2035 The Department shall develop guidelines that describe the items of merchandise that qualify for  
2036 the exemption and make such guidelines available, both electronically and in hard copy, no later than  
2037 July 15 of each year.

2038 § 58.1-625. Collection of tax.

2039 The tax levied by this chapter shall be paid by the dealer, but the dealer shall separately state the  
2040 amount of the tax and add such tax to the sales price or charge. Thereafter, such tax shall be a debt from  
2041 the purchaser, consumer, or lessee to the dealer until paid and shall be recoverable at law in the same  
2042 manner as other debts. No action at law or suit in equity under this chapter may be maintained in this  
2043 Commonwealth by any dealer who is not registered under § 58.1-613 or is delinquent in the payment of  
2044 the taxes imposed under this chapter.

2045 Notwithstanding any exemption from taxes which any dealer now or hereafter may enjoy under  
2046 the Constitution or laws of this or any other state, or of the United States, such dealer shall collect such  
2047 tax from the purchaser, consumer, or lessee and shall pay the same over to the Tax Commissioner as  
2048 herein provided.

2049 Any dealer collecting the sales or use tax on transactions exempt or not taxable under this  
2050 chapter shall transmit to the Tax Commissioner such erroneously or illegally collected tax unless or until  
2051 he can affirmatively show that the tax has since been refunded to the purchaser or credited to his  
2052 account.

2053 Any dealer who neglects, fails, or refuses to collect such tax upon every taxable sale,  
2054 distribution, lease, or storage of tangible personal property made by him, his agents, or employees shall  
2055 be liable for and pay the tax himself, and such dealer shall not thereafter be entitled to sue for or recover  
2056 in this Commonwealth any part of the purchase price or rental from the purchaser until such tax is paid.  
2057 Moreover, any dealer who neglects, fails, or refuses to pay or collect the tax herein provided, either by  
2058 himself or through his agents or employees, shall be guilty of a Class 1 misdemeanor.

2059 All sums collected by a dealer as required by this chapter shall be deemed to be held in trust for  
2060 the Commonwealth.

2061 Notwithstanding the foregoing provisions of this section, any dealer is authorized during the  
2062 period of time set forth in § 58.1-611.2 not to collect the tax levied by this chapter or levied under the  
2063 authority granted in §§ 58.1-605 and 58.1-606 from the purchaser, and to absorb such tax himself. A  
2064 dealer electing to absorb such taxes shall be liable for payment of such taxes to the Tax Commissioner in  
2065 the same manner as he is for tax collected from a purchaser pursuant to this section.

2066 § 58.1-626. Absorption of tax prohibited.

2067 No person shall advertise or hold out to the public, directly or indirectly, that he will absorb all or  
2068 any part of the sales or use tax, or that he will relieve the purchaser, consumer, or lessee of the payment  
2069 of all or any part of such tax. Any person who violates this section shall be guilty of a Class 2  
2070 misdemeanor. The prohibitions contained in this section shall not apply during the time period set out in

2071 § 58.1-611.2 or during the 14 days immediately preceding such time period for advertisements relating  
2072 to sales to be made during the time period set out in § 58.1-611.2.

2073 **18. That the second enactment of Chapter 940 of the Acts of Assembly of 2005 is repealed.**

2074 **19. That the tenth enactment clauses of Chapter 1019 and Chapter 1044 of the Acts of Assembly of**  
2075 **2000 are repealed.**

2076 **20. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2008,**  
2077 **pursuant to § 4-12.00 of this act. The provisions of the second through nineteenth enactments of**  
2078 **this act, inclusive, shall have no expiration date.**

2079 **21. That this act is effective on July 1, 2006, pursuant to § 4-13.00 of this act.**

2080

2081 (This amendment incorporates the work done by the Senate Finance Committee on Senate Bill  
2082 Nos. 93, 267, 504, 571, and 708.)

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