

**Revenues**

Revenues

Language

**Language:**

Page 1, strike lines 19 though 26 and insert:

"

	<b>First Year</b>	<b>Second Year</b>	<b>Total</b>
Unreserved Balance, June 30, 2010	26,740,128	0	26,740,128
Additions to Balance	417,985,275	219,747,375	637,732,650
Official Revenue Estimates	14,504,302,415	15,213,544,575	29,717,846,990
Transfers	391,668,953	377,761,717	769,430,670
Total General Fund Resources			
Available for Appropriation	15,340,696,771	15,811,053,667	31,151,750,438

Page 1, strike lines 28 through 36 and insert:

"

	<b>First Year</b>	<b>Second Year</b>	<b>Total</b>
Balance, June 30, 2010	3,234,786,806	0	3,234,786,806
Official Revenue Estimates	22,452,194,046	22,917,838,099	45,370,032,145
Lottery Proceeds Fund	435,200,000	435,200,000	870,400,000
Bond Proceeds	389,173,923	748,624,710	1,137,798,633
Total Nongeneral Fund Revenues			
Available for Appropriation	26,511,354,775	24,101,662,809	50,613,017,584
<b>TOTAL PROJECTED REVENUES</b>	<b>41,852,051,546</b>	<b>39,912,716,476</b>	<b>81,764,768,022</b>

**Explanation:**

(This amendment reflects general fund and nongeneral fund revenue adjustments included in amendments to House Bill 30, as introduced.)

**Central Appropriations**

Central Appropriations

	<b>FY 10-11</b>	<b>FY 11-12</b>	
	\$498,060,713	\$141,463,414	GF
	\$50,724,730	\$50,724,730	NGF

**Language:**

Page 3, before line 1, insert:

"0.9. Restoration of Personal Property Tax Relief	\$548,785,443	\$192,188,144
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Fund Sources: General	\$498,060,713	\$141,463,414
Trust and Agency	\$50,724,730	\$50,724,730."

A.1. Included in this item is \$950,000,000 from the general fund in the first year and \$950,000,000 from the general fund in the second year to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at \$950.0 million pursuant Chapter 1 of the Acts of Assembly of 2004, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph E of this item.

B. Any unexpended balance remaining in this item as of June 30, 2010, and June 30, 2011, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the succeeding year. Any unexpended balance remaining in this item on June 30, 2012, shall be carried forward on the books of the Comptroller and shall be available for expenditures in the next biennium, including without limitation for the purpose of providing reimbursement to localities for personal property tax relief with respect to bills for tax year 2005 and earlier.

C. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1 of the Acts of Assembly of 2004, Special Session I, the determination of each county's, city's, and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Chapter 35.1, Title 58.1, Code of Virginia, for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1 of the Acts of Assembly of 2004, Special Session I, this paragraph shall become effective upon the effective date of this act.

D. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1 of the Acts of Assembly, 2004 Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the

locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Chapter 25, Title 15.2, Code of Virginia, or the provisions of a local government charter or Chapter 4, 5, 6, 7 or 8, Title 15.2, Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

E. The Secretary of Finance may authorize advance payment, from funds appropriated in this item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1, Acts of Assembly, 2004 Special Session I, if the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006; (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004; (3) received reimbursements pursuant to the provisions of Chapter 35.1, Title 58.1, Code of Virginia, between January 1 and June 30, 2004; (4) utilizes the cash method of accounting; and (5) would suffer fiscal hardship in the absence of such advance payment.

F. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Chapter 35.1, Title 58.1, Code of Virginia, as it existed prior to the amendments effected by Chapter 1 of the Acts of Assembly, 2004 Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year."

G. Included in this item is \$27,195,000 in the first year and \$19,595,000 in the second year from the general fund to support economic development activities in the Commonwealth to be appropriated as follows:

1. The appropriation for this item includes \$745,000 the first year and \$745,000 the second year from the general fund which shall be deposited into the Virginia Wine Promotion Fund.

2. Out of the amounts provided in this item, \$1,500,000 in the first year and

\$1,500,000 in the second year from the general fund is appropriated to a Virginia Biotechnology Wet-Laboratory Program at the Virginia Economic Development Partnership to provide loans, loan guarantees, or grants to construct, improve, furnish, equip, maintain, acquire and renovate biotechnology laboratories designed to accommodate and provide wet-lab space or other needed laboratory, research, or production space to attract biosciences and other related technology companies to the state, as well as to accommodate the growth of companies already located in Virginia. Funds under this program may be used for loan guarantees, credit enhancement, or grants, in cooperation with, or on behalf of, applying local governments, private development entities, or other qualified applicants under the program guidelines. Decisions regarding the size and scope of the biotechnology “shell buildings,” the selection of sites, and the selection of users, tenants or purchasers of such buildings shall be made by a panel consisting of the Secretary of Commerce and Trade, the President of the Center for Innovative Technology, the Executive Director of the Virginia Economic Development Partnership, the Executive Director of the Virginia Biotechnology Association and the President of a research university selected by the Council of University and College Presidents. The funds shall be administered within the “Virginia Shell Building Initiative” as established pursuant to § 15.2-941, Code of Virginia.

3. The appropriation for this item includes \$1,000,000 the first year and \$1,000,000 the second year from the general fund which shall be deposited into the Motion Picture Opportunity Fund.

4. The appropriation for this item includes \$12,100,000 the first year from the general fund which shall be deposited into the Governor's Development Opportunity Fund.

5. The appropriation for this item includes \$5,000,000 the second year from the general fund for the site planning fund created pursuant to § 2.2-2240.2, Code of Virginia, to assist political subdivisions in the performance of site and site development work for prospective Major Employment and Investment (MEI) Projects, as defined in § 2.2-2260, Code of Virginia. Grants allocated from this appropriation shall be approved by the Governor and made in accordance with procedures and guidelines established by the Virginia Economic Development Partnership. The guidelines and procedures shall give consideration in order to (i) ensure geographical representation of awards, (ii) limit the amount of annual recipients, (iii) identify strategic targets and select sites that are compatible with the strategic targets, and (iv) promote regional revenue sharing. If the Governor determines an eligible project is available for funding in the first year of the biennium

and wishes to expedite such project, he is authorized to utilize up to \$5,000,000 from the Governor's Development Opportunity Fund which shall be repaid from the appropriation for the site development in the second year.

6. The appropriation for this item includes \$500,000 the first year and \$1,000,000 the second year from the general fund to support the recapitalization of the Center for Innovative Technology's GAP funds which provide investment support for biotechnology and high technology ventures.

7. The appropriation for this item includes \$500,000 the first year and \$500,000 the second year from the general fund to support the Business One-Stop Program at the Department of Business Assistance.

8. The appropriation for this item includes \$1,000,000 the first year from the general fund for the Loan Guarantee Program at the Department of Business Assistance.

9. The appropriation for this item includes \$3,500,000 the first year and \$3,000,000 the second year from the general fund to supplement funding for the Virginia Jobs Investment Program at the Department of Business Assistance.

10. The appropriation for this item includes \$2,250,000 the first year and \$2,250,000 the second year from the general fund to implement an aggressive national and international advertising campaign and to market Virginia through the Virginia Economic Development Partnership.

11. The appropriation for this item includes \$500,000 the first year and \$1,000,000 the second year from the general fund to establish economic development offices in China, India and the United Kingdom and to expand the VALET program at the Virginia Economic Development Partnership.

12. The appropriation for this item includes \$3,600,000 the first year and \$3,600,000 the second year from the general fund to expand tourism marketing activities at the Virginia Tourism Authority, which shall be distributed as follows:

a. \$3,100,000 in the first year and \$3,100,000 in the second year from the general fund shall be used to promote Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at least \$1,000,000 in the first year and \$1,000,000 in the second year shall be used to establish and implement a cooperative advertising program to partner with private sector tourism businesses and regional tourism entities to advertise Virginia as a tourism destination. The state dollars

would be used to incentivize private and regional tourism marketing funds on a \$1.00 for \$1.00 basis whereby the Virginia Tourism Corporation would enter into agreements to undertake joint advertising purchases to promote Virginia and specific facilities with private sector and regional partners.

b. \$300,000 the first year and \$300,000 the second year from the general fund shall be provided to supplement appropriations for "See Virginia First," a public-private partnership operated by the Virginia Association of Broadcasters to advertise Virginia tourism. The Virginia Association of Broadcasters shall provide a total of at least \$900,000 in television and radio advertising value to promote tourism in Virginia in each fiscal year.

c. \$100,000 the first year and \$100,000 the second year from the general fund shall be provided for "See Virginia Parks," a public-private partnership to advertise Virginia Parks. The Virginia Association of Broadcasters shall provide a total of at least \$300,000 in television and radio advertising value to promote Virginia's parks in each fiscal year.

d. \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to promote Virginia's wineries through a "See Virginia's Wineries" program, a public-private partnership managed by the Virginia Tourism Corporation to market Virginia's wineries. The Virginia Association of Broadcasters shall provide a total of at least \$300,000 in television and radio advertising value to promote Virginia's wineries in each fiscal year.

13. It is the intent of the General Assembly that the second year appropriation for the appropriations in paragraphs G.6, G.9., and G.11. of this item shall meet the conditions for application of Section 4-1.03c.5. of this act.

H.1. Included in this item is \$3,745,802 the first year and \$13,310,010 the second year from the general fund and \$3,745,802 the first year and \$13,310,010 the second year from nongeneral funds to eliminate the moratorium on new enrollments in the Medicaid 1915 (c) home-and-community-based (i) Elderly or Disabled with Consumer Direction Waiver, (ii) Intellectual Disabilities Waiver, (iii) Day Support Waiver, (iv) Individuals and Family Developmental Disabilities Support Waiver, and (v) Alzheimer's Assisted Living Waiver, effective January 1, 2011.

2. Included in this item is \$224,649 the first year and \$283,492 the second year from the general fund and \$283,492 the first year and \$283,492 the second year from

nongeneral funds to restore funding for Medicaid reimbursement for the long-stay hospital incentive plan.

3. Included in this item is \$995,826 the first year and \$1,332,500 the second year from the general fund and \$1,256,664 the first year and \$1,332,500 the second year from nongeneral funds to restore funding for Medicaid pharmacy reimbursement for generic pharmaceuticals.

4. Included in this item is \$2,900,000 the first year and \$6,200,000 the second year from the general fund and \$1,800,000 the first year and \$1,800,000 the second year from nongeneral funds to restore funding to continue to operate the Commonwealth Center for Children and Adolescents in Staunton, Virginia.

I.1. Included in this item is \$12,628,029 the first year and \$12,079,990 the second year from the general fund to restore the number of law enforcement deputies to not less than one such deputy for each 1,500 population, as provided by § 15.2-1609.1, Code of Virginia.

2. Included in this item is \$28,607,179 the first year and \$28,607,179 the second year from the general fund to restore funding for the Commonwealth's payment of retirement and life insurance premiums for sheriffs and their deputies and to eliminate across-the-board reductions for sheriffs' offices.

3. Included in this item is \$7,519,712 the first year and \$7,519,712 the second year from the general fund to restore funding for the Commonwealth's payment of retirement and life insurance premiums for Commonwealths Attorneys and their staff and set the funding for the offices at 95 percent of the fiscal year 2010 level as adopted in Chapter 781 of the Acts of the Assembly of 2009.

4. Included in this item is \$3,650,659 the first year and \$3,818,624 the second year from the general fund to provide for initiation of the 116th Basic Trooper School on or after July 1, 2010, and the 117th Basic Trooper School during fiscal year 2011.

J. Included in this item is \$1,000,000 the first year from the general fund to support cancer research at the Massey Cancer Center. The Director, Department of Planning and Budget, shall transfer the general fund appropriation and allotment to Item 200 of Virginia Commonwealth University on July 1, 2010, for this purpose.

K.1. The Director, Department of Planning and Budget, shall transfer nongeneral

fund appropriation and allotment to the following:

<b>Item</b>	<b>Agency</b>	<b>Description</b>	<b>FY 2011</b>	<b>FY 2012</b>
238	New College Institute	Utilize TICRC Funds	\$1,464,107	\$1,464,107
239	Institute for Advanced Learning & Research	Utilize TICRC Funds	\$5,525,061	\$5,525,061
241	Southern Virginia Higher Education Center	Utilize TICRC Funds	\$1,930,643	\$1,930,643
242	Southwest Virginia Higher Education Center	Utilize TICRC Funds	\$1,804,919	\$1,804,919
456	Virginia Department of Transportation	TICRC Funds	\$40,000,000	\$40,000,000
		Route 58 Debt Service		
		Subtotal	\$50,724,730	\$50,724,730

2. There is hereby appropriated \$50,724,730 in the first year and \$50,724,730 the second year from nongeneral funds from the Fund established pursuant to § 3.2-3104, Code of Virginia, to make allocations in the amounts and for the purposes set out in paragraph I.1. of this item. This appropriation shall be in addition to the amounts made available to the Tobacco Indemnification and Community Revitalization Commission pursuant to § 3.2-3104, Code of Virginia.

L. In order to accomplish the actions contained in paragraphs A through J of this item, the Director, Department of Planning and Budget, shall withhold and transfer to this item amounts estimated at \$633,396,234 from the general fund the first year and \$902,652,269 from the general fund the second year from the following:

<b>Item</b>	<b>Agency</b>	<b>Description</b>	<b>FY 2011</b>	<b>FY 2012</b>
39	Supreme Court of VA	Eliminate Funding for Drug Courts	-\$2,951,000	-\$2,951,000
71	General Services	Building condition reporting system	-\$261,000	-\$261,000
80	State Board of Elections	Ten percent reduction for Registrars and Electoral Board	-\$739,267	-\$739,267
84	VDACS	VDACS - PDR matching grants	-\$400,000	-\$400,000
93	Forestry	Reforestation	-\$745,140	-\$895,140
93	Forestry	Forestry - Excess MELP, memberships & routine	-\$422,536	-\$422,536

		maint.		
96	Economic Dev. Incentive Payments	Defer second year BRAC funding	\$0	-\$7,500,000
96	Economic Dev. Incentive Payments	Adjust SRI payments	-\$1,000,000	\$0
99	DHCD	Level fund homeless grants	\$0	-\$1,327,532
99	DHCD	Mortgage counselors	-\$250,000	-\$250,000
109	DOLI	10% Reduction to Administration	-\$242,950	-\$242,950
110	DMME	Improved business practices	-\$214,475	-\$214,475
111	DMME	Reduce energy training fund by 50%	-\$87,250	-\$87,250
114	VEDP	Space Flight Authority	-\$291,220	-\$541,220
122	Secretary of Education & Workforce	Reduce CSG Public Broadcasting	-\$2,645,816	-\$2,645,816
131	Direct Aid to Public Education	Eliminate Project Discovery	-\$765,000	-\$765,000
132	Direct Aid to Public Education	Suspend planning period standard	-\$185,678,159	-\$188,068,156
132	Direct Aid to Public Education	Move programs to Lottery Fund	-\$76,215,988	-\$76,927,781
132	Direct Aid to Public Education	Fund Teachers Retirement at Normal Cost	\$0	-\$164,330,601
132	Direct Aid to Public Education	Include zero into LWA non-personal and transportation costs	-\$40,566,705	-\$40,859,365
132	Direct Aid to Public Education	Eliminate travel costs from support services	-\$15,620,347	-\$15,665,098
132	Direct Aid to	Eliminate lease and	-\$14,397,043	-\$14,484,412

	Public Education	rental from support services		
132	Direct Aid to Public Education	Extend school bus replacement schedule	-\$9,745,062	-\$9,728,811
132	Direct Aid to Public Education	Fund Teacher Retiree Health Credit at Normal Cost	\$0	-\$19,780,536
132	Direct Aid to Public Education	Correct Dinwiddie LCI	-\$87,936	-\$96,193
132	Direct Aid to Public Education	Eliminate career switchers/alternative licensure grants	-\$279,983	-\$279,983
137	SCHEV	Reduce Undergraduate TAG Grants	-\$5,000,000	-\$5,000,000
138	SCHEV	Eliminate Eminent Scholars Program	-\$3,414,998	-\$3,414,998
157	George Mason University	Eliminate Public Service Centers	\$0	-\$459,125
165	Longwood University	Eliminate Public Service Centers	\$0	-\$216,313
173	Old Dominion University	Eliminate Public Service Centers	\$0	-\$500,000
187	University of Virginia	Eliminate Public Service Centers	\$0	-\$1,766,448
198	Virginia Commonwealth University	Eliminate Public Service Centers	\$0	-\$283,069
203	Va. Community College System	Central Office & Utility	\$0	-\$500,000
212	Virginia Military Institute	Unique military program	-\$310,000	-\$310,000
219	Virginia Tech Extension	Eliminate & Consolidate Extension Offices	\$0	-\$2,512,595
230	Library of Virginia	Reduce Aid to Local Libraries	-\$868,931	-\$868,931

233/ 234	Commission for the Arts	Eliminate grants	-\$2,232,243	-\$4,464,486
236	Eastern Virginia Medical School	Reduce indigent care similar to UVA / VCU	-\$450,000	-\$450,000
238	New College Institute	Utilize TICRC Funds	-\$1,464,107	-\$1,464,107
239	Inst. for Adv. Learning & Research	Utilize TICRC Funds	-\$5,525,061	-\$5,525,061
241	So. Va. Higher Educ. Ctr.	Utilize TICRC Funds	-\$1,930,643	-\$1,930,643
242	Southwest Va. Higher Educ. Ctr.	Utilize TICRC Funds	-\$1,804,919	-\$1,804,919
244	Higher Education Research Initiative	Proton beam initiative	-\$510,000	-\$510,000
262	Dept. of Taxation	Reduce discretionary expenditures	-\$2,464,881	-\$2,348,720
271	Treasury Board	Debt service savings	\$0	-\$8,334,167
273	Secretary of HHR	Child advocacy centers	-\$500,000	-\$500,000
274	CSA	Utilization of services	-\$1,500,000	-\$1,500,000
287	VDH	Local Health Departments	-\$4,598,427	-\$4,589,866
288	VDH	Comprehensive Health Investment Project (CHIP) of Virginia	-\$891,831	-\$843,612
289	VDH	Safe Drinking Water State Revolving Fund	-\$2,600,000	-\$2,600,000
296	DMAS	FAMIS eligibility to 175% of FPL	-\$16,324,894	-\$17,224,239
296	DMAS	FAMIS Moms eligibility to 175% FPL	-\$1,985,668	-\$2,070,989
297	DMAS	Optional eligibility category from 275% to 250% of SSI payment	\$0	-\$36,440,811

297	DMAS	Medicaid inpatient hospital payments	-\$5,745,895	-\$7,166,515
297	DMAS	Medicaid nursing facility operating payments	-\$11,940,294	-\$13,819,962
297	DMAS	Medicaid outpatient hospital payments	-\$6,684,068	-\$7,813,935
297	DMAS	Indigent care at teaching hospitals	-\$7,100,000	-\$7,100,000
297	DMAS	Medicaid other practitioner payments	-\$5,765,321	-\$7,234,574
297	DMAS	Medicaid pediatric payments	-\$3,101,045	-\$3,914,450
297	DMAS	Medicaid inpatient hospital capital payments	-\$2,259,119	-\$2,793,305
297	DMAS	Medicaid dental fees	-\$2,455,673	-\$2,918,550
297	DMAS	Medicaid therapeutic day treatment services	-\$2,490,233	-\$2,817,006
297	DMAS	Medicaid nursing facility capital payments	-\$1,991,319	-\$2,514,099
297	DMAS	Medicaid adult preventive & primary care payments	-\$1,957,940	-\$2,444,470
297	DMAS	Medicaid OB/GYN payments	-\$1,899,035	-\$2,384,200
297	DMAS	Medicaid psychiatric residential treatment facility payments	-\$1,761,456	-\$1,985,800
297	DMAS	DMAS central office	-\$1,550,000	-\$1,550,000
297	DMAS	Medicaid preventive pediatric payments	-\$991,855	-\$1,260,670
297	DMAS	Medicaid emergency room physician payments	-\$913,795	-\$1,154,480
297	DMAS	Medicaid environmental modifications/assistive technology from	-\$276,385	-\$625,306

		\$5,000 to \$3,000 per year		
297	DMAS	Enhanced Medicaid FMAP for Medicare Part D payments	-\$85,736,111	\$0
297	DMAS	Medicaid retention of school health federal reimbursement	-\$287,801	-\$592,869
298	DMAS	Uninsured Medical Catastrophe Fund	-\$225,000	-\$225,000
328	DSS	Local Social Services Departments	-\$4,641,894	-\$4,642,133
330	DSS	Auxiliary Grant rate from \$1,112 to \$1,012 per month	-\$4,992,000	-\$4,992,000
330	DSS	Chore and companion services	-\$1,750,000	-\$1,750,000
330	DSS	Domestic violence services	-\$442,492	-\$444,648
332	DSS	General Relief Program	-\$2,400,000	-\$2,400,000
333	DSS	Healthy Families	-\$1,368,195	-\$1,757,272
333	DSS	Early Childhood Foundation	-\$1,275,000	-\$1,275,000
330	DSS	Other purchased services by Local DSS	-\$1,000,000	-\$1,000,000
351	Department of Conservation and Recreation	Eliminate Deposit to Natural Resources Commitment Fund	-\$5,000,000	-\$5,000,000
352	Department of Conservation and Recreation	Eliminate Funding for Land Conservation Fund	-\$1,000,000	-\$1,000,000
352	Department of Conservation and Recreation	Reduce Funding for Adopt-a-Stream Program	-\$74,569	-\$74,569
369	Museum of Natural History	Eliminate Travel Advertising and Promotion Funding	-\$25,000	-\$25,000
371	Commonwealth's Atty Services	Require Payment to Support Services	\$0	-\$302,354

	Council			
375	Correctional Education	Eliminate Vacant Positions	-\$2,157,848	-\$2,157,848
376	Department of Corrections	Eliminate Vacant Probation and Parole Positions	-\$1,519,095	-\$1,519,095
379	Department of Corrections	Close Rustburg and Haynesville Field Units	-\$2,615,465	-\$5,476,896
379	Department of Corrections	Reduce Funding for Equipment Purchases	-\$1,247,732	-\$1,247,732
384	Criminal Justice Services	Eliminate Outside Vendor Immigration and Language Training	-\$85,000	-\$85,000
386	Criminal Justice Services	Equalize First and Second Year Funding for HB 599 Program	-\$6,686,861	\$0
396	Department of Forensic Science	Eliminate Payments in Lieu of Taxes	-\$219,000	-\$219,000
399	Department of Juvenile Justice	Reduce Funding for VJCCC	-\$2,521,053	-\$2,521,053
403	Department of Military Affairs	Reduce Funding for Commonwealth Challenge Program	-\$90,805	-\$90,805
418	Compensation Board	Eliminate Jail Contract Bed Program	-\$1,464,000	-\$1,464,000
456	VDOT	TICRC Funds Route 58 Debt Service	-\$12,000,000	-\$68,000,000
466	Central Appropriations	Eliminate Funding for Productivity Incentive Fund	-\$500,000	\$0
469	Central Appropriations	Adjust Funding for State Employee Health Insurance	-\$8,904,390	-\$45,695,452
469.1	Central Appropriations	Revise financial aid methodology	\$0	-\$20,000,000
472	Central Appropriations	Reduce Transfer Grant	-\$1,300,000	-\$1,300,000

C-84	Central Capital Outlay	Reduce Maintenance Reserve	-\$15,000,000	\$0
	GRAND TOTAL		-\$633,396,224	-\$902,652,269

M.1. The provisions of paragraph D., Item 71, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

2. The provisions of paragraph G., Item 93, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"G. A nongeneral fund appropriation for the Reforestation Incentives to Private Forest Land Owners for the Reforestation of Timberlands Program shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia."

3. The provisions of paragraph J.1., Item 96, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"J.1. Out of the appropriation for this item, \$7,500,000 in the first year from the general fund is included to assist impact localities in funding needs associated with the implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC) which were subsequently agreed to by the President and the United States' Congress. Grants allocated from this appropriation shall be aimed at fostering collaborative efforts among state agencies, local governments and regional entities to address quantifiable costs or impacts resulting from specific actions to implement the recommendations of the BRAC or to protect the Commonwealth's strategic, homeland security, and economic interests in response to such implementation and similar actions. Individual grants may be for either operating or capital expenses but shall be matched by either cash or in-kind contributions. Moreover, no grant shall be used to supplant funding currently provided by other levels of government or by private sources."

4. The provisions of paragraph G., Item 96, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"G. Out of the appropriation for this item, \$2,000,000 the first year from the general fund shall be used to pay grants in accordance with § 2.2-2240.1, Code of Virginia."

5. The provisions of paragraph E., Item 99, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

6. The provisions of paragraph K., Item 114, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"K. Out of the amounts for Economic Development Services shall be provided \$1,087,875 the first year and \$837,875 the second year from the general fund to the Virginia Commercial Space Flight Authority."

7. The provisions of paragraphs A.11., A.12., A.13., A.14., A.15., A.16., A.17., A.18., A.19., and A.20., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are enacted as follows:

"11. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) from recognized support costs related to reported travel expenditures included in the linear weighted average non-personal support cost calculations for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process and the allocation of funding to localities.

12. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to include zeros in the linear weighted average calculation of non-personal support costs for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process and the allocation of funding to localities.

13. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to fund the pupil transportation costs using a 15 year replacement schedule, which is the current practice in many school divisions, for the school bus replacement schedule for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process and the allocation of funding to localities.

14. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to calculate funding for middle and high school teaching positions at a school-wide pupil to teacher ratio of 25:1 and shall not provide funding or any other allowances for planning periods.

15. To provide temporary flexibility, notwithstanding any other provision in statute or in this item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten through grade 7 and English classes for grades 6

through twelve by one additional student; the teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention, Intervention and Remediation, English as a Second Language, Gifted and Talented, Career and Technical funded programs are waived; and the instructional and support technology positions, librarians and guidance counselors staffing ratios for new hires are waived.

16. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) from recognized support costs related to reported leases and rental expenditures included in the linear weighted average non-personal support cost calculations for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process and the allocation of funding to localities.

17. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to prorate the cost of competing (COCA) to fund the 2010-12 composite index for the first year for those school divisions in Planning District Eight in the following manner: adjust the calculation used to fund the support COCA from 24.61 percent to 15.59 percent and the instructional COCA from 9.83 percent to 6.23 percent.

18. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to provide a hold harmless allocation to those school divisions that had realized additional state funding in the first year due to the delay of the composite index calculation update, as contained in House Bill 30, 2010 Session of the General Assembly. The hold harmless allocation for each school division will be based on providing 80 percent of the amount deducted as a result of implementing the composite index update in the first year.

19. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to recalculate the composite index update for all localities using Dinwiddie County's corrected 2007 true value of property.

20. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to adjust the true property value reported for the purposes of calculating the composite index updates for Albemarle County down by the percent value as prescribed in the local revenue sharing

agreement between Albemarle County and the City of Charlottesville. For the purposes of the composite index updates for the 2010-2012 biennium, Albemarle's true property value shall be reduced by 10 percent. The City of Charlottesville shall have its Standards of Quality Basic Aid payment reduced by an equivalent amount as provided to Albemarle pursuant to the local composite index adjustment. All other localities shall be held harmless from this adjustment."

8. The provisions of paragraph A.4.c.2), Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

9. The provisions of paragraph B.7.c., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"c. Appropriations in this item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers, combined together with other appropriations from the general fund in this item, fund the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; and one instructional technology position per 1,000 students."

10. The provisions of paragraph C.5.i., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"i. From the total amounts in paragraph h. above, an amount estimated at \$104,300,000 the first year and \$107,700,000 the second year (approximately 1/8 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates."

11. The provisions of the table 'Appropriation Detail of Education Assistance Programs (17800),' Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

**Appropriation Detail of Education  
Assistance Programs (17800)**

<b>Standards of Quality (17801)</b>	<b>FY 2011</b>	<b>FY 2012</b>
Basic Aid (Excluding SFSF)	\$2,728,695,689	\$2,853,299,660
SOQ Funded from State Fiscal Stabilization Funds, Item 133	\$126,372,427	\$0
Subtotal - Basic Aid	\$2,855,068,116	\$2,853,299,660
Sales Tax	\$1,078,800,000	\$1,114,700,000
Vocational Education	\$51,995,890	\$52,234,956
Gifted Education	\$30,906,798	\$31,245,002
Special Education	\$288,556,657	\$291,101,641
Prevention, Intervention, and Remediation	\$69,326,162	\$69,579,517
VRS Retirement	\$249,502,704	\$93,062,228
Social Security	\$166,038,864	\$167,914,448
Group Life	\$7,186,588	\$7,295,595
English as a Second Language	\$38,662,858	\$38,665,061
<b>Total including SFSF</b>	<b>\$4,836,044,637</b>	<b>\$4,719,098,108</b>
<b>Incentive Programs (17802)</b>		
Governor's School	\$14,045,834	\$14,371,049
Clinical Faculty	\$318,750	\$318,750
Career Switcher Mentoring Grants	\$279,983	\$279,983
Special Education - Endorsement Program	\$600,000	\$600,000
Special Education - Vocational Education	\$200,089	\$200,089
Composite Index Hold Harmless	\$91,655,000	\$0
<b>Total</b>	<b>\$107,099,656</b>	<b>\$15,769,871</b>
<b>Categorical Programs (17803)</b>		
Adult Education	\$1,051,800	\$1,051,800
Adult Literacy	\$2,645,375	\$2,645,375
Virtual Virginia	\$2,356,908	\$2,356,908
American Indian Treaty Commitment	\$75,669	\$77,348
Special Education - Homebound	\$5,628,891	\$5,938,390
Special Education - Jails	\$3,698,491	\$4,065,031
Special Education - State Operated Programs	\$34,075,630	\$35,427,675
<b>Total</b>	<b>\$49,532,764</b>	<b>\$51,562,527</b>

**Lottery (17805)**

Foster Care	\$12,896,417	\$13,605,123
Mentor Teacher	\$1,000,000	\$1,000,000
K-3 Primary Class Size	\$88,596,192	\$88,681,570
School Breakfast Program	\$2,442,968	\$2,895,852
SOL Algebra Readiness	\$8,976,783	\$9,006,959
Regional Alternative Education	\$6,779,652	\$6,830,512
ISAEP	\$2,247,581	\$2,247,581
Special Education - Regional Tuition	\$75,141,153	\$82,400,653
Career and Technical Education - Categorical	\$10,400,829	\$10,400,829
No Child Left Behind/Education for a Lifetime	\$4,749,675	\$4,749,675
Project Graduation	\$2,774,478	\$2,774,478
Supplemental Basic Aid	\$946,731	\$923,679
Lottery Proceeds Block Grant	\$136,229,621	\$126,953,376
Textbooks	\$51,151,296	\$51,413,262
Remedial Summer School	\$25,064,692	\$25,514,519
School Lunch	\$5,801,932	\$5,801,932
<b>Total</b>	<b>\$435,200,000</b>	<b>\$435,200,000</b>

**Supplemental Education (14304)**

Financial Assistance for Supplemental Education	\$7,708,961	\$7,708,961
<b>Total</b>	<b>\$7,708,961</b>	<b>\$7,708,961</b>

**Technology Grants**

Technology - VPSA (NGF)	\$0	\$57,792,000
<b>Total</b>	<b>\$0</b>	<b>\$57,792,000</b>

12. The provisions of paragraphs C.5.f.1), and C.5.f.3), Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"1) The appropriation in this item includes \$51,151,296 the first year and \$51,413,262 the second year from the Lottery Proceeds Fund as the state's share of the cost of textbooks based on a per pupil amount of \$75.55 the first year and \$75.55 the second year. A school division shall appropriate these funds for textbooks or any other public education instructional expenditure by the school

division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials. School divisions may also use these funds to purchase electronic textbooks or other electronic media resources integral to the curriculum and the technical equipment required to read and access the electronic textbooks and electronic curriculum materials."

13. The provisions of paragraph C.9., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

14. The provisions of paragraph C.10.e., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"e. An amount as determined by the locality from the locality's portion of the Lottery Proceeds Block Grant payment amount of \$136,229,621 the first year and \$126,953,376 the second year from the Lottery Proceeds Fund shall be allocated in support of programs for students who are educationally at risk.

1) a) Local school divisions may elect to allocate a portion of the Lottery Proceeds Block grant payments (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local share of the payment will be used to support approved programs for students who are educationally at risk and shall submit such certification in a format specified by the Department of Education. These programs may include: Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Reading Recovery, programs for students who speak English as a Second Language, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. Further, any new funds a school division receives in excess of the amounts received in fiscal year 2008 may be used first to provide data coordinators or to purchase similar services for schools that have not met Adequate Yearly Progress (AYP) under the federal No Child Left Behind Act or are not fully accredited under the Standards of Accreditation. The data coordinator position is intended to provide schools with needed

support in the area of data analysis and interpretation for instructional purposes, as well as overall data management and the administration of state assessments.

The position would primarily focus on data related to instruction and school improvement, including: student assessment, student attendance, student/teacher engagement, behavior referrals, suspensions, retention, and graduation rates."

15. The provisions of paragraph C.10.g., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"g. Remedial Summer School

1) This appropriation includes \$25,064,692 the first year and \$25,514,519 the second year from the Lottery Proceeds Fund for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an inter-session in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate."

16. The provisions of paragraph C.14.a.1), Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"a.1) An amount as determined by the locality from the locality's portion of the Lottery Proceeds Block Grant payment amount of \$136,229,621 the first year and \$126,953,376 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds unserved by Head Start program funding. In no event shall distributions from the Lottery Proceeds Fund be made directly to community-based or private providers."

17. The provisions of paragraphs C.14.a.4)a), C.14.a.4)b), C.14.b.3), Item 132, House

Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"4)a) Half-day programs shall operate for a minimum of three hours of classroom instructional time per day, excluding breaks for lunch or recess. Full-day programs shall operate for a minimum of five and one-half instructional hours, excluding breaks for meals and recess. No additional state funding is provided for programs operating greater than three hours per day but less than five and one-half hours per day. School divisions or community-based programs operating preschool programs for at-risk four-year-olds unserved with these funds must comply with the program requirements of §22.1-199.1 C., Code of Virginia.

3) For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs; however, at least 75 percent of the local match will be cash and no more than 25 percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is prohibited from continuing the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such prohibition may occur due to amendments to the allocation formula in the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a percentage reduction in a locality's Title I allocation in 2009-2010 or 2010-2011. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students."

18. The provisions of paragraph C.15.a., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"a. An amount as determined by the locality from the locality's portion of the Lottery Proceeds Block Grant payment amount of \$136,229,621 the first year and \$126,953,376 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades

kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction."

19. The provisions of paragraph C.15.b., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

20. The provisions of paragraph C.27.b, Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"b. Out of this appropriation, an amount estimated at \$136,229,621 the first year and \$126,953,376 the second year shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated \$201.20 per pupil the first year and \$186.55 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. To receive this funding, the locality in which the school division is located shall appropriate these funds for expenditures related to Virginia Preschool, Early Reading Intervention and At-Risk initiatives in which the school division has elected to participate. These funds shall be matched by the local government, based on the composite index of local ability-to-pay."

21. The provisions of paragraphs B.1. and B.2., Item 131, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

22. The provisions of Item 122, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

23. The provisions of paragraph C.33., Item 132, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

24. The provisions of paragraph C.19.c., Item 132, House Bill 30, as introduced in

the 2010 Session of the General Assembly, are deleted and replaced as follows:

"c. Out of the amounts for Financial Assistance for Categorical Programs, \$34,075,630 the first year and \$35,427,675 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of fiscal year 2010 and the first three quarters of fiscal year 2011. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of fiscal year 2011 and the first three quarters of fiscal year 2012."

25. The provisions of paragraph B., Item 138, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

26. The provisions of paragraph C., Item 157, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

27. The provisions of paragraph H., Item 173, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

28. The provisions of paragraph C., Item 187, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

29. The provisions of paragraphs I.1. and I.2., Item 187, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

30. The provisions of paragraph H., Item 198, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

31. The provisions of paragraph I., Item 198, House Bill 30, as introduced in the 2010 General Assembly, are deleted.

32. The Director, Department of Planning and Budget, shall withhold and transfer to

this item amounts estimated at \$20,000,000 the second year from the general fund appropriations in program 108 of institutions of higher education. The individual amounts shall be determined by the State Council of Higher Education for Virginia using the methodology contained in Item 139, paragraph M."

33. The provisions of paragraph E.2., Item 271, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"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 2011</b>	<b>FY 2012</b>
2006	\$12,951,750	\$0
2007B	\$18,775,750	\$18,779,250
2008A	\$8,231,750	\$8,229,250
2009D	\$9,049,150	\$9,051,425
Projected debt service & expenses	\$9,800,000	\$18,134,167
Subtotal Equipment	\$58,808,400	\$45,859,925
<b>Total Service Area</b>	<b>\$185,530,090</b>	<b>\$201,689,815."</b>

34. The provisions of paragraph A., of Item 273, in House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"A. Out of this appropriation, \$400,000 the first year and \$400,000 the second year from the general fund shall be used to sustain statewide services provided through child advocacy centers."

35. The provisions of paragraph A.1., Item 288, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"A.1. Out of this appropriation, \$1,467,673 the first year and \$1,515,892 the second year from the general fund is provided to the Comprehensive Health Investment Project (CHIP) of Virginia."

36. The provisions of paragraph C., Item 289, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

37. The provisions of paragraph D., Item 296, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"D. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the Family Access to Medical Insurance Security Plan and related regulations to provide medical coverage to pregnant women who are over the age of 19 who are ineligible for Medicaid and have annual family income less than or equal to 175 percent of the Federal Poverty Level and to simplify the administration of the premium assistance program available to families with children eligible for FAMIS who have access to an employer-sponsored health insurance program. The medical coverage period shall apply to a woman during her pregnancy and extend no longer than the end of the month in which her 60-day postpartum period ends. Services provided during this coverage period shall include all services in the FAMIS State Plan with the exception of the Early Periodic Screening Diagnosis and Treatment Program. The department will continue to ensure the cost effectiveness of the premium assistance program."

38. The provisions of paragraph C., Item 296, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"C. Notwithstanding § 32.1-351, Code of Virginia, the Department of Medical Assistance Services shall amend the Family Access to Medical Insurance Security (FAMIS) Plan to provide coverage for individuals under the age of 19 when such individuals have family incomes at or below 175 percent of the federal poverty level and who meet all other eligibility criteria as provided for in Title 32.1, Chapter 13, Code of Virginia. Every eligible applicant for health insurance, as provided for in this item, shall be enrolled and served in the program. To the extent that appropriations in this item are insufficient, the Director, Department of Planning and Budget, shall transfer general fund appropriations from Items 297 and 299 into this item, to be used as state match for federal Title XXI funds."

39. The provisions of paragraph E., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"E.1. Included in this appropriation is \$63,991,631 from the general fund and \$72,805,362 from nongeneral funds in the first year and \$69,559,795 from the general fund and \$78,727,642 from nongeneral funds in the second year to reimburse the Virginia Commonwealth University Health System for indigent health care costs. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4. In order to receive the

nongeneral funds in excess of the amount of the general fund appropriated, the Virginia Commonwealth University Health System shall certify the public expenditure.

2. Included in this appropriation is \$38,212,827 from the general fund and \$43,475,976 from nongeneral funds in the first year and \$41,568,366 from the general fund and \$47,046,997 from nongeneral funds in the second year to reimburse the University of Virginia Health System for indigent health care costs. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4. In order to receive the nongeneral funds in excess of the amount of the general fund appropriated, the University of Virginia University Health System shall certify the public expenditure."

40. The provisions of paragraph S.2., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"2. In developing the maximum allowable cost (MAC) reimbursement rate for generic pharmaceuticals, the department shall (i) if publicly available, publish the factors used to set state MAC rates, including the identity of the reference product used to set the MAC rate; the GCN number of the reference product, the factor by which the MAC rate exceeds the reference product price which shall be not less than 110 percent of the lowest-published wholesale acquisition cost for products widely available for purchase in the state and is included in national pricing compendia, and the identity and date of the published compendia used to determine the reference product and set the MAC rate; (ii) identify three different suppliers that are able to supply the product and from whom pharmacies are able to purchase sufficient quantities of the drug. The drugs considered must be listed as therapeutically and pharmaceutically equivalent in the FDA's most recent version of the "Orange Book"; (iii) identify that the use of a MAC rate is lower than the Federal Upper Limit (FUL) for the drug, or the development of a MAC rate that does not have a FUL will not result in the use of higher-cost innovator brand name or single source drugs in the Medicaid program; and (iv) distribute the list of state MAC rates to pharmacy providers in a timely manner prior to the implementation of MAC rates and subsequent modifications."

41. The provisions of paragraph AAA., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"AAA. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce the maximum percentage to 5.25% in the incentive plan for long-stay hospitals. The department shall also eliminate the inflation increase for rates in fiscal year 2011 and fiscal year 2012 and freeze ceilings in fiscal year 2011 and fiscal year 2012 at the same level as the ceilings for long stay hospitals with fiscal year that ends June 30, 2010. The department shall have the authority to implement this reimbursement change effective July 1, 2010, and prior to the completion of any regulatory process undertaken in order to effect such change."

42. The provisions of paragraph DDD., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"DDD.1. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to make the following changes:

a. Eliminate the adjustment for inflation of nursing facility and specialized care operating rates for days of service in fiscal year 2011 and fiscal year 2012 and to freeze nursing facility and specialized care ceilings in fiscal year 2011 and fiscal year 2012 at the same level as the ceilings for nursing facilities with fiscal year ends of June 30, 2010.

b. Further reduce nursing facility direct and indirect care payment rates and specialized care operating rates by the following percentages below the rates that otherwise would have been in effect after application of paragraph DDD.1.a. in fiscal year 2011 and fiscal year 2012:

1) 0.5 percent for nursing facilities with a Medicaid utilization rate of 95 percent or greater;

2) 1.0 percent for nursing facilities with a Medicaid utilization rate of at least 90 percent and less than 95 percent;

3) 1.5 percent for nursing facilities with a Medicaid utilization rate of at least 85 percent and less than 90 percent;

4) 2.0 percent for nursing facilities with a Medicaid utilization rate of at least 80 percent and less than 85 percent;

- 5) 2.5 percent for nursing facilities with a Medicaid utilization rate of at least 75 percent and less than 80 percent;
- 6) 3.0 percent for nursing facilities with a Medicaid utilization rate of at least 70 percent and less than 75 percent; and
- 7) 3.5 percent for nursing facilities with a Medicaid utilization rate of less than 70 percent.

The nursing facility utilization rate shall be based on settled cost reports for provider fiscal year ends in calendar year 2008 for reductions to fiscal year 2011 rates and for provider fiscal year ends in calendar year 2009 for reductions in fiscal year 2012. If a provider has more than one settled cost report in the calendar year, the results from the most recent of those cost reports shall be used.

c. Provide that the floor for the nursing facility FRV "rental rate" shall be 8.5 percent in fiscal year 2011 and fiscal year 2012.

2. The department shall have the authority to implement these reimbursement changes effective July 1, 2010, and prior to the completion of any regulatory process undertaken in order to effect such change."

43. The provisions of paragraph EEE., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"EEE.1. Effective July 1, 2010, the Department of Medical Assistance Services shall not adjust rates or the rate ceiling of residential psychiatric facilities for inflation.

2. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce reimbursement to residential psychiatric facilities to achieve an additional savings in the first year of \$1,761,456 general fund and \$2,223,738 nongeneral fund and in the second year of \$1,985,800 general fund and \$1,985,800 nongeneral fund."

44. The provisions of paragraphs HHH., III., JJJ., KKK., and LLL., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

45. The provisions of paragraph RRR., Item 297, House Bill 30, as introduced in the

2010 Session of the General Assembly, are deleted and replaced as follows:

"RRR.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce the income limit for eligibility under the 300 percent Supplemental Security Income (SSI) eligibility group to 275 percent of the SSI payment level. The department shall implement this change effective January 1, 2011, or on the earliest date thereafter when it is determined that such change will not jeopardize the increased Federal Medical Assistance Percentage established under the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) and any extension thereof through subsequent federal legislation, and prior to the completion of any regulatory process undertaken in order to effect such change.

2. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to further reduce the income limit for eligibility under the 300 percent Supplemental Security Income (SSI) eligibility group to 250 percent of the SSI payment level. The department shall have the authority to implement this reimbursement change effective July 1, 2011, and prior to the completion of any regulatory process undertaken in order to effect such change."

46. The provisions of paragraphs XXX., YYY., ZZZ., AAAA., BBBB., CCCC., DDDD., EEEE., and FFFF., Item 297, House Bill 30, as introduced in the 2010 Session of the General Assembly, are enacted as follows:

"XXX. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to set the hospital adjustment factor for Type Two hospitals to 76.5 percent for general acute care cases and acute care rehabilitation cases and 82.5 percent for acute care for psychiatric cases. This does not apply to Type Two hospitals for which Virginia Medicaid utilization, which is defined as patient days, exceeds 50 percent. The department shall have the authority to implement this reimbursement change effective July 1, 2010, and prior to the completion of any regulatory process undertaken in order to effect such change.

YYY. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce hospital capital reimbursement from 75 percent of cost to 70 percent of cost for Type Two hospitals. This does not apply to Type Two hospitals for which Virginia Medicaid utilization, defined as patient days, exceeds 50 percent. The department shall have the authority to implement this reimbursement change effective July 1, 2010, and prior to the completion of any regulatory process

undertaken in order to effect such change.

ZZZ. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce hospital outpatient reimbursement from 80 percent of cost to 77 percent of cost for Type Two hospitals and from 94% of cost to 91% of cost for Type One hospitals. This does not apply to Type Two hospitals for which Virginia Medicaid utilization, defined as patient days, exceeds 50 percent. The department shall not replace through other payment mechanisms the losses of Type One hospitals from this reduction unless the provider is able to transfer the state share or certify the public expenditures. The department shall have the authority to implement this reimbursement change effective July 1, 2010, and prior to the completion of any regulatory process undertaken in order to effect such change.

AAAA. Effective July 1, 2010, the Department of Medical Assistance Services shall retain five percent of the Federal Financial Participation for reimbursement to school divisions for medical and transportation services. This reimbursement will cover the department's costs in assisting school divisions in submitting cost reports.

BBBB. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce rates for therapeutic day treatment services by five percent and require prior authorization of services.

CCCC. The Department of Medical Assistance Services shall amend the 1915 (c) home-and-community-based waivers to decrease the annual amount paid for environmental modifications and assistive technology from \$5,000 to \$3,000. The department shall amend the Children's Mental Health demonstration grant to decrease the annual amount paid for environmental modifications from \$5,000 to \$3,000. The department shall implement this change effective January 1, 2011, and prior to the completion of any regulatory process undertaken in order to effect such change.

DDDD.1. Effective July 1, 2010, the Department shall reduce by five percent for physicians and other providers billing for services whose rates are determined on a Resource Based Relative Value Scale in 12 VAC 30-80-190 at the same time as the annual update.

2. The department shall have the authority to implement this reimbursement

change effective July 1, 2010, and prior to the completion of any regulatory process undertaken in order to effect such change.

EEEE. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce dental fees by five percent.

FFFF. The Department of Medical Assistance Services shall exempt anti-psychotic medications used for the treatment of mental illness from the Medicaid Preferred Drug List program through June 30, 2011. The Director, Department of Medical Assistance Services, shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2010, on the impact on patient care and costs of including these medications in the Preferred Drug List, as well as the availability of generic anti-psychotic medications, which could allow for the inclusion of these drugs in the future. "

47. The provisions of paragraph C., Item 298, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

48. The provisions of paragraph A.1., Item 330, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"A.1. Effective July 1, 2010, the Department of Social Services shall base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of \$1,012 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The Department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight."

49. The provisions of paragraph D., Item 330, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"D. Out of this appropriation, \$110,508 the first year and \$804,102 the second year from the general fund and \$693,750 the first year from the federal Temporary Assistance for Needy Families (TANF) block grant shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority."

50. The provisions of paragraph C., Item 333, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"C. Out of this appropriation, \$3,557,306 the first year from the Temporary Assistance for Needy Families (TANF) block grant and \$3,168,399 the second year from the general fund shall be provided to Healthy Families Virginia. These funds shall be used at the discretion of local sites for obtaining matching Title IV-E nongeneral funds when available. The Department of Social Services shall continue to allocate funds from this item to the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Healthy Families Virginia program."

51. The provisions of paragraph D., Item 333, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

52. The provisions of paragraphs H.1 and H.2, Item 351, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

53. The provisions of paragraph D., Item 352, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

54. The provisions of the language included in Item 369, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

55. The provisions of the language in Item 371, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"A. Included in this appropriation is \$75,600 the first year from the general fund for a position to provide assistance and training for Commonwealth's attorneys to combat gang crime.

B. Beginning July 1, 2011, one-half of the costs of the prosecutorial training services provided by the Commonwealth's Attorneys' Services Council shall be paid out of the amounts provided to Commonwealth's attorneys' offices by the Compensation Board. The amount each Commonwealth's attorney's office shall provide for the services provided by the Commonwealth's Attorneys' Services Council shall be based upon the number of Compensation Board funded positions provided to each office."

56. The provisions of paragraph H., Item 384, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

57. The provisions of paragraph A., Item 386, House Bill 30, as introduced in the 2010 General Assembly, are deleted and replaced as follows:

"A. The funds appropriated in this item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (House Bill 599, 1979 Session of the General Assembly). Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be \$149,734,178 the first year and \$149,734,178 the second year. The amount to be distributed to each locality in each year shall be proportionate to the amount distributed in fiscal year 2010."

58. The provisions of paragraph A., Item 396, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"A. Notwithstanding the provisions § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town."

59. The provisions of paragraph F.1., Item 399, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"F.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes \$10,915,139 the first year and \$10,915,139 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCA) §§ 16.1-309.2 through 16.1-309.10, Code of Virginia."

60. The provisions of paragraphs I.1, I.2, and I.3., Item 418, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

61. The provisions of paragraph B.1., Item 456, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"B.1. Out of the amounts for Designated Highway Corridor Construction, there is hereby appropriated \$40,000,000 the first year and \$40,000,000 the second year from the nongeneral fund established pursuant to § 3.2-3104, Code of Virginia, which shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund," established pursuant to § 58.1-815, Code of Virginia. This payment shall be in lieu of the deposit of state recordation taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would otherwise be deposited to the Fund shall be retained by the general fund."

Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at \$12,000,000 the first year and \$12,000,000 the second year, a total of \$24,000,000 for the biennium, shall be transferred from the highway share of the Transportation Trust Fund."

62. The provisions of Item 466, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

63. The provisions of paragraph F., in Item 469, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"F.1. Out of the appropriation for this item, amounts estimated at \$11,373,638 the first year and \$11,817,009 the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this item shall allow for a portion of employee medical premiums to be charged to employees.

3. The Department of Human Resources Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly's intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

4. Notwithstanding any other provision of law, effective July 1, 2009, coverage for lap band and gastric bypass surgery under the state employee health insurance program shall be conditional on the successful participation in a progressive weight management program to be developed by the Department of Human Resource Management. The progressive weight management program shall include a bariatric education program the duration of which shall be no longer than six months.

5. Furthermore, the Department is prohibited from implementing policy changes which would eliminate coverage of pharmaceutical products covered as of January 1, 2010, or which would modify policies related to the purchase of pharmacy products from retail pharmacies or through mail order."

64. The provisions of paragraph D., Item C-84, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted.

65. The provisions of Item 3-5.11, House Bill 30, as introduced in the 2010 Session of the General Assembly, are deleted and replaced as follows:

"Notwithstanding the provisions of § 58.1-301, Code of Virginia, any reference in Chapter 3, Title 58.1, Code of Virginia, to the laws of the United States relating to federal income taxes shall mean the provisions of the Internal Revenue Code, and amendments thereto, and other provisions of the laws of the United States relating to federal income taxes, as they existed on December 31, 2008, and the exceptions described in subdivisions B.1 and B.2 of § 58.1-301, Code of Virginia, and the exceptions for the deferral of certain income under § 108 (i) of the Internal Revenue Code, the original issue discount on applicable high yield discount obligations under § 163 (e)(5)(F); and for taxable years beginning on and after January 1, 2010, the amount of the deduction allowed for domestic production activities pursuant to § 199 of the Internal Revenue Code.

Notwithstanding any other provision of law, for taxable years beginning on and after January 1, 2009, and before January 1, 2010, any reference to the Internal Revenue Code shall include provisions enacted after December 31, 2009, and on or before January 22, 2010."

**Explanation:**

(This amendment is self-explanatory.)

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	Item 6 #1h		
<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Division Of Legislative Services	\$250,000	\$250,000	GF
	\$137,434	\$137,434	NGF
	3.00	3.00	FTE

**Language:**

Page 8, line 21, strike "\$6,015,667" and insert "\$6,403,101".

Page 8, line 21, strike "\$6,015,667" and insert "\$6,403,101".

**Explanation:**

(This amendment provides funding for the Division of Legislative Services

pursuant to House Bill 1053, 2010 Session of the General Assembly, which proposes to transfer responsibility for staffing the Joint Commission on Health Care, the Crime Commission, and the Youth Commission to the Division of Legislative Services. Companion amendments are included in Items 11, 17, and 18. The net savings from this proposal is estimated at \$1.9 million from the general fund over the biennium.)

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Item 11 #1h

<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Joint Commission On Health Care	(\$415,610)	(\$680,718)	GF
	-6.00	-6.00	FTE

**Language:**

Page 9, line 32, strike "\$701,718" and insert "\$286,108".

Page 9, line 32, strike "\$701,718" and insert "\$21,000".

**Explanation:**

(This amendment removes funding for the Joint Commission on Health Care pursuant to House Bill 1053, 2010 Session of the General Assembly, which proposes to transfer responsibility for staffing the Joint Commission on Health Care, the Crime Commission and the Youth Commission to the Division of Legislative Services. Companion amendments are included in Items 6, 17, and 18. The net savings from this proposal is estimated at \$1.9 million over the biennium.)

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Item 17 #1h

<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Commission On Youth	(\$153,390)	(\$304,129)	GF
	-3.00	-3.00	FTE

**Language:**

Page 11, line 12, strike "\$325,129" and insert "\$171,739".

Page 11, line 12, strike "\$325,129" and insert "\$21,000".

**Explanation:**

(This amendment removes funding for the Virginia Commission on Youth pursuant to House Bill 1053, 2010 Session of the General Assembly, which proposes to transfer responsibility for staffing the Youth Commission, the Crime Commission,

and the Joint Commission on Health Care to the Division of Legislative Services. Companion amendments are included in Items 6, 11, and 18. The net savings from this proposal is estimated at \$1.9 million from the general fund over the biennium.)

Item 18 #1h

<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia State Crime Commission	(\$393,454)	(\$506,228)	GF
	(\$137,434)	(\$137,434)	NGF
	-9.00	-9.00	FTE

**Language:**

Page 11, line 22, strike "\$664,662" and insert "\$133,774".

Page 11, line 22, strike "\$664,662" and insert "\$21,000".

Page 11, strike lines 27 through 31.

**Explanation:**

(This amendment removes funding for the Virginia State Crime Commission pursuant to House Bill 1053, 2010 Session of the General Assembly, which proposes to transfer responsibility for staffing the Crime Commission, the Youth Commission, and the Joint Commission on Health Care to the Division of Legislative Services. Companion amendments are included in Items 6, 11, and 17. The net savings from this proposal is estimated at \$1.9 million from the general fund over the biennium.)

Item 22 #1h

<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Sesquicentennial Of The American Civil War Commission	(\$169,741)	(\$169,741)	GF

**Language:**

Page 12, line 28, strike "\$2,769,741" and insert "\$2,600,000".

Page 12, line 28, strike "\$2,769,741" and insert "\$2,600,000".

Page 12, line 33, strike "\$2,170,267" and insert "\$2,000,000".

**Explanation:**

(This amendment reduces the general fund support for the Virginia Sesquicentennial of the American Civil War Commission from \$2.2 million to \$2.0 million in each year of the biennium.)

<b>Legislative Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Commission On Intergovernmental Cooperation	(\$58,157)	(\$58,157)	GF

**Language:**

Page 15, line 23, strike "\$649,039" and insert "\$590,882".

Page 15, line 23, strike "\$649,039" and insert "\$590,882".

**Explanation:**

(This amendment realizes savings from a reduction in expenditures for dues paid to the National Conference of State Legislatures (NCSL), the Council of State Governments (CSG), and the Southern Regional Education Board (SREB). This amendment assumes dues payments in each year of no more than \$197,957 for the NCSL, \$146,035 for the CSG, and \$179,424 for the SREB.)

<b>Legislative Department</b>	
Legislative Department Reversion Clearing Account	Language

**Language:**

Page 15, after line 38, insert:

"A. On or before June 30, 2011, the Committee on Joint Rules shall authorize the reversion to the general fund of \$2,097,366 representing savings generated by legislative agencies in the first year. The total savings amount includes estimated savings within the legislative agencies of:

<u>Legislative Agency</u>	<u>Estimated Savings</u>
Auditor of Public Accounts (133)	\$1,322,000
Division of Legislative Automated Systems (109)	\$315,000
Joint Legislative Audit and Review Commission	\$250,000
Division of Legislative Services (107)	\$210,366

B. On or before June 30, 2012, the Committee on Joint Rules shall authorize the reversion to the general fund of \$2,097,366 representing savings generated by



Code of Virginia, or otherwise shall be delayed at the request of the local governing body in which the court is located until June 30, 2012. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008."

**Explanation:**

(This amendment continues the suspensions of the authority of circuit courts to enter orders requiring localities to repair or replace court facilities if they are deemed out of repair that was included in the 2009 Appropriation Act.)

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Item 41 #2h

<b>Judicial Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Circuit Courts	\$9,200,000	\$9,200,000	GF

**Language:**

Page 20, line 3, strike "\$92,070,698" and insert "\$101,270,698".

Page 20, line 3, strike "\$92,070,698" and insert "\$101,270,698".

Page 20, line 35, strike "\$97,689,076 the first year and \$97,689,076" and insert: "\$106,889,076 the first year and \$106,889,076".

**Explanation:**

(This amendment restores \$9.2 million to the general fund each year in the criminal fund. The introduced budget proposed the establishment of 3 new public defenders offices for the counties of Prince William, Henrico, and Chesterfield, and reduced the criminal fund based on these new offices. A companion amendment eliminates the funding for the 3 new public defender offices.)

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Item 43 #1h

<b>Judicial Department</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Juvenile And Domestic Relations District Courts	(\$30,240)	(\$30,240)	GF

**Language:**

Page 22, line 5, strike "\$75,266,476" and insert "\$75,236,236".

Page 22, line 5, strike "\$75,266,476" and insert "\$75,236,236".

Page 22, strike line 49.

Page 23, strike lines 1 through 3.

**Explanation:**

(This amendment eliminates funding for the provision of court appointed counsel for individuals confined in juvenile correction facilities. House Bill 483 of the 2010 Session would have authorized the appointment of counsel for individuals confined in juvenile correction facilities. House Bill 483 was not enacted and the funding is therefore not needed.)

Item 48 #1h

**Judicial Department**

Indigent Defense Commission

**FY 10-11**

(\$9,000,000)

**FY 11-12**

(\$8,500,000) GF

**Language:**

Page 24, line 40, strike "\$51,637,377" and insert "\$42,637,377".

Page 24, line 40, strike "\$51,137,377" and insert "\$42,637,377".

Page 25, strike lines 13 through 15.

**Explanation:**

(This amendment eliminates funding included in the introduced budget to establish 3 new public defender offices in Prince William, Chesterfield, and Henrico counties. A companion amendment restores funding to the criminal fund which was reduced based on the 3 new offices.)

Item 52 #1h

**Judicial Department**

Judicial Department Reversion  
Clearing Account

Language

**Language:**

Page 26, after line 38 insert:

A.1 Notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of Virginia, the total number of authorized judges in any judicial district or circuit shall be reduced by a number equal to the number of judges retiring, dying or resigning from that district or circuit for any authorized judgeship which was vacant or became vacant on or after February 15, 2010, and before July 1, 2010, effective upon the resignation, death or retirement date of each such judge.

2. Furthermore, notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code

of Virginia, the total number of authorized judges in any judicial district or circuit shall be reduced by a number equal to the number of judges retiring, dying or resigning from that district or circuit on or after July 1, 2010, and on or before June 30, 2012, effective upon the resignation, death or retirement date of each such judge

3. On or before June 30, 2011, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$3,980,151 from items within the Judicial Department representing savings generated from the reduction in the number of authorized judges in the first year.

4. On or before June 30, 2012, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$6,531,919 from items within the Judicial Department representing savings generated from the reduction in the number of authorized judges in the second year."

**Explanation:**

(This amendment realizes savings of \$3,980,151 the first year and \$6,531,919 the second year from deferring the replacement of vacant judgeships.)

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Item 52 #2h

**Judicial Department**

Judicial Department Reversion  
Clearing Account

Language

**Language:**

Page 26, after line 38 insert:

"A. On or before June 30, 2011, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$2,000,000 representing additional savings generated by judicial agencies in the first year.

B. On or before June 30, 2012, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$2,000,000 representing additional savings generated by judicial agencies in the second year."

**Explanation:**

(This amendment assumes an additional savings of \$4.0 million from the judicial branch over the biennium.)

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<b>Executive Offices</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Attorney General And Department Of Law	\$41,013 8.00	\$41,013 8.00	GF FTE

**Language:**

Page 29, line 18, strike "\$26,510,916" and insert "\$26,551,929".

Page 29, line 18, strike "\$26,574,916" and insert "\$26,615,929".

Page 30, after line 9, insert:

"F. Out of this appropriation, \$530,682 the first year and \$530,682 the second year is dedicated to efforts to administer and enforce the consumer protection laws pursuant to § 2.2-517 C, Code of Virginia. This includes \$41,013 in the first year and \$41,013 in the second year from the general fund, 8 nongeneral fund full-time equivalent positions, and \$489,669 in the first year and \$489,669 in the second year of nongeneral funds which shall be transferred from the Department of Agriculture and Consumer Services."

**Explanation:**

(This amendment reflects the provisions of House Bill 965, 2010 Session of the General Assembly, which transfers a portion of the duties related to the Virginia Consumer Protection Act from the Division of Consumer Services to the Attorney General's Office. A companion amendment to VDACS authorizes the Department of Planning and Budget to transfer nongeneral fund positions and funding from the Department of Agriculture and Consumer Services to the Office of the Attorney General pursuant to the provisions of this legislation.)

<b>Administration</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Secretary Of Administration	\$778,161 \$299,969 17.00	\$778,161 \$299,969 17.00	GF NGF FTE

**Language:**

Page 34, after line 11, insert:

"67.10. 1-7. Department of Employment

Dispute Resolution (962)

Fund Sources: General

Special

."

Authority: Title 2.2, Chapters 10 and 30, Code of Virginia.

**Explanation:**

(This amendment restores the funding for the Department of Employment Dispute Resolution as a stand alone agency. The introduced budget proposed merging the agencies functions into the Department of Human Resources Management. A companion amendment eliminates the proposed funding within the DHRM.)

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Item 71 #1h

**Administration**

Department Of General Services

Language

**Language:**

Page 37, after line 9, insert:

"I. The Department of General Services shall provide for the operations and maintenance of the Galanti Center at the Virginia War Memorial using rent plan funds."

**Explanation:**

(This amendment provides for the unique operating and maintenance needs of the Virginia War Memorial.)

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Item 75 #1h

**Administration**

Department Of Human Resource  
Management

**FY 10-11**

(\$692,939)  
(\$299,969)  
-16.00

**FY 11-12**

(\$692,939) GF  
(\$299,969) NGF  
-16.00 FTE

**Language:**

Page 38, line 2, strike "\$12,091,446" and insert "\$11,098,538".

Page 38, line 2, strike "\$11,995,446" and insert "\$11,002,538".

Page 39, strike lines 5 through 7.

**Explanation:**

(This amendment strikes language included in the introduced budget that would merge the Department of Employment Dispute Resolution into the Department of Human Resources Management. The amendment eliminates the transfer of funding into the DHRM and a companion amendment restores funding for the Department of

Employment Dispute Resolution.)

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Item 87 #1h

<b>Agriculture And Forestry</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Agriculture And	(\$41,013)	(\$41,013)	GF
Consumer Services	-8.00	-8.00	FTE

**Language:**

Page 47, line 8, strike "\$2,176,123" and insert "\$2,135,110".

Page 47, line 8, strike "\$2,176,123" and insert "\$2,135,110".

Page 47, after line 12, insert:

"Pursuant to the provisions of House Bill 965, 2010 Session of the General Assembly, the Director, Department of Planning and Budget, is hereby authorized to transfer to the Office of the Attorney General from the Department of Agriculture and Consumer Services eight positions and \$489,669 from the nongeneral fund in the first year and eight positions and \$489,669 from the nongeneral fund in the second year to execute the provisions of House Bill 965. The Director is also authorized to transfer from economic contingency the related costs that cannot be absorbed by the two agencies."

**Explanation:**

(This amendment authorizes the Department of Planning and Budget to transfer positions and funding from the Department of Agriculture and Consumer Services to the Office of the Attorney General pursuant to the provisions of House Bill 965, 2010 Session of the General Assembly. This legislation transfers a portion of the duties related to the Virginia Consumer Protection Act from the Division of Consumer Services to the Attorney General's Office.)

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Item 88 #1h

<b>Agriculture And Forestry</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Agriculture And	(\$2,100,000)	(\$2,100,000)	NGF
Consumer Services			

**Language:**

Page 47, line 15, strike "\$4,394,663" and insert "\$2,294,663".

Page 47, line 15, strike "\$4,394,663" and insert "\$2,294,663".

Page 47, strike lines 23 through 25.

**Explanation:**

(This amendment removes authorization for the establishment of a new \$17.50 per year per device fee and the \$2.1 million nongeneral fund each year assumed to be generated by the imposition of such that had been included in House Bill 30 as introduced. The fee revenue was intended to supplement, not replace, general fund support for this program.)

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Item 99 #1h

<b>Commerce And Trade</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Housing And	\$50,000	\$50,000	GF
Community Development	1.00	1.00	FTE

**Language:**

Page 55, line 18, strike "\$47,675,836" and insert "\$47,725,836".

Page 55, line 18, strike "\$48,903,368" and insert "\$48,953,368".

Page 56, after line 10, insert:

"F. Out of the amounts for this item, \$50,000 the first year and \$50,000 the second year from the general fund and one position are provided to support the administrative costs associated with administering the tax credits authorized pursuant to the provisions of House Bill 764, 2010 Session of the General Assembly."

Page 56, line 11, strike "F." and insert "G."

**Explanation:**

(This amendment provides \$50,000 each year and one position from the general fund to the Department of Housing and Community Development to support the administration of a tax credit available to landlords who participate in a housing choice voucher program as proposed in House Bill 764. A companion adjustment to the front page increases the total general fund revenues to reflect provisions of this legislation which limit the amount of credits available for use by DHCD under this program, resulting in a net zero cost.)

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Item 99 #2h

<b>Commerce And Trade</b>	
Department Of Housing And	Language
Community Development	

**Language:**

Page 56, strike lines 11 through 13.

**Explanation:**

(This amendment removes language that had been included in House Bill 30 as introduced directing that federal HOME funding is to be distributed to community development projects that further the principles of sustainable community investment. HOME is the largest Federal block grant to state and local governments designed exclusively to create affordable housing for low-income households and already has criteria for distribution attached to it.)

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Item 100 #1h

**Commerce And Trade**

Department Of Housing And  
Community Development

Language

**Language:**

Page 56, strike lines 28 and 29.  
Page 59, strike lines 2 through 4.

**Explanation:**

(This amendment removes language directing the Department of Housing and Community Development to give preference in the distribution of federal Community Development Block Grant Program and Appalachian Regional Commission funds to projects that further the principles of Executive Order 69 (2008). These funds already have criteria governing their distribution.)

---

Item 105 #1h

**Commerce And Trade**

Department Of Labor And Industry

**FY 10-11**  
(\$253,550)

**FY 11-12**  
(\$253,550) NGF

**Language:**

Page 60, line 2, strike "\$916,924" and insert "\$663,374".  
Page 60, line 2, strike "\$916,924" and insert "\$663,374".  
Page 60, strike lines 7 through 10.

**Explanation:**

(This amendment eliminates the authorization of a new fee of \$55 per participant for the apprenticeship program.)

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Item 108 #1h

**Commerce And Trade**

Department Of Labor And Industry

Language

**Language:**

Page 60, strike lines 31 through 33.

**Explanation:**

(This amendment eliminates language authorization an increase in the boiler inspection fee. A companion adjustment to the front page removes the general fund revenues that had been assumed to be generated in House Bill 30 as introduced. These fee revenues are not retained by the agency but flow to the general fund.)

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Item 110 #1h

**Commerce And Trade**

Department Of Mines, Minerals  
And Energy

**FY 10-11**  
(\$428,620)

**FY 11-12**  
(\$428,620) NGF

**Language:**

Page 61, line 5, strike "\$27,083,849" and insert "\$26,655,229".

Page 61, line 5, strike "\$27,004,361" and insert "\$26,575,741".

**Explanation:**

(This amendment removes the nongeneral fund revenues associated with fee increases that were not adopted by the General Assembly but assumed in House Bill 30 as introduced.)

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Item 114 #1h

**Commerce And Trade**

Virginia Economic Development  
Partnership

Language

**Language:**

Page 64, after line 6, insert:

"N. The Virginia Economic Development Partnership shall establish a working group

with representatives from the Center for Advanced Manufacturing, the University of Virginia, James Madison University, Blue Ridge Community College, the Shenandoah Valley Partnership, the Virginia Association of Manufacturers, and other affected parties to develop a plan for a satellite site of the Center for Advanced Manufacturing to support the economic development needs of the Shenandoah Valley region of the Commonwealth. The Partnership shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the feasibility of such a satellite site and provide any recommendations regarding its establishment by November 15, 2010."

**Explanation:**

(This amendment directs the Virginia Economic Development Partnership to investigate the feasibility of developing a satellite site of the Center for Advanced Manufacturing in the Shenandoah Valley and to report to the General Assembly by November 15, 2010.)

Item 124 #1h

<b>Education: Elementary &amp; Secondary</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Education, Central Office Operations	(\$188,302)	(\$188,302)	GF

**Language:**

Page 69, line 36, strike "\$29,505,385" and insert "\$29,317,083".

Page 69, line 36, strike "\$29,505,385" and insert "\$29,317,083".

Page 70, strike lines 25 through 27.

Page 96, line 6, after "Graduation." insert:

"and any associated administrative and contractual services expenditures related to this initiative".

**Explanation:**

(This amendment saves \$188,302 each year from the general fund by reducing Project Graduation.)

Item 132 #1h

<b>Education: Elementary &amp;</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
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**Secondary**

Direct Aid To Public Education	(\$13,000,000)	\$0	GF
	\$13,000,000	\$0	NGF

**Language:**

Page 84, line 22, strike "paragraph 2" and insert "paragraphs 2 and 3".

Page 84, line 25, strike "\$125,000,000" and insert "\$138,000,000".

**Explanation:**

(This amendment directs \$13,000,000 of additional Literary Fund revenues the first year from nongeneral funds to supplant an equal amount of Virginia Retirement System expenditures the first year from the general fund.)

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Item 132 #2h

**Education: Elementary &  
Secondary**

**FY 10-11**

**FY 11-12**

Direct Aid To Public Education	(\$8,655,495)	(\$8,790,650)	GF
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**Language:**

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,572,167,286".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,771,690,927".

**Explanation:**

(This amendment is technical in nature and corrects a Standards of Quality model program coding issue that removes the remaining regional program expenditures from two categories, non-personal improvement and substitutes, that had been used in calculating those statewide prevailing averages. Those expenditures, which should have been excluded, inadvertently caused the related statewide averages to be much higher than what they should have been otherwise. Correcting the error will generate a savings of \$8.7 million in the first year and \$8.8 million in the second year from the general fund.)

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Item 132 #3h

**Education: Elementary &  
Secondary**

**FY 10-11**

**FY 11-12**

Direct Aid To Public Education	\$3,948,237	\$4,025,500	GF
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**Language:**

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,584,771,018".  
Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,784,507,077".

**Explanation:**

(This amendment is technical in nature and corrects a Standards of Quality (SOQ) model program coding issue to restore the facility support positions in the non-personal support side of the SOQ model. The coding change inadvertently caused the related funding to be under estimated. Correcting the program will provide \$3.9 million in the first year and \$4.0 million in the second year from the general fund to the school divisions.)

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Item 132 #4h

**Education: Elementary &  
Secondary**

**FY 10-11**

**FY 11-12**

Direct Aid To Public Education	(\$5,801,932)	(\$5,801,932)	GF
	\$5,000,000	\$5,000,000	NGF

**Language:**

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,580,020,849".  
Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,779,679,645".  
Page 1, line 31, strike "\$430,200,000 \$430,200,000 \$860,400,000" and insert: "\$435,200,000 \$435,200,000 \$870,400,000".  
Page 1, line 35, strike "\$41,340,616,123 \$40,073,619,581 \$81,414,235,704" and insert: "\$41,345,616,123 \$40,078,619,581 \$81,424,235,704".  
Page 76, strike line 23.  
Page 76, line 28, strike "\$54,089,598 \$55,995,763" and insert: "\$48,287,666 \$50,193,831".  
Page 76, line 42, strike "\$35,068,636 \$31,974,591" and insert: "\$34,266,704 \$31,172,659".  
Page 76, after line 51 insert: "School Lunch \$5,801,932 \$5,801,932".  
Page 76, line 52, strike "\$430,200,000 \$430,200,000" and insert: "\$435,200,000 \$435,200,000".  
Page 83, line 25, strike "\$430,200,000" and insert "\$435,200,000".  
Page 83, line 26, strike "\$430,200,000" and insert "\$435,200,000".  
Page 369, line 2, strike "\$430,200,000 the first year and \$430,200,000" and insert:

"\$435,200,000 the first year and \$435,200,000".

**Explanation:**

(This amendment realizes an additional \$5 million each year in the Lottery Proceeds Fund from new anticipated revenues related to Virginia's participation in the "Power Ball" lottery game. This amendment also transfers the School Lunch Program into the Lottery Proceeds Fund and adjusts the Support for School Construction and Operating Costs account to balance out and saves about \$5.8 million each year from the general fund.)

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Item 132 #5h

**Education: Elementary &  
Secondary**

**FY 10-11**

**FY 11-12**

Direct Aid To Public Education	(\$24,462,496)	(\$24,712,213)	GF
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**Language:**

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,556,360,285".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,755,769,364".

Page 79, after line 24, insert:

"11. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to combine the end-of-year average daily membership (ADM) for those school divisions who have partnered together as a fiscal agent division and a contractual division for the purposes of calculating prevailing costs included in the Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process."

**Explanation:**

(This amendment is technical in nature and correctly uses the combined average daily membership (ADM) for both the fiscal agent and the contractual divisions of Bedford County / Bedford City, Williamsburg City / James City County, Greenville / Emporia, and Fairfax City / Fairfax County when calculating the prevailing non-personal support services costs.)

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Item 132 #6h

**Education: Elementary &  
Secondary**

Direct Aid To Public Education

Language

**Language:**

Page 85, line 45, strike " technology" and insert;  
"electronic media resources".

Page 85, line 45, after "curriculum" insert:  
"and classroom instruction".

Page 85, line 46, strike "this technology" and insert:  
"the electronic textbooks and electronic curriculum materials".

**Explanation:**

(This amendment clarifies new language contained in House Bill/Senate Bill 30 concerning the use of textbook funding. This revision provides further instruction to school divisions on the purchase of computers using the flexibility provided with textbook funding. The language clarifies that, while large quantities of computers are discouraged, the purchase of computers for classroom use is allowable.)

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Item 132 #7h

**Education: Elementary &  
Secondary**

Direct Aid To Public Education

Language

**Language:**

Page 88, line 26, strike "general fund" and insert "Lottery Proceeds Fund".

Page 95, line 16, strike "general fund" and insert "Lottery Proceeds Fund".

Page 95, line 36, strike "general fund" and insert "Lottery Proceeds Fund".

Page 95, line 49, strike "general fund" and insert "Lottery Proceeds Fund".

Page 96, line 13, strike "general fund" and insert "Lottery Proceeds Fund".

Page 97, line 8, strike "in the second year".

**Explanation:**

(This amendment is a technical change to correct fund source references for Regional Alternative Education, Special Education Instruction, Vocational Education Instruction, No Child Left Behind/Education for a Lifetime (NCLB/EFAL), Individual Student Alternative Education (ISAEP) programs contained in House Bill/Senate Bill 30.)

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Item 132 #8h

**Education: Elementary &**

## Secondary

Direct Aid To Public Education

Language

### Language:

Page 91, after line 28, insert:

"g.1) An education technology grant program shall be conducted through the Virginia Public School Authority through the issuance of equipment notes in an amount estimated at \$57,792,000 in fiscal year 2012. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. By fiscal year 2012, high schools within the division shall administer 100 percent of SOL tests online; by fiscal year 2013, middle and high schools shall administer 100 percent of SOL tests online; and by fiscal year 2014, elementary, middle, and high schools shall administer 100 percent of SOL tests online. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs in fiscal year 2012. In developing the proposed 2012-14, 2014-2016, and 2016-2018 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2013, 2014, 2015, 2016, and 2017.

3) Grant funds from the issuance of \$57,792,000 in fiscal year 2012 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2011, for the fiscal year 2012 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.

4) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that administer SOL tests in Spring 2011 and that are not fully accredited based on school accreditation ratings in effect for fiscal year 2012 will qualify for a supplemental

grant of \$26,000 per school in fiscal years 2012, 2013, and 2014 pursuant to the requirements of paragraph g.7)c). Schools eligible to receive these three-year supplemental grants shall receive them only one time.

5) Required local match:

a) Localities are required to provide a match for these funds equal to 20 percent of the grant amount, including the supplemental grants provided pursuant to paragraph g.5). At least 25 percent of the local match shall be used for teacher training in the use of instructional technology. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The School for the Deaf and the Blind is exempt from the match requirement.

b) School divisions that administer 100 percent of SOL tests online in all elementary, middle, and high schools may use up to 75 percent of their required local match to purchase targeted technology-based interventions. Such interventions may include the necessary technology and software to support online learning, technology-based content systems, content management systems, technology equipment systems, information and data management systems, and other appropriate technologies that support the individual needs of learners. School divisions that receive supplemental grants of \$26,000 per school pursuant to paragraph g.4) and where 100 percent of SOL tests are administered online in the schools receiving the supplemental grants shall give first priority to purchasing these technology-based interventions as well as teacher training in the use of the interventions from their required local match.

6) The goal of the education technology grant program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions and to increase the number of schools achieving full accreditation.

7) Funds shall be used in the following manner:

a) Each division shall use funds to reach a goal, in each high school, of (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.

b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.

c) School divisions shall be eligible to apply for and receive supplemental grants of \$26,000 per qualifying school pursuant to paragraph g.4). These supplemental grants shall be used first for the purpose of developing and maintaining capacity to support 100 percent online SOL testing of all students in qualifying schools and helping the schools achieve full accreditation with the assistance of targeted technology-based interventions. Any purchase of technology-based interventions as described in paragraph g.5)b) with supplemental grant funds must be qualifying expenses under the technology notes program. Eligibility for these funds requires divisions to submit an application and plan that includes goals, objectives, strategies, and a timeline for implementation. Division plans will be reviewed and approved by the Superintendent of Public Instruction prior to disbursement of the supplemental grant funds.

d) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

8) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program."

Page 91, line 29, strike "g." and insert "h."

Page 91, line 31, strike "The".

Page 91, strike lines 32 and 33.

Page 91, line 34, strike "h." and insert "i."

Page 91, line 47, strike "i." and insert "j."

Page 91, line 49, strike "j." and insert "k."

**Explanation:**

(This language amendment provides \$57.8 million of Virginia Public School Authority technology grants in the second year to school divisions.)

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**Education: Elementary & Secondary**

Direct Aid To Public Education

Language

**Language:**

Page 84, after line 25, insert:

"e. The amounts paid by the Department of Education to school divisions for the employer's share of retirement, group life, and retiree health care credit for teachers as defined in § 51.1-124.3, Code of Virginia, shall be based on the following rates:

<b><u>Employer Share of:</u></b>	<b><u>FY 2011</u></b>	<b><u>FY 2012</u></b>
Retirement	10.49%	4.01%
Group Life	0.33%	0.33%
Retiree Health Care Credit	1.01%	0.23%

f. School division payments to the Virginia Retirement System for the employer's share of retirement, group life, and retiree health care credit for teachers as defined in § 51.1-124.3, Code of Virginia, shall be based on the following rates:

<b><u>Employer Share of:</u></b>	<b><u>Normal Cost FY 2011</u></b>	<b><u>Normal Cost FY 2012</u></b>
Retirement	4.01%	4.01%
Group Life	0.33%	0.33%
Retiree Health Care Credit	0.23%	0.23%

g. For the purposes of determining required local effort paid by the local governing body, the local share of costs shall be based on the rates in paragraph f. above.

h.1) In the first year, the difference between the funds received from the state for retirement, group life, and retiree health care credit for positions funded under the Standards of Quality and defined as teachers in § 51.1-124.3, Code of Virginia, which are based upon the rates funded in paragraph e. above and the payments made to the Virginia Retirement System for those same positions based upon the rates in paragraph f. above shall be considered an additional state share payment toward the costs of the Standards of Quality. As such, it shall be added to the amounts calculated as the "State Share for the Standards of Quality" pursuant to paragraph A.8. of this item. Further, the same amount added to the state share for each locality shall be deducted from the amounts calculated as the "Required Local Expenditure for the Standards of Quality" for that same locality pursuant to paragraph A.5. of this

item.

2) The Department of Education shall notify each school division and local governing body of this estimated additional state payment for the applicable school division at the beginning of the fiscal year and shall notify the school division and the local governing body of the final amount based on final average daily membership no later than June 1, 2011.

3) The Department of Education shall provide these same estimates and final calculations to the State Comptroller.

i.1) In the first year, each local governing body shall pay an amount equal to the amounts deducted from its "Required Local Expenditure for the Standards of Quality" pursuant to paragraph h. above to the Department of Accounts pursuant to policies and procedures to be established by the State Comptroller in coordination with the Department of Education.

2) Such procedures shall include a plan for communicating the requirements of this paragraph to each local governing body and each school division.

3) Such procedures shall require local governments to make an installment payment of at least 25% of the estimated total payment no less than each quarter; however, nothing shall prohibit a locality from paying in advance of the required schedule of payments issued by the State Comptroller.

4) Notwithstanding any contrary provision of law, the State Comptroller shall have broad authority to execute the provisions of this section in order to maintain its intended objective, including the use of the State Aid Intercept provisions, and to comply with any accounting standards or requirements of federal law."

**Explanation:**

(This amendment establishes the rates to be paid for retirement, group life, and retiree health care credit for teachers as defined in § 51.1-124.3, Code of Virginia. It further provides for adjustments to the calculation of required state and local shares of the Standards of Quality. Finally, it requires certain payments from local governing bodies to the State Comptroller.)

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
State Council Of Higher Education For Virginia	\$193,210	\$193,210	GF

**Language:**

Page 101, line 12, strike "\$66,102,745" and insert "\$66,295,955".

Page 101, line 12, strike "\$66,102,745" and insert "\$66,295,955".

Page 101, line 36, strike the first "\$58,263,023" and insert "\$58,456,233".

Page 101, line 36, strike the second "\$58,263,023" and insert "\$58,456,233".

Page 102, line 46, after "medicine." insert:

"Notwithstanding application deadlines contained in the Virginia Administrative Code for the Tuition Assistance Grant program, provided that the institution has received accreditation by the Liaison Committee on Medical Education, the Virginia Tech - Carilion School of Medicine shall be deemed eligible to participate in the Tuition Assistance Grant program beginning with the 2010-2011 academic year."

**Explanation:**

(This amendment transfers funding from Eastern Virginia Medical School that was inadvertently moved from the tuition assistance grant program in excess of the amounts needed at Eastern Virginia Medical School for financial aid. The amounts will be used for graduate tuition assistance grants. The amendment also allows students from the Carilion School of Medicine entering in Fall 2010 to participate in the graduate Tuition Assistance Grant program.)

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Item 139 #1h

**Education: Higher Education**

State Council Of Higher Education  
For Virginia

Language

**Language:**

Page 106, after line 3, insert:

"M.1. The State Council of Higher Education for Virginia shall determine funding requirements for student financial assistance using the following methodology:

a. The instructional cost of education for a student will be based on tuition, mandatory educational and general enrollment and course fees, and a book allowance. The student life cost of education for a student will be based on mandatory non-E & G fees, actual on-campus room and board or an allowance not to exceed actual on campus room and board for students living off campus except for

those students living with parents, and other actual expenses, not allowances, associated with their education.

b. All gift aid received by the student shall be allocated proportionally between the instructional cost and the student life cost of education determined in paragraph M.1.a.

c. Expected Family Contribution (EFC) shall be allocated proportionally between the instructional cost and the student life cost of education determined in paragraph M.1.a.

d. State financial aid shall not exceed tuition, mandatory educational and general enrollment and course fees, plus a book allowance less the proportional allocation of gift aid and EFC.

2. The State Council of Higher Education for Virginia shall communicate the results of this methodology to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget, by September 1, 2010."

**Explanation:**

(This amendment is self-explanatory.)

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Item 142 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Christopher Newport University	\$0	\$806,625	GF
	\$247,745	\$0	NGF

**Language:**

Page 106, line 31, strike "\$54,715,754" and insert "\$54,963,499".

Page 106, line 31, strike "\$48,781,666" and insert "\$49,588,291".

Page 106, line 39, strike "\$31,333,903" and insert "\$27,828,632".

Page 106, after line 39, insert:

"Federal Trust.....\$3,753,016".

Page 107, strike lines 9 through 21 and insert:

"D.1. Out of this appropriation, \$3,753,016 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State

Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 146 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
The College Of William And Mary In Virginia	\$0	(\$1,502,767)	GF

**Language:**

Page 108, line 8, strike "\$129,576,192" and insert "\$128,073,425".

Page 108, line 17, strike "\$97,982,019" and insert "\$91,097,977".

Page 108, after line 17, insert:

"Federal Trust.....\$6,884,042".

Page 108, strike lines 35 through 47 and insert:

"D.1. Out of this appropriation, \$6,884,042 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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Item 150 #1h

**Education: Higher Education**

Richard Bland College

**FY 10-11**  
\$0  
(\$137,836)

**FY 11-12**  
\$207,731 GF  
\$0 NGF

**Language:**

Page 110, line 2, strike "\$9,459,284" and insert "\$9,321,448".

Page 110, line 2, strike "\$8,075,054" and insert "\$8,282,785".

Page 110, line 10, strike "\$4,224,663" and insert "\$3,522,927".

Page 110, after line 10, insert:

"Federal Trust.....\$563,900".

Page 110, strike lines 27 through 39 and insert:

"D.1. Out of this appropriation, \$563,900 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. For fiscal year 2012, the requirements of § 23-9.6:1.01, Code of Virginia, shall be suspended for purposes of authorizing the reappropriation of any unexpended appropriations of the public institution of higher education at the close of fiscal year 2011. The Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the

biennium.)

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Item 154 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Institute Of Marine Science	\$0 (\$1,590,738)	\$1,824,840 \$0	GF NGF

**Language:**

Page 111, line 19, strike "\$22,788,496" and insert "\$21,197,758".

Page 111, line 19, strike "\$17,582,788" and insert "\$19,407,628".

Page 111, line 26, strike "\$4,837,531" and insert "\$1,761,188".

Page 111, after line 26, insert:

"Federal Trust.....\$1,485,605".

Page 112, strike lines 10 through 22 and insert:

"H.1. Out of this appropriation, \$1,485,605 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. For fiscal year 2012, the requirements of § 23-9.6:1.01, Code of Virginia, shall be suspended for purposes of authorizing the reappropriation of any unexpended appropriations of the public institution of higher education at the close of fiscal year 2011. The Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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Item 157 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
George Mason University	\$0	(\$1,118,180)	GF
	\$377,455	\$0	NGF

**Language:**

Page 113, line 10, strike "\$358,780,728" and insert "\$359,158,183".

Page 113, line 10, strike "\$325,483,153" and insert "\$324,364,973".

Page 113, line 19, strike "\$247,047,381" and insert "\$227,152,738".

Page 113, after line 19, insert:

"Federal Trust.....\$20,272,098".

Page 113, strike lines 42 through 52 and insert:

"F.1. Out of this appropriation, \$20,272,098 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

Page 114, strike lines 1 through 3.

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 161 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
James Madison University	\$0	(\$2,011,380)	GF
	\$0	\$0	NGF

**Language:**

Page 115, line 2, strike "\$200,199,495" and insert "\$198,188,115".

Page 115, line 11, strike "\$154,206,692" and insert "\$142,913,893".

Page 115, after line 11, insert:

"Federal Trust.....\$11,292,799".

Page 115, strike lines 31 through 43 and insert:

"D.1. Out of this appropriation, \$11,282,799 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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Item 165 #1h

**Education: Higher Education**

Longwood University

**FY 10-11**

\$0

\$278,939

**FY 11-12**

\$777,260

\$0

GF

NGF

**Language:**

Page 116, line 32, strike "\$52,331,783" and insert "\$52,610,722".

Page 116, line 32, strike "\$45,512,525" and insert "\$46,289,785".

Page 116, line 40, strike "\$28,476,173" and insert "\$25,170,965".

Page 116, after line 40, insert:

"Federal Trust.....\$3,584,147".

Page 117, strike lines 12 through 24 and insert:

"E.1. Out of this appropriation, \$3,584,147 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be

expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 169 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Norfolk State University	\$0	\$0	GF
	\$1,469,054	\$0	NGF

**Language:**

Page 118, line 8, strike "\$76,660,510" and insert "\$78,129,564".

Page 118, line 17, strike "\$37,103,044" and insert "\$33,187,409".

Page 118, after line 17, insert:

"Federal Trust.....\$5,384,689".

Page 119, strike lines 9 through 21 and insert:

"H.1. Out of this appropriation, \$5,384,689 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 173 #1h

**Education: Higher Education**

Old Dominion University

**FY 10-11**

**FY 11-12**

\$0	\$4,183,749	GF
\$1,655,550	\$0	NGF

**Language:**

Page 120, line 5, strike "\$210,146,894" and insert "\$211,802,444".

Page 120, line 5, strike "\$187,115,611" and insert "\$191,299,360".

Page 120, line 14, strike "\$120,375,046" and insert "\$107,710,819".

Page 120, after line 14, insert:

"Federal Trust.....\$14,319,777".

Page 121, strike lines 14 through 26 and insert:

"J.1. Out of this appropriation, \$14,319,777 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 173 #2h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Old Dominion University	\$0	\$0	GF
	\$7,680,533	\$14,434,637	NGF

**Language:**

Page 120, line 5, strike "\$210,146,894" and insert "\$217,827,427".

Page 120, line 5, strike "\$187,115,611" and insert "\$201,550,248".

**Explanation:**

(This amendment provides a technical change to nongeneral fund levels to reflect expected nongeneral fund revenue levels.)

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Item 177 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Radford University	\$0	\$1,389,098	GF
	\$513,758	\$0	NGF

**Language:**

Page 122, line 32, strike "\$95,996,874" and insert "\$96,510,632".

Page 122, line 32, strike "\$83,125,116" and insert "\$84,514,214".

Page 122, line 40, strike "\$53,609,950" and insert "\$47,549,650".

Page 122, after line 40, insert:

"Federal Trust.....\$6,574,058".

Page 123, strike lines 10 through 22 and insert:

"E.1. Out of this appropriation, \$6,574,058 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 181 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
University Of Mary Washington	\$100,000	(\$100,000)	GF

**Language:**

Page 124, line 8, strike "\$58,082,849" and insert "\$58,182,849".  
Page 124, line 8, strike "\$53,263,772" and insert "\$53,163,772".

**Explanation:**

(This amendment moves a portion of the funding of the Dahlgren Education and Research Center from fiscal year 2012 to fiscal year 2011.)

Item 181 #2h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
University Of Mary Washington	\$0	\$0	GF
	\$176,848	\$0	NGF

**Language:**

Page 124, line 8, strike "\$58,082,849" and insert "\$58,259,697".  
Page 124, line 17, strike "\$39,195,782" and insert "\$35,789,625".  
Page 124, after line 17, insert:  
"Federal Trust.....\$3,583,005".  
Page 124, strike lines 36 through 48 and insert:  
"D.1. Out of this appropriation, \$3,583,005 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its

total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 187 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
University Of Virginia	\$0	(\$7,423,025)	GF
	\$0	\$0	NGF

**Language:**

Page 126, line 5, strike "\$461,809,231" and insert "\$454,386,206".

Page 126, line 14, strike "\$374,432,190" and insert "\$352,539,473".

Page 126, after line 14, insert:

"Federal Trust.....\$21,892,717".

Page 127, strike lines 37 through 50 and insert:

"M.1. Out of this appropriation, \$21,892,717 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity

among public institutions in managing their operational requirements across the biennium.)

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Item 194 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
University Of Virginia's College At Wise	\$0	\$944,461	GF
	\$280,491	\$0	NGF

**Language:**

Page 129, line 42, strike "\$21,320,526" and insert "\$21,601,017".

Page 129, line 42, strike "\$17,960,019" and insert "\$18,904,480".

Page 130, line 2, strike "\$9,491,304" and insert "\$7,788,448".

Page 130, after line 2, insert:

"Federal Trust.....\$1,983,347".

Page 130, strike lines 29 through 42 and insert:

"F.1. Out of this appropriation, \$1,983,347 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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Item 198 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Commonwealth University	\$0	\$81,053	GF

\$8,057,971

\$0 NGF

**Language:**

Page 131, line 32, strike "\$482,709,706" and insert "\$490,767,677".

Page 131, line 32, strike "\$440,355,760" and insert "\$440,436,813".

Page 131, line 41, strike "\$323,071,250" and insert "\$299,910,329".

Page 131, after line 41, insert:

"Federal Trust.....\$31,218,892".

Page 133, strike lines 51 through 53 and insert:

"O.1. Out of this appropriation, \$31,218,892 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

Page 134, strike lines 1 through 11.

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 203 #1h

**Education: Higher Education**

**FY 10-11**

**FY 11-12**

Virginia Community College

\$0

\$5,279,303 GF

System

(\$14,643,892)

\$0 NGF

**Language:**

Page 135, line 22, strike "\$772,159,826" and insert "\$757,515,934".

Page 135, line 22, strike "\$692,355,743" and insert "\$697,635,046".

Page 135, line 31, strike "\$430,507,094" and insert "\$384,710,894".

Page 135, after line 31, insert:

"Federal Trust.....\$31,152,308".

Page 138, strike lines 15 through 27 and insert:

"U.1. Out of this appropriation, \$31,152,308 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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Item 209 #1h

**Education: Higher Education**

Virginia Military Institute

**FY 10-11**

\$0

\$18,009

**FY 11-12**

\$0 GF

\$0 NGF

**Language:**

Page 139, line 38, strike "\$30,547,225" and insert "\$30,565,234".

Page 139, line 46, strike "\$21,840,861" and insert "\$19,900,106".

Page 139, after line 46, insert:

"Federal Trust.....\$1,958,764".

Page 140, strike lines 11 through 23 and insert:

"C.1. Out of this appropriation, \$1,958,764 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its

total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 214 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Polytechnic Institute And State University	\$0	(\$4,529,798)	GF
	\$6,855,978	\$0	NGF

**Language:**

Page 141, line 19, strike "\$489,362,401" and insert "\$496,218,379".

Page 141, line 19, strike "\$452,088,539" and insert "\$447,558,741".

Page 141, line 28, strike "\$344,572,430" and insert "\$323,679,894".

Page 141, after line 28, insert:

"Federal Trust.....\$27,748,514".

Page 142, strike lines 23 through 35 and insert:

"K.1. Out of this appropriation, \$27,748,514 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus

funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 219 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia Cooperative Extension	\$0	\$1,225,590	GF
And Agricultural Experiment Station	(\$3,606,965)	\$0	NGF

**Language:**

Page 144, line 13, strike "\$85,794,415" and insert "\$82,187,450".

Page 144, line 13, strike "\$77,584,016" and insert "\$78,809,606".

Page 144, line 19, strike "\$23,296,946" and insert "\$18,540,572".

Page 144, after line 19, insert:

"Federal Trust.....\$1,149,409".

Page 144, strike lines 42 through 50 and insert:

"E.1. Out of this appropriation, \$1,149,409 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

Page 145, strike lines 1 through 3.

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 219 #2h

**Education: Higher Education**

Virginia Cooperative Extension  
And Agricultural Experiment  
Station

Language

**Language:**

Page 144, line 26, after "level." insert:

"To this end, the Cooperative Extension Service shall eliminate programs related to family and consumer services, community viability, and lawn and garden programs statewide."

Page 145, after line 3, insert:

"F.1. The Cooperative Extension Service shall eliminate the following offices: Alexandria, Arlington, Fairfax, Norfolk, Petersburg, Portsmouth, Prince William, and Richmond City.

2. The Cooperative Extension Service is directed to consolidate and merge offices as follows:

**Eliminate and Consolidate**

Rockbridge  
Amherst  
York  
Page  
Warren  
Powhatan  
Campbell  
Hanover  
Fluvanna  
Greene  
Rappahannock  
Chesapeake  
Spotsylvania

**With:**

Botetourt and Fincastle  
Lynchburg and Appomatox  
Hampton  
Rockingham (Harrisonburg)  
Frederick  
Chesterfield  
Bedford  
Caroline and Henrico  
Albemarle  
Orange and Madison  
Madison and Culpeper  
Virginia Beach  
Stafford".

**Explanation:**

(This amendment outlines a reorganization plan for cooperative extension to focus on agricultural programs outside of the urban corridor. In addition, the plan calls for the elimination and consolidation of thirteen offices across the Commonwealth.)

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<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Virginia State University	\$0	(\$134,560)	GF
	\$155,505	\$0	NGF

**Language:**

- Page 145, line 20, strike "\$65,509,665" and insert "\$65,665,170".
- Page 145, line 20, strike "\$59,625,086" and insert "\$59,490,526".
- Page 145, line 29, strike "\$35,380,312" and insert "\$32,605,916".
- Page 145, after line 29, insert:  
"Federal Trust.....\$3,469,901".
- Page 146, strike lines 15 through 27 and insert:  
"G.1. Out of this appropriation, \$3,469,901 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.
- 2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

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

**Language:**

- Page 146, line 12, strike "\$1,500,000" and insert "\$1,300,000".
- Page 146, line 12, strike "\$1,500,000" and insert "\$1,300,000".

**Explanation:**

(This technical amendment corrects the embedded language reference for the general fund amount designated to support the Manufacturing Engineering and Logistics Technology program at Virginia State University.)

Item 224 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Cooperative Extension And	\$0	\$0	GF
Agricultural Research Services	(\$107,872)	\$0	NGF

**Language:**

Page 147, line 12, strike "\$9,867,707" and insert "\$9,759,835".

Page 147, line 18, strike "\$5,204,300" and insert "\$5,064,095".

Page 147, after line 18, insert:

"Federal Trust.....\$32,333".

Page 147, strike lines 34 through 44 and insert:

"D.1. Out of this appropriation, \$32,333 the first year from nongeneral funds from the State Fiscal Stabilization Fund of the American Recovery and Reinvestment Act of 2009 is provided to support educational and general programs. The State Comptroller is directed to allocate these funds on July 1, 2010, so that they can be expended in the first quarter of the fiscal year. This funding is intended to mitigate the general fund reductions to the institution, moderate the level of tuition and fee increases, encourage increased student access, and allow the institution to manage its total funding across the biennium.

2. Notwithstanding the requirements, the Director, Department of Planning and Budget, is directed to reappropriate and allot for expenditure all unexpended appropriations in this item from fiscal year 2011 for use in fiscal year 2012."

**Explanation:**

(This amendment redistributes the general fund reductions and federal stimulus funds contained in House Bill 30, as introduced, in order to provide greater equity among public institutions in managing their operational requirements across the biennium.)

Item 236 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
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Eastern Virginia Medical School (\$193,210) (\$193,210) GF

**Language:**

Page 152, line 45, strike "\$16,677,509" and insert "\$16,484,299".

Page 152, line 45, strike "\$16,677,509" and insert "\$16,484,299".

Page 153, strike line 5 and insert:

"B. Out of this appropriation, \$375,700 each year from the".

Page 153, after line 7, insert:

"C. This appropriation provides state aid of \$5,708,108 each from the general fund for treatment, care and maintenance of indigent Virginia patients through the medical school; the aid is to be apportioned on the basis of a plan having the prior written approval of the Director, Department of Medical Assistance Services."

**Explanation:**

(This amendment corrects the amount of funds transferred from the tuition assistance grant program for financial aid and also restore language regarding indigent care that was previously deleted. It is the intent of the General Assembly to enroll the financial aid transferred to Eastern Virginia Medical School in a separate item under program 108.)

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Item 244 #1h

<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Higher Education Research Initiative	(\$3,000,000)	\$3,000,000	GF

**Language:**

Page 155, line 34, strike "\$3,510,000" and insert "\$510,000".

Page 155, line 34, strike "\$510,000" and insert "\$3,510,000".

Page 155, line 38, strike "the first year" and insert "the second year".

**Explanation:**

(This amendment is technical in nature and moves funding for the Jefferson Labs upgrade to the second year of the budget.)

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Item 245 #1h

<b>Education: Higher Education</b>	
Virginia College Building Authority	Language

**Language:**

Page 156, line 45, strike the first "\$50,000,000" and insert "\$56,072,680".

Page 156, line 45, strike the second "\$50,000,000" and insert "\$56,072,680".

Page 156, strike lines 48 through 50.

Page 157, strike lines 1 through 28 and insert:

Institution	Prior Allocations	FY 2011 Allocation	FY 2012 Allocation	"FY 2011 Research Allocation	FY 2012 Research Allocation
George Mason University	\$61,887,930	\$3,181,598	\$3,181,598	\$145,000	\$145,000
Old Dominion University	\$61,509,757	\$4,043,427	\$4,043,427	\$135,000	\$135,000
University of Virginia	\$156,778,485	\$8,430,318	\$8,430,318	\$1,970,000	\$1,970,000
Virginia Commonwealth University	\$112,868,535	\$5,524,380	\$5,524,380	\$1,190,000	\$1,190,000
Virginia Polytechnic Institute and State University	\$168,474,629	\$8,328,077	\$8,328,077	\$2,295,000	\$2,295,000
College of William and Mary	\$29,989,310	\$1,854,370	\$1,854,370	\$250,000	\$250,000
Christopher Newport University	\$9,609,341	\$608,154	\$608,154	\$0	\$0
University of Virginia's College at Wise	\$3,872,095	\$202,068	\$202,068	\$0	\$0
James Madison University	\$31,600,823	\$1,861,748	\$1,861,748	\$0	\$0
Longwood University	\$9,694,986	\$599,263	\$599,263	\$0	\$0
University of Mary Washington	\$12,079,325	\$528,581	\$528,581	\$0	\$0
Norfolk State University	\$19,714,999	\$967,377	\$967,377	\$0	\$0

Radford University	\$21,902,001	\$1,406,595	\$1,406,595	\$0	\$0
Virginia Military Institute	\$11,066,288	\$714,250	\$714,250	\$0	\$0
Virginia State University	\$16,772,939	\$1,081,905	\$1,081,905	\$0	\$0
Richard Bland College	\$2,297,815	\$129,092	\$129,092	\$0	\$0
Virginia Community College System	\$176,880,898	\$9,765,909	\$9,765,909	\$0	\$0
Virginia Institute of Marine Science	\$5,369,951	\$410,699	\$410,699	\$25,000	\$25,000
Southwest Virginia Higher Education Center	\$903,910	\$55,620	\$55,620	\$0	\$0
Roanoke Higher Education Authority	\$607,490	\$53,893	\$53,896	\$0	\$0
Institute for Advanced Learning and Research	\$4,101,898	\$190,356	\$190,356	\$0	\$0
Southern Virginia Higher Education Center	\$50,000	\$50,000	\$50,000	\$0	\$0
New College Institute	\$75,000	\$75,000	\$75,000	\$0	\$0
TOTAL	\$918,108,405	\$50,062,680	\$50,062,680	\$6,010,000	\$6,010,000".

**Explanation:**

(This amendment changes the allocation of the Higher Education Equipment Trust Fund (HEETF) to correspond with recommendations made by the State Council of Higher Education for Virginia. In addition, a separate allocation is recommended based on research needs at doctoral institutions.)

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Item 256 #1h

<b>Finance</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Accounts Transfer	\$0	\$125,000,000	GF
Payments			

**Language:**

Page 161, line 23, strike "\$40,000,000" and insert "\$165,000,000".

Page 161, strike lines 33 through 46 and insert:

"B. Out of the appropriation in the second year, \$165,000,000 shall be reserved by the State Comptroller on June 30, 2012, as a reserve for any potential deposit required to be made to the Revenue Stabilization Fund attributable for tax collections for fiscal year 2011, pursuant to § 2.2-1829, Code of Virginia. This appropriation is subject to the following conditions: 1) if the Auditor of Public Accounts' certification of the required deposit attributable to actual tax collections for fiscal year 2011 exceeds the amount included in this item, the incremental amount required to meet the actual required deposit as certified by the Auditor of Public Accounts shall be deposited into the Revenue Stabilization Fund on or before June 30, 2013; or 2) in the event the Auditor of Public Accounts' certification of the required deposit attributable to actual tax collections for fiscal year 2011 is less than the amount included in this item, any amount in excess of the amount needed to meet the actual required deposit shall remain in the general fund and not be deposited to the Revenue Stabilization Fund."

**Explanation:**

(This amendment utilizes \$125.0 million from the additional revenues identified in the mid-Session reforecast to increase the reserve for any Revenue Stabilization Fund deposit required to be made in the next biennium from \$40.0 million to \$165.0 million.)

Item 258 #1h

<b>Finance</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Accounts Transfer	\$9,458,131	\$9,458,131	GF
Payments	(\$9,458,131)	(\$9,458,131)	NGF

**Language:**

Page 162, line 25, after "B." strike "1."

Page 162, line 30, after "fund." strike "Neither the General Assembly nor any public

officer,"

Page 162, strike line 31.

Page 162, line 32, strike "than as provided in law for benefits, refunds, and administrative expenses."

Page 162, line 35, strike "pursuant to surcharges collected pursuant to § 3-6.02 of this act" and insert:

"from general fund appropriations".

Page 162, strike lines 49 through 56.

**Explanation:**

(This amendment restores the general fund appropriation for the benefits provided pursuant to the Line of Duty Act. The introduced budget supplanted the general fund support for the benefit with revenue from a proposed \$0.18 cents per month surcharge in the E-911 fee. A companion amendment strikes the language authorizing the new surcharge.)

---

Item 260 #1h

**Finance**

Department Of Planning And  
Budget

**FY 10-11**  
\$3,600,714  
5.00

**FY 11-12**  
\$3,540,714  
5.00

GF  
FTE

**Language:**

Page 163, line 30, strike "\$6,980,312" and insert "\$10,581,026".

Page 163, line 30, strike "\$6,869,909" and insert "\$10,410,623".

**Explanation:**

(This amendment provides funding and staffing for the Department of Planning and Budget to transition the responsibility of providing payments to the constitutional offices to the Department. It is the intent of the General Assembly to transfer all funding and language remaining in Items 417 through 424 to the Department of Planning and Budget during the enrollment of this act.)

---

Item 262 #1h

**Finance**

Department Of Taxation

Language

**Language:**

Page 166, after line 51, insert:

"J. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$460,000,000 in the first year and \$460,000,000 in the second year equal to the revenues collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

2. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund. Prior to making distributions from the fund pursuant to § 58.1-662, Code of Virginia, an amount equal to \$8,036,248 in the first year and \$8,036,248 in the second year shall be transferred to Item 420, an amount equal to \$7,945,000 in the first year and \$7,945,000 in the second year shall be transferred to Item 423, and an amount equal to \$4,653,780 in the first year and \$4,653,780 in the second year shall be transferred to Item 419 to fund the activities of the local Treasurers, Commissioners of Revenue, and Directors of Finance. The Department of Taxation shall be responsible for the auditing of the revenues collected pursuant to the Virginia Communications Sales and Use Tax."

**Explanation:**

(This amendment provides for the appropriation of the Virginia Communications Sales and Use Tax. Since adopted in 2006, these funds have been distributed directly to localities without being appropriated by the General Assembly. Because the sales and use tax was created as a state tax, under the Constitution these amounts must be appropriated. The language provides for a sum sufficient distribution of the funds among the localities using the existing Code-stipulated methodology after setting aside specified amounts for local finance officers.)

---

Item 262 #2h

<b>Finance</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Taxation	(\$95,000)	(\$205,000)	GF

**Language:**

Page 165, line 42, strike "\$127,589,513" and insert "\$127,494,513".

Page 165, line 42, strike "\$128,494,513" and insert "\$128,289,513".

**Explanation:**

(This amendment reflects savings generated by the passage of House Bill 1045, 2010 Session of the General Assembly, which reduces the E-file threshold for tax preparers from 100 to 50 for individual income tax returns.)

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Item 265 #1h

<b>Finance</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of The Treasury	(\$150,000)	(\$150,000)	GF
	\$150,000	\$150,000	NGF

**Language:**

**Explanation:**

(This amendment reflects \$150,000 in general fund savings each year which the Department of Treasury will realize from charging the State Corporation Commission for the cost of lock boxes and return item accounts. Treasury has been providing these services to the SCC using their own general fund appropriation.)

---

Item 281 #1h

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 187, after line 17, insert:

"E. Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds."

**Explanation:**

(This amendment restores language that was inadvertently left out of the introduced budget which had been previously adopted by the 2008 General Assembly and is contained in House Bill 29. It also clarifies the meaning of geographic service

areas.)

---

Item 282 #1h

<b>Health And Human Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Health	\$2,500,000	\$2,500,000	GF
	(\$2,500,000)	(\$2,500,000)	NGF

**Language:**

**Explanation:**

(This amendment restores \$2.5 million each year from the general fund and reduces \$2.5 million each year in nongeneral fund fee revenue from an increase in vital record fees proposed in the introduced budget. A companion amendment in Item 283 replaces the language for the new fee with existing language contained in Chapter 781 of the 2009 Acts of Assembly related to vital records).

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Item 283 #1h

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 185, strike lines 17 through 26 and insert:

"A. Effective July 1, 2004, the standard vital records fee shall be \$12.00 and the fee for the expedited record search shall be \$48.00.

B.1. Notwithstanding § 32.1-273.1., Code of Virginia, two dollars of each fee collected by the State Registrar shall be deposited by the Comptroller to the Virginia Vital Statistics Automation Fund and two dollars of each fee collected shall be used to fund health care services.

2. Notwithstanding § 32.1-273.1, Code of Virginia, \$518,421 the first year and \$581,421 the second year from the Vital Statistics Automation Fund shall be used to supplant general fund support from the Communicable Disease Prevention and Control Program."

**Explanation:**

(This amendment strikes language in the introduced budget which increased fees

for vital records and transferred the fee revenue to the Office of the Chief Medical Examiner and replaces it with existing language contained in Chapter 781 of the 2009 Acts of Assembly.)

---

Item 284 #1h

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 186, strike lines 11 through 31.

**Explanation:**

(This technical amendment deletes the Office of Licensure and Certification new fee structure.)

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Item 287 #1h

**Health And Human Resources**

Department Of Health

**FY 10-11**

\$3,780,481  
(\$3,780,481)

**FY 11-12**

\$3,780,481 GF  
(\$3,780,481) NGF

**Language:**

Page 188, strike lines 39 through 55.

Page 189, strike lines 1 through 16 and insert:

"A.1. Notwithstanding §§ 32.1-163 through 32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$280.00, those existing fees associated with the application for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

2. Notwithstanding §§ 32.1-163 through 32.1-176, Code of Virginia, the Commissioner of the Health shall increase, by no more than \$225.00, those fees associated with the application for a certification letter less than 1,000 gallons per day not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

3. Notwithstanding §§ 32.1-163 through 32.1-176, Code of Virginia, the Commissioner of the Health shall increase, by no more than \$125.00, those fees associated with the application for a construction permit or certification letter less than 1,000 gallons per day supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

4. Notwithstanding §§ 32.1-163 through 32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$165.00, those existing fees associated with the application for a construction permit for a private well.

5. Notwithstanding §§ 32.1-163 through 32.1-176, Code of Virginia, the Commissioner of Health shall increase, by no more than \$1,000.00, those existing fees associated with the application for a construction permit or certification letter designed for more than 1,000 gallons per day.

6. The Commissioner of Health shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of Onsite Soil Engineers.

B. The Commissioner of Health is authorized to develop, in consultation with the regulated entities, a plan and specification review fee, not to exceed \$75, and an annual permit renewal fee, each not to exceed \$100 per year, to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia; however, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2008, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed \$100. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources."

**Explanation:**

(This amendment restores \$3.7 million each year from the general fund and reduces \$3.7 million each year in nongeneral funds from fee revenue for environmental health services in the Health Department. The amendment also strikes language in the introduced budget which increased fees for environmental health services, including on-site sewage systems, private wells, restaurants, hotels,

campgrounds, and summer camps, and replaces that with existing language contained in Chapter 781 of the 2009 Acts of Assembly.)

---

Item 287 #2h

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 189, after line 26, insert:

"E. The Commissioner of Health shall ensure that the amounts included for community health services in this item shall be distributed to reflect changes in local workload and staffing that maximize resources and promote efficient operations in the delivery of health services and environmental health services."

**Explanation:**

(This amendment adds language to ensure that funding provided for local health departments reflects the changes in workload and services provided in the delivery of health services and environmental health services.)

---

Item 290 #1h

**Health And Human Resources**

Department Of Health

Language

**Language:**

Page 193, line 16, strike "A."

Page 193, strike lines 18 through 47.

Page 194, strike lines 1 through 3.

**Explanation:**

(This amendment strikes language in the introduced budget which established fees for marinas and shellfish sanitation.)

---

Item 297 #1h

**Health And Human Resources**

Department Of Medical Assistance  
Services

**FY 10-11**

\$3,600,000  
(\$3,600,000)

**FY 11-12**

\$3,600,000  
(\$3,600,000)

GF

NGF

**Language:**

Page 201, line 7, strike "292,001,874" and insert "288,401,874".  
Page 201, line 8, strike "294,242,812" and insert "290,642,812".  
Page 201, line 19, strike "290,022,750" and insert "286,422,750".  
Page 201, line 19, strike "292,238,249" and insert "288,638,249".

**Explanation:**

(This amendment restores \$3.6 million each year to the general fund and reduces \$3.6 million each year from nongeneral funds in the Virginia Health Care Fund which were incorrectly increased to reflect a repeal of the dealer discount on tobacco taxes. The dealer discount would not apply to the cigarette excise tax, for which payment of the tax is evidenced by affixing a Virginia Revenue Stamp (cigarette stamp) to each pack of cigarettes.)

Item 297 #2h

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 209, line 4, after "Committees", insert:  
"Notwithstanding the findings and suggestions contained therein, the fee schedule rate reduction for incontinence supplies shall not exceed the 10 percent reduction recommended in this report."  
Page 209, line 17, after "(CMS).", insert:  
"Such competitive bidding process shall, to the fullest extent permitted by applicable law, require providers to (i) contribute to the economy of Virginia through employment of Virginia citizens, (ii) have a corporate compliance program, and (iii) utilize patient representatives who maintain regular contact with recipients in support of proper product usage and quality of care."  
Page 209, line 21, after "authorization" insert:  
", provided that such limit shall be no fewer than 100 units per month for any provider with a documented corporate compliance program".

**Explanation:**

(This amendment modifies language in the introduced budget which limits the amount of savings to be gained from reducing reimbursement by 10 percent for Durable Medical Equipment (DME). Language also requires the department to ensure that the competitive bidding process requires providers to contribute to

Virginia employment, have a documented corporate compliance program and use patient representatives who have regular contact with recipients in support of proper product usage and quality of care. Language also restricts any limit on incontinence supplies to 100 units per month before prior authorization requirements would begin.)

---

Item 300 #1h

**Health And Human Resources**

Department Of Medical Assistance  
Services

Language

**Language:**

Page 211, after line 13, insert:

"H. The Department of Medical Assistance Services shall modify its contract for consumer-directed personal care assistant payroll services to prohibit the fiscal agent from allowing payroll deduction for items not required by federal or state laws or regulations."

**Explanation:**

(This amendment is self-explanatory.)

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Item 304 #1h

**Health And Human Resources**

Department Of Behavioral Health  
And Developmental Services

**FY 10-11**

(\$2,100,000)

**FY 11-12**

(\$2,100,000) GF

**Language:**

Page 212, line 4, strike "\$41,494,426" and insert "\$39,394,426".

Page 212, line 4, strike "\$40,731,426" and insert "\$38,631,426".

**Explanation:**

(This amendment reduces \$2.1 million from the general fund each year that was proposed in the introduced budget to provide community inpatient mental health services for children who do not have other insurance to pay for needed treatment, due to the proposed closure of the Commonwealth Center for Children and Adolescents (CCCA) in Staunton. This funding is transferred to Item 309 to continue operating the CCCA.)

---

Item 309 #1h

<b>Health And Human Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Mental Health Treatment Centers	\$2,100,000	\$2,100,000	GF

**Language:**

Page 219, line 4, strike "\$183,686,347" and insert "\$185,786,347".

Page 219, line 4, strike "\$177,686,347" and insert "\$179,786,347".

**Explanation:**

(This amendment restores \$2.1 million each year to the general fund by transferring funding from Item 304 to this item to continue operations at the Commonwealth Center for Children and Adolescent located in Staunton.)

---

Item 351 #1h

<b>Natural Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Conservation And Recreation	\$329,147	\$0	NGF

**Language:**

Page 241, line 2, strike "\$67,590,053" and insert "\$67,919,200".

Page 242, after line 18, insert:

"J. Included in the amounts for this item is \$329,147 the first year in special funds provided from the sale of "Friend of the Chesapeake" license plates to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

**Explanation:**

(This amendment provides an appropriation of special funds from the "Friend of the Chesapeake" license plates, which are to be used for grants to organizations for programs to clean up the Chesapeake Bay. These grants are awarded based upon a competitive grant application process by the Advisory Committee.)

---

Item 362 #1h

**Natural Resources**

Department Of Game And Inland Fisheries

Language

**Language:**

Page 246, line 36, strike the first "\$13,635,320" and insert "\$13,156,038".

Page 246, line 36, strike the second "\$13,635,320" and insert "\$13,156,038".

**Explanation:**

(This amendment adjusts the amount of general fund revenue from watercraft sales and use tax and the sales taxes collected on hunting, fishing, and outdoors equipment to reflect the projected amounts that will be transferred to the Department of Game and Inland Fisheries.)

Item 377 #1h

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 255, after line 31, insert:

"E. The counties of Rappahannock, Shenandoah, and Warren may consider pursuing the construction of a regional jail. This facility shall consist of no more than 375 beds constructed on one site. The localities may submit a request for reimbursement of up to 50 percent of the regional jail's construction costs no earlier than July 1, 2014. However, the decision by these localities to proceed with the construction of this regional jail does not constitute a determination to provide reimbursement for this facility's construction costs by the Commonwealth. The Commonwealth may provide reimbursement for the facility's construction costs after July 1, 2015, with the cost of the regional jail not to exceed \$38 million. Any reimbursement provided by the Commonwealth is conditioned upon the localities developing a Memorandum of Agreement with the Department of Corrections for the use of beds to house state-responsible inmates at no charge to the Commonwealth."

**Explanation:**

(This amendment provides that any regional jail Rappahannock, Shenandoah, and Warren may consider constructing can have no more than 375 beds constructed on one site. While construction of the facility does not guarantee reimbursement by the Commonwealth, the counties may submit a request for reimbursement after July 1, 2014. If the Commonwealth provides reimbursement, it shall not pay any more than \$38 million for the facility. As a condition of state reimbursement, the localities must enter into an agreement with the Department of Corrections to permit state-responsible inmates to be housed in the facility at no cost to the Commonwealth.)

**Public Safety**

Department Of Corrections

Language

**Language:**

Page 259, after line 23, insert:

"J. From the appropriation for this item, the Director, Department of Planning and Budget, is authorized to transfer up to \$150,000 the first year and up to \$150,000 the second year from the general fund to the Secretary of Public Safety to support a position dedicated to the improvement and coordination of the state's efforts related to the re-entry of offenders into society after being incarcerated in prison. Improving re-entry efforts is expected to decrease the recidivism of those offenders and enhance public safety."

**Explanation:**

(This amendment authorizes the transfer of up to \$150,000 from the Department of Corrections to the Secretary of Public Safety to support a position dedicated to the improvement and coordination of the state's efforts related to prisoner re-entry.)

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**Public Safety**

Department Of Criminal Justice  
Services

**FY 10-11**  
(\$4,150,224)

**FY 11-12**  
(\$10,837,085) NGF

**Language:**

Page 262, line 23, strike "\$160,571,263" and insert "\$156,421,039".

Page 262, line 23, strike "\$160,571,263" and insert "\$149,734,178".

Page 262, strike lines 35 and 36.

Page 262, line 37, strike "C." and insert "B."

Page 262, line 41, strike "D." and insert "C."

Page 263, line 2, strike "E." and insert "D."

**Explanation:**

(This amendment eliminates the funding appropriated for House Bill 599 payments from the Virginia Public Safety Fund. The legislation implementing the insurance premium taxes to support the Virginia Public Safety Fund failed.)

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Item 407 #1h

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of State Police	(\$4,726,117)	(\$6,665,535)	NGF

**Language:**

Page 271, line 19, strike "\$50,323,917" and insert "\$45,597,800".

Page 271, line 19, strike "\$52,263,335" and insert "\$45,597,800".

Page 271, strike lines 48 and 49.

Page 272, strike line 1.

Page 272, line 2, strike "3." and insert "2."

**Explanation:**

(This amendment eliminates funding for the maintenance of the STARS system that was provided by from the Virginia Public Safety Fund. The legislation providing for the insurance premium tax increases for the Virginia Public Safety Fund failed.)

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Item 408 #1h

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of State Police	(\$4,823,210)	(\$4,823,210)	NGF

**Language:**

Page 272, line 27, strike "\$212,684,300" and insert "\$207,861,090".

Page 272, line 27, strike "\$211,251,317" and insert "\$206,428,107".

Page 274, strike lines 15 through 17.

**Explanation:**

(This amendment eliminates funding provided by the Virginia Public Safety Fund for the counter-terrorism functions of the Virginia State Police. The legislation implementing the insurance premium tax increases proposed as the funding source for the Virginia Public Safety Fund failed.)

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Item 414 #1h

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Veterans Services	\$36,000	\$0	GF

**Language:**

Page 275, line 37, strike "\$1,070,757" and insert "\$1,106,757".

Page 276, line 1, before "The" insert "A."

Page 276, after line 3, insert:

"B. Out of the amounts appropriated for this item, \$36,000 the first year from the general fund is provided for the department to purchase burial vaults for resale at cost to veterans and their families for use in burials performed at state-operated veterans cemeteries and necessary equipment for the installation of these burial vaults. The department shall use the proceeds from the resale of the burial vaults to purchase additional vaults as needed."

**Explanation:**

(This amendment provides general fund support for the Department of Veterans Services to purchase burial vaults for resale to veterans and their families for burials performed at the Amelia Veterans Cemetery and the currently operating portion of the Horton Veterans Cemetery in Suffolk. The funding includes \$20,000 for the purchase of the burial vaults and \$16,000 for the purchase of a burial cart, which is necessary for the installation of burial vaults at the Amelia Veterans Cemetery. Only one-time funding is needed, because as veterans and their families purchase burial vaults from the agency, the proceeds from the sale of those burial vaults will be used by the Department of Veterans Services to purchase additional burial vaults.)

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Item 417 #1h

**Public Safety**

Compensation Board

Language

**Language:**

Page 279, strike lines 36 through 39.

Page 279, line 40, strike "O." and insert "N."

Page 279, line 42, strike "P." and insert "O."

**Explanation:**

(This amendment eliminates language included in the introduced budget that reduced the number of law enforcement deputies to local population from the existing ratio of 1:1,500 found in § 15.2-1609.1, Code of Virginia, to a ratio of 1:2,000.)

---

Item 417 #2h

**Public Safety**

Compensation Board

**FY 10-11**  
(\$8,300,448)

**FY 11-12**  
(\$21,674,170) NGF

**Language:**

Page 276, line 32, strike "\$367,091,166" and insert "\$358,790,718".  
Page 276, line 32, strike "\$367,755,709" and insert "\$346,081,539".  
Page 279, strike lines 40 through 43.

**Explanation:**

(This amendment eliminates the proposed use of the Virginia Public Safety Fund to support sheriffs' offices. The legislation implementing the insurance premium tax increases necessary to provide funding for the Virginia Public Safety Fund failed.)

Item 417 #3h

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Compensation Board	(\$515,678)	\$239,982	GF

**Language:**

Page 276, line 32, strike "\$367,091,166" and insert "\$366,575,488".  
Page 276, line 32, strike "\$367,755,709" and insert "\$367,995,691".

**Explanation:**

(This amendment adjusts funding provided in the introduced budget for the operations and staffing of the Pittsylvania and Patrick counties jail expansion projects. The introduced budget provided operations and staffing support for the Pittsylvania County Jail expansion based on an opening date of December 1, 2010; however, the facility will not open until July 1, 2011, due to construction delays. In addition, the introduced budget omitted the operations and staffing support for the Patrick County Jail expansion. These adjustments correct that omission.)

Item 424 #1h

<b>Public Safety</b>	
Compensation Board	Language

**Language:**

Page 289, line 42, strike the first "10,501" and insert "10,876".  
Page 289, line 42, strike the second "10,501" and insert "10,876".

**Explanation:**

(This amendment increases the number of positions for sheriffs and is associated

with a companion amendment providing the funding to restore the number of law enforcement deputies to equal one deputy for every 1,500 local population.)

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Item 424 #2h

<b>Public Safety</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Compensation Board	(\$4,235,023)	(\$4,965,347)	GF
	-21.00	-21.00	FTE

**Language:**

Page 289, line 14, strike "\$4,965,347" and insert "\$730,324".

Page 289, line 14, strike "\$4,965,347" and insert "\$0".

**Explanation:**

(This amendment eliminates funding and staffing for the State Compensation Board. A companion amendment provides funding to transition the responsibility of providing payments to the constitutional offices to the Department of Planning and Budget. The budget assumes a net savings of \$2.0 million general fund over the biennium. It is the intent of the General Assembly to transfer all funding and language remaining in Items 417 through 424 to the Department of Planning and Budget during the enrollment of this Act.)

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Item 424 #3h

<b>Public Safety</b>	
Compensation Board	Language

**Language:**

Page 291, strike lines 54 through 55.

Page 292, strike line 1.

**Explanation:**

(This amendment deletes language included in the introduced budget which instructed the Compensation Board to eliminate state reimbursement to support the cost for retirement contributions and group life insurance contributions for state-supported local employees in the constitutional offices.)

---

Item 425 #1h

**Public Safety**

Compensation Board

Language

**Language:**

Page 292, strike lines 2 through 8 and insert "Omitted."

**Explanation:**

(This amendment deletes language included in the introduced budget granting any city or county the authority to establish a department of finance in lieu of maintaining a treasurer and a commissioner of revenue.)

---

Item 436 #1h

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 307, after line 12, insert:

"G. Pursuant to the provisions of the Memorandum of Agreement between the Commonwealth of Virginia Department of Transportation and the Metropolitan Washington Airports Authority, in conjunction with the construction of rail mass transit in the right of way of the Dulles Access/Toll Road Connector (DATRC), sound walls shall be constructed along residential properties from the beginning of the DATRC to Interstate Route 495 with funding from the Commonwealth Transportation Fund."

**Explanation:**

(This amendment continues language ensuring that sound walls will be built in conjunction with the Dulles Corridor rail project along the portion of roadway still controlled by the Virginia Department of Transportation.)

---

Item 436 #2h

**Transportation**

Secretary Of Transportation

Language

**Language:**

Page 307, after line 12, insert:

"G. The Secretary of Transportation is hereby directed to review the Virginia Department of Transportation's vegetation management policies with the objective of

evaluating the costs savings associated with limiting mowing and the removal of vegetation only within such distances from actively used pavements or shoulders consistent with traffic safety and convenience. A proposal for new vegetation management policy shall be submitted to the Chairmen of the House Transportation and Appropriations Committees and the Senate Finance and Transportation Committees for review and concurrence no later than 60 days before implementation of such policy. Such proposal shall be submitted to the aforementioned Committees no later than October 15, 2010."

**Explanation:**

(This amendment is intended to reduce the costs associated with excess mowing which produces no tangible benefit to the traveling public.)

---

Item 447 #1h

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 311, after line 28, insert:

"c. Notwithstanding the provisions of paragraphs A.1.a. and A.1.b. of this item, prior to the adoption of the Six Year Improvement Program, the Commonwealth Transportation Board may allocate up to 20% of the Commonwealth Mass Transit Funds designated for capital purposes to transit operating assistance if state Mass Transit Funds available for operating expenses for the next fiscal year are estimated to be less than the current fiscal year's allocation of such funds."

Page 312, strike lines 3 through 21.

**Explanation:**

(This amendment authorizes the Commonwealth Transportation Board to transfer up to 20 percent of the transit funds allocated by the Code for transit capital costs to transit operating expenses to ensure that transit operations funds are maintained at prior year levels. This language reflects that provisions of House Bill 421, adopted by the 2010 House of Delegates. New language relating to the use of transit bond funds is also eliminated.)

---

Item 448 #1h

**Transportation**

Department Of Rail And Public  
Transportation

Language

**Language:**

Page 312, strike lines 35 through 40 and insert:

"C. Because of the overwhelming need for the development of a balanced transportation system in the Commonwealth, upon approval by the Commonwealth Transportation Board and notwithstanding the provisions of § 33.1-221.1:1.1, Code of Virginia, the 30% match requirement for the Rail Enhancement Fund is hereby waived exclusively for funding allocated from such fund for improvements for the Richmond/Hampton Roads Passenger Rail Project between Richmond and Norfolk in the 2010-2012 biennium.

D. Of the amounts available in the Rail Enhancement Fund, up to \$6,000,000 is hereby authorized to be utilized for the operation of the Amtrak Virginia three-year demonstration project initiated in fiscal year 2010. Because of the overwhelming need for this passenger rail service for the public purpose of the development of a balanced transportation system in the Commonwealth, the requirements of § 33.1-221.1:1.1, Code of Virginia, are hereby waived for these funds."

**Explanation:**

(This amendment waives the private matching requirement in the current biennium for any rail enhancement fund allocations made to the Richmond to Norfolk rail line. It also authorizes, exclusively for the on-going pilot project for passenger rail from Lynchburg/Richmond to Washington, D.C. that the rail enhancement funds be used for this operating contract. Under the existing DRPT six-year improvement program, mass transit grants, not rail funds, were being used for such purposes.)

---

Item 451 #1h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 314, after line 4, insert:

"4. The Secretary of Transportation, in conjunction with the Department of

Transportation, shall undertake an analysis of the potential to substantially reduce the size and scope of the Virginia Transportation Research Council (VTRC) in order to more effectively utilize funding available for transportation in the Commonwealth. Such study shall detail the sources of the VTRC funding by functional area and by staffing levels; evaluate the cost-effectiveness of conducting research activities in-house; investigate cost savings potentially available from outsourcing materials and related engineering research; consider the potential of directing federal grants through Virginia's research universities; and consolidate soft-science evaluations into the department's existing offices of policy analysis and management services.

The Secretary shall present to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees no later than October 15, 2010, a report outlining his recommendations on a reorganization of the research activities currently undertaken at the VTRC, and identify how to implement budget reductions to the Council of 25 percent, 50 percent and 75 percent would be implemented so that the findings of the study may be incorporated into amendments to the fiscal year 2010-2012 biennial budget in the 2011 Session of the General Assembly."

**Explanation:**

(This amendment directs the Secretary of Transportation to undertake a study to effectuate the downsizing or elimination of the Virginia Transportation Research Council with activities being transferred to other VDOT offices, Virginia's research institutions and/or private sector contractors.)

---

Item 457 #1h

**Transportation**

Department Of Transportation

Language

**Language:**

Page 320, after line 45, insert:

"K.1. The Secretary of Transportation, the Secretary of Administration, the Commissioner, Virginia Department of Transportation, and Director, Department of General Services, shall conduct an assessment of properties owned by the Virginia Department of Transportation that are not in active use by the Department to identify facilities that could be returned to private use. Such report shall include an estimate of the revenues that would be generated by the sale of unused properties that are proposed to be sold and/or leased as well as recommendations of facilities to sell or

lease. The findings of this examination shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2010.

2. The Virginia Department of Transportation is directed to proceed with the sale of the closed Culpeper Residency Office in Culpeper, Virginia. If no contract has been entered into for such sale by December 1, 2010, the Commissioner, Virginia Department of Transportation, shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the status of the property, the assumed sale price and what actions he is taking to expedite the sale of such property."

**Explanation:**

(This amendment directs the Secretaries of Transportation and Administration, along with the impacted agency heads, to conduct an assessment of unused VDOT facilities to determine which could be used or leased, and requires a report to be submitted by October 1, 2010.)

---

Item 469 #1h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 328, after line 49, insert:

"H. Notwithstanding any prior election made under the provisions of § 51.1-144F, Code of Virginia, except for employees hired on or after July 1, 2010, with no prior service credit in the Virginia Retirement System, any political subdivision or school system employer may elect, in a manner prescribed by the Board, to pay any portion of its employees' required member contribution in whole percentages from one to five percent of creditable compensation. An employer's election shall apply uniformly to all of its covered employees subject to the provisions of this paragraph. Such payments shall be credited to the members' contribution accounts. These contributions shall not be considered wages for purposes of Chapter 7, Title 51.1, Code of Virginia, nor shall they be considered to be salary for purposes of Chapter 1, Title 51.1, Code of Virginia. Contributions paid by members shall be paid on a salary reduction basis in accordance with § 414(h) of the Internal Revenue Code."

**Explanation:**

(This amendment replaces language included in the introduced budget to clarify that units of local government, school boards, and other political subdivisions shall

have the option of paying any portion of its employees' member contributions to VRS, unless their employees are hired on or after July 1, 2010, and fall under the provisions of House Bill 1189. Both state and local employees hired on or after July 1, 2010, will fall under the provisions of House Bill 1189 and be subject to mandatory five percent member contributions. The language in this amendment is permissive and modifying the employee contributions would be at the discretion of the local government or school board.)

Item 469 #2h

<b>Central Appropriations</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Central Appropriations	\$36,256,115	\$31,623,482	GF

**Language:**

Page 327, line 15, strike "\$38,270,141" and insert "\$2,014,026".

Page 327, line 15, strike "\$11,041,200" and insert "\$42,664,682".

Page 328, strike lines 50 through 53 and insert:

"H.1. On July 1, 2010, the State Comptroller shall establish a fund on the books of the Commonwealth to be known as the Virginia Retirement System Suspense Payment Fund. For the purposes of the provisions of § 2.2-813, Code of Virginia, this fund shall be considered part of the general fund and shall contain all payments made to it by agencies of the Commonwealth and any appropriations or other deposits directed to be made to it by the General Assembly. Within this fund, the State Comptroller shall establish separate fund details for each of the programs (retirement, group life insurance, retiree health care credit, and the Virginia Sickness and Disability Program) for which payment is required to be made to the Virginia Retirement System (VRS). All funds remaining in this fund at the close of any fiscal year shall become part of the general fund balance.

2. Effective July 1, 2010, any agency that participates in a program sponsored by VRS shall make its contribution payment for each program to the Department of Accounts for deposit into the Virginia Retirement System Suspense Payment Fund. Such payments may be made either by payment through the state's payroll system or by direct payment from the agency. Payments made to the Department of Accounts shall be based upon the funded rates which are set out below:

<u>Retirement</u>	<u>FY 2011</u>	<u>FY 2012</u>
Regular VRS	6.58%	6.58%
SPORS	21.16%	21.16%
VaLORS	13.09%	13.09%

JRS	42.58%	42.58%
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**Other Post Employment Benefits**

Group Life	1.02%	1.02%
Retiree Health Care Credit	0.99%	0.99%
Virginia Sickness and Disability Program	0.66%	0.66%

3. Out of the general fund appropriation for this item is included \$6,839,113 the first year and \$7,136,455 the second year from the general fund to support the general fund portion of the net costs resulting from changes in employer contributions for state employee retirement as provided in the above table.

4. Pursuant to § 3-1.01 of this act, amounts estimated at \$258,636 the first year and \$269,882 the second year shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with reductions in employer contributions for the Virginia Law Officers Retirement System as provided in the above table.

5. The Director, Department of Planning and Budget, shall withhold and transfer to this item, amounts estimated at \$983,313 the first year and \$1,026,049 the second year from the general fund appropriations of state agencies and institutions of higher education, representing the net savings resulting from changes in contribution rates for state employee Other Post Employment Benefits as provided in the above table.

6. Pursuant to § 3-1.01 of this act, amounts estimated at \$4,855,893 the first year and \$5,066,977 the second year shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with savings resulting from changes in contribution rates for state employee Other Post Employment Benefits as provided in the above table.

I. The payments prescribed in paragraph H.2. above shall be made according to a schedule approved by the State Comptroller for each agency.

1. From these funds, the State Comptroller shall make payment to VRS for all programs in accordance with the normal rates approved by the General Assembly and set out below:

<b><u>Retirement</u></b>	<b><u>Normal Cost</u></b> <b><u>FY 2011</u></b>	<b><u>Normal Cost</u></b> <b><u>FY 2012</u></b>
Regular VRS	2.16%	2.16%

SPORS	7.78%	7.78%
VaLORS	5.15%	5.15%
JRS	28.90%	28.90%
<b><u>Other Post Employment Benefits</u></b>		
Group Life	0.00%	0.69%
Retiree Health Care Credit	0.28%	0.28%
Virginia Sickness and Disability Program	0.66%	0.66%

Such payment shall be made after the tenth day following the close of each quarter of the fiscal year.

2. The State Comptroller shall transfer any excess balances paid into the fund that are not needed to make the payments set out in paragraph 1 above and that are attributable to federal trust funds, transportation funds from the Virginia Department of Transportation, bond funded capital projects, and the appropriate federal portion of Internal Service funds to the agencies and fund sources from which they were derived.

3. Notwithstanding any contrary provision of law, on or before June 30 of each fiscal year, the State Comptroller shall deposit to the general fund all excess balances in the fund, less any amounts needed to make payments pursuant to paragraphs 3 and 4 above. Such deposits are estimated at \$228,102,637 the first year and \$209,325,456 the second year. These amounts represent the savings associated with reduced employer contribution rates for retirement, group life insurance, retiree health care credit, and the Virginia Sickness and Disability Program for these fiscal years.

4. Notwithstanding any contrary provision of law, the State Comptroller shall have broad authority to establish the policies and procedures needed to execute the provisions of this section in order to maintain its intended objective and to comply with any accounting standards or requirements of federal law.

J.1 Pursuant to the enactment of House Bill 1189, 2010 Session of the General Assembly, the Director, Department of Planning and Budget, shall withhold and transfer to this item, amounts estimated at \$4,283,243 the first year and \$11,491,947 the second year, from the general fund appropriations of state agencies and institutions of higher education, representing savings from the provision requiring employees hired on or after July 1, 2010, with no prior service, to pay the five

percent employee contribution for their retirement benefit.

2. Pursuant to § 3-1.01 of this act, amounts estimated at \$2,890,092 the first year and \$8,370,859 the second year shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with the requirement for new employees to pay the 5% employee contribution.

J.1 Pursuant to the enactment of House Bill 1189 of the 2010 General Assembly Session, the Director of Department of Planning and Budget shall withhold and transfer to this item, amounts estimated at \$689,675 the first year and \$1,303,635 the second year, from the general fund appropriations of state agencies and institutions of higher education, representing savings from the provision decreasing the state's contribution into the optional retirement plans for employees hired on or after July 1, 2010, with no prior service.

2. Pursuant to § 3-1.01 of this act, amounts estimated at \$753,391 the first year and \$1,443,318 the second year shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with the decrease in the contribution rates into the optional retirement plans for employees hired on or after July 1, 2010, with no prior service.

L.1 Notwithstanding any provision to the contrary, any references to a period of 14 days or a period of 28 days in §§ 51.1-1111, -1112, -1122, and -1123 of the Virginia Sickness and Disability Program (VSDP) are hereby changed to a period of 45 days. Moreover, the period of 45 days shall be consecutive days that the participating employee is (i) actively at work and (ii) fully released to return to work full time, full duty. The Virginia Retirement System shall develop policies and procedures to administer the effects of the 45-day period in connection with participants who are deemed to have a major chronic condition.

2. Notwithstanding any provision to the contrary, any eligible employee commencing employment or re-employment on or after July 1, 2009, shall not be entitled to receive Virginia Sickness and Disability Program benefits under Article 3, Chapter 11, Title 51.1, Code of Virginia, (Nonwork Related Disability Benefits) until the employee completes one continuous year of active employment or re-employment.

3. Notwithstanding any provision to the contrary, for all eligible employees commencing employment or re-employment on or after July 1, 2009, short-term disability coverage under the Virginia Sickness and Disability Program shall provide

income replacement for no more than 60 percent of a participating employee's creditable compensation for the first 60 months of continuous state service after employment or re-employment.

M. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia. Instead, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System beginning with the June 30, 2011, actuarial valuation.

N. Notwithstanding any other provisions of law, the State Comptroller shall delay the transfer of all employer-paid retirement contributions under all defined benefit plans administered by VRS for the final five paydays of fiscal years 2011 and 2012 to fiscal years 2012 and 2013 respectively. The applicable transfers shall occur no later than July 10, 2011, and July 10, 2012, respectively.

2. The Director, Department of Planning and Budget, shall withhold and transfer to this item amounts estimated at \$14,399,470 the first year from the general fund appropriations of state agencies and institutions of higher education, representing savings from the delay in payments provided for in this paragraph."

Page 329, strike lines 1 through 54.

Page 330, strike lines 1 through 55.

Page 331, strike lines 1 through 53.

Page 332, strike lines 1 through 55.

Page 333, strike lines 1 through 42.

**Explanation:**

(This amendment deletes language included in the introduced budget related to changes to the Virginia Retirement System as well as language related to a proposed WTA type severance package for local employees. The funding adjustments reflected in the amendment include (a) the restoration of savings assumed in the introduced budget from requiring current state employees (in regular VRS and the ORPs) to pay 1 percent and 2 percent of their member contributions in fiscal year 2011 and fiscal year 2012 respectively; (b) savings assumed as a result of requiring new employees to pay the 5% employee contribution; (c) savings as a result of lowering the ORP contribution rate for new employees, and (d) an adjustment to the savings assumed for fiscal year 2011 from the proposal to record the 4th quarter VRS payments in July. In addition, the amendment includes language which realizes savings of \$437.4 million over the biennium resulting from a proposal to reimburse

the VRS the "normal rate" for the state employee retirement and benefit programs, with a premium holiday for the group life insurance program in the first year.)

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Item 469 #3h

<b>Central Appropriations</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Central Appropriations	\$11,855,589	\$11,855,589	GF

**Language:**

Page 327, line 15, strike "\$38,270,141" and insert "\$26,414,552".

Page 327, line 15, strike "\$11,041,200" and insert "\$22,896,789".

Page 327, strike lines 46 and 47 and insert:

"D. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per pay period, or \$40.00 per month. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.

2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and restrictions otherwise placed upon such nongeneral funds.

3. Employees who are otherwise eligible but whose 403 (b) provider does not participate in the cash match program by establishing a 401 (a) account are ineligible to receive a cash match.

4. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia."

Page 328, strike lines 1 through 14.

**Explanation:**

(This amendment restores funding for the state match for the state employee deferred compensation program which was eliminated in the introduced budget. In addition to restoring \$11.8 million general fund each year for the cash match program, this amendment deletes language which authorized \$7.0 million in nongeneral fund transfers each year which would have resulted from the proposal to eliminate state funding for the program.)

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Item 469 #4h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 331, strike lines 43 through 53 and insert:

"N. The purpose of this paragraph is to provide a transitional retirement benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division, or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. For purposes of this paragraph, "eligible employee" shall mean any (i) "eligible employee" as defined in § 51.1-132, Code of Virginia, (ii) "teacher" as defined in § 51.1-124.3, Code of Virginia, and (iii) any "local officer" as defined in § 51.1.124.3,

Code of Virginia, except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, (c) who is a vested member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, Code of Virginia, and at least 50 years of age, and (d) whose actual age and creditable service when combined with the added benefits provided by subparagraph 4 below qualify such member for retirement benefits under Chapter 1, § 51.1, Code of Virginia, shall be eligible, under the conditions specified, for the transitional retirement benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional retirement benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) 10 years through and including 14 years of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) 15 years or more of consecutive service to the employer shall be entitled to receive a transitional retirement benefit equivalent to two weeks of salary for every year of service, not to exceed 36 weeks of salary.

b. Transitional retirement benefits shall be computed by the terminating employer's payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. The amount of the transitional retirement benefit shall be increased by the equivalent cost of 12 months' coverage under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered

by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.), Title 51.1, Code of Virginia, or such other group life insurance plan as may be administered by the employer.

4.a. The employer shall purchase on each eligible employee's behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B, § 51.1-138, Code of Virginia, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to 15 percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the present value of the transitional retirement benefit as determined under subparagraphs 3.a. and 3.c. by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of § 51.1-153 and § 51.1-205, Code of Virginia, and disability retirement under the provisions of § 51.1-156 et seq., Code of Virginia, shall not be available under this paragraph.

b. In lieu of the transitional retirement benefit provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2, Code of Virginia,.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages 55 and 65, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System beginning with the June 30, 2011, actuarial evaluation."

Page 332, strike lines 1 through 55.

Page 333, strike lines 1 through 24.

**Explanation:**

(This amendment replaces language included in the introduced budget authorizing the provision of WTA benefits to employees of local school divisions and local

governments who are subject to layoffs with language giving school boards and localities the option of offering a transitional retirement benefit.)

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Item 483 #1h

**Independent Agencies**

Virginia Retirement System

Language

**Language:**

Page 341, after line 32 insert:

"D. The Board of Trustees shall not approve any salary bonuses for non-investment Virginia Retirement System personnel without providing written notification to the Chairmen of the House Appropriation and Senate Finance Committees at least 90 days prior to the execution of the bonus."

**Explanation:**

(This amendment requires the VRS board of trustees to notify the Chairmen of the House Appropriation and Senate Finance Committees prior to the payment of bonuses to VRS administrative staff.)

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Item 489 #1h

**Independent Agencies**

Virginia Office For Protection And  
Advocacy

**FY 10-11**  
(\$220,227)

**FY 11-12**  
(\$220,227) GF

**Language:**

Page 342, line 37, strike "\$3,165,852" and insert "\$2,945,625".

Page 342, line 37, strike "\$3,165,852" and insert "\$2,945,625".

**Explanation:**

(This amendment eliminates general fund support for the VOPA. VOPA receives approximately \$2.6 million a year in federal funding.)

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Item C-0 #1h

**General Conditions**

General Conditions

Language

**Language:**

Page 347, strike lines 40 through 44.

**Explanation:**

(This amendment removes language that would implement two previous executive orders by reference.)

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Item C-0 #2h

**General Conditions**

General Conditions

Language

**Language:**

Page 347, after line 44, insert:

"Q. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly."

**Explanation:**

(This amendment is self-explanatory.)

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Item C-1 #1h

**Administration**

Department Of General Services

**FY 10-11**  
(\$913,000)

**FY 11-12**  
\$0 GF

**Language:**

Page 348, line 4, strike "\$913,000" and insert "\$0".  
Page 348, strike lines 1 through 12.

**Explanation:**

(This amendment transfers the funding for the educational wing at the Virginia War Memorial to House Bill 29. A companion amendment is in House Bill 29.)

---

Item C-5.10 #1h

**Education: Higher Education**

Christopher Newport University

**FY 10-11**  
\$500,000

**FY 11-12**  
\$0 NGF

**Language:**

Page 348, after line 32, insert:

"C-5.10. Planning: Student Success Center \$500,000 \$0  
Fund Sources: Higher Education Operating \$500,000". \$0".

This appropriation provides funding to conduct preplanning for the construction of a Student Success Center. Christopher Newport University is authorized to use up to \$500,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase."

**Explanation:**

(This amendment is self-explanatory.)

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	Item	C-5.10 #2h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
Christopher Newport University	\$3,000,000	\$0 NGF

**Language:**

Page 348, after line 32, insert:

"C-5.10. Improvements: Residence Hall \$3,000,000 \$0  
Roof Replacement  
Fund Sources: Bond Proceeds \$3,000,000". \$0".

**Explanation:**

(This amendment requests revenue bond authority for roof replacements at residence halls.)

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	Item	C-10.10 #1h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
The College Of William And Mary In Virginia	\$9,999,000	\$0 NGF

**Language:**

Page 349, after line 14, insert:

"C-10.10. Improvements: Cooling Plant and \$9,999,000 \$0  
Utility Improvements, Phase III  
Fund Sources: Bond Proceeds \$9,999,000". \$0".

The College of William and Mary is authorized to increase the design scope of this project to include all 27 buildings in the greater historic campus area. All design



Page 351, after line 14, insert:

"C-24.10. Fairfax Heating and Cooling Plant

George Mason University is hereby authorized to enter into a comprehensive agreement with a private entity, pursuant to the Public-Private Educational Facilities and Infrastructure Act of 2002, for the construction of a satellite heating/cooling plant for the Fairfax Campus. Authority is also granted to construct the project with alternative financing, which may include entering into an agreement with another university-related foundation for the design, construction, and financing of the project, and to enter into a capital lease or leases for any component of the project that may qualify as a capital lease. If such project is constructed on land owned by or leased to a university-related foundation, or owned by or leased to a private entity, such project shall continue to be exempt from all requirements of any county or city zoning ordinance. The permitting official for such project shall be the Bureau of Capital Outlay Management. George Mason shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget."

**Explanation:**

(This amendment is self-explanatory.)

	Item	C-24.10 #3h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
George Mason University	\$1,400,500	\$0 GF
	\$4,599,500	\$0 NGF

**Language:**

Page 351, after line 14, insert:

"C-24.10. Planning: Belmont Bay Science Center	\$6,000,000	\$0
Fund Sources: General	\$1,400,500	\$0
Special	\$4,599,500".	\$0".

**Explanation:**

(This amendment transfers \$2.2 million of general fund from the Science Museum of Virginia and \$3.8 million nongeneral funds from the Central Capital Planning Fund to plan for the Belmont Bay Science Center. A companion amendment is found in item C-76.)



Page 351, after line 40, insert:

"C-31.10. Planning: Surface Parking	\$2,500,000	\$0
Fund Sources: Higher Education Operating	\$2,500,000".	\$0".

**Explanation:**

(This amendment requests nongeneral fund authority to plan for surface parking.)

---

	Item	C-32 #1h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
Longwood University	\$1,675,000	\$0 NGF

**Language:**

Page 352, line 3, strike "\$3,819,000" and insert "\$5,494,000".

Page 352, line 5, strike "\$1,850,000" and insert "\$3,525,000".

**Explanation:**

(This amendment requests additional 9(d) revenue bond authority for the Lankford Hall project.)

---

	Item	C-37 #1h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
University Of Mary Washington	\$2,500,000	\$0 NGF

**Language:**

Page 352, line 24, strike "\$0" and insert "\$2,500,000".

Page 352, after line 25, insert:

"Bond Proceeds \$2,500,000 \$0".

**Explanation:**

(This amendment requests 9(d) revenue bond authority for athletic complex field improvements.)

---

	Item	C-40.10 #1h
<b>Education: Higher Education</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
Old Dominion University	\$2,000,000	\$0 NGF

**Language:**

Page 353, after line 9, insert:

"C-40.10. Planning: New School of Education \$2,000,000 \$0

Fund Sources: Higher Education Operating \$2,000,000". \$0".

This appropriation provides funding to conduct detailed planning for the construction of a new School of Education. Old Dominion University is authorized to use up to \$2,000,000 of nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase."

**Explanation:**

(This amendment is self-explanatory.)

Item C-42 #1h

**Education: Higher Education**

**FY 10-11**

**FY 11-12**

Radford University

\$34,826,000

\$0 NGF

**Language:**

Page 353, line 15, strike "\$11,174,000" and insert "\$46,000,000".

**Explanation:**

(This amendment requests supplemental nongeneral fund authority for property acquisitions.)

Item C-58 #1h

**Education: Higher Education**

**FY 10-11**

**FY 11-12**

Virginia Community College System

(\$32,000,000)

\$0 NGF

**Language:**

Page 354, line 36, strike "\$32,000,000" and insert "\$0".

Page 354, strike lines 35 through 37 and insert "Omitted".

**Explanation:**

(This amendment removes a housing project proposed for the community college system.)

Item C-73.50 #1h

**Education: Higher Education**  
Cooperative Extension And  
Agricultural Research Services

**FY 10-11**  
\$4,650,000

**FY 11-12**  
\$0 NGF

**Language:**

Page 357, after line 6, insert:

"§ **2-17.10 COOPERATIVE EXTENSION AND AGRICULTURAL RESEARCH SERVICES**"

"C-73.50. New Construction: M.T. Carter Building Addition \$4,650,000 \$0

Fund Sources: Federal Trust \$4,650,000". \$0".

**Explanation:**

(This amendment requests the use of federal funds to construct an addition to the M.T. Carter Building for research.)

Item C-76 #1h

**Education: Other**  
The Science Museum Of Virginia

**FY 10-11**  
(\$6,000,000)

**FY 11-12**  
\$0 GF

**Language:**

Page 357, line 20, strike "\$6,000,000" and insert "\$0".

Page 357, strike lines 19 through 23 and insert "Omitted."

**Explanation:**

(This amendment transfers funding for the Belmont Bay Science Center to George Mason University. A companion amendment is found in Item C-24.10.)

Item C-84 #1h

**Central Appropriations**  
Central Capital Outlay

Language

**Language:**

Page 359, strike lines 23 through 44 and insert:

"

<b>Agency Name</b>	<b>Project Code</b>	<b>FY 2011</b>	<b>FY 2012</b>
Department of General Services	14260	3,104,240	3,104,240
Department of Veterans Services	17073	32,437	32,437
Department of Agriculture and Consumer Services	12253	242,630	242,630
Department of Forestry	13986	129,749	129,749
Department of Mines, Minerals and Energy	13096	43,466	43,466
Virginia School for the Deaf and the Blind at Staunton	14082	195,272	195,272
Christopher Newport University	12719	393,788	393,788
The College of William and Mary in Virginia	12713	1,620,563	1,620,563
Richard Bland College	12716	51,900	51,900
Virginia Institute of Marine Science	12331	275,067	275,067
George Mason University	12712	2,160,318	2,160,318
James Madison University	12718	1,679,598	1,679,598
Longwood University	12722	895,916	895,916
Norfolk State University	12724	2,815,549	2,815,549
Old Dominion University	12710	1,240,399	1,240,399
Radford University	12731	639,013	639,013
University of Mary Washington	12723	415,196	415,196
University of Virginia	12704	4,831,197	4,831,197
University of Virginia's College at Wise	12706	255,605	255,605
Virginia Commonwealth University	12708	3,320,272	3,320,272
Virginia Community College System	12611	4,728,695	4,728,695
Virginia Military Institute	12732	794,711	794,711
Virginia Polytechnic Institute and State University	12707	5,630,449	5,630,449
Virginia State University	12733	2,389,973	2,389,973
Frontier Culture Museum of Virginia	15045	72,011	72,011
Gunston Hall	12382	51,900	51,900
Jamestown-Yorktown Foundation	13605	352,268	352,268
The Library of Virginia	17423	48,656	48,656

The Science Museum of Virginia	13634	522,239	522,239
Virginia Museum of Fine Arts	13633	596,196	596,196
Southwest Virginia Higher Education Center	16499	43,466	43,466
Department of Taxation	15994	230,304	230,304
Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	4,110,442	4,110,442
Woodrow Wilson Rehabilitation Center	10885	711,023	711,023
Department for the Blind and Vision Impaired	13942	151,157	151,157
Department of Conservation and Recreation	16646	417,142	417,142
Marine Resources Commission	16498	42,168	42,168
Virginia Museum of Natural History	14439	45,412	45,412
Department of Corrections	10887	2,962,814	2,962,814
Department of Emergency Management	15989	42,168	42,168
Department of Forensic Science	16320	47,358	47,358
Department of Juvenile Justice	15081	1,204,718	1,204,718
Department of Military Affairs	10893	313,343	313,343
Department of State Police	10886	149,211	149,211
<b>Total</b>		<b>50,000,000</b>	<b>50,000,000</b>

- ."
- Page 360, strike lines 1 through 23.
- Page 360, strike lines 28 through 39.
- Page 360, line 40, strike "E." and insert "D."
- Page 360, line 42, strike "F." and insert "E."
- Page 360, line 48, strike "G." and insert "F."
- Page 361, line 7, strike "H." and insert "G."
- Page 361, line 9, strike "I." and insert "H."
- Page 361, line 15, strike "J." and insert "I."

**Explanation:**

(This amendment requests that maintenance reserve allocations for the biennium reflect the same proportion as the prior fiscal years.)

---

Item C-84 #2h

**Central Appropriations**

Central Capital Outlay

Language

**Language:**

Page 361, after line 20, insert:

"K.1. Any balances remaining from the maintenance reserve allocation identified in this item for the Jamestown-Yorktown Foundation shall not revert to the general fund on June 30, 2010, but shall be brought forward and made available for the purposes of this item in fiscal year 2011.

2. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of artifacts."

**Explanation:**

(This amendment is self-explanatory.)

---

Item C-85 #1h

**Central Appropriations**

Central Capital Outlay

**FY 10-11**

\$500,000

**FY 11-12**

\$0 NGF

**Language:**

Page 361, line 23, strike "\$25,776,000" and insert "\$26,276,000".

Page 362, after line 3, insert:

"Thompson and West Halls Renovation (16607)".

**Explanation:**

(This amendment requests \$500,000 in Virginia College Building Authority tax-supported bonds to supplement the equipment for the Thompson and West Halls Renovation project.)

---

Item C-85 #2h

**Central Appropriations**

Central Capital Outlay

**FY 10-11**

\$0

**FY 11-12**

(\$450,125,290) NGF

**Language:**

Page 361, line 23, strike "\$1,087,588,000" and insert "\$637,462,710".

Page 362, line 17, strike "\$1,087,588,000" and insert "\$637,462,710".

Page 362, strike line 22.

Page 362, strike lines 24 through 26.

Page 362, strike line 28.

Page 362, after line 32, insert:

**"Jamestown-Yorktown Foundation (425)**

Construct Yorktown Museum (17626)".

Page 362, strike lines 37 through 41.

Page 362, strike lines 46 through 48.

Page 362, strike lines 55 and 56.

Page 362, strike lines 59 through 61.

Page 363, strike lines 6 through 24 and insert:

"C. The appropriations contained in paragraphs A and B of this item shall be subject to the conditions specified in paragraph D below.

D.1. The Secretary of Finance shall prepare and submit a plan to the Governor and the Chairmen of the House Appropriations Committee and the Senate Finance Committee on or before the beginning of the 2011 General Assembly Session to schedule the issuance of debt for the projects authorized in this item and for the projects authorized in Item C-84, Central Maintenance Reserve, and Item 245 Higher Education Equipment Trust Fund.

2. The issuance of debt for the projects identified in paragraph D.1. is authorized within the parameters established by the Debt Capacity Advisory Committee across the 2010 to 2019 planning horizon. The projects shall proceed in the following priority order:

Priority 1: Maintenance Reserve

Priority 2: Higher Education Equipment Trust Fund

Priority 3: Equipment for Previously Funded Projects

Priority 4: Construction funds for projects with completed planning".

**Explanation:**

(This amendment adjusts the proposed contingent bond authorization to reflect only projects that have been reviewed by the Bureau of Capital Outlay Management (BCOM) and appropriate BCOM cost estimates for the remaining projects. The amendment also clarifies the priority order of projects and the time line on when the projects may proceed.)

**Central Appropriations**  
Central Capital Outlay

Language

**Language:**

Page 363, after line 24, insert:  
"C-85.10.

1. Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall provide for the construction, renovation, or improvement of the projects listed below from proceeds previously authorized in Part 2, §§ 1 through 4 of Chapter 1, 2008 Acts of Assembly, Special Session 1. The projects in priority order are:

**Priority / Agency Name / Project Title**

**1. Christopher Newport University (242)**

Construct Integrated Science Center (Phase II) (17690)

**2. Longwood University (214)**

Construct University Technology Center (17668)

**3. Norfolk State University (213)**

Renovate Wilder Center (17627)

**4. College of William and Mary (204)**

Renovate Tucker Hall (17652)

**5. Old Dominion University (221)**

Construct a Systems Research & Academic Building (17678)

**6. George Mason University (247)**

Renovate Fine Arts Building (17697)

**7. Virginia Military Institute (211)**

Renovate Science Building (17664)

2. Planning funds associated with these projects totaling \$4,599,500 shall be transferred from the bond proceeds to the Central Capital Planning Fund in accordance with § 2.2-1520, Code of Virginia."

**Explanation:**

(This amendment provides for the construction, renovation or improvement of seven projects previously approved for planning in Chapter 1, 2008 Acts of Assembly, Special Session 1. No additional debt authorization is required. The projects can move forward by using estimated savings from projects within the current bond authorization from Chapter 1.)

---

Item C-86 #1h

**Central Appropriations**

Central Capital Outlay

**FY 10-11**

(\$35,200,000)

**FY 11-12**

\$0 NGF

**Language:**

Page 363, line 25, strike "\$35,200,000" and insert "\$0".

Page 363, strike lines 25 through 48 and insert "Omitted".

**Explanation:**

(This amendment eliminates a proposed \$35.2 million in tax-supported debt for a new energy conservation initiative in the introduced budget.)

---

Item 3-1.01 #1h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 370, line 6, strike the first "\$10,635,320" and insert "\$10,156,038".

Page 370, line 6, strike the second "\$10,635,320" and insert "\$10,156,038".

**Explanation:**

(This amendment reduces the estimated transfer of sales taxes from the hunting, fishing, and other outdoors equipment purchases to the Department of Game and Inland Fisheries. A companion amendment eliminated the retention of an equal amount in earned interest from certain nongeneral funds controlled by DGIF that had been proposed in the introduced budget. The retention of those nongeneral funds' interest earnings would have disqualified the agency from any future collection of federal funds for its operations. This amendment offsets the loss of those funds' interest earnings to make the issue revenue neutral.)

---

Item 3-1.01 #2h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 367, line 17, strike "580,679" and "580,679" and insert:

"\$1,325,679" and "1,325,679".

Page 367, line 21, strike "9,886,363" and "9,886,363" and insert:  
"9,141,363" and ".9,141,363".

**Explanation:**

(This amendment increases the amount of revenue collected from additional \$0.40 per liter tax on the sale of Virginia wine that is transferred for the operations of the Virginia Wine Board pursuant to the provisions of House Bill 588.)

---

Item 3-1.01 #3h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 370, line 18, strike "\$6,400,000" and insert "\$7,400,000".

Page 370, line 19, strike "\$6,400,000" and insert "\$7,400,000".

**Explanation:**

(This amendment increases by \$1.0 million each year the amounts from the Uninsured Motorists Fund that is transferred to the general fund.)

---

Item 3-1.01 #4h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 372, line 23, strike "Infrastructure Technology" and insert:  
"Technology Infrastructure".

Page 372, line 24, after "Fund.", strike remainder of line.

Page 372, line 25, strike "transfer to the Virginia Infrastructure Technology Fund."

Page 372, line 26, strike "\$1,690,604" and insert "\$1,520,604."

**Explanation:**

(This amendment corrects the title of the fund to which general fund savings from durable medical equipment are being transferred. In addition, it eliminates the transfer of general fund savings to the Productivity Investment Fund. Due to the elimination of

the transfer of general fund savings to the Productivity Investment Fund, first year transfers will be lower. The purpose of the remaining general fund savings transfers is to repay working capital advances provided by VITA's Enterprise Applications Division for updating the Commonwealth Accounting and Reporting System and the development of a new budgeting system.)

---

Item 3-1.01 #5h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 372, strike lines 13 through 15.

Page 373, line 16, strike "JJ." and insert "II."

Page 373, line 19, strike "KK." and insert "JJ."

Page 373, line 19, strike "LL." and insert "KK."

**Explanation:**

(This amendment eliminates the reversion of auxiliary enterprise cash balances.)

---

Item 3-1.01 #6h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 371, strike lines 46 through 59.

Page 372, strike lines 1 through 4.

Page 372, line 5, strike "GG." and insert "DD."

Page 372, line 11, strike "HH." and insert "EE."

Page 372, line 13, strike "II." and insert "FF."

Page 372, line 16, strike "JJ." and insert "GG."

Page 372, line 19, strike "KK." and insert "HH."

Page 372, line 22, strike "LL." and insert "II."

**Explanation:**

(This amendment strikes language included in the introduced budget transfer nongeneral fund savings from the proposals to suspend the state contribution to the

employee cash match program and to require current employees to pay a portion of the retirement contribution.)

---

Item 3-1.01 #7h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 371, line 41, strike "\$4,255,005 the first year and \$4,439,969" and insert: "\$4,855,893 the first year and \$5,066,977".

**Explanation:**

(This amendment adjusts language in the introduced budget to reflect updated estimates of the savings that will be realized through the transfer of nongeneral fund savings related to changes in the contribution rates for the Virginia Sickness and Disability Program and the state employee retiree health care credit.)

---

Item 3-1.01 #8h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 367, after line 25, insert:

"4. For collection by the Department of Taxation:

a) Apple Tax (§ 3.1-623, Code of Virginia)	\$1,877	\$1,877
b) Egg Promotion Tax (§ 3.1-684.56, Code of Virginia)	\$2,254	\$2,254
c) Soybean Tax Assessment (§3.1-684.17, Code of Virginia)	\$5,781	\$5,781
d) Corn Excise Tax (§ 3.2-1412, Code of Virginia)	\$3,181	\$3,181
e) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	\$53,108	\$53,108
f) Small Grain Tax (§ 3.2-2211, Code of Virginia)	\$7,978	\$7,978
g) Assessment of Sheep Sold (§ 3.2-2112, Code of Virginia)	\$177	\$177
h) Cotton Tax Assessment (§ 3.2-1512, Code of Virginia)	\$1,486	\$1,486
i) Soft Drink Excise Tax (§58.1-1705, Code of Virginia)	\$3,365	\$3,365
j) Virginia Litter Tax (§ 58.1-1710, Code of Virginia)	\$13,343	\$13,343".

Page 367, line 26, strike "4." and insert "5."

Page 367, line 28, strike "5." and insert "6."

Page 367, line 30, strike "6." and insert "7."

Page 367, line 35, strike both instances of "\$76,223,000" and insert "\$76,315,550".

**Explanation:**

(This amendment provides for cost recovery from the costs incurred by the Department of Taxation for the administration of the taxes outlined above.)

---

Item 3-1.01 #9h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 372, after line 27, insert:

"MM. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0721), the Department of Taxation's indirect costs of administering this tax estimated at \$87,500 the first year and \$87,500 the second year."

**Explanation:**

(This amendment provides for the collection of indirect costs associated with the administration of the Communications Sales and Use Tax.)

---

Item 3-1.01 #10h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 372, after line 27, insert:

"MM. On or before June 30, 2011, the Joint Committee on Rules shall authorize the transfer \$1,000,000 to the general fund from unexpended nongeneral fund balances at the Commission on the Virginia Alcohol Safety Action Program.

NN. On or before June 30, 2011, the Joint Committee on Rules shall authorize the transfer \$250,000 to the general fund from unexpended nongeneral fund balances at the

Division of Automated Legislative Services."

**Explanation:**

(This amendment authorizes the transfer of nongeneral fund balances within the legislative agencies to the general fund.)

---

Item 3-1.01 #11h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 372, after line 27 insert:

""MM. On or before June 30, 2011, the State Comptroller shall transfer \$20,000,000 to the general fund from unexpended nongeneral fund balances at the State Corporation Commission. The transfer shall consist of \$10,000,000 from the Public Service Company Fees and Taxes fund (Fund 0208), \$5,000,000 from the Insurance Fees and Assessment Fund (Fund 0209), and \$5,000,000 from the Clerks Office Registration Fund (Fund 0217)."

**Explanation:**

(This amendment authorizes the transfer of \$20.0 million from nongeneral fund balances within State Corporation Commission.)

---

Item 3-3.03 #1h

**General Fund Deposits**

Interest Earnings

Language

**Language:**

Page 377, strike line 31.

Page 377, strike line 34.

Page 377, strike line 35.

Page 377, strike line 37.

**Explanation:**

(This amendment eliminates language contained in the introduced budget capturing interest earnings from certain nongeneral funds controlled by the Department of Game

and Inland Fisheries. Retention of these funds' interest earnings would have resulted in the loss of \$14 million in federal funds used by the agency to support its operations and would have resulted in the agency being disqualified from use of federal funds in the future. The specific funds eliminated from the proposed capture of earned interest include the Game Protection Fund, the Lifetime Hunting and Fishing Endowment Fund, the Virginia Migratory Waterfowl Conservation Stamp Fund, and the Capital Improvement Fund. A companion amendment reduces the transfer of sales taxes on hunting, fishing, and other outdoor equipment to the agency to ensure this action is revenue neutral.)

---

Item 3-3.03 #2h

**General Fund Deposits**

Interest Earnings

Language

**Language:**

Page 376, after line 31, insert:

"Virginia Commonwealth University            236            Auxiliary Enterprise".

**Explanation:**

(This amendment is a technical change and inserts language omitted in the introduced budget.)

---

Item 3-5.01 #1h

**Adjustments and Modifications to Tax Collections**

Qualified Equity and Subordinated Debt Investment Tax Credit

Language

**Language:**

Page 379, line 30, strike "thereafter." and insert:

"thereafter, except that for taxable years beginning on and after January 1, 2010, and before December 31, 2010, the credit shall be limited to \$5,000,000."

**Explanation:**

(This amendment eliminates the limit on the annual cap for calendar year 2010 only so that the statutory cap of \$5.0 million will apply.)

---

**Adjustments and Modifications to Tax Collections**

Discounts and Allowances

Language

**Language:**

Page 381, strike lines 12 through 17, and insert:

"A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall not be available to any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

<b>Monthly Taxable Sales</b>	<b>Percentage</b>
\$0 to \$62,500	2%
\$62,501 to \$208,000	1.5%
\$208,001 and above	1%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, 58.1-1720, and 58.1-1730, Code of Virginia, shall be repealed.

C. Notwithstanding any other provision of law, effective on and after July 1, 2010, there shall be no discount available for any discount or allowance allowed under §§ 58.1-2233, 58.1-2236, and 58.1-2256, Code of Virginia."

**Explanation:**

(This amendment modifies provisions of House Bill 30 as introduced which assumed \$60.9 million in revenues annually by eliminating all compensation paid to retailers that collect states sales tax. The amended language would eliminate the dealer discount only for retailers who already are required to remit payment electronically and allow smaller retailers to retain an amount equal to 50% of the current discount. The removal of the discount on only those who file electronically would eliminate payments to less than 2% of the retailers in the Commonwealth, with the remaining retailers retaining some compensation. For the remainder, the retained percentage would be reduced by 50% - to 2%, 1.5% and 1.0% depending on monthly sales. This would generate \$46.1 million in fiscal year 2011 – a loss of \$14.8 million compared to House Bill 30 as introduced, but would allow more than 98% of retailers to retain some compensation.)

---

Item 3-5.10 #1h

**Adjustments and Modifications to Tax Collections**

Property and Casualty Public Safety Fee

Language

**Language:**

Page 381, strike lines 18 through 27.

**Explanation:**

(This amendment eliminates a proposal to increase the license tax imposed in § 58.1-2501 on gross premiums of property and casualty insurance policies by one-half percent that had been contained in House Bill 30 as introduced.)

---

Item 3-5.11 #1h

**Adjustments and Modifications to Tax Collections**

Conformity to Internal Revenue Code

Language

**Language:**

Page 381, strike lines 28 through 35 and insert:

"§ 3-5.12 EXTENSION OF LIMITATIONS AND CARRYOVERS

The provisions enacted by Chapters 12 and 510, 2009 Acts of Assembly, shall be extended one additional year by extending the \$50,000 limit through the 2011 taxable year and extending the carryover period by one additional year. "

**Explanation:**

(This technical amendment restores language included in Chapter 781, 2009, that was inadvertently left out of House Bill 30 as introduced.)

---

Item 3-6.01 #1h

**Adjustments and Modifications to Fees**

Recordation Tax Fee

Language

**Language:**

Page 381, line 38, strike "twenty" and insert "ten".

Page 381, line 40, strike "fifty percent of".

Page 381, line 40, strike "The revenue generated".

Page 381, strike lines 41 through 44.

**Explanation:**

(This amendment removes a proposal to increase the deed recordation fee by \$10.00.)

---

Item 3-6.02 #1h

**Adjustments and Modifications to Fees**

E-911 Tax Line of Duty Fee Surcharge

Language

**Language:**

Page 381, strike lines 45 through 51.

**Explanation:**

(This amendment eliminates a proposal included in House Bill 30 as introduced to increase by \$0.18 per month the surcharge for E-911.)

---

Item 4-0.01 #1h

**General Provisions**

Operating Policies

Language

**Language:**

Page 382, after line 14, insert:

"e. No funding in this budget, or matching funds related to funding included in this budget, may be provided for human stem cell research from stem cells directly obtained from human embryos; however, research conducted using stem cells other than embryonic stem cells may be funded.

f. No funding in this budget, or matching funds related to funding included in this budget, may be provided for research on cells or tissues derived from induced abortions on humans."

**Explanation:**

(This amendment would prohibit state funding of embryonic stem cell research

itself, but it would also permit entities that conduct such research (without using state money) to receive state funding. Entities that receive funding for embryonic stem cell research from federal and private sources may also receive state dollars for purposes other than embryonic stem research. State funding of research on aborted fetuses would be prohibited.)

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Item 4-1.08 #1h

## **Appropriations**

General Fund Supplants

Language

### **Language:**

Page 388, after line 51, insert:

"§ 4-1.08 GENERAL FUND SUPPLANTS

a. Contingent upon federal action that extends or increases the enhanced Federal Medical Assistance Percentage (FMAP) for the state's Medicaid program, the Department of Medical Assistance Services is authorized to conform any provision authorized in Item 297 of this act to qualify the Commonwealth to receive any additional federal funding from an increase or extension in the enhanced Federal Medical Assistance Percentage (FMAP) rate. Further, the department is authorized to conform those provisions of Item 297 if federal guidance has been provided that indicates such provision(s) would disqualify the state for the enhanced FMAP.

b. Pursuant to paragraph a., the Director, Department of Planning and Budget, shall transfer general fund appropriation from Item 297 (Medicaid Program Services) of this act to the following items:

- 1) \$100,000,000 to the Tobacco Indemnification and Community Revitalization Fund;
- 2) \$75,000,000 to the educational and general programs of public colleges and universities and their affiliated institutions;
- 3) \$23,000,000 to Direct Aid to Public Education to fully fund the hold harmless provisions related to the Local Composite Index adjustment in fiscal year 2011;
- 4) \$14,000,000 to Direct Aid to Public Education to pay debt service in fiscal year 2012 for technology grants totaling \$58 million in fiscal year 2011;
- 5) \$82,200,000 for a three percent bonus on December 20, 2011 for state employees to include higher education faculty.

c. Pursuant to the implementation of the provisions of paragraph a. and paragraph b., the Director, Department of Planning and Budget, is authorized to adjust the income

eligibility threshold for the Family Access to Medical Insurance Security (FAMIS) Plan to provide coverage for individuals under the age of 19 when such individuals have family incomes up to 200 percent of the federal poverty level at a general fund amount estimated at \$16,324,894 the first year and \$17,224,239 the second year.

d. The Director, Department of Planning and Budget, shall report any appropriation restorations or transfers pursuant to this section to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days of such action."

**Explanation:**

(This amendment provides authority for the Department of Medical Assistance Services to make any necessary changes to the Medicaid program to qualify the Commonwealth to receive additional federal Medicaid funding from an increase or extension in the enhanced Federal Medical Assistance Percentage (FMAP) rate. Language also directs the Director of the Department of Planning and Budget to transfer general fund appropriation from the Medicaid program upon the receipt of enhanced FMAP to (i) restore funding to the Tobacco Indemnification and Community Revitalization Fund, (ii) restore funding to higher education, (iii) provide additional amounts to local school divisions whose funding would be reduced from the implementation of the Local Composite Index adjustment in the first year, (iv) provide funding to pay debt service for school technology grants in the second year, and (v) provide a three percent bonus to state employees and higher education faculty in the second year. Language also allows for the restoration of funding to increase eligibility for the children's health insurance program up to 200 percent of the federal poverty level, as funding permits.)

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Item 4-2.01 #1h

**Revenues**

Nongeneral Fund Revenues

Language

**Language:**

Page 389, line 4, strike "Director" and insert "Governor".

Page 389, line 5, before "except", strike "Department of Planning and Budget".

Page 389, line 5, after "the", strike "Department of Planning and Budget" and insert: "Governor".

Page 389, line 7, strike "Department of Planning and Budget" and insert: "Governor".

**Explanation:**

(This amendment reasserts that the Governor is responsible for determining how state agencies may solicit or accept donations, gifts, or grants. House Bill 30, as introduced, had substituted the Department of Planning and Budget in place of the Governor as the source for such decisions and the development of any guidelines for these actions.)

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Item 4-2.02 #1h

**Revenues**

General Fund Revenue

Language

**Language:**

Page 392, after line 37, insert:

"b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-353, Code of Virginia."

Page 392, line 38, strike "b." and insert "c."

**Explanation:**

(This amendment restores language stricken from House Bill 30, as introduced, governing the types of revenue to be included in general fund revenue calculations for the purposes of personal property tax relief.)

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## Capital Projects

General

Language

### Language:

Page 396, strike lines 35 through 39.

Page 397, line 3, strike "1".

Page 397, line 10, after "Manual", strike remainder of line and insert "."

Page 397, strike lines 11 through 14.

Page 399, line 18, strike "In addition,".

Page 399, strike lines 19 through 25.

Page 401, line 9, after "90.1-1989," strike remainder of line.

Page 401, line 13, strike "or through the Public-Private Educational Facilities and Infrastructure Act".

### Explanation:

(This amendment eliminates exemptions from the procedures governing capital projects in the General Provisions that were proposed for capital projects financed pursuant to the Public-Private Educational Facilities and Infrastructure Act (PPEA) and the inclusion of executive orders within the General Provisions language governing maintenance reserve projects and energy-efficiency projects. The PPEA is simply a financing mechanism for capital project construction and does not change the fact that a capital project is being undertaken. Executive orders should not be included in the General Provisions because the General Provisions represent the rules established by the General Assembly for capital outlay projects undertaken by state agencies or initiated by the Governor when the General Assembly is not in Session.)

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## Special Conditions and Restrictions on Expenditures

Goods and Services

Language

### Language:

Page 408, after line 19, insert:

"j. MEDICAL SERVICES: No expenditures from general, special or other nongeneral fund sources may be made out of any appropriation by the General Assembly to the Planned Parenthood Federation of America, Inc., or any subsidiary or affiliate thereof."

**Explanation:**

(This amendment is self-explanatory.)

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Item 4-5.04 #2h

**Special Conditions and Restrictions on Expenditures**

Goods and Services

Language

**Language:**

Page 406, strike lines 30 through 32, and insert:

"b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia."

**Explanation:**

(This amendment eliminates the proposed language contained in House Bill 30, as introduced, changing the specifications about the institutions of higher education and their purchases of information technology and telecommunications services. The amendment restores existing language governing these purchases.)

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Item 4-5.04 #3h

**Special Conditions and Restrictions on Expenditures**

Goods and Services

Language

**Language:**

Page 406, line 41, after the first "Virginia", strike the remainder of the line and insert

."

Page 406, strike lines 42 and 43.

**Explanation:**

(This amendment eliminates language contained in House Bill 30, as introduced, restricting the public colleges' and universities' use of Network Virginia. As proposed, House Bill 30 would have restricted the public colleges' and universities' use of this system solely to research projects, research initiatives, or instruction programs. Otherwise, the institutions of public education would be required to use VITA contract services. The public institutions of higher education are exempt from VITA control.)

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Item 4-5.05 #1h

**Special Conditions and Restrictions on Expenditures**

Nonstate Agencies, Interstate Compacts and Organizational Memberships

Language

**Language:**

Page 408, line 21, strike "of the General".

Page 408, line 22, strike "Assembly".

**Explanation:**

(This amendment strikes reference to the General Assembly as the sole source of any appropriating act for which the accounts of any agency may be subject to audit by the Auditor of Public Accounts when directed to audit such accounts either by the Governor or the Joint Legislative Audit and Review Commission. In addition to the appropriations provided by the General Assembly, administrative appropriation increases may be provided in certain situations by the Governor and Department of Planning and Budget.)

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Item 4-6.01 #1h

**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 410, line 45, after "shown." insert:

"No person subject to confirmation by the General Assembly pursuant to the

provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, whose confirmation was subject to consideration by the General Assembly during its regular Session and was subsequently withdrawn, shall receive any compensation for his service if reappointed after the conclusion of the General Assembly's regular Session."

**Explanation:**

(This amendment reinserts language omitted from House Bill 30, as introduced. The language prohibits the appointment of a person to a Cabinet position after the conclusion of a General Assembly Session if the person was considered by the General Assembly during their regular Session.)

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Item 4-6.05 #1h

**Positions and Employment**

Selection of Applicants for Classified Positions

Language

**Language:**

Page 421, beginning of line 47, insert "a."

Page 421, after line 49, insert:

"b. All agencies of the Commonwealth and localities shall be enrolled in the E-Verify program by December 1, 2010, and on and after December 1, 2010, shall use the E-Verify program for each newly hired employee who is to perform work within the Commonwealth."

**Explanation:**

(This amendment requires state agencies and localities to enroll in the E-Verify system and use that system when hiring new employees. E-Verify is available at no cost to the user and is available on-line. The system compares an employee's I-9 information with over 444 million records in the Social Security Administration databases and more than 60 million records maintained by the Department of Homeland Security immigration databases to determine employment eligibility.)

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