

Revenues

Revenues

Language

Language:

Page 1, strike lines 19 though 26 and insert:

"

	First Year	Second Year	Total
Unreserved Balance, June 30, 2010	131,278,370	0	131,278,370
Additions to Balance	253,759,646	269,313,899	523,073,545
Official Revenue Estimates	14,582,339,334	15,313,302,884	29,895,642,218
Transfers	411,911,411	446,714,888	858,626,299
Total General Fund Resources			
Available for Appropriation	15,379,288,761	16,029,331,671	31,408,620,432

"

Page 1, strike lines 28 through 36 and insert:

"

	First Year	Second Year	Total
Balance, June 30, 2010	3,234,786,806	0	3,234,786,806
Official Revenue Estimates	22,448,578,690	22,658,229,646	45,106,808,336
Lottery Proceeds Fund	435,200,000	435,200,000	870,400,000
Bond Proceeds	424,373,293	1,198,750,000	1,623,123,293
Total Nongeneral Fund Revenues			
Available for Appropriation	26,542,938,789	24,292,179,646	50,835,118,435
TOTAL PROJECTED REVENUES	41,922,227,550	40,321,511,317	82,243,738,867

"

Explanation:

(This amendment reflects general fund and nongeneral fund revenue adjustments included in the Conference Report for House Bill/Senate Bill 30.)

Revenues

Revenues

Language

Language:

Page 1, line 6, after "2012", insert:

", and to amend and reenact §§ 16.1-69.48:1, 16.1-69.48:2, 17.1-275, and 58.1-301 of the Code of Virginia, and to repeal § 58.1-615.1 of the Code of Virginia".

Explanation:

(This amendment makes a technical correction in the title of the bill.)

Item 11 #1c

Legislative Department

Joint Commission On Health Care

FY 10-11

(\$20,000)

FY 11-12

(\$25,000) GF

Language:

Page 9, line 32, strike "\$701,718" and insert "\$681,718".

Page 9, line 32, strike "\$701,718" and insert "\$676,718".

Explanation:

(This amendment realizes savings of \$20,000 in the first year and \$25,000 in the second year from within the administrative budget for the Joint Commission on Health Care.)

Item 17 #1c

Legislative Department

Virginia Commission On Youth

FY 10-11

(\$10,000)

FY 11-12

(\$10,000) GF

Language:

Page 11, line 12, strike "\$325,129" and insert "\$315,129".

Page 11, line 12, strike "\$325,129" and insert "\$315,129".

Explanation:

(This amendment realizes savings of \$10,000 in each year from within the administrative budget for the Virginia Commission on Youth.)

Item 18 #1c

Legislative Department

Virginia State Crime Commission

FY 10-11

(\$20,000)

FY 11-12

(\$25,000) GF

Language:

Page 11, line 22, strike "\$664,662" and insert "\$644,662".

Page 11, line 22, strike "\$664,662" and insert "\$639,662".

Page 11, strike lines 27 through 31.

Explanation:

(This amendment realizes savings of \$20,000 in the first year and \$25,000 in the second year from within the administrative budget for the Virginia Commission on Crime.)

Item 22 #1c

Legislative Department

Virginia Sesquicentennial Of The
American Civil War Commission

FY 10-11

(\$169,741)

FY 11-12

(\$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 general fund support for the Virginia Sesquicentennial of the American Civil War Commission by \$169,741 in each year of the biennium.)

Item 29.1 #1c

Legislative Department

Division of Legislative Services

FY 10-11

\$15,975

FY 11-12

\$0 GF

Language:

Page 14, after line 23, insert:

"29.1. Commission on Energy and
Environment

\$15,975

\$0

29.1 Resource Management Research,
Planning and Coordination (50700)

Fund Sources: General

\$15,975

\$0."

Explanation:

(This amendment provides \$15,975 the first year from the general fund for the Commission on Energy and Environment, which was established pursuant to Chapter 882 of the Acts of Assembly 2008, in § 30-301 of the Code of Virginia.)

Item 30 #1c

Legislative Department

Joint Legislative Audit And
Review Commission

Language

Language:

Page 15, after line 14, insert:

"E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to be excluded

from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and
- c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of VITA or JLARC.

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority."

Explanation:

(This amendment directs the Joint Legislative Audit and Review Commission to continue to provide ongoing oversight of Virginia's information technology outsourcing arrangement using the same model currently utilized by JLARC for

ongoing review of the Virginia Retirement System.)

Item 30 #2c

Legislative Department

Joint Legislative Audit And
Review Commission

Language

Language:

Page 15, following line 14, insert:

"E. The Joint Legislative Audit and Review Commission (JLARC) shall evaluate and report on the performance of the Tobacco Indemnification and Community Revitalization Commission (TICR). The report shall include, but not be limited to, a review of the effectiveness of the economic revitalization grants of the TICR, an evaluation of the TICR economic revitalization strategy, and recommendations as to the TICR's outcome metrics and accountability measures. JLARC shall submit a final report by June 30, 2011."

Explanation:

(This amendment requires JLARC to evaluate and report on the performance of the Tobacco Indemnification and Community Revitalization Commission (TICR), including a review of the effectiveness of the economic revitalization grants of the TICR, an evaluation of the TICR economic revitalization strategy, and propose recommendations as to the TICR's outcome metrics and accountability measures.)

Item 31 #1c

Legislative Department

Virginia Commission On
Intergovernmental Cooperation

FY 10-11
(\$58,157)

FY 11-12
(\$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.)

Item 32 #1c

Legislative Department

Legislative Department Reversion
Clearing Account

Language

Language:

Page 15, after line 38, insert:

"A. On or before June 30, 2011, the Senate Committee on Rules shall authorize the reversion to the general fund of \$276,000 from the Clerk of the Senate.

B. On or before June 30, 2012, the Senate Committee on Rules shall authorize the reversion to the general fund of \$276,000 from the Clerk of the Senate.

C. On or before June 30, 2011, the House Committee on Rules shall authorize the reversion to the general fund of \$500,000 from the Clerk of the House.

D. On or before June 30, 2012, the House Committee on Rules shall authorize the reversion to the general fund of \$500,000 from the Clerk of the House."

Explanation:

(This amendment authorizes the reversion of savings from the Clerks of the House of Delegates and the Senate to the general fund.)

Item 32 #2c

Legislative Department

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 \$1,982,366 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)	\$200,000
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 \$1,982,366 representing savings generated by legislative agencies in the second 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)	\$200,000
Joint Legislative Audit and Review Commission	\$250,000
Division of Legislative Services (107)	\$210,366".

Explanation:

(This amendment authorizes the reversion of legislative agency savings to the general fund.)

Item 38 #1c

Judicial Department

Supreme Court

Language

Language:

Page 19, after line 11, insert:

" K. Notwithstanding the provisions of § 16.1-69.48 paragraphs A or C, Code of Virginia, the Chief Justice shall direct the Executive Secretary of the Supreme Court to work with the State Treasurer in accordance with § 2.2-1803, Code of Virginia to develop and implement procedures for the deposit of collections for the Commonwealth directly into the State Treasury for Item 42 General District Courts, Item 43 Juvenile and Domestic Relations General District Courts, Item 44 Combined District Courts and Item 45 Magistrate System. The Executive Secretary and State Treasurer shall implement direct deposit to the State Treasury within a month of this bill's passage, but no later than July 1, 2010."

Explanation:

(This is the first of two amendments that increase general fund deposits by \$4.4 million the first year and \$4.4 million the second year by requiring the direct deposit of state revenues with the Treasurer of Virginia, as recommended by the Auditor of Public Accounts. There is a companion amendment to Item 248 for the Department of Accounts.)

Item 39 #1c

Judicial Department

Supreme Court

Language

Language:

Page 18, line 14, strike "a monthly summary" and insert:

"an annual fiscal year summary, on or before September 1 of each year,".

Explanation:

(This amendment adjusts the reporting requirement for the Criminal Fund and the Involuntary Mental Commitment Fund.)

Item 41 #1c

Judicial Department

Circuit Courts

Language

Language:

Page 21, after line 5, insert:

"F. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, 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 suspension of the authority of circuit courts to enter orders requiring localities to repair or replace court facilities if they are deemed out of repair. This language was included in Chapter 781, the 2009 Appropriation Act.)

Judicial Department	FY 10-11	FY 11-12	
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 \$9,200,000 from the general fund each year for the Criminal Fund. The introduced budget proposed the establishment of three new public defender offices for Chesterfield, Henrico and Prince William Counties, and reduced the Criminal Fund accordingly. A companion amendment to Item 48 eliminates the proposed funds for the three new public defender offices.)

Judicial Department	
Circuit Courts	Language

Language:

Page 21, after line 5, insert:

"F.1. For any hearing conducted pursuant to § 19.2-306, Code of Virginia, the circuit court shall have presented to it a sentencing revocation report prepared on a form designated by the Virginia Criminal Sentencing Commission indicating the condition or conditions of the suspended sentence, good behavior, or probation supervision that the defendant has allegedly violated.

2. For any hearing conducted pursuant to § 19.2-306 in which the defendant is cited for violation of a condition or conditions other than a new criminal offense conviction, the court shall also have presented to it the applicable probation violation guideline worksheets established pursuant to Chapter 1042 of the Acts of Assembly 2003. The court shall review and consider the suitability of the discretionary probation violation guidelines. Before imposing sentence, the court shall state for the record that such review and consideration have been accomplished and shall make the completed worksheets a part of the record of the case and open for inspection. In hearings in which the court imposes a sentence that is either greater or less than that

indicated by the discretionary probation violation guidelines, the court shall file with the record of the case a written explanation of such departure.

3. Following any hearing conducted pursuant to § 19.2-306 and the entry of a final order, the clerk of the circuit court in which the hearing was held shall cause a copy of such order or orders, the original sentencing revocation report, any applicable probation violation guideline worksheets prepared in the case, and a copy of any departure explanation prepared pursuant to subsection F.2., to be forwarded to the Virginia Criminal Sentencing Commission within 30 days.

4. The failure to follow any or all of the provisions specified in F.1. through F.3 or the failure to follow any or all of these provisions in the prescribed manner shall not be reviewable on appeal or the basis of any other post-hearing relief.

5. The provisions specified in F.1. through F.4. shall apply only to hearings conducted pursuant to § 19.2-306 that are held on or after July 1, 2010."

Explanation:

(This amendment requires sentencing revocation report worksheets in all probation revocation and sentence suspension revocation cases in which the defendant is under the direct supervision of the district probation office. The intended impact of this change is to reduce the number of technical probation violators sentenced to incarceration in a time of extremely limited resources. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 42 #1c

Judicial Department	FY 10-11	FY 11-12	
General District Courts	(\$3,500,000)	(\$3,500,000)	GF

Language:

Page 21, line 12, strike "\$94,874,301" and insert "\$91,374,301".

Page 21, line 12, strike "\$94,874,301" and insert "\$91,374,301".

Page 21, line 36, after "D." insert "1."

Page 21, after line 37, insert:

"2. The Committee on District Courts, in consultation with the Virginia Association of Commonwealth's Attorneys and the Virginia Indigent Defense Commission, shall develop policies and procedures to reduce the number of misdemeanor charges for

which the Commonwealth will seek incarceration, thereby reducing expenditures through the Criminal Fund for court-appointed counsel or for public defenders. The Executive Secretary of the Supreme Court shall provide a report by October 30, 2010, to the Governor and to the Chairmen of the Senate and House Courts of Justice Committees, and the Chairmen of the Senate Finance and House Appropriations Committees on the implementation of these policies and procedures."

Explanation:

(This amendment reduces the Criminal Fund by \$3,500,000 each year from the general fund, to reflect a reduction in the number of attorneys appointed to represent defendants charged with misdemeanor offenses. The language specifies that the Committee on District Courts, in consultation with the Virginia Association of Commonwealth's Attorneys and the Virginia Indigent Defense Commission, shall develop policies and procedures to reduce the number of misdemeanor charges for which the Commonwealth will seek incarceration, thereby reducing expenditures through the Criminal Fund for court-appointed counsel or for public defenders. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 43 #1c

Judicial Department

Juvenile And Domestic Relations
District Courts

FY 10-11

(\$30,240)

FY 11-12

(\$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 and Senate Bill 585 of the 2010 Session would have authorized the appointment of counsel for individuals confined in juvenile correction facilities, but these bills were not enacted and the funding is therefore not needed.)

Item 48 #1c

Judicial Department	FY 10-11	FY 11-12	
Indigent Defense Commission	(\$9,000,000)	(\$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 \$9,000,000 the first year and \$8,500,000 the second year from the general fund, which was included in the introduced budget to establish three new public defender offices in Chesterfield, Henrico and Prince William Counties. A companion amendment to Item 41 restores funding to the Criminal Fund which was reduced in the budget as introduced, based on the assumption that the three new offices would offset the need for court-appointed counsel.)

Item 52 #1c

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.)

Item 52 #2c

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 \$2,300,000 representing additional savings generated by agencies within the Judicial Department 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 \$2,300,000 representing additional savings generated by agencies within the Judicial Department in the second year."

Explanation:

(This amendment assumes an additional savings of \$4.6 million from the judicial branch over the biennium.)

Item 67.10 #1c

Administration

Secretary Of Administration

FY 10-11

\$778,161

\$299,969

17.00

FY 11-12

\$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 agency's functions into the Department of Human Resources Management. A companion amendment eliminates the proposed funding within DHRM.)

Item 67.10 #2c

Administration

Compensation Board

FY 10-11

\$350,790,718

FY 11-12

\$338,081,539 GF

Language:

Page 34, after line 11 insert:

"67.10.

\$367,091,166

\$381,429,879

Fund Sources: General

\$350,790,718

\$338,081,539

Special

\$8,300,448

\$21,674,170

Dedicated Special Revenue

\$8,000,000

\$21,674,170."

Financial Assistance for

Regional Jail Operations (30710) \$99,282,622 \$99,308,106

Financial Assistance for

Local Law Enforcement (30712) \$68,337,184 \$68,885,223

Financial Assistance for

Local Court Services (30713) \$39,683,852 \$39,683,852

Financial Assistance to Sheriffs (30716) \$10,993,390 \$10,993,390

Financial Assistance for

Local Jail Operations (30718) \$148,794,118 \$148,885,138

Fund Sources: General \$350,790,718 \$338,081,539

Special \$ 8,300,448 \$ 21,674,170

Dedicated Special Revenue \$8,000,000 \$21,674,170

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

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

	July 1, 2010 to June 30, 2011	July 1, 2011 to November 30, 2011	December 1, 2011 to June 30, 2012
Law Enforcement and Jail Responsibility			
Less than 10,000	\$64,798	\$64,798	\$64,798
10,000 to 19,999	\$74,480	\$74,480	\$74,480
20,000 to 39,999	\$81,847	\$81,847	\$81,847
40,000 to 69,999	\$88,964	\$88,964	\$88,964
70,000 to 99,999	\$98,849	\$98,849	\$98,849
100,000 to 174,999	\$109,833	\$109,833	\$109,833
175,000 to 249,999	\$115,613	\$115,613	\$115,613
250,000 and above	\$128,458	\$128,458	\$128,458
Law Enforcement or Jail			
Less than 10,000	\$63,501	\$63,501	\$63,501
10,000 to 19,999	\$72,989	\$72,989	\$72,989
20,000 to 39,999	\$80,209	\$80,209	\$80,209
40,000 to 69,999	\$87,184	\$87,184	\$87,184
70,000 to 99,999	\$96,872	\$96,872	\$96,872
100,000 to 174,999	\$107,635	\$107,635	\$107,635
175,000 to 249,999	\$113,301	\$113,301	\$113,301
250,000 and above	\$126,531	\$126,531	\$126,531

No Law Enforcement or Jail Responsibility

Less than 10,000	\$59,667	\$59,667	\$59,667
10,000 to 19,999	\$66,296	\$66,296	\$66,296
20,000 to 39,999	\$73,661	\$73,661	\$73,661
40,000 to 69,999	\$81,847	\$81,847	\$81,847
70,000 to 99,999	\$90,942	\$90,942	\$90,942
100,000 to 174,999	\$101,045	\$101,045	\$101,045
175,000 to 249,999	\$106,361	\$106,361	\$106,361
250,000 and above	\$119,466	\$119,466	\$119,466

B. Out of the amounts provided for in this item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. Notwithstanding the provisions of § 53.1-120, or any other section of the Code of Virginia, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered for civil cases, not more than one deputy may be ordered for criminal cases in a district court, and not more than two deputies may be ordered for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 424, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be

defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Master Deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meets the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 Master Deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

4. Beginning on July 1, 2010, state support for the Master Deputy Program is suspended and state general fund appropriation supporting the Master Deputy Program is removed.

H. There is hereby reappropriated the unexpended balance in this item on June 30, 2010, and June 30, 2011.

I. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 424 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

J. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 417 and 418, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

K.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by Sheriffs as part of their annual budget request to the Compensation Board, the board shall increase the annual salary shown in Paragraph A of this item by the percentage shown below for a twelve-month period effective the following July 1:

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association, or,

b. For sheriffs that have not achieved one of the above accreditations:

1. 3.1 percent for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program; and

2. 3.1 percent additional increase for sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and operate a jail; and

3. 3.1 percent additional increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and provide primary law enforcement services in the county.

4. Beginning on July 1, 2010, state support for the Sheriffs' Career Development Program is suspended and state general fund appropriation supporting the Sheriffs' Career Development Program is removed.

L. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, \$8,000,000 the first year and \$8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

M. Included in the appropriation for this item is \$2,326,937 the first year and \$2,443,441 the second year from the general fund to support costs associated with staffing the Rappahannock Regional Jail Unit D, the Pittsylvania County Jail expansion, the replacement facility for the Patrick County Jail and the Blue Ridge Regional Jail expansion.

N. Notwithstanding § 15.2-1609.1, Code of Virginia, the Compensation Board shall fund local law enforcement deputies for any county without a police force at no more than one deputy for each 2,000 population. The Compensation Board is authorized to provide five law enforcement deputies for counties without a police force and a population less than 10,000.

O. Included in the appropriation for this item is \$4,150,224 the first year and \$10,837,085 the second year from the Virginia Public Safety Fund to support local court security deputies.

P. Included in the appropriation for this item is \$4,150,224 the first year and \$10,837,085 the second year from the Virginia Public Safety Fund to support local

law enforcement deputies."

Explanation:

(This amendment moves Compensation Board funding for sheriffs back to the Office of Administration. A companion amendment deletes sheriffs from the Office of Public Safety.)

Item 67.10 #3c

Administration

Compensation Board

FY 10-11
\$51,102,382

FY 11-12
\$53,352,871 GF

Language:

Page 34, after line 11 insert:

"67.10. Financial Assistance for
Confinement of Inmates in Local and
Regional Facilities (35600)

\$51,102,382

\$53,352,871

Fund Sources: General

\$51,102,382

\$53,352,871."

Financial Assistance for

Local Jail Per Diem (35601) \$33,316,581 \$35,753,590

Financial Assistance for

Regional Jail Per Diem (35604) \$17,785,801 \$17,599,281

Fund Sources: General \$51,102,382 \$53,352,871

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2011, and June 1, 2012, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this item, the following definitions shall be applicable:

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.

2. Local responsible inmate--(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.

3. State responsible inmate--any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

C. The individual or entity responsible for operating any facility which receives funds from this item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.

D. Out of this appropriation, an amount not to exceed \$377,010 the first year and \$377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.

E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:

1. For local responsible inmates--\$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate day.

2. For state responsible inmates--\$12 per inmate day.

F. For the payment specified in paragraph E1 of this item for prisoners in alternative punishment or alternative to incarceration programs:

1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.

2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.

G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of \$22 per day for local responsible inmates and \$28 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.

2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.

H.1. The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of

per inmate day salary funds provided by the Commonwealth.

2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.

3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H1.

4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.

5. Any sheriff or regional jail administrator who houses contract prisoners from other states, the District of Columbia, or the federal government for more than 48 hours, shall provide a monthly report to the Director, Department of Corrections, which shall include the classification of the level of security of each such contract inmate and the level of security of the housing unit in which such inmates are confined.

6. The Compensation Board shall apply the cost recovery methodology set out in paragraph H1 of this item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.

7. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

I.1. Within the limits of funds appropriated in this item, local and regional jails shall enter into agreements with the Director, Department of Corrections, to house state-responsible offenders and effect transfers of convicted state felons between and among local and regional jails.

2. Such agreements shall be entered into for a period of one year, subject to the limitations of available funding and shall be for offenders in work release or other reentry programs, with a minimum percentage of bed space guaranteed by the local or regional jail and shall take precedence over contracts for housing federal prisoners, within the limits of bed space availability as defined pursuant to standards of the Board of Corrections, except in any case where a federal agency has contributed a share of the capital cost of the facility in return for a guarantee of a proportional number of beds. Bed space pursuant to such agreements shall be determined by the Director, Department of Corrections, based upon state prisoner intake compliance, operational capacity of the jail, and current and projected prisoner population of the jail.

3. Pursuant to such jail contract bed agreements, the Compensation Board is authorized to provide payment to localities in an amount not to exceed \$8 per state felon day, which shall be in addition to any such amounts otherwise authorized by this act. Any such funds received by the localities as a result of this provision shall be used for the maintenance and operation of the local or regional facility.

J. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between items 417 and 418, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

K. Projected growth in per diem payments for the support of prisoners in local and regional jails shall be based on actual inmate population counts up through the first quarter of the affected fiscal year.

L. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services

Boards, and the Department of Mental Health, Mental Retardation and Substance Abuse Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees."

Explanation:

(This amendment moves Compensation Board funding for per diem payments back to the Office of Administration. A companion amendment deletes per diem payments from the Office of Public Safety.)

Item 67.10 #4c

Administration	FY 10-11	FY 11-12	
Compensation Board	\$623,140	\$623,140	GF

Language:

Page 34, after line 11 insert:

"67.10. Financial Assistance for Local Finance Directors (71700) Fund Sources: General Financial Assistance to Local Finance Directors (71701)	\$623,140 \$623,140 \$623,140	\$623,140 \$623,140."
--	---	------------------------------

Fund Sources: General \$623,140 \$623,140

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2010 to June 30, 2011	July 1, 2011 to November 30, 2011	December 1, 2011 to June 30, 2012
Less than 10,000	\$58,345	\$58,345	\$58,345
10,000-19,999	\$64,830	\$64,830	\$64,830

20,000-39,999	\$72,034	\$72,034	\$72,034
40,000-69,999	\$80,035	\$80,035	\$80,035
70,000-99,999	\$88,929	\$88,929	\$88,929
100,000-174,999	\$98,808	\$98,808	\$98,808
175,000 to 249,999	\$104,011	\$104,011	\$104,011
250,000 and above	\$118,194	\$118,194	\$118,194

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this item.

B. 1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A1 of this item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.

3. Beginning on July 1, 2010, state support for the Treasurers' Career Development Program is suspended and state general fund appropriation supporting the Treasurers' Career Development Program is removed.

C. Notwithstanding any other provision of law to the contrary, beginning on July 1, 2010, state support for the local finance directors' office operations is eliminated and state general fund appropriation is removed."

Explanation:

(This amendment moves Compensation Board funding for local Finance Directors back to the Office of Administration. A companion amendment deletes Local Finance Directors from the Office of Public Safety.)

Administration	FY 10-11	FY 11-12	
Compensation Board	\$9,368,007	\$9,368,007	GF

Language:

Page 34, after line 11 insert:

"67.10. Financial Assistance for Local Commissioners of the Revenue (77100) Fund Sources: General Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101)	\$9,368,007	\$9,368,007	\$9,368,007."
	\$9,368,007	\$9,368,007	

Fund Sources: General \$9,368,007 \$9,368,007

Authority: Title 15.2, Chapter 16, Article 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2010 to <u>June 30, 2011</u>	July 1, 2011 to <u>November 30, 2011</u>	December 1, 2011 to <u>June 30, 2012</u>
Less than 10,000	\$58,345	\$58,345	\$58,345
10,000-19,999	\$64,830	\$64,830	\$64,830
20,000-39,999	\$72,034	\$72,034	\$72,034
40,000-69,999	\$80,035	\$80,035	\$80,035
70,000-99,999	\$88,929	\$88,929	\$88,929
100,000-174,999	\$98,808	\$98,808	\$98,808
175,000 to 249,999	\$104,011	\$104,011	\$104,011
250,000 and above	\$118,194	\$118,194	\$118,194

B. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by commissioners of the revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A of this item by the amount shown herein for a 12-month period effective the following July 1. The salary supplement shall be based upon the levels of service offered by the commissioner of the revenue for his/her locality and shall be in accordance with the following schedule:

a. 4.7 percent increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program;

b. 2.3 percent additional increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax or Real Estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Program; and

c. 2.3 percent additional increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide State Income Tax and Real Estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Program.

3. Beginning on July 1, 2010, state support for the Commissioners of the Revenue Career Development Program is suspended and state general fund appropriation supporting the Commissioners of the Revenue Career Development Program is removed.

C. Notwithstanding any other provision of law to the contrary, beginning on July 1, 2010, state support for the commissioners' of the revenue office operations and state tax services is eliminated and state general fund appropriation is removed."

Explanation:

(This amendment moves Compensation Board funding for local Commissioners of the Revenue back to the Office of Administration. A companion amendment deletes Local Commissioners of the Revenue from the Office of Public Safety.)

Administration	FY 10-11	FY 11-12	
Compensation Board	\$55,271,427	\$55,271,427	GF

Language:

Page 34, after line 11 insert:

"67.10. Financial Assistance for Attorneys for the Commonwealth (77200)	\$55,271,427	\$55,271,427
Fund Sources: General	\$55,271,427	\$55,271,427."
Financial Assistance to Attorneys for the Commonwealth (77201)	\$13,861,229	\$13,861,229
Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202)	\$41,410,198	\$41,410,198

Fund Sources: General \$55,271,427 \$55,271,427

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2010 to <u>June 30, 2011</u>	July 1, 2011 to <u>November 30, 2011</u>	December 1, 2011 to <u>June 30, 2012</u>
Less than 10,000	\$51,706	\$51,706	\$51,706
10,000-19,999	\$57,458	\$57,458	\$57,458
20,000-34,999	\$63,202	\$63,202	\$63,202
35,000-44,999	\$113,760	\$113,760	\$113,760
45,000-99,999	\$126,397	\$126,397	\$126,397
100,000-249,999	\$131,139	\$131,139	\$131,139
250,000 and above	\$135,882	\$135,882	\$135,882

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations

between 35,000 and 44,999.

3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

D. The provisions of this act notwithstanding, no Commonwealth's attorney, public defender or employee of a public defender, shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the

Compensation Board shall reallocate such positions by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and 924.

F. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2010, and June 30, 2011.

G. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth's attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's attorneys, the amount of unpaid fines and costs collected by this program.

H. Out of this appropriation, \$389,165 the first year and \$389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth's attorney's offices that shall be dedicated to prosecuting gang-related criminal activities. The board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).

I. Beginning on July 1, 2010, state support for the Career Prosecutor Career Development Program is suspended and state general fund appropriation supporting the Career Prosecutor Career Development Program is removed.

Explanation:

(This amendment moves Compensation Board funding for Attorneys for the Commonwealth back to the Office of Administration. A companion amendment deletes Attorneys for the Commonwealth from the Office of Public Safety.)

Item 67.10 #7c

Administration	FY 10-11	FY 11-12	
Compensation Board	\$32,608,049	\$32,608,049	GF
	\$14,229,597	\$14,229,597	NGF

Language:

Page 34, after line 11 insert:
"67.10. Financial Assistance for Circuit \$46,837,646 \$46,837,646

Court Clerks (77300)			
Fund Sources: General		\$32,608,049	\$32,608,049
Special		\$14,229,597	\$14,229,597."
Financial Assistance to			
Circuit Court Clerks (77301)	\$11,874,163	\$11,874,163	
Financial Assistance for			
Operations for Circuit Court Clerks (77302)	\$14,642,646	\$14,642,646	
Financial Assistance for			
Circuit Court Clerks' Land Records (77303)	\$20,320,837	\$20,320,837	

Fund Sources: General \$32,608,049 \$32,608,049

Trust and Agency \$14,229,597 \$14,229,597

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

	July 1, 2010	July 1, 2011	December 1, 2011
	to	to	to
	<u>June 30, 2011</u>	<u>November 30, 2011</u>	<u>June 30, 2012</u>
Less than 10,000	\$73,304	\$73,304	\$73,304
10,000 to 19,999	\$90,326	\$90,326	\$90,326
20,000-39,999	\$103,419	\$103,419	\$103,419
40,000-69,999	\$108,654	\$108,654	\$108,654
70,000-99,999	\$117,814	\$117,814	\$117,814
100,000-174,999	\$128,288	\$128,288	\$128,288
175,000-249,999	\$132,270	\$132,270	\$132,270
250,000 and above	\$136,146	\$136,146	\$136,146

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this item.

3. Except as provided in Item 424 A 2, the annual salary herein prescribed shall be full compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services

provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this item.

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's attorney.

D. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2010, and June 30, 2011.

E. Included within this appropriation are Trust and Agency funds necessary to support one position to assist circuit court clerks in implementing the recommendations of the Land Records Management Task Force Report dated January

1, 1998.

F. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.

G. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board may allocate up to \$3,978,426 the first year and \$3,978,426 the second year of Technology Trust Fund moneys for operating expenses in the Clerks' offices.

H. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.

I.1. For audits of clerks of the circuit court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the clerks' office.

2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the Clerk shall provide the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The clerk's response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.

3. Notwithstanding the provisions of Item 469, the Compensation Board shall not provide any salary increase to any circuit court clerk identified by the Auditor of

Public Accounts who has not taken corrective action for the matters reported above.

J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks' Career Development Program.

2. Following receipt of a clerk's certification that the minimum requirements of the Clerks' Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.

3. Beginning on July 1, 2010, state support for the Clerks' Career Development Program is suspended and state general fund appropriation supporting the Clerks' Career Development Program is removed.

K.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts' Career Development Program.

2. For each deputy clerk selected by the Clerk for participation in the Deputy Clerks' Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the Clerk's certification that the minimum requirements of the Deputy Clerks' Career Development Program have been met and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year.

3. Beginning on July 1, 2010, state support for the Deputy Clerks' Career Development Program is suspended and state general fund appropriation supporting the Deputy Clerks' Career Development Program is removed.

L. Upon request of the attorney for the Commonwealth, the clerk of the circuit court shall contemporaneously provide the attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to § 19.2-298.01 (E), Code of Virginia.

M. The Compensation Board may obligate Trust and Agency funds in excess of the

current biennium appropriation for the automation efforts of the clerks' offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget."

Explanation:

(This amendment moves Compensation Board funding for Circuit Court Clerks back to the Office of Administration. A companion amendment deletes Circuit Court Clerks from the Office of Public Safety.)

Item 67.10 #8c

Administration	FY 10-11	FY 11-12	
Compensation Board	\$8,546,944	\$8,546,944	GF

Language:

Page 34, after line 11 insert:

"67.10. Financial Assistance for Local Treasurers (77400)	\$8,546,944	\$8,546,944
Fund Sources: General	\$8,546,944	\$8,546,944."
Financial Assistance to Local Treasurers (77401)	\$8,546,944	\$8,546,944

Fund Sources: General \$8,546,944 \$8,546,944

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2010	July 1, 2011	December 1, 2011
	to	to	to
	<u>June 30, 2011</u>	<u>November 30, 2011</u>	<u>June 30, 2012</u>
Less than 10,000	\$58,345	\$58,345	\$58,345
10,000 to 19,999	\$64,830	\$64,830	\$64,830

20,000-39,999	\$72,034	\$72,034	\$72,034
40,000-69,999	\$80,035	\$80,035	\$80,035
70,000-99,999	\$88,929	\$88,929	\$88,929
100,000-174,999	\$98,808	\$98,808	\$98,808
175,000-249,999	\$104,011	\$104,011	\$104,011
250,000 and above	\$118,194	\$118,194	\$118,194

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this item.

B. There is hereby reappropriated the unexpended balance remaining in this program on June 30, 2010, and June 30, 2011.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the Treasurer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by Treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.

3. Beginning on July 1, 2010, state support for the Treasurers' Career Development Program is suspended and state general fund appropriation supporting the Treasurers'

Career Development Program is removed.

D. Notwithstanding any other provision of law to the contrary, beginning on July 1, 2010, state support for the treasurers' office operations and state tax services is eliminated and state general fund appropriation is removed."

Explanation:

(This amendment moves Compensation Board funding for local Treasurers back to the Office of Administration. A companion amendment deletes Local Treasurers from the Office of Public Safety.)

Item 67.10 #9c

Administration	FY 10-11	FY 11-12	
Compensation Board	\$4,965,347	\$4,965,347	GF

Language:

Page 34, after line 11 insert:

"67.10. Administrative and Support Services (79900)	\$4,965,347	\$4,965,347
Fund Sources: General	\$4,965,347	\$4,965,347."
General Management and Direction (79901)	935,046	935,046
Information Technology Services (79902)	\$2,272,478	\$2,272,478
Training Services (79925)	\$81,823	\$81,823
Liability Insurance (79940)	\$1,676,000	\$1,676,000

Fund Sources: General \$4,965,347 \$4,965,347

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 417, 419, 420, 421, 422, and 423 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 417, 419, 420, 421, 422, and 423 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 417, 419, 420, 421, 422, and 423 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	<u>FY 2011</u>	<u>FY 2012</u>
Sheriffs	10,501	10,501
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	725	726
Commissioners of the Revenue	128	128
Treasurers	128	128
Directors of Finance	6	6
Commonwealth's Attorneys	1,266	1,266
Clerks of the Circuit Court	1,144	1,144
TOTAL	13,899	13,899

2. The Compensation Board is authorized to provide funding for 549 temporary positions the first year and 549 temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate

equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002 shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 f 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

E. Any new positions established in Item 424 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 417 of this act.

F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the Board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 377 of this act.

I. Out of this appropriation \$118,110 the first year and \$118,110 the second year from the general fund is designated for executive management, lawful employment practices, and new deputy and jail management training for constitutional officers, their employees, and regional jail superintendents.

J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.

K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.

2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.

3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not

provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 417, 420, 421, 422, and 423 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph F of this item, any positions in the constitutional offices of the former city which are available for reallocation as a result of the transition shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county, as provided in § 15.2-1302, Code of Virginia.

M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

N. The Compensation Board is hereby authorized to deduct, from the first reimbursements made each year to localities out of the amounts in Items 417, 419, 420, 421, 422, and 423 of this act, an amount equal to each locality's share of the insurance premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Included in this appropriation is \$993,274 the first year and \$993,274 the second

year from the general fund for the Compensation Board to contract for services to be provided by the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Notification (SAVIN) system, to provide for SAVIN program coordination, and the Virginia Sex Offender Registry.

Q. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from the first reimbursements made each year to localities out of the amounts in Items 417, 419, 420, 421, 422, and 423 of this act, an amount equal to each locality's retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

R. Notwithstanding any other provision of law to the contrary, beginning July 1, 2010, the state support in Items 417, 419, 420, 421, 422, and 423 for group life insurance and retirement costs is eliminated and state general fund appropriation is removed."

Explanation:

(This amendment moves Compensation Board Administrative and Support Services back to the Office of Administration. A companion amendment deletes Compensation Board Administrative and Support Services from the Office of Public Safety.)

Item 71 #1c

Administration	FY 10-11	FY 11-12	
Department Of General Services	(\$261,000)	(\$261,000)	GF

Language:

- Page 35, line 42, strike "\$5,483,507" and insert "\$5,222,507".
- Page 35, line 42, strike "\$5,483,507" and insert "\$5,222,507".
- Page 36, strike lines 47 through 50.
- Page 36, line 51, strike "E." and insert "D."
- Page 37, line 1, strike "F." and insert "E."
- Page 37, line 5, strike "G." and insert "F."
- Page 37, line 7, strike "H." and insert "G."

Explanation:

(This amendment eliminates funding for the facility inventory control assessment

system.)

Item 71 #2c

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.)

Item 75 #1c

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.)

Item 75 #2c

Administration

FY 10-11

FY 11-12

Department Of Human Resource Management (\$65,200) (\$97,800) GF

Language:

Page 38, line 2, strike "\$12,091,446" and insert "\$12,026,246".
Page 38, line 2, strike "\$11,995,446" and insert "\$11,897,646".

Explanation:

(This amendment captures savings of \$65,200 from the general fund the first year and \$97,800 from the general fund the second year from elimination of the Career Center at the Department of Human Resource Management.)

Item 79 #1c

Administration	FY 10-11	FY 11-12	
State Board Of Elections	\$440,200	\$0	GF

Language:

Page 41, line 2, strike "\$7,558,527" and insert "\$7,998,727".

Explanation:

(This amendment provides \$440,200 from the general fund the first year for expenses related to placing three constitutional amendments on the ballot in November 2010. These measures are on the ballot pursuant to Senate Bill 31, Senate Bill 362 and Senate Bill 547.)

Item 80 #1c

Administration	FY 10-11	FY 11-12	
State Board Of Elections	(\$739,267)	(\$739,267)	GF

Language:

Page 41, line 30, strike "\$6,575,017" and insert "\$5,835,750".
Page 41, line 30, strike "\$6,575,017" and insert "\$5,835,750".

Explanation:

(This amendment includes an additional 10 percent reduction in compensation for

local electoral boards and local registrars. The introduced budget included a 10 percent reduction.)

Item 83 #1c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$80,000	\$80,000	GF
Consumer Services	2.00	2.00	FTE

Language:

Page 45, line 17, strike "\$6,744,156" and insert "\$6,824,156".

Page 45, line 17, strike "\$6,742,906" and insert "\$6,822,906".

Explanation:

(This amendment restores funding and two positions for the Coyote Control Program, which was proposed to be eliminated in the introduced budget.)

Item 84 #1c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$745,000	\$745,000	GF
Consumer Services			

Language:

Page 45, line 26, strike "\$15,461,990" and insert "\$16,206,990".

Page 45, line 26, strike "\$15,461,990" and insert "\$16,206,990".

Page 46, line 23, strike "\$580,679" and insert "\$1,325,679".

Page 46, line 24, strike "\$580,679" and insert "\$1,325,679".

Explanation:

(This amendment increases the amount directed to the Virginia Wine Promotion Fund to reflect the full amounts generated by liter tax on wine derived from the sale of Virginia wine. A companion amendment to Part 3 reduces the amount of ABC taxes transferred to the general fund. These changes reflect the provisions of legislation adopted by the 2010 Session of the General Assembly.)

Item 84 #2c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And Consumer Services	(\$300,000)	(\$300,000)	GF

Language:

Page 45, line 26, strike "\$15,461,990" and insert "\$15,161,990".

Page 45, line 26, strike "\$15,461,990" and insert "\$15,161,990".

Explanation:

(This amendment removes \$300,000 from the general fund each year that was directed to matching grants to localities with purchase of development rights programs.)

Item 88 #1c

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

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 and insert:

"In lieu of periodic inspections by the Commissioner, any person whose weights and measures devices, as defined in § 3.2-5600, et seq., Code of Virginia, which are used for a commercial purpose may select to provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner shall have all such weights and measures devices tested at least annually by a service agency that is registered pursuant to § 3.2-5702, Code of Virginia. Weights and measures that have been rejected by a service agency shall not be used again commercially until they have been officially reexamined by the rejecting authority or an inspector employed by the Commissioner, and found to be in compliance with Chapter 56, Title 3.2, Code of Virginia. The owner of such weights and measures devices shall report to the Commissioner of Agriculture and Consumer Services on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices."

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 the introduced budget. The fee revenue was intended to supplement, not replace, general fund support for this program. The amendment further allows for the option of private sector inspectors that are licensed by the Department to complete the required annual inspections and report the results to the Commissioner.)

Item 89 #1c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$200,313	\$1,043,957	GF
Consumer Services	\$1,043,957	\$1,043,957	NGF
	35.00	35.00	FTE

Language:

Page 47, line 26, strike "\$5,718,085" and insert "\$6,962,355".

Page 47, line 26, strike "\$4,871,394" and insert "\$6,959,308".

Page 47, strike lines 37 through 45.

Page 47, line 46, strike "C" and insert "B".

Explanation:

(This amendment restores funding and positions that were eliminated in the introduced budget to provide for a state meat inspection program for processing plants that operate under the federal Talmadge-Aiken program, which regulates the interstate distribution of meat and poultry.)

Item 89 #2c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	(\$540,000)	(\$540,000)	GF
Consumer Services	\$540,000	\$540,000	NGF

Language:

Page 47, line 47, strike "\$40" and insert "\$100".

Explanation:

(This amendment authorizes the Commissioner of Agriculture and Consumer

Services to increase the annual food inspection fee from \$40 to \$100 in order to cover the direct costs of the inspections, resulting in a general fund savings of \$540,000 each year of the biennium.)

Item 93 #1c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Forestry	(\$422,536)	(\$422,536)	GF

Language:

Page 49, line 5, strike "\$26,685,478" and insert "\$26,262,942".

Page 49, line 5, strike "\$26,926,997" and insert "\$26,504,461".

Page 49, line 42, strike the first "\$579,629" and insert: "\$214,398".

Page 49, line 42, strike the second "\$579,629" and insert: "\$214,398".

Explanation:

(This amendment reduces funding for administrative activities at Forestry. Also included is a reduction in the unused portion of the agency's appropriation for the master equipment lease program which was included in the agency's reduction plan proposals submitted to the Governor in September.)

Item 93 #2c

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Forestry	(\$372,570)	(\$447,570)	GF

Language:

Page 49, line 5, strike "\$26,685,478" and insert "\$26,312,908".

Page 49, line 5, strike "\$26,926,997" and insert "\$26,479,427".

Page 49, line 39, strike "\$745,140" and insert "\$372,570".

Page 40, line 39, strike "\$895,140" and insert "\$447,570".

Explanation:

(This amendment reduces the general fund appropriation for the Reforestation of Timberlands program by 50 percent in each year of the biennium.)

Item 95 #1c

Commerce And Trade

Language:

Page 51, after line 33, insert:

"C. The Secretary shall examine the potential to merge the Department of Business Assistance and the Economic Development Partnership. This examination shall include, but not be limited to, an analysis of duplication of efforts, the potential for administrative efficiencies, and the opportunity for better coordination of economic development programs. The Secretary shall also consider the ability to more effectively address the needs of business with fewer than 250 employees, to include creation of more small businesses in the Commonwealth, the training and workforce needs of small businesses, and other incentives to assist existing and prospective small business entities. The Secretary shall communicate his findings to the Governor's Commission on Government Reform and Restructure established by Executive Order 2 (2010) and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2010."

Explanation:

(This amendment is self-explanatory.)

Item 96 #1c

Commerce And Trade	FY 10-11	FY 11-12
Economic Development Incentive Payments	(\$2,000,000)	\$0 GF

Language:

Page 51, line 39, strike "\$38,950,436" and insert "\$36,950,436".

Page 53, line 14, strike "\$3,000,000" and insert: "\$1,000,000".

Page 53, line 15, after "Virginia.", insert:

"It is the intent of the General Assembly to fulfill the commitment made to provide incentive payments for the location of a research related entity in accordance with the time frames set out in § 2.2-2240.1 D, Code of Virginia."

Explanation:

(This amendment provides \$1.0 million in incentive payments for the location of a research related entity in the first fiscal year and includes language expressing the intent of the General Assembly to provide remaining incentives to the entity in accordance with the authorizing legislation which stipulates such payments will be made prior to fiscal year 2014.)

Commerce And Trade

Economic Development Incentive
Payments

Language

Language:

Page 54, after line 3, insert:

"K. Authorized in this item is the use of \$5,000,000 the first year from nongeneral fund sources 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."

Explanation:

(This amendment assumes \$5.0 million of nongeneral fund resources in the first year will be available for the Major Employment and Investment (MEI) Project Site Planning Fund established pursuant to legislation adopted by the 2010 General Assembly to support an economic development project in Southside.)

Commerce And Trade

Economic Development Incentive
Payments

Language

Language:

Page 52, line 6, after "Virginia." insert:

"If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project of is regional or statewide provisions and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Governor's Development Opportunity Fund required

by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided."

Explanation:

(This amendment expands the content of the report on the uses of the Governor's Opportunity Fund to include an accounting of any decision to waive the local matching requirement authorized pursuant to legislation adopted by the 2010 General Assembly.)

Item 96 #4c

Commerce And Trade

Economic Development Incentive
Payments

Language

Language:

Page 52, after line 43, insert:

"8. Out of the appropriation for this item, such amounts as needed to meet the Commonwealth's previous commitments shall be deposited in the Biofuels Production Fund, as established in § 45.1-393 of the Code of Virginia. Such funds shall be used to provide a grant in support of the location and construction of a non-advanced neat biofuel production facility in the City of Hopewell in an amount equal to \$0.10 for each gallon of neat biofuels produced and sold by the facility in each calendar year."

Explanation:

(This amendment fulfills the Commonwealth's economic development commitment to a company that selected Virginia for the location of the nation's first barely ethanol production facility. This \$170.0 million investment, which is the largest alternative energy project in Virginia, will produce 65 million gallons per year of alternative fuel and is on schedule to be completed in June 2010. The Commonwealth marketed funding from the Virginia Biofuel Production Fund as an economic development incentive to locate in the City of Hopewell. Funding for this commitment was not included in the introduced budget. A companion amendment to Item 111 strikes language in the introduced budget that is not necessary with this amendment.)

Item 96 #5c

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive Payments	\$0	(\$7,500,000)	GF

Language:

Page 51, line 39, strike "\$44,310,384" and insert "\$36,810,384".

Page 53, line 30, strike "and \$7,500,000 the".

Page 53, line 31, strike "second year".

Page 54, after line 3, insert:

"4. All proceeds from the lease, disposal or conveyance of any property acquired through the use of this appropriation, or any prior appropriation for this purpose, shall only used for additional property acquisition pursuant to Chapter 266 of the 2006 Acts of Assembly."

Explanation:

(This amendment eliminates funding in the second year for purchases of property to mitigate encroachment around the Oceana U.S. Navy Master Jet Base but allows proceeds from the sale or lease of properties acquired by these funds to be used for future property acquisitions.)

Item 96 #6c

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive Payments	\$0	(\$1,011,948)	GF

Language:

Page 51, line 39, strike "\$44,310,384" and insert "\$43,298,436".

Page 52, line 48, strike "\$2,807,329" and insert "\$1,795,381".

Explanation:

(This amendment provides level funding in the amount of \$1,795,381 from the general fund each year for the Virginia Investment Partnership Grant Fund. The General Assembly will evaluate the actual level of funding needed in the second year during the 2011 Session.)

Item 96 #7c

Commerce And Trade	FY 10-11	FY 11-12	
---------------------------	-----------------	-----------------	--

Economic Development Incentive	(\$100,000)	\$0	GF
Payments	\$100,000	\$0	NGF

Language:

Page 53, line 8, strike "\$100,000 the first year from the general fund" and insert: "an amount estimated at \$475,000 the first year from nongeneral funds".

Page 53, line 10, strike "In addition to these amounts, \$375,000 in" and insert "These".

Explanation:

(This amendment increases the amounts projected from the digital media fee established pursuant to § 58.1-1731, Code of Virginia. It is estimated that the fee will generate \$475,000 each year for the Motion Picture Opportunity Fund.)

Item 96 #8c

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive	\$12,100,000	(\$6,000,000)	GF
Payments			

Language:

Page 51, line 39, strike "\$38,950,436" and insert "\$51,050,436".

Page 51, line 39, strike "\$44,310,384" and insert "\$38,310,384".

Page 52, line 1, strike the first "\$11,811,055" and insert "\$23,911,055".

Page 52, line 2, strike the second "\$11,811,055" and insert "\$5,811,055".

Explanation:

(This amendment doubles the appropriation for the Governor's Opportunity Fund to \$24.2 million in the first year. The second year amount is reduced pending levels of balances remaining in the Fund at the end of the first fiscal year because balances in the Fund do not revert to the general fund but are retained within the Governor's Development Opportunity Fund.)

Item 96 #9c

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive	\$1,000,000	\$1,000,000	GF
Payments			

Language:

Page 51, line 39, strike "\$38,950,436" and insert "\$39,950,436".
Page 51, line 39, strike "\$44,310,384" and insert "\$45,310,384".
Page 53, line 8, strike "\$100,000" and insert "\$1,000,000".
Page 53, line 8, after "the first year" insert "and \$1,000,000 the second year".

Explanation:

(This amendment provides \$1.0 million each year in additional support for the Motion Picture Opportunity Fund. These amounts are in addition to the estimated \$475,000 each year in nongeneral fund resources from the digital media fee available for this activity.)

Item 96 #10c

Commerce And Trade

Economic Development Incentive
Payments

Language

Language:

Page 54, after line 3, insert:

"K. Out of the appropriation for this Item, an amount not to exceed \$2.4 million from the general fund in the first year shall be paid for a grant for the reimbursement of sales and use taxes paid by an eligible entity for purchase of certain computer equipment and enabling hardware pursuant to the second enactment clause of Senate Bill 130/House Bill 302, 2010 Session of the General Assembly."

Explanation:

(This amendment provides payments for incentive grants pursuant to legislation (House Bill 302 and Senate Bill 130) adopted by the 2010 General Assembly relating to exemptions for the purchase of computer equipment.)

Item 98 #1c

Commerce And Trade

Department Of Business Assistance

FY 10-11
(\$400,000)

FY 11-12
(\$474,513) GF

Language:

Page 54, line 22, strike "\$11,174,897" and insert "\$10,774,897".
Page 54, line 22, strike "\$11,249,410" and insert "\$10,774,897".

Explanation:

(This amendment reduces funding for the Department of Business Assistance by approximately four percent from savings to be achieved through reducing administrative expenses and implementing efficiencies.)

Item 98 #2c

Commerce And Trade

Department Of Business Assistance

Language

Language:

Page 54, line 43, after "C." insert "1"

Page 55, after line 1, insert:

"2. It is the intent of the General Assembly that a minimum of 30 percent of the amounts provided for the Virginia Jobs Investment Program each year shall be transferred to the Small Business Jobs Grant Fund established pursuant to § 2.2-904.2, Code of Virginia, and shall only be used for the purposes of that section."

Explanation:

(This amendment provides funding for the Small Business Jobs Grant Fund established pursuant to House Bill 943.)

Item 98 #3c

Commerce And Trade

Department Of Business Assistance

FY 10-11

\$5,000,000

FY 11-12

\$500,000 GF

Language:

Page 54, line 22, strike "\$11,174,897" and insert "\$16,174,897".

Page 54, line 22, strike "\$11,249,410" and insert "\$11,749,410".

Page 55, after line 9, insert:

"E. 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.

F. 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.

G. The appropriation for this item includes \$3,500,000 the first year from the general

fund to supplement funding for the Virginia Jobs Investment Program at the Department of Business Assistance.

H. It is the intent of the General Assembly that when the amendments to the fiscal year 2010-2012 budget are introduced, they shall include separate paragraphs within this item detailing the distribution of the agency's appropriation and set out funding provided for administration, the Virginia Jobs Investment Program, business formation services and the Virginia Small Business Financing Authority."

Explanation:

(This amendment provides \$1.0 million in the first year for the DBA Loan Guarantee Program, \$500,000 in each year of the biennium for the Business One-Stop Program and \$3,500,000 in the first year for the Virginia Jobs Investment Program at the Department of Business Assistance.)

Item 99 #1c

Commerce And Trade

Department Of Housing And
Community Development

Language

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.)

Item 99 #2c

Commerce And Trade

Department Of Housing And
Community Development

FY 10-11

\$50,000
1.00

FY 11-12

\$50,000
1.00

GF
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.)

Item 99 #3c

Commerce And Trade

Department Of Housing And
Community Development

FY 10-11
(\$250,000)

FY 11-12
(\$250,000) GF

Language:

Page 55, line 18, strike "\$47,675,836" and insert "\$47,425,836".

Page 55, line 18, strike "\$48,903,368" and insert "\$48,653,368".

Page 56, strike line 2 through line 10.

Explanation:

(This amendment removes \$250,000 from the general fund each year that was directed toward a new program initiated in fiscal year 2009 to provide foreclosure counseling services across the Commonwealth.)

Item 100 #1c

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 100 #2c

Commerce And Trade	FY 10-11	FY 11-12	
Department Of Housing And Community Development	(\$250,000)	\$0	GF

Language:

Page 56, line 14, strike "\$55,330,883" and insert "\$55,080,883".
Page 58, line 25, strike "\$2,176,833" and insert "\$1,926,833".

Explanation:

(This amendment provides \$1,926,833 from the general fund the first year for the Fort Monroe Authority, which represents an increase of \$370,000 over fiscal year 2010 funding to implement the reuse plan when the U.S. Army vacates the facility in 2011.)

Item 100 #3c

Commerce And Trade	FY 10-11	FY 11-12	
Department Of Housing And Community Development	(\$256,003)	(\$256,003)	GF

Language:

Page 56, line 14, strike "\$55,330,883" and insert "\$55,074,880".
Page 56, line 14, strike "\$53,154,050" and insert "\$52,898,047".
Page 56, line 38, strike "\$94,403 the first year and \$94,403" and insert:
"\$66,062 the first year and \$66,062".
Page 56, line 42, strike "\$97,177" and insert "\$66,062".
Page 56, line 43, strike "\$97,177" and insert "\$66,062".
Page 57, line 6, strike "\$222,774 the first year and \$222,774" and insert:

"\$132,124 and \$132,124".

Page 57, line 20, strike "\$121,317" and insert \$99,093".

Page 57, line 21, strike "\$121,317" and insert \$99,093".

Page 57, line 32, strike "\$215,797" and insert "\$132,124".

Page 57, line 33, strike "\$215,797" and insert "\$132,124".

Explanation:

(This amendment reduces state support for Regional Planning District Commissions. These commissions are comprised of local elected officials and the state funding provides only limited administrative support.)

Item 108 #1c

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.)

Item 109 #1c

Commerce And Trade

Department Of Labor And Industry

FY 10-11

(\$242,950)

FY 11-12

(\$242,950) GF

Language:

Page 60, line 34, strike "\$3,131,948" and insert "\$2,888,998".

Page 60, line 34, strike "\$3,131,948" and insert "\$2,888,998".

Explanation:

(This amendment applies a 10 percent reduction to the general fund amounts included for administration at the Department of Labor and Industry. All reductions faced by this agency have been backfilled with additional nongeneral fund fee revenue in House Bill 30 as introduced while other agencies have faced reductions in

excess of 20 percent.)

Item 110 #1c

Commerce And Trade

Department Of Mines, Minerals
And Energy

Language

Language:

Page 61, after line 28, insert:

"D. The application fee for a coal mine license or a renewal or transfer of a license pursuant to § 45.1-161.58, Code of Virginia, shall be in the amount of \$350.

E. The application fee for a mineral mine license or a renewal or transfer of a license pursuant to § 45.1-161.292:31, Code of Virginia, shall be in the amount of \$400, except applications submitted electronically, which shall be accompanied by a fee of \$330. However, the fee for any person engaged in mining sand or gravel on an area of five acres or less shall be required to pay a fee of \$100, except applications submitted electronically, which shall be accompanied by a fee of \$80.

F. The application fee for a new oil or gas well permit pursuant to § 45.1-361.29, Code of Virginia, shall be in the amount of \$600 and the application fee for permit modifications shall be \$300."

Explanation:

(This amendment implements the provisions of Senate Bill 558, Senate Bill 559, and Senate Bill 560 of the 2010 Session. Revenue from these fees was included in the introduced budget.)

Item 111 #1c

Commerce And Trade

Department Of Mines, Minerals
And Energy

Language

Language:

Page 61, line 36, strike "A."

Page 61, strike lines 38 through 45.

Explanation:

(This amendment is a companion amendment to an amendment to Item 96, which provides funding for the Biofuels Production Fund. This amendment strikes language regarding the intent to provide funding, which is unnecessary if the program receives funding.)

Item 112.01 #1c

Commerce And Trade

Department Of Mines, Minerals
And Energy

FY 10-11
(\$750,000)

FY 11-12
(\$750,000) GF

Language:

Page 62, after line 4, insert:

"112.01. Executive Management Savings
Fund Sources: General

(\$750,000)
(\$750,000)

(\$750,000)
(\$750,000)."

Explanation:

(This amendment reduces funding for the Department of Mines, Minerals and Energy by approximately seven percent from savings to be achieved through reducing administrative expenses and implementing efficiencies.)

Item 114 #1c

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 Commonwealth 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 Commonwealth 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 114 #2c

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Economic Development Partnership	(\$541,220)	(\$541,220)	GF

Language:

Page 62, line 37, strike "\$15,870,751" and insert "\$15,329,531".

Page 62, line 37, strike "\$15,742,351" and insert "\$15,201,131".

Page 63, line 48, strike "\$1,379,095" and insert "\$837,875".

Page 63, line 49, strike "\$1,379,095" and insert "\$837,875".

Explanation:

(This amendment adjusts the funding proposed for the operational costs of the Virginia Commercial Space Flight Authority to mirror the Authority's request for funding presented in detail earlier this year. State general fund support for the Authority would total \$750,000 each year in addition to the base appropriation of \$87,875 from the Commonwealth in the current fiscal year.)

Item 114 #3c

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Economic Development Partnership	\$1,500,000	\$1,500,000	GF

Language:

Page 62, line 37, strike "\$15,870,751" and insert "\$17,370,751".

Page 62, line 37, strike "\$15,742,351" and insert "\$17,242,351".

Page 64 after line 6, insert:

"N.1. 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 establish 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.

2. The promulgation of program guidelines, and any 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. By November 15 or each year the Secretary shall provide a detailed report on the number of companies and jobs created pursuant to this funding.

O.1. George Mason University, in collaboration with the University of Virginia, Virginia Tech, Virginia Commonwealth University and Eastern Virginia Medical School shall create a research consortium hereby known as the Virginia Immunology Center. The Virginia Immunology Center is authorized to solicit proposals under the Public-Private Education Facilities and Infrastructure Act (PPEA) to partner with private, for-profit companies to conduct research on vaccines for the treatment of multiple infectious diseases. In no case shall the terms of the public-private partnership obligate the Commonwealth to the appropriation of additional general funds.

2. \$1,500,000 in general funds the first year is provided for George Mason University to upgrade laboratory facilities located on its Prince William County campus and to purchase the necessary antibody samples for immunology research. However, no funds authorized in this item shall be allotted or expended until the Virginia

Immunology Center and consortium receives an acceptable PPEA proposal and submits the proposal to the Chairmen of the House Appropriations Committee and the Senate Finance Committee for its approval.

3. Antibody samples and/or libraries purchased with these funds are to be made available to all public colleges and universities in the Commonwealth for research purposes and are to be available without any additional charge."

Explanation:

(This amendment provides \$3.0 million over the biennium to support biotechnology initiatives in the Commonwealth. This amount includes \$1.5 million for a biotechnology wet lab program to be administered by the Virginia Economic Development Partnership and the Center for Innovative Technology as well as funding for a Virginia Immunology Center research consortium.)

Item 114 #4c

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Economic Development Partnership	(\$704,417)	(\$697,997)	GF

Language:

Page 62, line 37, strike "\$15,870,751" and insert "\$15,166,334".
Page 62, line 37, strike "\$15,742,351" and insert "\$15,044,354".

Explanation:

(This amendment reduces funding for the Economic Development Partnership by approximately five percent from savings to be achieved through reducing administrative expenses and implementing efficiencies.)

Item 114 #5c

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Economic Development Partnership	\$500,000	\$1,000,000	GF

Language:

Page 62, line 37, strike "\$15,870,751" and insert "\$16,370,751".
Page 62, line 37, strike "\$15,742,351" and insert "\$16,742,351".

Page 64, after line 6, insert:

"N. Out of the amounts for economic development services shall be provided \$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."

Explanation:

(This amendment provides funding to the VEDP to support expanding the Commonwealth's trade with the growth markets of India and China, expand our presence in Western Europe, and assist small businesses enter the export market.)

Item 114 #6c

Commerce And Trade

Virginia Economic Development Partnership

FY 10-11

\$2,250,000

FY 11-12

\$2,250,000 GF

Language:

Page 62, line 37, strike "\$15,870,751" and insert "\$18,120,751".

Page 62, line 37, strike "\$15,742,351" and insert "\$17,992,351".

Page 64, after line 8, insert:

"N. Out of the amounts for economic development services shall be provided \$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."

Explanation:

(This amendment is self-explanatory.)

Item 120 #1c

Commerce And Trade

Virginia Tourism Authority

Language

Language:

Page 67, strike line 14, and insert:

"M. Out of the amounts provided for Tourist Promotion Services, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the Virginia Association of Public Television and Radio to promote Virginia Tourism. These funds shall be used by the Association to leverage additional in-kind media

providing promotion value of at least \$600,000 in each fiscal year."

Explanation:

(This amendment provides funding out of existing appropriations for Public Television and Radio promotion that must be matched by other in-kind promotions.)

Item 120 #2c

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Tourism Authority	\$3,600,000	\$3,600,000	GF

Language:

Page 66, line 2, strike "\$14,458,765" and insert "\$18,058,765".

Page 66, line 2, strike "\$14,458,765" and insert "\$18,058,765".

Page 67, after line 14, insert:

M. 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 specified in the following paragraphs. These amounts shall be in addition to other appropriations for these activities as set out in paragraphs A through L of this Item.

1. \$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.

2. \$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.

3. \$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.

4. \$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."

Explanation:

(This amendment provides an additional \$3.6 million each year in additional funding to promote tourism across the Commonwealth, generating additional revenues for the Commonwealth and supporting job growth and retention.)

Item 122 #1c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Secretary Of Education And Workforce	(\$730,073)	(\$730,073)	GF

Language:

Page 68, line 30, strike "\$2,645,816" and insert "\$1,915,743".
 Page 68, line 30, strike "\$2,645,816" and insert "\$1,915,743".

Explanation:

(This amendment reduces funding for grants to public television stations by \$730,073 each year from the general fund, a reduction of 15 percent of the total budget.)

Item 124 #1c

Education: Elementary & Secondary	FY 10-11	FY 11-12
--	-----------------	-----------------

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 reduces available funding for Project Graduation by \$188,302 each year from the general fund. Funding of \$2.8 million per year for Project Graduation remains budgeted in Direct Aid.)

Item 125 #1c

Education: Elementary & Secondary

Department Of Education, Central Office Operations

Language

Language:

Page 71, after line 14, insert:

"D. The Department of Education shall collaborate with relevant stakeholders to evaluate the options presented in House Document 8 (2009) and determine which options, if any, are beneficial to pursue with respect to (1) enhancing the early intervention system for children with autism spectrum disorders by improving the Part B special education services available to preschool-age children, and (2) improving the delivery of services to school-age children with autism spectrum disorders by increasing the consistency of service provision, enhancing its professional development programs, developing goals and objectives and monitoring progress, and improving transition services. The Department shall report its findings to the Department of Behavioral Health and Developmental Services no later than July 31, 2010."

Explanation:

(This amendment requires a report recommended by JLARC in its June 2009 study on services for children with autism spectrum disorders.)

Item 131 #1c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$76,500)	(\$76,500)	GF

Language:

Page 73, line 28, strike "\$7,708,961" and insert "\$7,632,461".

Page 73, line 28, strike "\$7,708,961" and insert "\$7,632,461".

Page 73, line 36, strike "\$765,000" and insert "\$688,500".

Page 73, line 37, strike "\$765,000" and insert "\$688,500".

Explanation:

(This amendment reduces funding for Project Discovery by \$76,500 each year, representing an additional reduction of 10 percent.)

Item 132 #1c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$8,700,175)	(\$8,790,845)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,572,122,606".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,771,690,732".

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 program will generate a savings of \$8.7 million in the first year and \$8.8 million in the second year from the general fund.)

Item 132 #2c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	\$3,942,340	\$4,025,584	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,584,765,121".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,784,507,161".

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.)

Item 132 #3c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$24,458,371)	(\$24,712,726)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,556,364,410".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,755,768,851".

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.)

**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 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.)

**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.)

Item 132 #6c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 88, line 8, strike "and shall submit, in a format specified by the".

Page 88, strike lines 9 through 10.

Page 88, line 11, strike "data".

Page 89, strike lines 3 through 6.

Page 89, line 7, strike "4" and insert "3"

Page 91, line 31, strike "The".

Page 91, strike lines 32 and 33.

Page 96, line 16, strike "The Department of Education shall".

Page 96, strike lines 17 through 20.

Explanation:

(This amendment removes the requirements for the following four reports as recommended by the Virginia Department of Education in its November 2009 report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees: 1) Individual Student Alternative Education Plan Report, 2) Plan and Report for Programs of Prevention, Intervention, and Remediation, 3) SOL Web-Based Technology Initiative, and 4) Status of Regional Alternative Education Placements.)

Item 132 #7c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

FY 10-11

FY 11-12

\$29,468,132

\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,290,913".

Page 78, strike lines 23 through 28.

Page 78, line 29, strike "3." and insert "2."

Page 78, line 32, strike "4." and insert "3."

Explanation:

(This amendment adds a net \$29.5 million from the general fund the first year by using the 2010-12 Composite Index of Local Ability-to-Pay for all school divisions to calculate the state's share of Direct Aid to Public Education funding, rather than using the 2008-10 Composite Index for an additional year as proposed in the introduced budget. For fiscal year 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget. In a companion amendment, funding is provided for a full "hold harmless" grant the first year and a 50 percent "hold harmless" grant the second year for those school divisions whose Composite Index increase from the 2008-10 biennium to the 2010-12 biennium.)

Item 132 #8c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	\$116,477,529	\$57,599,781	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,697,300,310".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,838,081,358".

Page 99, after line 36, insert:

"34. Composite Index Hold Harmless

Out of this appropriation, \$116,477,529 the first year from the general fund and \$57,599,781 the second year from the general fund shall be used to provide hold harmless grants, for the loss in House Bill 30 (2010 Session) as introduced related to the change in the 2010-12 Composite Index of Local Ability-to-Pay, to the following school divisions as specified below.

	FY 2011	FY 2012
Albemarle	5,228,328	2,626,949
Amelia	322,339	158,514
Amherst	36,741	18,139
Appomattox	466,192	232,739
Augusta	699,708	343,568
Bedford	3,464,291	1,707,192
Bland	66,093	32,902
Botetourt	208,454	104,748
Brunswick	184,116	90,608

Buchanan	37,417	18,528
Buckingham	469,200	230,713
Campbell	743,808	367,065
Carroll	246,592	121,808
Charles City	23,966	11,761
Charlotte	413,981	207,512
Chesterfield	3,400,940	1,705,038
Craig	53,515	26,593
Cumberland	200,712	99,304
Dinwiddie	302,930	157,410
Essex	990,753	491,799
Floyd	322,395	161,109
Fluvanna	432,740	219,760
Franklin	592,335	294,788
Giles	118,743	58,814
Gloucester	873,212	436,210
Grayson	812,527	391,079
Greene	579,568	285,417
Greensville	107,609	52,989
Halifax	1,487,093	732,631
Hanover	742,523	365,475
Henrico	1,364,288	682,415
Henry	6,339	3,217
Highland	104,845	49,814
Isle Of Wight	774,454	387,384
James City	2,341,737	1,189,424
King Queen	306,206	146,893
King William	537,170	269,093
Lancaster	152,426	74,963
Lee	361,360	177,576
Lunenburg	190,732	92,823
Madison	394,686	195,682
Mathews	440,622	215,119
Mecklenburg	1,516,329	748,244
Middlesex	509,519	245,392
Montgomery	279,563	139,096
Nelson	25,073	12,095

New Kent	419,908	212,176
Northumberland	623,215	300,899
Nottoway	518,117	256,257
Patrick	63,166	31,071
Pittsylvania	896,895	447,702
Powhatan	460,520	230,578
Prince Edward	552,142	270,735
Prince George	654,594	346,255
Pulaski	401,954	194,420
Richmond	141,519	70,873
Roanoke	879,525	432,294
Rockbridge	534,184	257,184
Rockingham	1,951,995	973,225
Russell	75,886	37,619
Smyth	228,332	112,025
Southampton	638,140	319,913
Surry	214,805	103,957
Sussex	402,924	195,156
Tazewell	689,505	340,850
Wise	317,125	157,509
Wythe	544,678	268,290
York	635,502	314,220
Charlottesville	1,255,254	613,531
Colonial Heights	234,137	114,867
Danville	299,297	147,436
Galax	59,429	30,080
Hampton	4,487,996	2,211,614
Harrisonburg	90,053	45,832
Hopewell	111,285	56,600
Lynchburg	1,744,519	862,753
Martinsville	5,092	2,497
Newport News	4,653,892	2,287,189
Norfolk	8,941,063	4,374,811
Petersburg	728,893	352,291
Portsmouth	3,855,777	1,909,629
Radford	397,675	197,086
Richmond City	11,172,537	5,456,849

Roanoke City	1,417,437	706,676
Staunton	297,398	147,971
Suffolk	4,167,227	2,100,636
Virginia Beach	14,923,023	7,347,886
Waynesboro	498,989	248,109
Franklin City	337,534	166,283
Chesapeake City	11,086,597	5,506,327
Lexington	219,866	109,480
Emporia	14,337	7,337
Bedford City	79,741	38,151
Poquoson	494,990	240,514
West Point	124,690	63,768
	\$116,477,529	\$57,599,803".

Explanation:

(This amendment adds \$116.5 million from the general fund the first year and \$57.6 million from the general fund the second year for a full "hold harmless" grant the first year and a 50 percent "hold harmless" the second year to all school divisions whose Composite Index of Local Ability-to-Pay increased from the 2008-10 biennium to the 2010-12 biennium. The amount of the hold harmless is determined as measured against House Bill 30, as introduced. In a companion amendment, \$29.5 million from the general fund the first year is provided to "unfreeze" the Composite Index in the first year.)

Item 132 #9c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	\$0	\$13,488,572	GF

Language:

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,793,970,149".

Page 84, strike lines 22 through 25.

Page 84, after line 29, insert:

"3.1 Appropriations for contributions in paragraphs 2 and 3 above include payments from funds derived from the principal of the Literary Fund in accordance with Article III, Section 8, of the Constitution of Virginia. The amounts set aside from the

Literary Fund for these purposes shall not exceed \$125,000,000 the first year and \$124,511,428 the second year."

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 \$57,610,000 in fiscal year 2011 and \$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 2011, high schools within the division shall administer 100 percent of SOL tests online; by fiscal year 2012, middle and high schools shall administer 100 percent of SOL tests online; and by fiscal year 2013, 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) The Board of Education shall authorize amounts estimated at \$13,488,572 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in fiscal year 2011.

3) 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 2011 and 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.

4) Grant funds from the issuance of \$57,610,000 in fiscal year 2011 and \$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, 2010, for the fiscal year 2011 issuance, and 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.

5) 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 2010 and that are not fully accredited based on school accreditation ratings in effect for fiscal year 2011 will qualify for a supplemental grant of \$26,000 per school in fiscal years 2011, 2012, and 2013. 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. Schools eligible to receive these three-year supplemental grants shall only receive them one time.

6) 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. 5) 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.

7) 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.

8) 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. 5). 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. 6) 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.

9) 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 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 amendment reflects an additional \$13.4 million from the general fund the second year due to debt service on the fiscal year 2011 educational technology equipment notes to reinstate the issuance of an estimated \$57.6 million in fiscal year

2011 and \$57.8 million in fiscal year 2012 based on a grant of \$26,000 per school and \$50,000 per school division. For purposes of this grant program, eligible schools include those that are subject to state accreditation and reporting membership in grades K through 12. Supplemental grants will be allocated to eligible divisions to support schools that are not fully accredited. The additional debt service payments required by the Literary Fund reduces by a like amount of dollars available to cover teacher retirement/social security costs, thereby requiring the additional general funds.)

Item 132 #10c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$16,980,132)	(\$17,028,693)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,563,842,649".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,763,452,884".

Explanation:

(This amendment reflects savings from modifying the federal revenue deduct methodology percentage from 29.8% to 38.1% for the Standards of Quality (SOQ) funded support costs as a percentage of total SOQ costs.)

Item 132 #11c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
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 \$13.0 million 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.)

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$39,197,951)	(\$39,525,220)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,541,624,830".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,740,956,357".

Page 79, after line 24, insert:

"11. 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 support non-personal costs for the purposes of rebenchmarking and allocating funding to localities."

Explanation:

(This amendment is self-explanatory.)

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$14,439,393)	(\$14,617,019)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,566,383,388".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,765,864,558".

Page 79, after line 24, insert:

"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) related to reported travel expenditures included the linear weighted average non-personal cost calculations for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process."

Explanation:

(This amendment is self-explanatory.)

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$20,221,733)	(\$20,206,203)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,560,601,048".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,760,275,374".

Page 79, after line 24, insert:

"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) related to reported leases and rental expenditures included the linear weighted average non-personal cost calculations for the purposes of calculating Standards of Quality (SOQ) basic aid costs for support services through the rebenchmarking process."

Explanation:

(This amendment is self-explanatory.)

Item 132 #15c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	(\$85,855)	(\$93,941)	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,580,736,926".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,780,387,636".

Explanation:

(This amendment corrects Dinwiddie school division's calculation for the local composite index.)

Item 132 #16c

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	\$1,419,620	\$1,935,292	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,582,242,401".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,782,416,869".

Page 76, line 27, strike "\$32,750,549 \$34,058,499" and insert: "\$34,170,169 \$35,993781".

Page 76, line 28, strike "\$54,089,598 \$55,995,763" and insert: "\$55,509,218 \$57,931,055".

Page 95, line 20, strike "\$32,750,549" and insert "\$34,170,169".

Page 95, line 21, strike "\$34,085,499" and insert "\$35,993781".

Explanation:

(This amendment provides \$1.4 million the first year and \$1.9 million the second year from the general fund to restore a budget reduction that closed the Commonwealth Center for Children and Adolescents which is location in Staunton, Virginia. Additional funding is also allocated to Staunton for those children that were enrolled in the Marion Center.)

Item 132 #17c

Education: Elementary & Secondary

FY 10-11

FY 11-12

Direct Aid To Public Education

(\$9,758,835)

(\$9,619,372) GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,571,063,946".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,770,862,205".

Page 79, after line 24, insert:

"11. Notwithstanding any other provision in statute or in this item, the Department of Education is directed to fund transportation costs using a 15 year replacement schedule, which is the national standard guideline, for school bus replacement schedule for the purposes of rebenchmarking."

Explanation:

(This amendment is self-explanatory. This action will extend the replacement schedule by three years.)

Item 132 #18c

Education: Elementary &

FY 10-11

FY 11-12

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,498,566,098".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,707,967,389".

Page 75, after line 47, insert:

"Textbooks (General Funds) \$10,652,340 \$20,065,104".

Page 75, strike line 48.

Page 76, strike lines 2 and 3.

Page 76, strike lines 33, 35, 39, 41, 42, and 52.

Page 76, after line 51, insert:

"Virginia Preschool Initiative	\$67,607,769	\$68,300,290
School Breakfast Program	\$2,687,265	\$3,185,437
Remedial Summer School	\$25,064,692	\$25,514,519
English as a Second Language	\$37,272,009	\$39,141,229
Textbooks (Lottery Funds)	\$24,919,982	\$12,858,440
Total	\$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 87, strike lines 8 through 16.

Page 87, line 17, strike "10" and insert "9".

Page 88, line 26, strike "\$7,282,572 the first year from the general fund and" and insert: "\$6,729,485 the first year and \$6,845,417".

Page 88, line 27, strike "\$7,151,164".

Page 89, line 11, strike "\$25,400,152 the first year and \$25,514,150" and insert: "25,064,692 the first year and \$25,514,519".

Page 89, line 12, strike "general fund" and insert "Lottery Proceeds Fund".

Page 89, line 23, strike "11" and insert "10".

Page 89, line 24, strike "\$98,233,321 the first year and \$96,510,174" and insert: "\$73,229,929 the first year and \$73,817,468".

Page 89, strike line 39.

Page 90, line 4, strike "12" and insert "11".

Page 90, line 42, strike "13" and insert "12".

Page 92, line 13, strike "14" and insert "13".

Page 92, line 14, strike "\$75,529,020" and insert "\$67,607,769".

Page 92, line 15, strike "\$74,405,901" and insert "\$68,300,290".

Page 93, line 50, strike "15" and insert "14".

Page 93, line 51, strike "\$14,631,865 the first year and \$14,788,410" and insert: "\$14,720,585 the first year and \$14,787,821".

Page 94, line 32, strike "16" and insert "15".

Page 94, line 33, strike "\$9,111,526 the first year and \$9,007,288" and insert: "\$9,018,272 the first year and \$9,006,959".

Page 94, line 55, strike "17" and insert "16".

Page 95, line 5, strike "18" and insert "17".

Page 95, line 6, strike "\$36,559,335 the first year and \$41,018,003" and insert: "\$37,272,009 the first year and \$39,141,229".

Page 95, line 6, strike "general" and insert "Lottery Proceeds".

Page 95, line 11, strike "19" and insert "18".

Page 95, line 16 strike "\$76,111,630 the first year from the general fund and \$82,399,346" and insert: "\$75,141,153 the first year and \$82,400,653".

Page 95, line 32, strike "20" and insert "19".

Page 95, line 44, strike "21" and insert "20".

Page 95, line 48, strike "22" and insert "21".

Page 96, line 7, strike "23" and insert "22".

Page 96, line 12, strike "24" and insert "23".

Page 96, line 21, strike "25" and insert "24".

Page 96, line 37, strike "26" and insert "25".

Page 96, strike lines 45 through 49.

Page 97, strike lines 1 through 21.

Page 97, line 22, strike "28" and insert "26".

Page 97, line 37, strike "29" and insert "27".

Page 98, line 39, strike "30" and insert "28".

Page 98, line 44, strike "31" and insert "29".

Page 98, line 45, strike "\$2,442,968 the first year and \$2,895,852" and insert "\$2,687,265 the first year and \$3,185,437".

Page 98, line 50, strike "\$0.20" and insert "\$0.22".

Page 99, line 10, strike "32" and insert "30".

Page 99, line 32, strike "33" and insert "31".

Explanation:

(This amendment reflects the following actions: 1) an increase in the Lottery forecast of \$5 million each year due to the addition of the Power Ball game, as recommended by the Lottery Board; 2) increasing the School Breakfast reimbursement by 10 percent from 20 cents to 22 cents per breakfast, for an additional cost of \$244,297 the first year and \$289,585 the second year; 3) capturing \$7.9 million the first year and \$6.1 million the second year in non-participation savings rate of 21.7 percent from the Virginia Preschool Initiative for At-Risk Four-Year-Olds based on fiscal year 2010 actual participation levels; and 4) further targeting the K-3 Class Size Reduction program by limiting participation to schools

with free lunch higher than 30 percent, which generates savings of \$18.5 million the first year and \$17.7 million the second year; 5) eliminating the Enrollment Loss program for savings of \$7.6 million the first year and \$8.5 million the second year, and 6) eliminating the "Support for School Construction and Operating Costs". Finally, Remedial Summer School, English as a Second Language, and part of Textbook will be funded from the Lottery Proceeds Fund rather than general funds.)

Item 132 #21c

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education (\$15,572,268) (\$18,487,237) GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,565,250,513".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,761,994,340".

Page 85, line 36, strike "from the general fund".

Page 85, line 37, strike the first "\$75.55" and insert "\$52.54".

Page 85, line 37, strike the second "\$75.55" and insert "\$48.38".

Page 85, line 37, after "year." insert:

"The state's share of textbooks will be fund split between the general fund and Lottery Proceeds Fund."

Explanation:

(This amendment reduces textbook funding by approximately one-third and split funds textbooks between the general fund and lottery funds.)

Item 132 #22c

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 79, after line 24, insert:

"11. 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."

Explanation:

(This amendment is self-explanatory.)

Item 137 #1c

Education: Higher Education	FY 10-11	FY 11-12	
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.)

Item 137 #2c

Education: Higher Education	FY 10-11	FY 11-12	
State Council Of Higher Education For Virginia	(\$5,000,000)	(\$5,000,000)	GF

Language:

Page 101, line 12, strike "\$66,102,745" and insert "\$61,102,745".

Page 101, line 12, strike "\$66,102,745" and insert "\$61,102,745".

Explanation:

(This amendment reduces the Tuition Assistance Grant by \$5.0 million from the general fund each year. The reductions will be applied proportionally to undergraduate and graduate grants.)

Item 137 #3c

Education: Higher Education	FY 10-11	FY 11-12	
State Council Of Higher Education For Virginia	\$750,000	\$750,000	GF

Language:

Page 101, line 12, strike "\$66,102,745" and insert "\$66,852,745".

Page 101, line 12, strike "\$66,102,745" and insert "\$66,852,745".

Page 103, after line 23, insert:

"H. 1. Out of the appropriation for this item, \$750,000 each year from the general fund is designated for the Two-Year College Transfer Grant Program.

2. The State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with §§ 23-38.10:9 through 23-38.10:13, Code of Virginia.

3. The actual amount of the award depends on the number of students eligible under §§ 23-38.10:9 through 23-38.10:13, Code of Virginia. Changes that decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

Explanation:

(This amendment moves administration of the Transfer Grant program to the State Council of Higher Education for Virginia.)

Item 138 #1c

Education: Higher Education	FY 10-11	FY 11-12	
------------------------------------	-----------------	-----------------	--

State Council Of Higher Education (\$1,707,499) (\$1,707,499) GF
For Virginia

Language:

Page 103, line 25, strike "\$3,489,998" and insert "\$1,782,499".
Page 103, line 25, strike "\$3,489,998" and insert "\$1,782,499".
Page 103, line 37, strike the first "\$3,414,998" and insert "\$1,707,499".
Page 103, line 37, strike the second "\$3,414,998" and insert "\$1,707,499".

Explanation:

(This amendment reduces funding for the Eminent Scholars program.)

Item 139 #1c

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 review funding requirements for student financial assistance and examine:
1) The costs of education used to determine student need by category;
2) The use of cost allowances and their impact on financial aid;
3) Gift aid received by students and expected family contribution and their application in the financial process; and
4) The impact on financial aid requirements of alternative financial aid methodologies.

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

Explanation:

(This amendment is self-explanatory.)

Item 139 #2c

Education: Higher Education

Language:

Page 106, after line 3, insert:

"M. No later than October 1, 2010, the State Council of Higher Education for Virginia shall establish guidelines to govern recommendations on the construction of student housing, student centers, and other auxiliary facilities at two-year institutions of higher education. In developing these guidelines the State Council shall not utilize previous authorizations as precedents."

Explanation:

(This amendment requires SCHEV to develop guidelines for the construction of auxiliary facilities by two-year institutions of higher education.)

Item 169 #1c

Education: Higher Education	FY 10-11	FY 11-12	
Norfolk State University	\$250,000	\$250,000	GF

Language:

Page 118, line 8, strike "\$76,660,510" and insert "\$76,910,510".

Page 118, line 8, strike "\$69,000,291" and insert "\$69,250,291".

Explanation:

(This amendment provides \$250,000 from the general fund in each year of the biennium for the Ph.D. program in Materials Science at NSU.)

Item 173 #1c

Education: Higher Education	FY 10-11	FY 11-12	
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.)

Item 181 #1c

Education: Higher Education	FY 10-11	FY 11-12	
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 200 #1c

Education: Higher Education	FY 10-11	FY 11-12	
Virginia Commonwealth University	\$1,000,000	\$0	GF

Language:

Page 134, line 20, strike "\$241,065,152" and insert "\$242,065,152".

Page 134, line 31, strike the first "\$1,000,000" and insert "\$2,000,000".

Explanation:

(This amendment provides \$1.0 million general fund for cancer research.)

Item 203 #1c

Education: Higher Education	FY 10-11	FY 11-12	
Virginia Community College System	\$0	(\$500,000)	GF

Language:

Page 135, line 22, strike "\$692,355,743" and insert "\$691,855,743".

Explanation:

(This amendment reduces the VCCS System Office and the utility operations at a level equal to the reductions imposed on the individual colleges in the system.)

Item 219 #1c

Education: Higher Education

FY 10-11

FY 11-12

Virginia Cooperative Extension
And Agricultural Experiment
Station

\$0 (\$1,000,000) GF

Language:

Page 144, line 13, strike "\$77,584,016" and insert "\$76,584,016".

Page 145, after line 3, insert:

"F.1. Virginia Cooperative Extension shall report to the Chairmen of the House Appropriations and Senate Finance Committees, Chairmen of the Agriculture and Natural Resource Committees of the House and Senate, the Secretary of Agriculture and Forestry and to the Secretary of Education on the results of its strategic planning process that is based on consultation with relevant industries and organizations, and that (1) places priority on the historic mission of extension to fulfill the land-grant mission in partnership with the United States Department of Agriculture, (2) defines programming, locations, and funding sources, (3) addresses potential duplication of effort with state and local agencies, (4) eliminates low-priority programs, and (5) seeks to restructure and consolidate local offices in a manner that is financially and logistically beneficial while preserving delivery of critical programs in high priority areas."

Explanation:

(This amendment reduces funding by \$1.0 million from the general fund in the second year and requires a report by the agency concerning their strategic planning process and other requested items.)

Item 220 #1c

Education: Higher Education

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 227 #1c

Education: Other

Jamestown-Yorktown Foundation

FY 10-11

\$200,000

FY 11-12

\$0 GF

Language:

Page 149, line 2, strike "\$14,864,935" and insert "\$15,064,935".

Explanation:

(This amendment adds funding for fee-based public programming, for front-line wages for interpretive programming, costuming supplies and laundry, and exhibit and grounds maintenance, and for web content development, graphic design and Web support in fiscal year 2011. This action would hold general fund reductions to the fiscal year 2010 level and is intended to help maintain the generation of nongeneral fund revenues, which provide 59 percent of the agency's operating budget and bring tourism dollars to the area and state.)

Item 230 #1c

Education: Other

The Library Of Virginia

FY 10-11

(\$868,931)

FY 11-12

(\$868,931) GF

Language:

Page 150, line 21, strike "\$15,640,765" and insert "\$14,771,834".

Page 150, line 21, strike "\$15,640,765" and insert "\$14,771,834".

Explanation:

(This amendment brings the reduction in aid for local libraries to 15 percent.)

Item 233 #1c

Education: Other	FY 10-11	FY 11-12	
Virginia Commission For The Arts	(\$669,673)	(\$669,673)	GF

Language:

Page 151, line 27, strike "\$4,795,722" and insert "\$4,126,049".
Page 151, line 27, strike "\$4,795,722" and insert "\$4,126,049".

Explanation:

(This amendment reduces funding for arts grants.)

Item 236 #1c

Education: Higher Education	FY 10-11	FY 11-12	
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".

Explanation:

(This amendment corrects the amount of funds transferred from the Tuition Assistance Grant program for financial aid. 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.)

Item 244 #1c

Education: Higher Education	FY 10-11	FY 11-12	
Higher Education Research Initiative	\$0	(\$510,000)	GF

Language:

Page 155, line 34, strike "\$510,000" and insert "\$0".
Page 156, strike line 1 and insert:
"B. Out of this appropriation, \$510,000 the first year from the".

Explanation:

(This amendment reduces support for the proton beam initiative at Hampton University in the second year.)

Item 245 #1c

Education: Higher Education

Virginia College Building
Authority

Language

Language:

Page 156, line 45, strike the first "\$50,000,000" and insert "\$56,052,693".

Page 156, line 45, strike the second "\$50,000,000" and insert "\$56,052,693".

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	\$64,575	\$64,575	\$0	\$0
Roanoke Higher Education Authority	\$607,490	\$62,570	\$62,570	\$0	\$0
Institute for Advanced Learning and Research	\$4,101,898	\$221,003	\$221,003	\$0	\$0
Southern Virginia Higher Education Center	\$50,000	\$30,013	\$30,013	\$0	\$0
New College	\$75,000	\$75,000	\$75,000	\$0	\$0

Institute
TOTAL \$918,108,405 \$50,042,693 \$50,042,693 \$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.)

Item 248 #1c

Finance

Department Of Accounts

Language

Language:

Page 159, after line 9, insert:

"C. Notwithstanding the provisions of §§ 17.1-286 and 58.1-3176, Code of Virginia, the State Controller shall not make payments in accordance with §§ 17.1-286 and 58.1-3176, Code of Virginia, which includes amounts directly deposited into the State Treasury by the General District Courts, Juvenile and Domestic Relations General District Courts, Combined District Courts and the Magistrate System without a specific appropriation for such payments in Item 255 of this act. The State Controller after having deducted the direct deposits noted in the preceding sentence shall make the remainder of the payments in accordance §§ 17.1-286 and 58.1-3176, Code of Virginia, to the respective clerk."

Explanation:

(This amendment is one of two that increase general fund deposits by \$4.4 million the first year and \$4.4 million the second year by requiring the direct deposit of state revenues with the Treasurer of Virginia, as recommended by the Auditor of Public Accounts. There is a companion amendment to Item 38 for the Supreme Court.)

Item 248 #2c

Finance

Department Of Accounts

Language

Language:

Page 159, after line 9, insert:

"Beginning with the effective date of this act and any other act of the General Assembly the State Comptroller and the Department of Planning and Budget shall not transfer general fund appropriation to non-general funds for institutions of higher education. The State Comptroller shall promulgate such policies and procedures to ensure that the state accounting records properly include the details of all expenditures of all funds within the appropriate source of funds for such expenditure for all institutions of higher education."

Explanation:

(This amendment provides that all expenditures of general fund appropriations shall be expended and reported as general funds, consistent with the recommendations of the Auditor of Public Accounts.)

Item 256 #1c

Finance	FY 10-11	FY 11-12	
Department Of Accounts Transfer Payments	\$0	\$10,000,000	GF

Language:

Page 161, line 23, strike "\$40,000,000" and insert "\$50,000,000".

Page 161, strike lines 33 through 46 and insert:

"B. Out of the appropriation in the second year, \$50,000,000 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 provides a \$50.0 million reserve for any Revenue Stabilization Fund deposit required to be made in the next biennium.)

Finance

Department Of Accounts Transfer
Payments

Language

Language:

Page 162, strike lines 25 through 56, and insert:

"B.1. There is hereby established the Line of Duty Act Fund (the Fund) for the payment of benefits prescribed by and administered under the Line of Duty Act. The funds of the Line of Duty Act Fund shall be deemed separate and independent trust funds, shall be segregated and accounted for separately from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the covered employees and beneficiaries thereof. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of the Fund for any purpose other than as provided in law for benefits and administrative expenses. Fund deposits are irrevocable and are not subject to the claims of creditors. In addition to other such powers as shall be vested in the Board, the Board shall have the full power to invest, reinvest and manage assets of the Fund in accordance with Article 3.1 (§ 51.1-124.30 et seq.) of Chapter 1 of Title 51.1, and no officer, director, or member of the Board or of any advisory committee of the Retirement System or any of its tax exempt subsidiary corporations whose actions are within the standard of care in Article 3.1 of Chapter 1 of Title 51.1 shall be held personally liable for losses suffered by the Fund on investments made under the authority of this article. The Board is authorized to establish loans to the Fund from the Group Life program in such amounts and under such terms as may be established by the Board. On July 1, 2010 the Virginia Retirement System shall advance funds as may be needed for the initial capitalization of the Fund from fund balances of the Group Life program. The Fund shall reimburse the Retirement System for all reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund.

2. Definitions. – As used in this item:

“Board” means the Board of Trustees of the Virginia Retirement System.

“Covered employee” means any employee, sheriff, deputy sheriff, or volunteer of a participating employer or non-participating employer eligible for coverage under the provisions of the Line of Duty Act.

“Fund” means the Line of Duty Act Fund.

“Line of Duty Act” means §9.1-400 et seq.

“Non-participating employer” means any political subdivision making the irrevocable election, in a manner and on such forms as prescribed by the Board, to self-fund Line of Duty Act benefits under Item paragraph B.4 of this Item.

“Participating employer” means any agency of the Commonwealth with covered employees and any (i) county, city, or town with covered employees that does not make the election under paragraph B.4 of this Item; or (ii) political entity, subdivision, branch, commission, public authority, or body corporate, or other entity of a local government with covered employees that does not make the election under paragraph B.4 of this Item.

“Retirement System” means the Virginia Retirement System.

3. Payment of benefits; funding of benefits.

(a) All payments for benefits provided through the Line of Duty Act shall be paid by the State Comptroller. The State Comptroller shall be reimbursed from the Fund for all benefit payments made on behalf of participating employers that, which payments have been approved by the State Comptroller. The State Comptroller shall be reimbursed on no more than a monthly basis from documentation provided to the Retirement System. Reimbursement from the Fund may include reasonable administrative expenses incurred by the Department of Accounts or the State Comptroller for administering the provisions of the Line of Duty Act.

Each participating employer shall make contributions each year to the Fund in accordance with guidelines adopted by the Board. Such contributions shall be for purposes of funding benefits and administrative expenses under the Line of Duty Act. The employer contribution for each participating employer shall be determined by the Board on a current disbursement basis in accordance with the provisions of this section.

b) For purposes of this item, employer contributions for coverage provided to members of the National Guard and United States military reserves on active duty shall be paid by the Commonwealth.

(c) For purposes of establishing employer contribution contributions, a member of any fire company or department or rescue squad that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town shall be considered part of the city, county, or town served by the company, department or rescue squad. If a company, department, or rescue squad serves more than one city, county, or town, the affected cities, counties, or towns shall determine the basis and apportionment of the required covered payroll and contributions for each department, company, or rescue squad.

(d) Each participating employer shall provide all required data requested by the Board to administer the Fund in a form approved by the Board.

(e) In the event any participating employer fails to remit contributions or other fees and costs of the Fund as duly prescribed, the Board shall inform the State Comptroller and the participating employer of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the Fund from any moneys otherwise distributable to such participating employer.

4. Irrevocable election to become non-participating employer.

(a) A political subdivision with covered employees may make, in a manner and on such forms as prescribed by the Board, an irrevocable election on or before July 1, 2011, to be deemed a non-participating employer fully responsible for self-funding all benefits for its relating to its past and present covered employees under the Line of Duty Act from its own funds, including any responsibility apportioned to it under the provisions of paragraph 3(c) above. Non-participating employers shall continue to be subject to the provisions set forth in the Line of Duty Act.

(b) A non-participating employer shall not be required to contribute to the Fund.

(c) All payments for benefits provided through the Line of Duty Act shall be paid by the State Comptroller. The State Comptroller shall be reimbursed by the non-participating employer for all Line of Duty Act benefit payments made on behalf of such non-participating employer that, which payments have been approved by the State Comptroller. The State Comptroller shall be reimbursed on no more than a monthly basis from documentation provided to the non-participating employer."

Explanation:

(This amendment transitions the funding method for the Line of Duty benefit which has previously been funded with a direct General Fund appropriation within the Department of Accounts Transfer Payments. The language would fund the benefit in future years based on premiums charged to state agencies and localities based on the number of employees who would be potentially eligible to receive benefits under the program. The budget assumes that the funding for the benefits paid out in fiscal year 2011 would be from cash borrowed from the VRS group life program and that premiums shall be collected from the effected employers beginning in fiscal year 2012.)

Item 259.10 #1c

Finance	FY 10-11	FY 11-12	
Department Of Accounts Transfer Payments	\$950,000,000	\$950,000,000	GF

Language:

Page 163, after line 17, insert:

"259.10. Personal Property Tax Relief Program (74600)	\$950,000,000	\$950,000,000
Fund Sources: General	\$950,000,000	\$950,000,000."

Authority: Discretionary Inclusion.

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, 2008, and June 30, 2009, 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, 2010, 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 of Title 58.1 of the 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 of Title 15.2 of the Code of Virginia or the provisions of a local government charter or Chapter 4, 5, 6, 7 or 8 of Title 15.2 of the 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 of the 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 of Title 58.1 of the 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 of Title 58.1 of the 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. "

Explanation:

(This amendment provides \$950.0 million from the general fund the first year and \$950.0 million from the general fund the second year to continue the Personal Property Tax Relief program.)

Item 262 #1c

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. 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 and shall be distributed pursuant to § 58.1-662, Code of Virginia. 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."

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.)

Item 264 #1c

Finance	FY 10-11	FY 11-12	
Department Of Taxation	(\$2,559,881)	(\$2,648,720)	GF

Language:

Page 167, line 17, strike "\$30,189,960" and insert "\$27,630,079".

Page 167, line 17, strike "\$30,189,960" and insert "\$27,541,240".

Explanation:

(This amendment captures additional savings from within the Department of Taxation's administrative budget.)

Item 265 #1c

Finance	FY 10-11	FY 11-12	
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 271 #1c

Finance	FY 10-11	FY 11-12	
Treasury Board	(\$7,221,523)	(\$7,221,523)	GF
	\$7,221,523	\$7,221,523	NGF

Language:

Page 173, strike lines 17 through 35 and insert:

"Institution	FY 2011	FY 2012
George Mason University	\$1,734,228	\$1,734,228
Old Dominion University	\$832,590	\$832,590
University of Virginia	\$4,266,442	\$4,266,442
Virginia Polytechnic Institute and State University	\$4,084,515	\$4,084,515
Virginia Commonwealth University	\$1,854,360	\$1,854,360
College of William and Mary	\$1,213,882	\$1,213,882
Christopher Newport University	\$101,790	\$101,790
University of Virginia's College at Wise	\$35,108	\$35,108
James Madison University	\$2,430,855	\$2,430,855
Norfolk State University	\$433,605	\$433,605
Longwood University	\$118,410	\$118,410
University of Mary Washington	\$422,985	\$422,985
Radford University	\$304,470	\$304,470
Virginia Military Institute	\$292,118	\$292,118
Virginia State University	\$749,985	\$749,985
Richard Bland College	\$5,730	\$5,730
Virginia Community College System	\$2,336,220	\$2,336,220
TOTAL	\$21,217,293	\$21,217,293"

Explanation:

(This amendment requires an additional \$5 per credit hour fee on out-of-state students to support debt service on general fund backed debt for capital outlay projects. This brings the out-of-state capital fee to \$15 per credit hour. The amendment also makes technical corrections.)

Item 271 #2c

Finance	FY 10-11	FY 11-12	
Treasury Board	\$0	(\$8,334,167)	GF

Language:

Page 170, line 35, strike "\$632,566,758" and insert "\$624,232,591".

Page 173, strike lines 2 through 12 and insert:

"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:

Series	FY 2011	FY 2012
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
Total Service Area	\$185,530,090	\$201,689,815."

Explanation:

(This amendment removes debt service included in the introduced budget for equipment leasing which is subject to the results of the debt capacity review to be conducted by the Secretary of Finance.)

Item 271 #3c

Finance

Treasury Board

Language

Language:

Page 172, after line 31, insert:

"Prince William/Manassas Regional Adult Detention Center (Jail Facility Phase I including renovations \$31,519,905."

Page 172, line 32, strike "177,469,988" and insert "208,989,893".

Page 172, after line 40, insert:

"d. Subject to the approval of the Board of Corrections of the final expenditures for the Prince William/Manassas Regional Adult Detention Center (Jail Facility Phase I including renovations), the state share of the approved capital cost for this project shall not exceed \$31,519,905."

Explanation:

(This amendment adds the Phase I addition to the Prince William/Manassas Regional Adult Detention Center to the list of projects approved for reimbursement for the state share of the capital cost for the project.)

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 176, strike lines 7 through 14 and insert:

"A. Out of this appropriation, \$900,000 from the general fund each year shall be used to sustain statewide services provided through child advocacy centers. The Secretary, with assistance from relevant Health and Human Resources agencies, shall (i) develop a request for proposal to distribute 67 percent of the allocated funds for accredited child advocacy centers and 30 percent for associate/developing child advocacy centers, as recognized and in good standing with the National Children's Alliance, with input from Children's Advocacy Centers of Virginia (CACVA); (ii) allocate through contract three percent to Children's Advocacy Centers of Virginia, the recognized chapter of National Children's Alliance for Virginia's child advocacy centers, for the purpose of assisting and supporting the development, continuation and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers; and (iii) distribute any non-allocated funding equally to accredited and associate/developing child advocacy centers awarded funding in section (i) of this paragraph."

Explanation:

(This amendment replaces language allocating funding for child advocacy centers between accredited and developing centers. Funding is also allocated to Children's Advocacy Centers of Virginia, the recognized chapter of National Children's Alliance for Virginia's child advocacy centers, to assist and support the centers.)

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 176, after line 49, insert:

"D. The Secretary of Health and Human Resources, with the cooperation of the Department of Social Services, shall examine options and incentives for workload simplification, structure and efficiencies of the local human services delivery system,

which may include public/private partnerships, shared services, and regional services. The Secretary shall communicate his findings to the Governor's Commission on Government Reform and Restructure established by Executive Order 2 (2010) and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2010."

Explanation:

(This language amendment requires the Secretary of Health and Human Resources to examine options and incentives for workload efficiencies and report his findings to the Governor's Commission on Government Reform and Restructure and the Chairmen of the Senate Finance and House Appropriations Committees.)

Item 273 #3c

Health And Human Resources

Secretary Of Health And Human Resources

Language

Language:

Page 176, after line 49, insert:

"D. On October 1 of each year, the Secretary of Health and Human Resources shall prepare and submit fund balance statements to the Chairmen of the Senate Finance and House Appropriations Committees for agencies within the secretariat that oversee funds that generate annual revenues in excess of \$1.0 million in the prior fiscal year. At a minimum, the Secretary shall report annual revenues, expenditures, and transfers for each fund subject to this criteria. The Secretary shall consult with the Senate Finance and House Appropriations Committee staff to develop a format to report this information."

Explanation:

(This amendment requires the Secretary of Health and Human Resources to report fund balance information for state agencies within the Secretariat that have funds that exceed annual revenues of \$1.0 million. Last year's budget included \$65.0 million in agency balance transfers. This reporting requirement will allow for better oversight of agency fund balances within Health and Human Resources.)

Item 273 #4c

Health And Human Resources

Language:

Page 176, after line 49, insert:

"D. At least thirty days prior to issuing federal grant awards to advance health information technology and to help physicians acquire and adopt electronic health records, the Secretary of Health and Human Resources shall report to the Chairmen of the Senate Finance and House Appropriations Committees the plan to distribute these funds. In developing criteria to distribute grant funding, the Secretary shall (i) provide enhanced payments to physicians or other eligible practitioners that currently serve a disproportionate share of Medicaid and FAMIS enrollees and (ii) develop incentives to increase the participation of physicians or other eligible practitioners in Medicaid and FAMIS."

Explanation:

(This language amendment requires the Secretary of Health and Human Resources to report to the Chairmen of the Senate Finance and House Appropriations Committees the plan to distribute \$24.0 million in federal funds to advance health information technology and \$12.4 million to help physicians acquire and adopt electronic health records at least 30 days prior to awarding these funds.)

Item 274 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Comprehensive Services For At-Risk Youth And Families	(\$2,000,000)	\$0	GF

Language:

Page 177, line 3, strike "\$331,843,220" and insert "\$329,843,220".

Explanation:

(This amendment reduces funding in Comprehensive Services for At-Risk Youth and Families to reflect lower utilization of services.)

Item 274 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Comprehensive Services For	\$0	(\$4,000,000)	GF

At-Risk Youth And Families

Language:

Page 177, line 3, strike "\$330,608,613" and insert "\$326,608,613".

Page 179, line 25, strike "The local match rate for all".

Page 179, strike line 26.

Page 179, line 27, strike "2008." and insert:

"Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base."

Explanation:

(This amendment increases the local share of Medicaid-funded residential services provided under CSA similar to non-Medicaid residential services beginning July 1, 2011, resulting in savings to the state.)

Item 275 #1c

Health And Human Resources

Department For The Aging

Language

Language:

Page 182, after line 15, insert:

"P. The Virginia Department for the Aging, in collaboration with the 18 Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. Any AAA that receives funding for care coordination may submit a plan describing the model of care coordination to be implemented and shall work with the Department to ensure that the plan embraces best practices, integrates its other service delivery systems and includes sufficient measures for evaluation. The Department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards."

Explanation:

(This language amendment requires the Department to work with 18 Area Agencies on Aging that receive funding for care coordination to determine the best models to use in the Commonwealth for care coordination. It allows AAAs to submit a plan describing the model of care coordination to be used and requires them to work with the Department to ensure that the plan embraces best practices, works with other service delivery systems and includes evaluation measures. The Department and

designated AAAs are required to determine which models of service delivery are appropriate and demonstrate beneficial use of these funds.)

Item 275 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department For The Aging	(\$168,625)	(\$168,625)	GF

Language:

Page 180, line 48, strike "\$28,902,375" and insert "\$28,733,750".

Page 180, line 48, strike "\$28,902,375" and insert "\$28,733,750".

Explanation:

(This amendment reduces \$168,625 from the general fund each year for care coordination services provided to the elderly.)

Item 279 #1c

Health And Human Resources	
Department For The Deaf And Hard-Of-Hearing	Language

Language:

Page 183, after line 38, insert:

"C. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund."

Explanation:

(This amendment earmarks \$434,071 each year from the Communications Sales and Use Tax Trust Fund for the Technology Assistance Program that provides communications devices for individuals who are deaf and or hard-of-hearing. The introduced budget reduced the general fund share of the Technology Assistance Program and replaced it with nongeneral fund revenues.)

Item 281 #1c

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 281 #2c

Health And Human Resources
Department Of Health

FY 10-11
\$452,723

FY 11-12
\$452,723 NGF

Language:

Page 184, line 20, strike "\$36,447,065" and insert "\$36,899,788".

Page 184, line 20, strike "\$36,447,065" and insert "\$36,899,788".

Page 184, line 35, strike "1."

Page 184, line 35, strike the first "2,645,375" and insert "3,098,098".

Page 184, line 35, strike the second "2,645,375" and insert "3,098,098".

Page 184, line 36, strike "Virginia Rescue Squad Assistance Fund" and insert:
"special emergency medical services fund".

Page 184, strike lines 38 through 42.

Explanation:

(This amendment transfers an additional \$452,723 from the nongeneral fund each year to the Department of State Police for med-flight operations. The introduced budget transferred \$1.6 million each year from the Rescue Squad Assistance Fund (RSAF) to the State Police for med-flight. This amendment deletes the transfer from the RSAF and proposes the transfer from the special emergency medical services fund. A separate amendment to Item 3-6.03 (Annual Vehicle Registration Fee) increases the annual vehicle registration fee known as \$4 for Life from \$4.25 to

\$6.25. The additional \$2.00 fee is expected to generate \$12.6 million annually. Of the increase, \$2.1 million is being transferred to the Department of State Police for med-flight operations, \$1.6 million to replace funding that was coming from the RSAF and the additional \$452,723 included herein. A separate amendment to Item 3-1.01 (Interfund Transfers) transfers \$10.5 million each year to the general fund during the 2010-12 biennium.)

Item 282 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$2,500,000	\$0	GF
	(\$2,500,000)	(\$2,500,000)	NGF

Language:

Page 185, line 4, strike "\$10,044,340" and insert "\$7,544,340".

Explanation:

(This amendment restores \$2.5 million the first 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.)

Item 283 #1c

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 \$518,421 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 #1c

Health And Human Resources

Department Of Health

Language

Language:

Page 186, strike lines 11 through 31.

Explanation:

(This technical amendment deletes the new fee structure for the Office of Licensure and Certification. A companion amendment in Item 285 provides \$400,000 from the general fund the first year for the operations of the office.)

Item 285 #1c

Health And Human Resources

Department Of Health

FY 10-11
(\$119,800)

FY 11-12
(\$149,400) GF

Language:

Page 186, line 32, strike "\$12,790,228" and insert "\$12,670,428".

Page 186, line 32, strike "\$12,790,228" and insert "\$12,640,828".

Explanation:

(This amendment reduces funding for various administrative activities within the Office of Minority Health and Public Health Policy including administration, healthcare workforce management, information technology support and program support technician.)

Item 285 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$35,000	\$35,000	GF

Language:

Page 186, line 32, strike "\$12,790,228" and insert "\$12,825,228".

Page 186, line 32, strike "\$12,790,228" and insert "\$12,825,228".

Page 187, line 49, strike the first "165,000" and insert "200,000".

Page 187, line 49, strike the second "165,000" and insert "200,000".

Explanation:

(This amendment restores funding for sickle cell services provided through the Department of Health. Funding was reduced in the introduced budget.)

Item 285 #3c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$400,000	\$0	GF
	(\$400,000)	(\$604,415)	NGF

Language:

Page 186, line 32, strike "\$12,790,228" and insert "\$12,185,813".

Explanation:

(This amendment restores \$400,000 from the general fund the first year for the operations of the Office of Licensure and Certification. This funding had been removed and replaced with fee revenue from increasing application and licensure fees of health care providers. The amendment reduces \$400,000 the first year and \$604,415 the second year in nongeneral fund fee revenue as proposed in the introduced budget.)

Item 286 #1c

Health And Human Resources	
Department Of Health	Language

Language:

Page 187, strike lines 33 through 37.

Page 187, line 38, strike "B." and insert "A."
Page 187, line 42, strike "C." and insert "B."
Page 187, line 47, strike "D." and insert "C."
Page 187, line 49, strike "E." and insert "D."
Page 188, line 3, strike "F." and insert "E."

Explanation:

(This technical amendment deletes language providing general funds to the Resource Mothers Program. The general fund appropriation for the program was eliminated in the introduced budget.)

Item 287 #1c

Health And Human Resources

Department Of Health

Language

Language:

Page 188, line 45, after "of" insert "no".

Page 188, line 49, before the period, insert:

"for an onsite sewage system designed for less than 1,000 gallons per day when the application is supported with certified work from a licensed onsite soil evaluator".

Explanation:

(This technical amendment corrects language for the Office of Environmental Health Services fee schedule that was included in the introduced budget.)

Item 288 #1c

Health And Human Resources

Department Of Health

FY 10-11

(\$63,750)

FY 11-12

(\$63,750) GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,220,583".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,220,583".

Page 192, strike lines 14 through 18.

Page 192, line 19, strike "R" and insert "Q".

Page 192, line 26, strike "S" and insert "R".

Page 192, line 29, strike "T" and insert "S".

Page 192, line 31, strike "U" and insert "T".

Page 192, line 33, strike "V" and insert "U".

Page 192, line 36, strike "W" and insert "V".

Explanation:

(This amendment removes \$63,750 from the general fund each year for a pilot project that was designed to expand access to prenatal and obstetrical care for women in rural communities. One-time funding was provided in fiscal year 2010 to allow the community additional time to provide local support for the certified nurse midwife to continue the pilot project. Funding should have been removed in the introduced budget.)

Item 288 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$319,640	\$319,640	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,603,973".
Page 189, line 28, strike "\$13,284,333" and insert "\$13,603,973".
Page 190, line 46, strike the first "1,380,360" and insert "1,700,000".
Page 190, line 46, strike the first "1,380,360" and insert "1,700,000".

Explanation:

(This amendment restores \$319,640 from the general fund each year for free clinics that was reduced by ten percent in the introduced budget.)

Item 288 #3c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$240,875	\$240,875	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,525,208".
Page 189, line 28, strike "\$13,284,333" and insert "\$13,525,208".
Page 190, line 24, strike the first "1,559,125" and insert "1,800,000".
Page 190, line 24, strike the second "1,559,125" and insert "1,800,000".

Explanation:

(This amendment restores \$240,875 each year from the general fund for Community and Migrant Health Centers which were reduced in the introduced budget by ten percent.)

Item 288 #4c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$408,057	\$408,057	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,692,390".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,692,390".

Page 191, line 12, strike the first "3,672,514" and insert "4,080,571".

Page 191, line 12, strike the second "3,672,514" and insert "4,080,571".

Explanation:

(This amendment restores \$408,057 from the general fund each year for the Virginia Health Care Foundation. Funding was reduced by ten percent in the introduced budget. The Foundation leverages private funding to provide seed funding for community-based organizations to increase access to health care, dental services and mental health services.)

Item 288 #5c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	(\$95,625)	(\$191,250)	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,188,708".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,093,083".

Page 192, line 31, strike the first "191,250" and insert "95,625".

Page 192, line 31, strike "and \$191,250 the second year".

Explanation:

(This amendment phases out funding for the Patient Advocate Foundation, a non-state agency that began receiving general fund support in 2008.)

Item 288 #6c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$13,500	\$13,500	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,297,833".
Page 189, line 28, strike "\$13,284,333" and insert "\$13,297,833".
Page 192, line 19, strike the first "76,500" and insert "90,000".
Page 192, line 19, strike the second "76,500" and insert "90,000".

Explanation:

(This amendment restores \$13,500 from the general fund each year for community-based organizations that provide patient assistance, education, and family support for individuals suffering from sickle cell disease.)

Item 288 #7c

Health And Human Resources

Department Of Health

Language

Language:

Page 192, line 34, strike "The department will pursue".
Page 192, strike line 35.

Explanation:

(This amendment removes language consolidating Poison Control Centers into a single statewide contract.)

Item 288 #8c

Health And Human Resources

Department Of Health

FY 10-11

FY 11-12

\$0

(\$843,612) GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$12,440,721".
Page 189, line 32, strike the second "2,359,504" and insert "1,515,892".

Explanation:

(This amendment reduces \$843,612 from the general fund the second year for the Comprehensive Health Investment Project (CHIP) of Virginia.)

Item 289 #1c

Health And Human Resources

FY 10-11

FY 11-12

Department Of Health (\$2,600,000) (\$2,600,000) GF

Language:

Page 192, line 38, strike "\$31,770,671" and insert "\$29,170,671".

Page 192, line 38, strike "\$31,770,671" and insert "\$29,170,671".

Page 193, strike lines 2 through 4.

Explanation:

(This amendment reduces funding by \$2.6 million each year for drinking water projects. This additional general fund amount was added in the 2006 Session to offset reductions in federal drinking water funding. However, Virginia recently received an additional \$20.8 million from the federal American Recovery and Reinvestment Act for drinking water construction projects. This reduction does not affect the Commonwealth's required general fund match for the federal drinking water program funds.)

Item 290 #1c

Health And Human Resources

FY 10-11

FY 11-12

Department Of Health

\$214,400

\$0 GF

(\$132,826)

(\$132,826) NGF

Language:

Page 193, line 5, strike "\$7,944,323" and insert "\$8,025,897".

Page 193, line 5, strike "\$7,944,323" and insert "\$7,811,497".

Page 193, line 16, strike "A."

Page 193, strike lines 18 through 47.

Page 194, strike lines 1 through 3.

Explanation:

(This amendment restores \$214,400 from the general fund the first year to the Department of Health for the Office of Environmental Health marina and shellfish sanitation programs. The amendment also strikes language in the introduced budget which established fees for marinas and shellfish sanitation.)

Item 296 #1c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 196, after line 49, insert:

"L. The Department of Medical Assistance Services is directed to develop enrollment and retention provisions, consistent with those outlined in Section 104 of the Children’s Health Insurance Program (CHIP) Reauthorization Act of 2009, P.L. 111-3, and implement provisions determined to be budget-neutral, cost-effective or that would lead to an award of a CHIP performance bonus."

Explanation:

(This language amendment, submitted by the Joint Commission on Health Care, requires the Department to develop budget-neutral, cost-effective enrollment and retention provisions consistent with federal law that may lead to a performance bonus under the Children's Health Insurance Program.)

Item 296 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	(\$19,295,228)	GF
	\$0	(\$35,923,995)	NGF

Language:

Page 195, line 15, strike "\$172,334,005" and insert "\$117,114,782".

Page 195, line 33, after "C.", insert:

"1. Effective July 1, 2011, 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. If there is an extension through June 30, 2011, of increased Federal Medical Assistance Percentage, established under the American Recovery and Reinvestment Act, the provisions in this paragraph, C.1., shall not become effective.

2."

Page 195, line 38, after "D.", insert "1."

Page 195, after line 49, insert:

"2. Effective July 1, 2011, 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. If there is an extension through June 30, 2011, of increased Federal Medical Assistance Percentage, established under the American Recovery and Reinvestment Act, the provisions in this paragraph, D.2., shall not become effective."

Explanation:

(This amendment reduces eligibility for the FAMIS and FAMIS Moms program from 200 percent to 175 percent in fiscal year 2012. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #1c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 209, after line 23, insert:

"XXX. The Department of Medical Assistance Services shall work with the Department of Behavioral Health and Developmental Services and the Virginia Association of Community Services Boards to establish rates for the Intensive In-Home Service based on quality indicators and standards, such as the use of evidence-based practices."

Explanation:

(This amendment directs the Department of Medical Assistance Services to work with the Department of Behavioral Health and Developmental Services and the Virginia Association of Community Services Boards to establish rates for intensive in-home services within certain parameters.)

Item 297 #2c

Health And Human Resources

Department Of Medical Assistance
Services

FY 10-11

(\$890,977)

(\$890,977)

FY 11-12

(\$890,977)

(\$890,977)

GF

NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,804,544,205".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,270,623,076".

Explanation:

(This technical amendment corrects the distribution of the central accounts transfer in the introduced budget for the Department of Medical Assistance Services. Out of a total reduction of \$1,422,605 general fund in each year, \$890,977 of that amount should have been transferred to the Medicaid program budget as opposed to the administrative budget where it was inadvertently applied. The corresponding federal funds are also redistributed to the proper program. This amendment reflects the reduction to the Medicaid program.)

Item 297 #3c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 208, line 9, after "(12 VAC 30-70-291.E).", strike:
"IME payments to Virginia hospitals shall remain".
Page 208, line 10, strike "unchanged."

Explanation:

(This technical amendment eliminates a sentence to clarify a proposed budget reduction strategy. The strategy directs the Department of Medical Assistance Services to eliminate special Indirect Medical Education payments to three hospitals based on Neonatal Intensive Care Unit utilization or days. The language contains a sentence that may create confusion. This amendment deletes the unnecessary sentence to clarify the action.)

Item 297 #4c

Health And Human Resources

Department Of Medical Assistance
Services

FY 10-11

FY 11-12

\$0	(\$563,081)	GF
\$0	(\$563,081)	NGF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,271,278,868".
Page 198, line 22, strike "are" and insert "is".
Page 198, line 22, strike "annually" and insert "in the first year".

Page 198, line 22, after the period, insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective and the medically needy income limits will be adjusted to account for changes in the Consumer Price Index."

Explanation:

(This amendment eliminates an automatic inflationary increase in the medically needy income limits the second year. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #5c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$85,736,111)	\$0	GF
Services	\$85,736,111	\$0	NGF

Language:

Explanation:

(This amendment reduces the general fund share of the Commonwealth's required Medicare Part D "Clawback" payment to reflect a recent decision by the federal government to apply the enhanced federal match to the payment. This one-time action results in general fund savings of \$85.7 million in fiscal year 2011.)

Item 297 #6c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$276,385)	(\$625,306)	GF
Services	(\$276,385)	(\$625,306)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,805,773,389".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,271,154,418".

Page 209, after line 23, insert:

"XXX.1. 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 in the Individual and Family Developmental Disabilities Supports, Intellectual Disabilities, Technology Assisted and HIV/AIDS waivers. 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. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph in the first year shall not become effective.

2. The Department of Medical Assistance Services shall report on utilization and costs of providing environmental modifications and assistive technology in the Medicaid program to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2010."

Explanation:

(This amendment assumes savings by applying new parameters to the use of environmental modifications and assistive technology. Currently, an individual can receive up to \$5,000 for environmental modification and assistive technology. This amendment reduces the limit to \$3,000 per project. Language is added to restore funding the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. Language also provides for a report on the use and cost of the program.)

Item 297 #7c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	(\$7,100,000)	(\$7,100,000)	GF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,799,226,159".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,265,305,030".

Page 197, strike lines 34 through 51 and insert:

"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. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage established under the American Recovery and Reinvestment Act, the reduction of \$4,445,409 from the general fund the first year and \$4,444,189 from the general fund the second year shall not become effective.

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. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage established under the American Recovery and Reinvestment Act, the reduction of \$2,654,591 from the general fund the first year and \$2,655,811 from the general fund the second year shall not become effective."

Explanation:

(This amendment reduces funding of \$7.1 million each year to the Virginia Commonwealth University Health System and the University of Virginia Health System for indigent health care costs. Language is added to restore this funding in the event that enhanced Federal Medical Assistance Percentage (FMAP) available through federal ARRA legislation is extended by two quarters in fiscal year 2011.)

Item 297 #8c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$995,826	\$1,332,500	GF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,321,985".
 Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,737,530".
 Page 200, line 40, strike "two" and insert "three".

Explanation:

(This amendment restores \$995,826 the first year and \$1.3 million the second year to the general fund for pharmacy reimbursement for generic pharmaceuticals. Language is modified to require the Department of Medical Assistance Services to change the maximum allowable cost (MAC) reimbursement to require the identification of three different suppliers that are able to supply the pharmaceutical product and from whom pharmacies are able to purchase sufficient quantities of the drug.)

Item 297 #9c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	(\$604,784)	GF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,271,800,246".

Explanation:

(This amendment includes an estimate of general fund savings that was not included in the introduced budget the second year for the competitive bidding of incontinence supplies.)

Item 297 #10c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$989,396	\$1,119,227	GF
	\$1,248,551	\$1,119,227	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,808,564,106".
 Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,274,643,484".
 Page 200, after line 7, insert:

"7. The Department of Medical Assistance Services shall (i) exempt antidepressant,

antianxiety and antipsychotic medications used for the treatment of mental illness from the Medicaid Preferred Drug List program; (ii) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (iii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-approved indications and dosage levels. The department shall report on the utilization and cost of drugs exempted under the provisions of this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2010."

Page 200, line 8, strike "7." and insert "8."

Explanation:

(This amendment adds language to continue the current exemption of antidepressant, antianxiety and antipsychotic medications used to treat mental illness from the Medicaid Preferred Drug List. Funding is also restored that was reduced in the introduced budget from the estimated savings of including these medications in the Medicaid Preferred Drug List program. Language is added requiring the Department of Medical Assistance Services to continue to review utilization of these medications and ensure appropriate use and dosage requirements are followed. If negative prescribing patterns are detected, the department is required to notify the medical director of the Department of Behavioral Health and Developmental Services who may require peer consultation with the prescriber. However, the language does not preempt the authority of the prescriber from determining which medication to prescribe or refill. Language also requires a report to the money committees by the department on the utilization and cost of drugs exempted.)

Item 297 #11c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 206, line 17, after the period, insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the amounts reduced in this paragraph shall not become effective."

Explanation:

(This amendment adds language to restore \$449,298 from the general fund and \$566,983 from the nongeneral fund the first year and \$522,102 from the general fund and \$522,102 from the nongeneral fund from federal Medicaid matching funds the second year for long-stay hospitals if Congress passes a 6-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. The introduced budget proposed to eliminate funding for inflation and the incentive plan for long-stay hospitals in each year.)

Item 297 #12c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$430,950	\$0	GF
Services	\$543,830	\$0	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,300,939".

Page 208, line 20, strike "2010" and insert "2011".

Page 208, line 21, after the period, insert:

"The department shall review available data from other state Medicaid programs that have recently eliminated coverage of podiatry services and evaluate the impact on other Medicaid costs of eliminating this service. The department shall report its findings no later than November 15, 2010 to the Chairmen of the House Appropriations and Senate Finance Committees. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective."

Explanation:

(This amendment restores \$430,950 from the general fund and \$543,830 from the nongeneral fund the first year from federal Medicaid matching funds to delay a proposal to eliminate Medicaid coverage of podiatry services that was included in the introduced budget. Language is added to restore funding the second year if Congress passes a 6-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. Language is also added requiring the Department to evaluate the impact on other Medicaid services of eliminating coverage of podiatry

services.)

Item 297 #13c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$9,000,000)	(\$9,000,000)	GF
Services	\$9,000,000	\$9,000,000	NGF

Language:

Page 201, line 7, strike "292,001,874" and insert "301,001,874".

Page 201, line 8, strike "294,242,812" and insert "303,242,812".

Page 201, line 19, strike "290,022,750" and insert "299,022,750".

Page 201, line 19, strike "292,238,249" and insert "301,238,249".

Explanation:

(This amendment increases anticipated revenues to the Virginia Health Care Fund (VHCF) by \$9.0 million each year. The introduced budget reduced anticipated revenues to the Fund assuming an increase in the federal tax on cigarettes imposed in April 2009 would have a negative effect on cigarette tax collections. Collections from July through December 2009, however, do not show signs that revenues are declining. Revenues in the Fund are used as the state's general fund match for Medicaid. If revenues to the Fund increase, the general fund commitment to Medicaid is reduced as reflected here.)

Item 297 #14c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$2,253,621)	(\$2,965,290)	GF
Services	(\$3,676,959)	(\$2,965,290)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,800,395,579".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,266,474,450".

Page 209, after line 23, insert:

"XXX. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to pay out-of-state border hospitals who treat Virginia Medicaid recipients at inpatient operating rates that are a percentage of reimbursement they would otherwise be paid based on the percentage of reimbursement their state Medicaid program, on average, pays similarly situated

Virginia hospitals for treating their Medicaid recipients. The department shall determine the percentage of reimbursement that border state Medicaid programs, on average, pay similarly situated Virginia hospitals for treating their Medicaid recipients up to 100 percent and include those percentages in regulation. Out-of-state cost reporting hospitals who have Virginia Medicaid utilization in the base year of at least 12 percent of total Medicaid days shall continue to be paid as similarly situated Virginia hospitals are for operating payments. The department shall promulgate regulations to become effective within 280 days or less from the enactment of the Act. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph in the first year shall not become effective."

Explanation:

(This amendment reduces payments to out-of-state hospitals treating Virginia Medicaid recipients by reimbursing these hospitals at the same rate their states pay Virginia hospitals for serving children from that state. Hospitals whose Virginia Medicaid days make up 12 percent or more of their total Medicaid days are not subject to the reduction. Language is added to restore funding the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #15c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$1,242,826	\$1,282,596	GF
Services	\$1,242,826	\$1,282,596	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,808,811,811".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,274,970,222".

Page 208, line 47, after "days." insert:

"Out-of-state cost reporting hospitals that do not meet the 12 percent threshold shall be compensated at 50 percent of the rate that they otherwise would have received under the current payment methodology as modified in this Act."

Explanation:

(This amendment restores \$1.2 million to the general fund and \$1.2 million to the nongeneral fund the first year and \$1.3 million to the general fund and \$1.3 million to the nongeneral fund from federal Medicaid matching funds the second year to restore 50 percent of payments to out-of-state hospitals that fail to meet a threshold of 12

percent of Virginia residents from the Medicaid caseloads to qualify for additional disproportionate share hospital (DSH) payments.)

Item 297 #16c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$1,242,826	\$1,282,596	GF
Services	\$1,242,826	\$1,282,596	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,808,811,811".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,274,970,222".

Page 206, line 29, strike "prior to" and insert "after".

Page 206, line 29, after "eligibility", insert:

"plus \$1,242,826 from the general fund and \$1,242,826 from nongeneral funds the first year and \$1,282,596 from the general fund and \$1,282,596 from nongeneral funds the second year".

Explanation:

(This amendment restores \$1.2 million to the general fund and \$1.2 million to the nongeneral fund the first year and \$1.3 million to the general fund and \$1.3 million to the nongeneral fund from federal Medicaid matching funds the second year by reducing by 50 percent additional payments made to out-of-state hospitals that receive disproportionate share hospital (DSH) payments and restoring those payments to in-state hospitals receiving DSH payments. A companion amendment to this item reduces by 50 percent the amount of DSH an out-of-state hospital qualifies for if less than 12 percent of its Medicaid days are comprised of Virginia Medicaid enrollees.)

Item 297 #17c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$1,695,182)	(\$1,917,627)	GF
Services	(\$1,695,182)	(\$1,917,627)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,802,935,795".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,268,569,776".

Page 208, line 43, after "TTT." insert "1.".

Page 208, after line 49, insert:

"2. Effective July 1, 2010, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to establish a threshold for out-of-state cost reporting hospitals to qualify for indirect medical education payments. In addition to meeting all other requirements, out-of-state cost reporting hospitals must have Virginia Medicaid utilization in the base year of at least 12 percent of total Medicaid days. 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."

Explanation:

(This amendment assumes savings by creating a new threshold for out-of-state hospitals to receive additional payments related to indirect medical education. In order to qualify for indirect medical education payments, at least 12 percent of out-of-state hospitals total Medicaid bed days will need to be Virginia Medicaid patients beginning July 1, 2010. No other state provides Virginia hospitals with additional IME payment that the Commonwealth provides to out-of-state hospitals.)

Item 297 #18c

Health And Human Resources

FY 10-11

FY 11-12

Department Of Medical Assistance
Services

(\$14,609,580)
(\$18,436,292)

(\$24,164,264) GF
(\$24,164,264) NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,773,280,287".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,224,076,502".

Page 209, after line 23, insert:

"XXX. 1. Effective July 1, 2010, the hospital adjustment factor for acute care and rehabilitation inpatient services for Type Two hospitals shall be 75 percent of cost and the adjustment factor for psychiatric inpatient hospital services for Type Two hospitals shall be 81 percent of cost. Corresponding changes shall be made to the hospital adjustment factors for Type One hospitals.

2. Effective July 1, 2011, the hospital adjustment factor for acute care and rehabilitation inpatient services for Type Two hospitals shall be 74 percent of cost and the adjustment factor for psychiatric inpatient hospital services for Type Two hospitals shall be 80 percent of cost. Corresponding changes shall be made to the hospital adjustment factors for Type One hospitals.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces funding for inpatient hospital rates paid through the Medicaid program by 3 percent the first year and 4 percent the second year. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #19c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$6,928,731)	(\$10,802,339)	GF
Services	(\$8,743,585)	(\$10,802,339)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,790,653,843".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,250,800,352".

Page 209, after line 23, insert:

"XXX. 1. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce reimbursement for hospital outpatient services from 80 percent of cost to 77 percent of cost for Type Two hospitals and from 94 percent of cost to 91 percent of cost for Type One hospitals. The department shall not replace through other payment mechanisms the losses Type One hospitals experience from this reduction unless the provider is able to transfer the state share or certify the public expenditures.

2. Effective July 1, 2011, the Department of Medical Assistance Services shall reduce reimbursement for hospital outpatient services from 77 percent of cost to 76 percent of cost for Type Two hospitals and from 91 percent of cost to 90 percent of cost for Type One hospitals. The department shall not replace through other payment mechanisms the losses Type One hospitals experience from this reduction unless the provider is able to transfer the state share or certify the public expenditures.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces payments for outpatient hospital services provided through Medicaid by three percent the first year and four percent the second year. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #20c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$12,935,953)	(\$16,334,061)	GF
Services	(\$16,324,289)	(\$16,334,061)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,777,065,917".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,239,736,908".

Page 206, strike lines 43 through 49 and insert:

"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 years end of June 30, 2010.

b. Further reduce nursing facility direct and indirect care payment rates and specialized care operating rates by three percent 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.

c. Provide that the floor for the nursing facility FRV "rental rate" shall be 8.75 percent in fiscal year 2011 and 8.5 percent in 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. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reductions in paragraph DDD.1.b.

and paragraph DDD.1.c. shall not become effective."

Explanation:

(This amendment replaces language in the introduced budget related to nursing facility reimbursement changes. Language is added to reduce the operating payment rate for nursing homes by three percent each year and capital payments by 0.25 percent the first year and 0.5 percent the second year. Language is added to restore funding for the additional operating and capital rate reductions in both years if Congress passes a six-month extension of enhanced federal Medicaid funding.)

Item 297 #21c

Health And Human Resources

FY 10-11

FY 11-12

Department Of Medical Assistance
Services

(\$8,777,395)
(\$11,076,456)

(\$14,714,275) GF
(\$14,714,275) NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,786,472,308".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,242,976,480".

Page 209, after line 23, insert:

“XXX. 1. Effective July 1, 2010, the Department shall reduce by 3 percent rates determined under RBRVS in 12 VAC 30-80-190 at the same time as the annual update.

2. Effective July 1, 2011, the Department shall reduce by 4 percent rates determined under RBRVS in 12 VAC 30-80-190 at the same time as the annual update, calculated as if the reduction in subparagraph 1 had not been taken.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces funding by three percent the first year and four percent the second year for physicians and other practitioners delivering Medicaid-funded services. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #22c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$1,473,404)	(\$2,334,840)	GF
Services	(\$1,859,335)	(\$2,334,840)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,802,993,420".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,267,735,350".

Page 209, after line 23, insert:

“XXX. 1. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce the rates for dental services by 3.0 percent.

2. Effective July 1, 2011, the Department of Medical Assistance Services shall reduce the rates for dental services by 4.0 percent below the rates in effect on June 30, 2010.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces funding by three percent the first year and four percent the second year for dental services funded through Medicaid. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #23c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$0	(\$523,579)	GF
Services	\$0	(\$523,579)	NGF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,271,357,872".

Page 209, after line 23, insert:

"XXX. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to decrease the dispensing fee paid to pharmacists from \$3.75 to \$3.50 per prescription per month. Such amendments to the State Plan shall become effective July 1, 2011. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and

Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces the dispensing fee paid to pharmacists by \$0.25 effective July 1, 2011. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #24c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$0	(\$36,167,138)	GF
Services	\$0	(\$36,167,138)	NGF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,200,070,754".

Page 209, after line 23, insert:

"XXX. Effective July 1, 2011, the Department shall amend the State Plan for Medical Assistance to reduce the category of eligibility, as described in Section 1902(m) of the Social Security Act (42 USC§1396a(m)), for aged and disabled individuals with income levels to 75 percent of the federal poverty line. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces income eligibility under Medicaid for the aged, blind and disabled to 75 percent of poverty in the second year. Currently, aged, blind and disabled individuals are eligible for Medicaid if they have income up to 80 percent of poverty. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #25c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$0	(\$623,520)	GF
Services	\$0	(\$623,520)	NGF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,271,157,990".

Explanation:

(This amendment adjusts funding for Medicaid to reflect a four percent rate reduction for auxiliary grant payments in Item 330. Reducing the auxiliary grant payment rate has the effect of reducing enrollment in Medicaid. Language included in Item 330 restores funding for the auxiliary grant rate reduction if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. If the auxiliary grant rate is restored, it will eliminate this reduction in eligibility.)

Item 297 #26c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$0	(\$36,440,811)	GF
Services	\$0	(\$36,440,811)	NGF

Language:

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,199,523,408".

Page 208, line 32, after "RRR." insert "1."

Page 208, after line 39, insert:

"2. 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 250 percent of the SSI payment level. The department shall implement this change effective July 1, 2011.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in income eligibility from 300 percent to 250 percent of SSI in this paragraph shall not become effective."

Explanation:

(This amendment further reduces eligibility for the SSI eligibility group from 275 to 250 percent of SSI. The introduced budget reduces eligibility on January 1, 2011 from 300 to 275 percent of SSI. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 209, after line 23, insert:

"XXX. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reductions in paragraph WW., HHH., III., JJJ., KKK., LLL. and NNN. shall not become effective."

Explanation:

(The introduced budget included several reductions to Medicaid home- and community-based waiver services including a five percent reduction in provider rates, a reduction of respite care from 720 to 240 hours per year, and a freeze on the reallocation of community-based waiver slots. This amendment restores funding for these Medicaid home- and community-based waiver services if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 208, line 42, after "2010.", insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective."

Explanation:

(This amendment adds language to restore reimbursement for pharmaceutical products to the Average Wholesale Price minus 10.25 percent if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. The introduced budget had reduced reimbursement for pharmaceutical products to the Average Wholesale Price minus 13.1 percent.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 208, line 25, after "change.", insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective."

Explanation:

(This amendment adds language to restore Medicaid reimbursement for optometry services if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011. The introduced budget had eliminated Medicaid coverage for this service.)

Health And Human Resources

Department Of Medical Assistance
Services

FY 10-11

(\$1,321,092)

(\$1,667,128)

FY 11-12

(\$1,985,800)

(\$1,985,800)

GF

NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,803,337,939".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,268,433,430".

Page 206, line 50, after "EEE.", insert "1."

Page 206, after line 51, insert:

"2. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce reimbursements to residential psychiatric facilities to achieve an additional savings in the first year of \$1,321,092 general fund and \$1,667,128 nongeneral fund and in the second year of \$1,985,800 general fund and \$1,985,800 nongeneral fund. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the first year reduction in paragraph EEE.2. shall not become effective."

Explanation:

(This amendment reduces Medicaid funding for residential psychiatric facilities

by 3 percent the first year and 4 percent the second year. Language is added to restore the first year funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #31c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 206, line 4, after "ZZ.", insert "1."

Page 206, line 5, after "Virginia," insert:
"and paragraph ZZ.2. of this item,".

Page 206, after line 10, insert:

"2. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the Department of Medical Assistance Services shall amend the 1915 (c) home- and community-based Intellectual disabilities waiver to add 250 slots effective July 1, 2010 to address the community waiting list."

Explanation:

(The introduced budget included several reductions to Medicaid home-and community-based waiver services including a freeze on adding new slots not specifically related to the down-sizing of Southeastern Virginia Training Center or other state facilities. Language provides an exception for the addition of 250 community-based waiver slots for individuals with intellectual disabilities if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #32c

Health And Human Resources

Department Of Medical Assistance
Services

FY 10-11

(\$1,609,968)
(\$2,031,670)

FY 11-12

(\$2,649,535)
(\$2,649,535)

GF
NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,802,684,521".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,267,105,960".

Page 209, after line 23, insert:

"XXX.1. 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 72 percent of cost for Type One and Type Two hospitals. 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.

2. Effective July 1, 2011, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce hospital capital reimbursement from 72 percent of cost to 71 percent of cost for Type One and Type Two hospitals. 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.

3. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective."

Explanation:

(This amendment reduces funding for hospital capital rates paid through the Medicaid program by 3 percent the first year and 4 percent the second year. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #33c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$0	(\$592,869)	GF
	\$0	\$592,869	NGF

Language:

Page 209, after line 23, insert:

"XXX. Effective July 1, 2011, 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. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the

reduction in this paragraph shall not become effective.”

Explanation:

(This amendment reduces the general fund by \$592,869 and increases federal Medicaid funding by a like amount by requiring the Department of Medical Assistance Services to retain 5 percent of the federal Medicaid matching reimbursed to school divisions for medical and transportation services for administrative costs of processing billing for localities. The amendment also adds language to reverse this action if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #34c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$3,600,000	\$3,600,000	GF
Services	(\$3,600,000)	(\$3,600,000)	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 increased to reflect a repeal of the dealer discount on tobacco taxes. The dealer discount is not applied to tobacco taxes which flow to the Virginia Health Care Fund.)

Item 297 #35c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$1,494,140)	(\$2,253,605)	GF
Services	(\$1,885,503)	(\$2,253,605)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,802,946,516".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,267,897,820".

Page 209, after line 23, insert:

"XXX.1. Effective July 1, 2010, the Department of Medical Assistance Services shall reduce rates for mental health therapeutic day treatment services by three percent and require prior authorization of services. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in paragraph XXX.1. shall not become effective.

2. Effective July 1, 2011, the Department of Medical Assistance Services shall reduce rates for mental health therapeutic day treatment services by four percent below the rates in effect on June 30, 2010".

Explanation:

(This amendment reduces Medicaid funding for mental health therapeutic day treatment by 3 percent in fiscal year 2011 and 4 percent in fiscal year 2012. Language is added to restore the first year funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 297 #36c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 197, line 3, strike "3,687,730,127" and insert "3,684,130,127".

Page 197, line 3, strike "3,556,875,399" and insert "3,553,275,399".

Explanation:

(This technical amendment corrects an error from the introduced budget by reducing the federal appropriation for Medicaid (transfers appropriation from fund group 1000 to 0900). The introduced budget included \$3.6 million each year in new revenue to the Health Care Fund from the repeal of the dealer discount on tobacco taxes, but the appropriation was inadvertently added as federal appropriation. A separate amendment to this item restores funding for the dealer discount.)

Item 297 #37c

Health And Human Resources

Department Of Medical Assistance

Language

Services

Language:

Page 206, line 4, after "ZZ.", insert "1."

Page 206, after line 10, insert:

"2. The Department of Medical Assistance Services shall amend the 1915 (c) home- and community-based Intellectual Disabilities waiver to add 30 waiver slots for Medicaid recipients who are exiting Southeastern Virginia Training Center according to the following schedule: 15 waiver slots effective July 1, 2010 and 15 additional waiver slots effective July 1, 2011."

Explanation:

(This language amendment allows the department to add 15 Intellectual Disabilities (ID) waiver slots each year for residents of Southeastern Virginia Training Center (SEVTC) who are being discharged into the community. Funding is already included in the budget for individuals transferring out of SEVTC.)

Item 297 #38c

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 203, line 55, after "to add", insert "up to".

Page 203, line 55, after "30 new slots (" insert "up to".

Page 203, line 56, after "to add", insert "up to)".

Page 203, line 56, after "220 new slots ("", insert "up to".

Explanation:

(This technical amendment limits the number of Money Follows the Person (MFP) Medicaid waiver slots created each year. Currently, the budget provides for 15 Developmental Disabilities (DD) and 110 Intellectual Disabilities (ID) waiver slots to be created each year. This change provides that up to 15 DD and up to 110 ID waivers slots will be created each year. The purpose of this amendment is to ensure that any waiver slots not needed by the MFP program are not created, which would require funding after the expiration of the MFP program.)

Item 300 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$890,977	\$890,977	GF
Services	\$890,977	\$890,977	NGF

Language:

Page 210, line 6, strike "\$106,206,839" and insert "\$107,988,793".

Page 210, line 6, strike "\$105,979,839" and insert "\$107,761,793".

Explanation:

(This technical amendment corrects the distribution of the central accounts transfer in the introduced budget for the Department of Medical Assistance Services. Out of a total reduction of \$1,422,605 general fund in each year, \$890,977 of that amount should have been transferred to the Medicaid program budget as opposed to the administrative budget where it was inadvertently applied. The corresponding federal funds are also redistributed to the proper program. This amendment reflects the positive side of the transfer to the administrative program.)

Item 300 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$1,550,000)	(\$1,550,000)	GF
Services	(\$1,550,000)	(\$1,550,000)	NGF

Language:

Page 210, line 6, strike "\$106,206,839" and insert "\$103,106,839".

Page 210, line 6, strike "\$105,979,839" and insert "\$102,879,839".

Explanation:

(This amendment reduces funding for Medicaid administrative costs by 10 percent each year.)

Item 304 #1c

Health And Human Resources
 Department Of Behavioral Health
 And Developmental Services

Language

Language:

Page 212, strike lines 34 through 53.

Page 212, line 54, strike "F" and insert "D".

Page 213, line 2, strike "G" and insert "E".

Page 213, strike lines 8 through 16.

Page 213, line 17, strike "J" and insert "F".

Page 213, line 20, strike "K" and insert "G".

Page 213, line 23, strike "L" and insert "H".

Page 213, line 34, strike "M" and insert "I".

Page 213, line 37, strike "N" and insert "J".

Page 213, line 41, strike "O" and insert "K".

Page 214, line 20, strike "P" and insert "L".

Page 214, line 34, strike "Q" and insert "M".

Page 214, after line 48, insert:

"R. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year. The first annual report shall be submitted no later than December 1, 2010 for fiscal year 2010."

Explanation:

(This amendment removes budget language related to duplicative reporting requirements, obsolete references, or administrative responsibilities. In light of recent budget reductions that have eliminated significant Central Office and CSB administrative capacity, continuation of these reporting requirements will be difficult to support. Further, the reports already submitted have documented effective implementation of the System Transformation and Mental Health Law Reform initiatives. The proposed new reporting requirement will provide more meaningful and useful data about the system's performance. A companion amendment to Item 305 makes similar modifications.)

Health And Human Resources

Department Of Behavioral Health
And Developmental Services

Language

Language:

Page 214, strike lines 34 through 48 and insert:

"Q. The Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) shall establish a planning process to identify concrete steps to provide children's mental health services, both inpatient and community-based, as close to children's homes as possible. The planning process will produce a comprehensive plan that ensures there are child-centered services, both inpatient and community-based, delivered at the community level in every Health Planning Region in the Commonwealth. The target populations to be addressed in this plan are children through age 17 who: (i) have a mental health problem, (ii) may have co-occurring mental health and substance abuse problems, (iii) may be in contact with the juvenile justice or courts systems, (iv) may require emergency services, or (v) may require long term community mental health and other supports. The planning process should identify the mental health and substance abuse services that are needed to help families keep their children at home and functioning in the community and should define the role that the Commonwealth Center for Children and Adolescent will play in this effort. The plan should establish and rank recommendations based on greatest priority and identify future funding associated with each recommendation. The planning process shall include input from community services boards, state and private inpatient facilities, the Department of Social Services, the Office of Comprehensive Services, the Department of Juvenile Justice, the Department of Education, the Department of Medical Assistance Services, parents of children with mental health and co-occurring substance abuse problems, advocates for child mental health and co-occurring services, and any other persons or entities the DBHDS deems necessary for full consideration of the issues and needed solutions. The Commissioner shall report interim findings to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2010 and a final report by November 1, 2011.

Explanation:

(This amendment removes language that proposed the closure of the Commonwealth Center for Children and Adolescents in the introduced budget and replaces it with language directing the Commissioner of Behavioral Health and Developmental Services (DBHDS) to establish a planning process to provide a

comprehensive plan for providing children's mental health services in the Commonwealth. Language directs the Commissioner to provide an interim and final report on the issues and funding related to children's mental health services to the Chairmen of the House Appropriations and Senate Finance Committees.)

Item 304 #3c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Behavioral Health And Developmental Services	\$400,000	\$400,000	GF

Language:

Page 212, line 4, strike "\$41,494,426" and insert "\$41,894,426".

Page 212, line 4, strike "\$40,731,426" and insert "\$41,131,426".

Page 213, line 37, strike the first "2,270,000" and insert "2,670,000".

Page 213, line 37, strike the second "2,270,000" and insert "2,670,000".

Explanation:

(This amendment restores \$400,000 from the general fund each year for jail diversion and prisoner reentry services for individuals with mental illness that was reduced in the introduced budget.)

Item 304 #4c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Behavioral Health And Developmental Services	(\$2,100,000)	(\$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".

Page 214, after line 38, insert:

"R. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction of \$2,100,000 from the general fund each year in this item shall not become effective and the funding shall be provided for community mental health services for children."

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. A companion amendment in Item 309 fully restores funding for the CCCA. This amendment adds language to restore funding for children's community mental health services if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 305 #1c

Health And Human Resources

Grants To Localities

Language

Language:

- Page 215, strike lines 29 through 32.
- Page 215, line 33, strike "H" and insert "G".
- Page 215, line 36, strike "I" and insert "H".
- Page 216, strike lines 1 through 4.
- Page 216, line 5, strike "K" and insert "I".
- Page 216, strike lines 17 through 54.
- Page 217, strike lines 1 through 17.
- Page 217, line 18, strike "W" and insert "J".
- Page 217, line 25, strike "X" and insert "K".
- Page 217, line 30, strike "Y" and insert "L".
- Page 217, line 34, strike "Z" and insert "M".
- Page 217, line 37, strike "AA" and insert "N".
- Page 217, line 48, strike "BB" and insert "O".
- Page 217, line 54, strike "CC" and insert "P".
- Page 218, strike lines 9 through 18.
- Page 218, line 19, strike "EE" and "Q".
- Page 218, line 21, strike "FF" and insert "R".

Explanation:

(This amendment removes budget language related to duplicative reporting requirements, obsolete references, or administrative responsibilities. In light of recent budget reductions that have eliminated significant Central Office and CSB administrative capacity, continuation of these reporting requirements will be difficult to support. Further, the reports already submitted have documented effective

implementation of the System Transformation and Mental Health Law Reform initiatives. The proposed new reporting requirement in a companion amendment to Item 304 will provide more meaningful and useful data about the system's performance.)

Item 309 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Mental Health Treatment Centers	\$5,000,000	\$8,300,000	GF
	\$1,800,000	\$1,800,000	NGF

Language:

Page 219, line 4, strike "\$183,686,347" and insert "\$190,486,347".

Page 219, line 4, strike "\$177,686,347" and insert "\$187,786,347".

Explanation:

(This amendment restores \$5.0 million from the general fund and \$1.8 million from nongeneral funds the first year and \$8.3 million from the general fund and \$1.8 million from nongeneral funds the second year to prevent the closure of the Commonwealth Center for Children and Adolescent located in Staunton. Separate amendments update an informational table in Item 311 reflecting position levels and appropriations and restore educational funding in Item 132.)

Item 311 #1c

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 219, line 45, strike "0.00" and insert "140.00".

Page 219, line 45, strike "3,300,000" and insert "8,300,000".

Page 219, line 45, strike the first "0" and insert "1,800,000".

Page 219, line 45, strike "3,300,000" and insert "10,100,000".

Page 220, line 9, strike "0.00" and insert "140.00".

Page 220, line 9, strike the first "0" and insert "8,300,000".

Page 220, line 9, strike the second "0" and insert "1,800,000".

Page 220, line 9, strike the fourth "0" and insert "10,100,000".

Explanation:

(This language amendment updates an information table that displays current funding for state mental health facilities. A separate amendment to Item 309 restores \$5.0 million to the general fund and \$1.8 million to the nongeneral fund the first year and \$8.3 million to the general fund and \$1.8 million to the nongeneral fund the second year to maintain the cost of operating child and adolescent treatment services at the Commonwealth Center for Children and Adolescents in Staunton.)

Item 314 #1c

Health And Human Resources

Intellectual Disability Training
Centers

Language

Language:

Page 221, after line 10, insert:

"E. The Commissioner, in cooperation with the Virginia Association of Community Services Boards and the Northern Virginia Training Center (NVTC), shall develop a pilot project to serve individuals in the community who otherwise might be admitted to NVTC. The pilot shall include a review of evidence-based community services that have proven cost effective in reducing the demand for placement at NVTC or other similar facilities. The pilot project shall have no effect on the status of individuals currently residing at NVTC. The Commissioner shall report his findings and recommendations to the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2010."

Explanation:

(This language amendment requires the Commissioner to develop a pilot project to divert individuals from placement in Northern Virginia Training Center in cooperation with community services boards.)

Item 320 #1c

Health And Human Resources

Department Of Rehabilitative
Services

FY 10-11
(\$1,350,000)
\$1,350,000

FY 11-12
(\$1,350,000) GF
\$1,350,000 NGF

Language:

Explanation:

(This amendment supplants general fund support for vocational rehabilitation services with nongeneral fund sources each year of the biennium.)

Item 320 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Rehabilitative Services	(\$469,454)	(\$234,727)	GF

Language:

Page 222, line 37, strike "\$91,068,348" and insert "\$90,598,894".

Page 222, line 37, strike "\$90,836,209" and insert "\$90,601,482".

Page 223, line 4, strike the first "4,694,588" and insert "4,225,135".

Page 223, line 4, strike the second "4,694,588" and insert "4,227,722".

Page 223, line 5, after the period, insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in the first year in this paragraph shall not become effective."

Explanation:

(This amendment reduces funding for centers for independent living (CILs) by \$469,454 the first year and \$234,727 the second year for a ten percent reduction in funding. The introduced budget reduced funding by \$232,139 or five percent in the second year, however, budget language was not adjusted to reflect that budget proposal. This amendment also corrects that error the second year in budget language. Language is added to restore funding in the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 327 #1c

Health And Human Resources	
Department Of Social Services	Language

Language:

Page 228, after line 28, insert:

"O. The Commissioner of the Department of Social Services shall work with interested local governments or third parties to identify services and programs that

may qualify for reimbursement consistent with the TANF Emergency Contingency Fund in order to maximize the use of these federal funds included within the American Recovery and Reinvestment Act of 2009. The Commissioner is authorized to use these funds as pass-through to localities or non-profits."

Explanation:

(This language amendment requires the Department of Social Services to work with local governments or third parties to seek reimbursement that is eligible under the TANF Emergency Contingency Fund under the American Recovery and Reinvestment Act of 2009 in order to maximize the use of these available federal funds.)

Item 328 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,641,894)	(\$4,642,133)	GF

Language:

Page 228, line 30, strike "\$374,002,163" and insert "\$372,360,269".

Page 228, line 30, strike "\$371,547,036" and insert "\$366,904,903".

Page 229, after line 8, insert:

"F. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage (FMAP) under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction of \$1,641,894 the first year and \$4,642,133 the second year from the general fund each year in this item shall not become effective."

Explanation:

(This amendment reduces financial assistance for local social services departments by \$4.6 million from the general fund each year. This amendment adds language to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 330 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$0	(\$2,413,152)	GF

Language:

Page 229, line 47, strike "\$40,716,406" and insert "\$38,303,254".

Page 230, after line 23, insert:

"4. Effective July 1, 2011, the Department of Social Services shall reduce the base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity by four percent. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in this paragraph shall not become effective."

Explanation:

(This amendment reduces the rates paid to assisted living facilities under the auxiliary grant program by four percent the second year. A companion amendment to Item 297 reduces funding in Medicaid based on this provider rate reduction which has the effect of reducing eligibility in Medicaid. Language is added to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 330 #2c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,000,000)	(\$1,000,000)	NGF

Language:

Page 229, line 47, strike "\$41,410,156" and insert "\$40,410,156".

Page 229, line 47, strike "\$40,716,406" and insert "\$39,716,406".

Page 230, line 24, after "B.", insert "1."

Page 230, line 24, strike the first "5,801,894" and insert "4,801,894".

Page 230, line 24, strike the second "5,801,894" and insert "4,801,894".

Page 230, after line 26, insert:

2. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction of \$1,000,000 from nongeneral funds the first year in this paragraph shall not become effective."

Explanation:

(This amendment reduces funding by \$1.0 million each year for chore and companion services provided through the Social Services Block Grant. A companion amendment transfers these funds to Item 331, Child Welfare Services, supplanting general fund dollars in that item. The amendment adds language to restore funding the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,000,000)	(\$1,000,000)	GF

Language:

Page 229, line 47, strike "\$41,410,156" and insert "\$40,410,156".

Page 229, line 47, strike "\$40,716,406" and insert "\$39,716,406".

Page 230, after line 50, insert:

"G. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction of \$1,000,000 from general funds the first year in this item shall not become effective."

Explanation:

(This amendment reduces funding by \$1.0 million each year for social services purchased through local departments of social services, termed "other purchased services. The amendment adds language to restore funding the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$100,000	\$100,000	NGF

Language:

Page 230, line 51, strike "\$164,674,720" and insert "\$164,774,720".

Page 230, line 51, strike "\$170,183,963" and insert "\$170,283,963".

Page 231, after line 29, insert:

"G. Out of the amounts appropriated for this item, \$100,000 the first year and \$100,000 the second year from nongeneral funds is provided to implement the Virginia Child Protection Accountability System."

Explanation:

(This amendment provides funding for the creation of a system to follow-up with children who were victims of internet predators. The funding for this amendment is from a new \$10 fee on persons convicted of felonies and criminal misdemeanors. This amendment is contingent upon final passage of Senate Bill 620.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,000,000)	(\$1,000,000)	GF
	\$1,000,000	\$1,000,000	NGF

Language:

Page 231, after line 29, insert:

"G. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the first year reduction of \$1,000,000 from the general fund and the addition of \$1,000,000 from nongeneral funds the first year in this item shall not become effective."

Explanation:

(This amendment supplants \$1.0 million each year from the general fund with federal Social Services Block Grant (SSBG) funds. A companion amendment transfers these funds from Item 330, Adult Programs and Services. The amendment adds language to restore the first year general fund reduction and reverses the SSBG transfer if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$3,000,000)	\$0	GF

Language:

Page 230, line 51, strike "\$164,674,720" and insert "\$161,674,720".

Page 231, after line 29, insert:

"G. If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5) for state foster care and adoption assistance payments, the reduction of \$3,000,000 the first year in this item shall be restored."

Explanation:

(This amendment reduces funding by \$3.0 million in Child Welfare Services. The amendment adds language to restore the first year reduction if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) for state foster care and adoption assistance payments through June 30, 2011.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$2,400,000)	(\$2,400,000)	GF

Language:

Page 231, line 31, strike "\$60,746,641" and insert "\$58,346,641".

Page 231, line 31, strike "\$60,746,641" and insert "\$58,346,641".

Page 231, after line 38, insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction of \$2,400,000 to the general fund each year in this item shall not become effective."

Explanation:

(This amendment reduces \$2.4 million from the general fund each year to the General Relief program. This amendment adds language to restore funding if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,368,195)	(\$2,000,000)	GF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$37,621,418".

Page 231, line 40, strike "\$33,412,198" and insert "\$31,412,198".

Page 232, line 23, strike "\$1,368,195 the first year and".

Page 232, line 23, strike "4,925,501" and insert "2,925,501".

Page 232, line 29, after the period, insert:

"If there is an extension through June 30, 2011 of increased Federal Medical Assistance Percentage under the American Recovery and Reinvestment Act (P.L. 111-5), the reduction in the first year in this paragraph shall not become effective."

Explanation:

(This amendment reduces \$1.4 million the first year and \$2.0 million the second year from an increased allocation of general funds for Healthy Families Virginia. The introduced budget phased out federal TANF funding for the program and

restored general fund support. The program will receive \$3.6 million from the federal TANF block grant in the first year and \$2.9 million from general funds the second year. Language is added to restore funding in the first year if Congress passes a six-month extension of increased Federal Medical Assistance Percentage (FMAP) through June 30, 2011.)

Item 335 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$600,000)	(\$600,000)	GF

Language:

Page 233, line 48, strike "\$70,643,972" and insert "\$70,043,972".

Page 233, line 48, strike "\$70,634,904" and insert "\$70,034,904".

Explanation:

(This amendment reduces administrative funding at the Department of Social Services central office by 5 percent during the 2010-12 biennium. VITA costs are not subject to the 5 percent reduction.)

Item 346 #1c

Health And Human Resources	FY 10-11	FY 11-12	
Department For The Blind And	(\$454,850)	(\$454,850)	GF
Vision Impaired	\$454,850	\$454,850	NGF

Language:

Explanation:

(This amendment supplants general fund support for administrative activities at the Department for the Blind and Visually Impaired with nongeneral fund fee revenue from enterprise activities.)

Item 351 #1c

Natural Resources	FY 10-11	FY 11-12	
Department Of Conservation And	\$329,147	\$0	NGF

Recreation

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 351 #2c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 242, after line 18, insert:

"J. The Water Quality Agreement Program shall be continued in order to protect the waters of the Commonwealth through voluntary cooperation with lawn care operators across the state. The Department shall encourage lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer application. If appropriate, the program may be transferred to another state agency in order to ensure its continuation."

Explanation:

(This amendment is self-explanatory.)

Item 351 #3c

Natural Resources

Department Of Conservation And
Recreation

FY 10-11
(\$5,000,000)

FY 11-12
(\$5,000,000) GF

Language:

Page 241, line 2, strike "\$67,590,053" and insert "\$62,590,053".

Page 241, line 2, strike "\$67,590,053" and insert "\$62,590,053".

Page 242, line 2, strike "\$5,000,000 the first year and \$5,000,000" and insert "\$9,100,000 the first year and \$9,100,000"

Page 242, line 2, after "from" strike "the".

Page 242, line 3, strike "general fund" and insert "nongeneral funds".

Page 242, after line 8, insert:

"3. Out of these amounts, a total of eight percent, or \$1,200,000, whichever is greater, shall be provided to Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices."

Explanation:

(This amendment reduces general fund support for agricultural best management practices by \$5.0 million each year. Funding totaling \$9.1 million from nongeneral funds each year will still be available for the program.)

Item 352 #1c

Natural Resources	FY 10-11	FY 11-12	
Department Of Conservation And Recreation	(\$500,000)	(\$500,000)	GF

Language:

Page 242, line 19, strike "\$50,108,610" and insert "\$49,608,610".

Page 242, line 19, strike "\$50,108,610" and insert "\$49,608,610".

Page 243, line 3, strike "\$1,000,000" and insert "\$500,000".

Page 243, line 4, strike "\$1,000,000" and insert "\$500,000".

Explanation:

(This amendment reduces the level of general fund support provided for the Virginia Land Conservation Fund.)

Item 352 #2c

Natural Resources	FY 10-11	FY 11-12	
Department Of Conservation And Recreation	\$2,000,000	\$2,000,000	NGF

Language:

Page 242, line 19, strike "\$50,108,610" and insert "\$52,108,610".

Page 242, line 19, strike "\$50,108,610" and insert "\$52,108,610".

Page 243, line 3, after "D." insert "1."

Page 243, after line 5, insert:

"2. Included in the amounts for Preservation of Open Space Lands is \$2,000,000 the first year and \$2,000,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia."

Explanation:

(This amendment implements the provisions of Senate Bill 264 and House Bill 447, which provide nongeneral revenue from the removal of the cap on Land Preservation Tax Credit (LPTC) transfer fees. These funds shall be proportionally distributed by the Virginia Land Conservation Foundation to public and private entities based on the number of easements held under the LPTC program. The funds are to be used for monitoring and enforcing the easement restrictions that qualified for tax credits.)

Item 352 #3c

Natural Resources	FY 10-11	FY 11-12	
Department Of Conservation And Recreation	\$500,000	\$500,000	GF

Language:

Page 242, line 19, strike "\$50,108,610" and insert "\$50,608,610".

Page 242, line 19, strike "\$50,108,610" and insert "\$50,608,610".

Page 242, line 25, strike "31,077,219" and insert "\$31,577,219".

Page 242, line 25, strike "31,077,219" and insert "\$31,577,219".

Explanation:

(This amendment provides \$500,000 each year from the general fund to support State Park visitor centers and facilities as part of the Governor's Economic Development tourism promotion efforts.)

Item 354 #1c

Natural Resources	FY 10-11	FY 11-12	
Department Of Environmental Quality	(\$1,250,000)	(\$1,250,000)	GF
	\$1,250,000	\$1,250,000	NGF

Language:

Page 244, line 1, before "It" insert "A".

Page 244, after line 3, insert:

"B.1. The Waste Management Board shall adopt regulations pursuant to § 10.1-1402, Code of Virginia, to ensure that general funds shall not be required to cover the direct costs related to the issuance of all permits for the hazardous waste management program.

2. The Waste Management Board shall adopt regulations pursuant to §§ 10.1-1402 and 10.1-1402.1:1, Code of Virginia, to ensure that the total fees collected are sufficient to cover at least 58 percent, but no more than 100 percent, of the direct costs of (i) processing an application to issue, reissue, amend or modify permits, and (ii) performing inspections and enforcement actions necessary to assure the compliance with permits issued for any sanitary landfill and other facility for the disposal, treatment or storage of nonhazardous solid waste.

3. The regulations adopted by the Waste Management Board to initially implement the provisions of paragraph B.1 and B.2. of this item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia."

Explanation:

(This amendment requires the Waste Management Board to establish fees which cover 100 percent of direct costs for Hazardous Waste Permits, resulting in general fund savings of \$250,000 per year that is replaced by fees. This amendment also requires the Waste Management Board to establish fees which cover no less than 58 percent, not to exceed 100 percent, of direct costs for Solid Waste Permits, resulting in general fund savings of \$1.0 million each year that is replaced by fees. The amendment allows the initial fees, but not subsequent fee schedules, to be exempt from the Administrative Process Act and to be effective in fiscal year 2011.)

Item 355 #1c

Natural Resources

Department Of Environmental
Quality

FY 10-11
(\$1,250,000)
\$1,250,000

FY 11-12
(\$1,250,000) GF
\$1,250,000 NGF

Language:

Page 244, after line 32, insert:

"F.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing no less than 39 percent, not to exceed 100 percent, of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

2. The regulations adopted by the State Water Control Board to initially implement the provisions of this item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia."

Explanation:

(This amendment requires the State Water Control Board to adopt permit fee regulations that cover at least 39 percent of direct costs. This results in general fund savings of \$1.25 million each year that is replaced by these fees. The amendment allows the initial fees, but not subsequent fee schedules, to be exempt from the Administrative Process Act and to be effective in fiscal year 2011.)

Item 365 #1c

Natural Resources	FY 10-11	FY 11-12
Marine Resources Commission	\$600,000	\$0 GF

Language:

Page 248, line 37, strike "\$17,288,160" and insert "\$17,888,160".

Page 249, after line 18, insert:

"G. Out of the amounts appropriated for this item, \$600,000 the first year from the general fund is provided to support oyster replenishment activities."

Explanation:

(This amendment provides funding for the Marine Resources Commission to augment its oyster propagation efforts.)

Item 369 #1c

Natural ResourcesVirginia Museum Of Natural
History**FY 10-11**
(\$25,000)**FY 11-12**
(\$25,000) GF**Language:**

Page 250, line 11, strike "\$3,155,867" and insert "\$3,130,867".

Page 250, line 11, strike "\$3,155,867" and insert "\$3,130,867".

Page 250, strike lines 21 through 24.

Explanation:

(This amendment eliminates \$25,000 each year from the general fund provided to the Museum of Natural History for travel advertising and promotion. Significant funding was provided for tourism promotion for all Virginia attractions.)

Item 370 #1c

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, line 23, after "Department of Corrections" insert:

", with the assistance and consultation of the Department of General Services,".

Page 251, line 24, after "sheriffs" insert:

"and regional jails".

Page 251, line 31, after "public safety" insert:

", including additional steps which may be required to encourage the expanded use of electronic monitoring,".

Explanation:

(This amendment clarifies language contained in the budget, as introduced, concerning the Task Force on Alternatives for Nonviolent Offenders, in order to encourage the use of electronic monitoring. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 370 #2c

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, line 40, after "granting of parole." insert:

"A report on this study shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committee by November 15, 2010."

Explanation:

(This amendment specifies the reporting date for a study of the use of risk assessment as one factor in parole decision making.)

Item 373 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Alcoholic Beverage Control	\$4,500,000	\$4,500,000	NGF
	30.00	30.00	FTE

Language:

Page 252, line 37, strike "\$509,995,519" and insert "\$514,495,519".

Page 252, line 37, strike "\$509,995,519" and insert "\$514,495,519".

Page 253, after line 5, insert:

"D. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability."

Explanation:

(This amendment provides \$4,500,000 and 30.0 positions each year from nongeneral funds to open up to 15 additional ABC stores, in addition to the five new stores authorized in the budget as introduced. A companion amendment in Part 3 transfers to the general fund the additional profits anticipated from opening these stores.)

Item 374 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Correctional Education	(\$2,157,848)	(\$2,400,000)	GF

Language:

Page 253, line 12, strike "\$5,935,197" and insert "\$3,777,349".

Page 253, line 12, strike "\$5,935,197" and insert "\$3,535,197".

Page 253, after line 14, insert:

"It is the intention of the General Assembly that, in making reductions beyond the closing of correctional schools associated with the closing of specific state adult or juvenile correctional centers, the Department of Correctional Education shall preserve existing academic and life skills instruction and vocational training programs in state facilities, which have been shown to be effective in reducing recidivism. The Governor's Commission on Government Reform and Restructuring shall consider organizational changes which may be appropriate to best maintain the existing educational programs within the available resources."

Explanation:

(This amendment reduces the budget for the Department of Correctional Education by an additional \$2,157,848 the first year and \$2,400,000 the second year from the general fund, with the intention that the reductions be applied so as to preserve academic and vocational education programs in state facilities. The amendment also directs the Governor's Commission on Government Reform and Restructuring to consider potential organizational changes.)

Item 377 #1c

Public Safety

Department Of Corrections

Language

Language:

Page 255, after line 31, insert:

"E. The Board of Corrections shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report on this revised measure of jail capacity shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committee by October 15, 2010."

Explanation:

(This amendment requests the Board of Corrections to measure the capacity of each local and regional jail based on double-bunking. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Public Safety

Department Of Corrections

Language

Language:

Page 254, line 15, strike "March" and insert "January".

Page 254, line 23, strike "Department of Criminal Justice Services" and insert: "Departments of Corrections and Criminal Justice Services".

Page 254, line 24, strike "its" and insert "their".

Page 254, line 44, after "summary of the", insert: "alternatives to incarceration included in the".

Page 254, line 46, strike "the plan" and insert "these programs".

Page 255, line 3, after "support the", insert:

"alternatives to incarceration included in the".

Page 255, line 26, strike "in the fall of 2009" and insert:

"as of December 31, 2009".

Explanation:

(This amendment clarifies language in the budget, as introduced, concerning the submission of community-based corrections plans related to the construction, expansion or renovation of local and regional jails. The amendment includes a change in the required submission date and clarifies the roles of the Departments of Corrections and Criminal Justice Services in reviewing this information.)

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.)

Item 377 #4c

Public Safety

Department Of Corrections

Language

Language:

Page 255, after line 31, insert:

"E. Notwithstanding the provisions of § 53.1-20 of the Code of Virginia, persons convicted of felonies committed on or after January 1, 1995, and sentenced to the Department of Corrections or sentenced to confinement in jail for two years or more shall be placed in the custody of the Department and received by the Director into the state corrections system within sixty days of the date on which the final sentencing order is mailed by certified letter or sent by electronic submission to the Director by the clerk."

Explanation:

(This amendment adjusts the definition of state-responsible offenders from felons with sentences of one year or more to felons with sentences of two years or more. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 379 #1c

Public Safety

Department Of Corrections

Language

Language:

Page 257, after line 43, insert:

"J. The next priority for the Department of Corrections for the construction of a new medium security correctional facility shall be given to a location within Charlotte County."

Explanation:

(This amendment expresses the intent of the General Assembly that the next new medium security correctional facility be constructed in Charlotte County.)

Item 379 #2c

Public Safety

Department Of Corrections

FY 10-11

\$715,000

6.00

FY 11-12

\$715,000

6.00

GF

FTE

Language:

Page 256, line 1, strike "\$828,426,107" and insert "\$829,141,107".

Page 256, line 1, strike "\$827,815,103" and insert "\$828,530,103".

Explanation:

(This amendment provides \$715,000 and six positions each year from the general fund to maintain the new state correctional facility in Grayson County. Construction of this facility will be completed in mid-2010. Included within this amount is an estimated \$215,000 each year to meet the commitments made by the Department of Corrections to local governments in the region for the extension of infrastructure necessary for the operation of the facility and an estimated \$200,000 each year for utility expenses.)

Item 379 #3c

Public Safety

Department Of Corrections

Language

Language:

Page 257, after line 43, insert:

"J. The Department of Corrections shall prepare a long range plan to consolidate the secure correctional facilities at the James River-Powhatan complex on the south side of the James River in Powhatan County. The plan shall include maintaining the Academy for Staff Development in its present location and maintaining current farming operations along the flood plain on the north side of the James River. The plan shall include an assessment of the value of property at the James River Correctional Center which may be declared surplus, and estimated capital costs to replace the James River Correctional Center and adjacent work centers with new facilities to be constructed on the south side of the James River on state-owned property. Copies of this plan shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2010."

Explanation:

(This amendment requests the Department of Corrections to prepare a long range plan for consolidation of secure facilities at the James River-Powhatan correctional complex.)

Item 379 #4c

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	(\$1,307,733)	(\$10,954,446)	GF

Language:

Page 256, line 1, strike "\$828,426,107" and insert "\$827,118,374".

Page 256, line 1, strike "\$827,815,103" and insert "\$816,860,657".

Page 257, after line 43, insert:

"J. The Department of Corrections shall implement additional actions, which may include, but not necessarily be limited to, the closure of one or more correctional facilities, to achieve budget reductions of \$1,307,733 the first year and \$10,954,446 the second year from the general fund."

Explanation:

(This amendment reduces the budget for the Department of Corrections by \$1,307,733 the first year and \$10,954,446 the second year from the general fund to reflect additional budget reductions, which may include, but not necessarily be limited to, the closure or one or more correctional facilities.)

Item 379 #5c

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	\$0	(\$4,700,000)	GF

Language:

Page 256, line 1, strike "\$827,815,103" and insert "\$823,115,103".

Page 257, after line 43, insert:

"J. The Department of Planning and Budget, with the assistance of the Department of Corrections, shall conduct a review of inmate medical expenses, to determine whether there may be additional opportunities to reduce costs."

Explanation:

(This amendment removes \$4,700,000 the second year from the general fund which was included in the budget, as introduced, for the second year increase in projected inmate medical expenses.)

Item 379 #6c

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	(\$1,250,000)	(\$1,250,000)	GF

Language:

Page 256, line 1, strike "\$828,426,107" and insert "\$827,176,107".

Page 256, line 1, strike "\$827,815,103" and insert "\$826,565,103".

Page 257, after line 43, insert:

"J. The Department of Planning and Budget, with the assistance of the Department of Corrections, shall conduct a review of equipment purchases to determine whether there may be additional opportunities to reduce costs."

Explanation:

(This amendment removes \$1,250,000 each year from the general fund, based on a reduction of expenditures on equipment.)

Item 380 #1c

Public Safety		
Department Of Corrections		Language

Language:

Page 259, after line 23, insert:

"J. By August 1, 2010, the Director of the Department of Corrections shall identify

those prisoners eligible for parole who may be suitable parole risks and whose interests and those of society will be served by the grant of discretionary parole, shall recommend such prisoners to the Parole Board, and shall notify each such prisoner who is the subject of such a recommendation. In making such recommendations, the Director shall take into account the prisoner's criminal history record, mental and physical condition, employability, institutional adjustment, and such other factors as may be appropriate, including the risk of violence to others. No prisoner shall be recommended for release prior to the time specified in § 53.1-154.1 of the Code of Virginia."

Explanation:

(This amendment requests the Director of the Department of Corrections to recommend to the Parole Board those prisoners eligible for parole who may be suitable candidates for parole. This is one of a series of amendments to enable the criminal justice system to manage its workload effectively during a period of severe budget reductions.)

Item 380 #2c

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 each year from the general fund, to the Secretary of Public Safety, to support a position dedicated to the improvement and coordination of the Commonwealth'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 each year from the general fund, from the Department of Corrections to the Secretary of Public Safety, to support a reentry coordinator position.)

Item 380 #3c

Public Safety

FY 10-11

FY 11-12

Department Of Corrections

(\$4,101)

\$0 GF

Language:

Page 257, line 44, strike "\$82,246,458" and insert "\$82,242,357".

Page 259, after line 23, insert:

"J. Included in the appropriation for this item is \$50,000 the first year from the general fund for the estimated net increase in the operating costs of adult correctional centers resulting from the enactment of House Bill 1 by the 2010 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia."

Explanation:

(This amendment reflects two separate actions. First, the amendment removes \$54,101 the first year from the general fund, which was included in the budget, as introduced, as the prison bedspace fiscal impact of Senate Bill 604 of the 2010 Session, which was carried over. Second, the amendment provides \$50,000 the first year from the general fund to account the prison bedspace fiscal impact of House Bill 1 of the 2010 Session, which dealt with penalties associated with the electronic transmission of bulk e-mails. The net effect of these two actions is a reduction of \$4,101 the first year from the general fund.)

Item 380 #4c

Public Safety

Department Of Corrections

FY 10-11

(\$1,519,095)

FY 11-12

(\$1,519,095) GF

Language:

Page 257, line 44, strike "\$82,246,458" and insert "\$80,727,363".

Page 257, line 44, strike "\$81,205,064" and insert "\$79,685,969".

Page 259, after line 23, insert:

"J. The Department of Corrections shall, either through the elimination of vacant positions or through other efficiencies, reduce general fund expenditures by \$1,519,095 the first year and \$1,519,095 the second year."

Explanation:

(This amendment provides for a general fund reduction of \$1,519,095 each year, to be achieved either through the elimination of vacant positions or through other efficiencies, at the discretion of the agency.)

Item 381 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	(\$50,000)	(\$50,000)	GF

Language:

Page 259, line 33, strike "\$1,792,035" and insert "\$1,742,035".

Page 259, line 33, strike "\$1,792,035" and insert "\$1,742,035".

Page 259, strike lines 39 through 44.

Explanation:

(This amendment eliminates \$50,000 each year from the general fund for training of law enforcement officers and other first responders in managing persons with Alzheimer's disease or other memory-related impairments.)

Item 384 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	(\$350,000)	(\$350,000)	GF
	\$1,100,000	\$1,100,000	NGF

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$77,530,910".

Page 260, line 11, strike "\$76,780,910" and insert "\$77,530,910".

Page 262, strike lines 8 through 16 and insert:

"I.1. Out of the amounts appropriated for this item, \$1,100,000 the first year and \$1,100,000 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$600,000 the first year and \$600,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$500,000 the first year and \$500,000 the second year.

2. The Department of Criminal Justice Services shall provide a report on the implementation of the grant program provided herein, by January 1, 2011, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of

Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees prior to the distribution of these funds each year."

Explanation:

(This amendment provides \$1,100,000 each year from nongeneral funds for the support of law enforcement task forces preventing internet crimes against children. The source of funding for this amendment is a new \$10 fee charged to persons convicted of felonies or criminal misdemeanors. This dedicated source of revenue replaces the smaller general fund appropriation which was included in the introduced budget. This amendment is contingent upon final passage of Senate Bill 620.)

Item 384 #2c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	(\$61,904)	(\$61,904)	GF

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$76,719,006".
Page 260, line 11, strike "\$76,780,910" and insert "\$76,719,006".
Page 261, lines 16 and 17, strike "1,238,083" and "1,238,083" and insert: "1,176,179" and "1,176,179".

Explanation:

(This amendment reduces funding for the Court Appointed Special Advocate (CASA) program by \$61,904 each year from the general fund. This represents a reduction of five percent compared to the budget, as introduced. The cumulative reduction in this grant is 23.3 percent, when compared to the appropriation as adopted by the 2008 General Assembly.)

Item 384 #3c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	(\$85,000)	(\$85,000)	GF

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$76,695,910".
Page 260, line 11, strike "\$76,780,910" and insert "\$76,695,910".
Page 262, strike lines 4 through 7.

Explanation:

(This amendment eliminates a grant of \$85,000 each year from the general fund for the Virginia Center for Policing Innovation for Spanish language training.)

Item 384 #4c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice	(\$278,000)	(\$524,000)	GF
Services	-5.00	-5.00	FTE

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$76,502,910".

Page 260, line 11, strike "\$76,780,910" and insert "\$76,256,910".

Explanation:

(This amendment reduces the general fund appropriation for the agency by \$278,000 the first year, \$524,000 the second year, and five positions each year.)

Item 386 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice	\$22,265,080	\$10,278,659	GF
Services	(\$4,150,224)	(\$10,837,085)	NGF

Language:

Page 262, line 23, strike "\$160,571,263" and insert "\$178,686,119".

Page 262, line 23, strike "\$160,571,263" and insert "\$160,012,837".

Page 262, line 32, strike "\$160,571,263" and "\$160,571,263" and insert: "\$178,686,119" and "\$160,012,837".

Explanation:

(This amendment increases funding for state aid to localities with police departments (the House Bill 599 Program) by \$22,265,080 the first year and \$10,278,659 the second year from the general fund. This amendment also eliminates \$4,150,224 the first year and \$10,837,085 the second year from nongeneral funds which were not approved.)

Item 395 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Fire Programs	\$20,000	\$20,000	NGF

Language:

Page 266, line 13, strike "\$2,662,180" and insert "\$2,682,180".

Page 266, line 13, strike "\$2,732,065" and insert "\$2,752,065".

Explanation:

(This amendment provides \$20,000 each year from nongeneral funds for a new program to require that all persons who operate fireworks shows in the Commonwealth must be certified by the State Fire Marshal's Office to insure that they are minimally knowledgeable and qualified to perform that function. This amendment is contingent upon final passage of Senate Bill 8.)

Item 396 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Forensic Science	(\$271,983)	(\$282,728)	GF
	-2.00	-2.00	FTE

Language:

Page 266, line 28, strike "\$36,653,917" and insert "\$36,381,934".

Page 266, line 28, strike "\$36,690,314" and insert "\$36,407,586".

Page 267, after line 4, insert:

"C. In implementing the additional reductions contained in this item, the Department of Forensic Science shall develop a plan, subject to the approval of the Secretary of Public Safety, to reduce administrative expenses, including two management level positions so as to increase management span of control, and other expenses as necessary. Copies of this plan shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by July 15, 2010."

Explanation:

(This amendment reduces the agency budget by \$271,983 the first year and \$282,728 the second year and two positions each year from the general fund.)

Item 396 #2c

Public Safety	FY 10-11	FY 11-12	
Department Of Forensic Science	(\$219,000)	(\$219,000)	GF

Language:

Page 266, line 28, strike "\$36,653,917" and insert "\$36,434,917".

Page 266, line 28, strike "\$36,690,314" and insert "\$36,471,314".

Page 266, strike lines 37 through 39, and insert:

"A. Notwithstanding the provisions of § 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."

Explanation:

(This amendment eliminates the obligation for the payments in lieu of taxes by the Department of Forensic Science. Other public safety agencies, notably the Department of Corrections, have been provided similar exemptions. This reduction does not impact the operations of the agency and its ability to process analytical data.)

Item 397 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Juvenile Justice	(\$400,000)	(\$400,000)	GF

Language:

Page 267, line 12, strike "\$2,312,041" and insert "\$1,912,041".

Page 267, line 12, strike "\$2,312,041" and insert "\$1,912,041".

Explanation:

(This amendment eliminates funding for one of the three state-operated halfway houses, for a reduction of \$400,000 each year from the general fund.)

Item 399 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Juvenile Justice	(\$2,521,053)	(\$2,521,053)	GF

Language:

Page 267, line 35, strike "\$49,709,673" and insert "\$47,188,620".

Page 267, line 35, strike "\$49,709,673" and insert "\$47,188,620".
Page 268, line 23, strike "13,436,192" and "13,436,192" and insert:
"10,915,139" and "10,915,139".

Explanation:

(This amendment reduces state aid to localities for the Virginia Juvenile Community Crime Control Act by \$2,521,053 each year from the general fund.)

Item 400 #1c

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 269, after line 37, insert:

"C. The Department of Juvenile Justice, with the assistance of the Department of General Services, the Department of Historic Resources, and the Virginia Economic Development Partnership shall work with the County of Rockbridge and other appropriate local entities to address the future use of the property comprising the Natural Bridge Juvenile Correctional Center. A report outlining potential options for re-use and redevelopment of this property shall be provided to the Governor, the Secretaries of Public Safety, Administration, Natural Resources, and Commerce and Trade, and the Chairmen of the Senate Finance and House Appropriations Committees, by October 1, 2010."

Explanation:

(This amendment provides for a study of potential options for the re-use or redevelopment of Natural Bridge Juvenile Correctional Center.)

Item 400 #2c

Public Safety

Department Of Juvenile Justice

FY 10-11
(\$1,470,000)

FY 11-12
(\$1,470,000) GF

Language:

Page 269, line 7, strike "\$81,624,903" and insert "\$80,154,903".
Page 269, line 7, strike "\$81,624,903" and insert "\$80,154,903".

Explanation:

(This amendment reduces funding for the agency by \$1,470,000 each year from the general fund to reflect additional savings from turnover and vacancy.)

Item 401 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Juvenile Justice	(\$400,000)	(\$400,000)	GF
	-3.00	-3.00	FTE

Language:

Page 269, line 38, strike "\$17,082,177" and insert "\$16,682,177".

Page 269, line 38, strike "\$17,082,177" and insert "\$16,682,177".

Page 269, after line 49, insert:

"In implementing the position reductions contained in this item, the Department of Juvenile Justice shall develop a plan, subject to the approval of the Secretary of Public Safety, to reduce administrative expenses, including three management level positions in the central office so as to increase management span of control, and other expenses as necessary. Copies of this plan shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by July 15, 2010."

Explanation:

(This amendment reduces the agency's budget by \$400,000 and three positions each year from the general fund.)

Item 403 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Military Affairs	(\$600,000)	(\$1,335,213)	GF

Language:

Page 270, line 11, strike "\$3,774,838" and insert "\$3,174,838".

Page 270, line 11, strike "\$3,774,838" and insert "\$2,439,625".

Explanation:

(This amendment eliminates \$600,000 the first year and \$1,335,213 the second year from the general fund for the Commonwealth Challenge program.)

Item 407 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$4,000,000	\$0	GF
	(\$4,726,117)	(\$6,665,535)	NGF

Language:

- Page 271, line 19, strike "\$50,323,917" and insert "\$49,597,800".
- Page 271, line 19, strike "\$52,263,335" and insert "\$45,597,800".
- Page 271, line 45, strike the first "2,510,000" and insert "\$6,510,000".
- Page 271, strike lines 48 and 49.
- Page 272, strike line 1.

Explanation:

(This amendment provides \$4,000,000 the first year from the general fund for maintenance of the State Agencies Radio System (STARS). This amendment also eliminates nongeneral funds which were not approved.)

Item 408 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$600,000	\$600,000	NGF

Language:

- Page 272, line 27, strike "\$212,684,300" and insert "\$213,284,300".
- Page 272, line 27, strike "\$211,251,317" and insert "\$211,851,317".
- Page 274, after line 17, insert:
"O.1 Out of the amounts appropriated for this item, \$600,000 the first year and \$600,000 the second year from nongeneral funds shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to paragraph I.2 of Item 384, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report to the Department of Criminal Justice Services on the actual expenditures and performance results achieved each year. Copies of this report shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees prior to the distribution of funds each year."

Explanation:

(This amendment provides \$600,000 each year from nongeneral funds for the Northern Virginia Internet Crimes Against Children Task Force operated by the

Department of State Police. The source of the nongeneral funds is a new \$10 fee charged to persons convicted of felonies or criminal misdemeanors. This amendment is contingent upon final passage of Senate Bill 620.)

Item 408 #2c

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	(\$452,723)	(\$452,723)	GF
	\$452,723	\$452,723	NGF

Language:

Page 273, line 14, strike "2,645,375" and "2,645,375" and insert: "3,098,098" and "3,098,098".

Explanation:

(This amendment supplants \$452,723 each year from the general fund for the State Police Med-flight program, with an equal amount of nongeneral funds each year from the Rescue Squad Assistance Fund in the Department of Health. A companion amendment to Part 3-6.03 raises the \$4.25-for-Life fee to \$6.25-for-Life. This is one component of the annual vehicle registration fee.)

Item 408 #3c

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$6,800,000	\$6,800,000	GF
	(\$4,823,210)	(\$4,823,210)	NGF

Language:

Page 272, line 27, strike "\$212,684,300" and insert "\$214,661,090".
Page 272, line 27, strike "\$211,251,317" and insert "\$213,228,107".
Page 274, strike lines 15 through 17.

Explanation:

(This amendment restores \$6,800,000 each year from the general fund for criminal investigation activities, the Fusion counter-terrorism center, and other essential law enforcement operations. This amendment also eliminates nongeneral funds which were not approved.)

Item 409 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$0	\$3,363,055	GF

Language:

Page 274, line 118, strike "\$19,935,487" and insert "\$23,298,542".

Page 274, line 30, before "The", insert "A."

Page 274, after line 40, insert:

B. Out of the amounts appropriated for this Item, \$3,363,055 the second year from the general fund is provided to initiate the 116th Basic Trooper Academy."

Explanation:

(This amendment provides \$3,363,055 the second year from the general fund to initiate the 116th Basic Trooper School. The amendment is designed to address vacant positions in the Department of State Police.)

Item 414 #1c

Public Safety	FY 10-11	FY 11-12	
Department Of Veterans Services	\$150,000	\$400,000	GF
	1.00	1.00	FTE

Language:

Page 275, line 37, strike "\$1,070,757" and insert "\$1,220,757".

Page 275, line 37, strike "\$1,070,757" and insert "\$1,470,757".

Explanation:

(This amendment provides \$150,000 the first year and \$400,000 the second year and one position each year from the general fund for operating expenses for the Paul and Phyllis Galanti Education Center at the Virginia War Memorial, which will open in mid-2010.)

Item 414 #2c

Public Safety	FY 10-11	FY 11-12	
Department Of Veterans Services	\$150,000	\$200,000	GF
	\$15,000	\$15,000	NGF
	3.00	4.00	FTE

Language:

Page 275, line 37, strike "\$1,070,757" and insert "\$1,235,757".
Page 275, line 37, strike "\$1,070,757" and insert "\$1,285,757".

Explanation:

(This amendment provides \$150,000 and three positions the first year and \$200,000 and four positions the second year from the general fund, and \$15,000 each year from nongeneral funds, to operate the new Southwest Virginia Veterans Cemetery at Radford, which is expected to open in the fall of 2010.)

Item 414 #3c

Public Safety	FY 10-11	FY 11-12	
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 purchase at cost by veterans and their families for use in burials performed at state-operated veterans cemeteries, and the necessary equipment for installation of burial vaults. The department shall use the proceeds from the sale of the burial vaults to purchase additional vaults as needed."

Explanation:

(This amendment provides \$36,000 the first year from the general fund for the provision of burial vaults that may be purchased at cost by veterans and their families for burials performed at the Amelia Veterans Cemetery and the Horton Veterans Cemetery in Suffolk.)

Item 416 #1c

Public Safety	FY 10-11	FY 11-12	
Virginia Parole Board	\$62,533	\$62,533	GF

Language:

Page 276, line 19, strike "\$739,310" and insert "\$801,843".

Page 276, line 19, strike "\$613,407" and insert "\$675,940".

Page 276, line 24, after "chairman", insert "and vice-chairman".

Page 276, line 24, strike "employee" and insert "employees".

Page 276, line 25, strike "four" and insert "three".

Explanation:

(This amendment provides that both the Chairman and Vice-Chairman of the Virginia Parole Board will be full-time state employees. The introduced budget had proposed making the Vice-Chairman's position a part-time position.)

Item 417 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$12,628,029	\$12,079,990	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$379,719,195".

Page 276, line 32, strike "\$367,755,709" and insert "\$379,835,699".

Page 279, strike lines 36 through 43.

Explanation:

(This amendment provides \$12.1 million from the general fund the first year and \$12.1 million from the general fund the second year to restore law enforcement deputy sheriff positions at a ratio of one deputy per 1,500 locality population, per § 15.2-1609.1, Code of Virginia. An additional 375 positions for Sheriffs are added to the position count table in Item 424, paragraph B.1.)

Item 417 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$3,174,139	\$3,174,139	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$370,265,305".

Page 276, line 32, strike "\$367,755,709" and insert "\$370,929,848".

Page 278, line 37, after "is", strike "removed" and insert:

"suspended for any individual who was not participating in the program on January 1, 2010."

Page 279, line 27, after "is", strike "removed" and insert:

"suspended for any individual who was not participating in the program on January 1, 2010."

Explanation:

(This amendment provides \$3.2 million from the general fund the first year and \$3.2 million from the general fund the second year to restore funding for the Master Deputy and Sheriffs' career development programs.)

Item 417 #3c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$350,790,718)	(\$338,081,539)	GF
	(\$16,300,448)	(\$29,674,170)	NGF

Language:

- Page 276, line 32, strike "\$367,091,166" and insert "\$0".
- Page 276, line 32, strike "\$367,755,709" and insert "\$0".
- Page 276, strike lines 31 through 45.
- Page 277, strike lines 1 through 53.
- Page 278, strike lines 1 through 54.
- Page 279, strike lines 1 through 43.

Explanation:

(This is one of a series of amendments to Items 417 through 224 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 417 #4c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$10,000,000	\$10,000,000	GF

Language:

- Page 276, line 32, strike "\$367,091,166" and insert "\$377,091,166".
- Page 276, line 32, strike "\$367,755,709" and insert "\$377,755,709".

Explanation:

(This amendment provides \$10.0 million from the general fund the first year and

\$10.0 million from the general fund the second year to partially restore the one-time general fund reduction taken in fiscal year 2010 which supplanted general funds with federal Byrne Justice Assistance Grant funds.)

Item 417 #5c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$515,678)	\$239,782	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 "\$367,995,491".

Page 279, line 32, strike "\$2,326,937" and insert "\$1,811,259".

Page 279, line 32, strike "\$2,443,441" and insert "\$2,683,223".

Explanation:

(This amendment adjusts appropriated funding for the Pittsylvania and Patrick County jail construction projects. The introduced budget bill provided funding for Pittsylvania County Jail as of December 1, 2010, but the opening date has been delayed until July 1, 2011. A funding correction is also addressed for the Patrick County Jail expansion project as funding was inadvertently withheld in the introduced bill.)

Item 417 #6c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$18,607,179	\$18,607,179	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$385,698,345".

Page 276, line 32, strike "\$367,755,709" and insert "\$386,362,888".

Explanation:

(This amendment provides \$18.6 million from the general fund the first year and \$18.6 million from the general fund the second year to restore selected reductions in sheriffs offices and regional jails.)

Item 417 #7c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$5,259,997	\$5,259,997	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$372,351,163".
Page 276, line 32, strike "\$367,755,709" and insert "\$373,015,706".

Explanation:

(This amendment eliminates an across-the-board reduction for sheriffs and regional jails that was contained in the introduced budget.)

Item 418 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$51,102,382)	(\$53,352,871)	GF

Language:

Page 279, line 45, strike "\$51,102,382" and insert "\$0".
Page 279, line 45, strike "\$53,352,871" and insert "\$0".
Page 279, strike lines 44 through 48.
Page 280, strike lines 1 through 49.
Page 281, strike lines 1 through 55.
Page 282, strike lines 1 through 34.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 418 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$2,000,000)	(\$2,000,000)	GF

Language:

Page 279, line 45, strike "\$51,102,382" and insert "\$49,102,382".
Page 279, line 45, strike "\$53,352,871" and insert "\$51,352,871".

Explanation:

(This amendment reduces the amounts budgeted for per diem payments for maintenance of prisoners in local and regional jails by \$2.0 million from the general fund in fiscal year 2011 and 2.0 million in fiscal year 2012.)

Item 418 #3c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$1,464,000)	(\$1,464,000)	GF

Language:

Page 279, line 45, strike "\$51,102,382" and insert "\$49,638,382".
Page 279, line 45, strike "\$53,352,871" and insert "\$51,888,871".
Page 282, strike lines 1 through 18.

Explanation:

(This amendment eliminates funding for the Jail Contract Bed program, which the Department of Corrections uses to place up to 500 state-responsible inmates in local or regional jails for work release or reentry programming. For use of these beds, the department paid more than the existing rate for housing state-responsible inmates in these facilities. The same programmatic objectives can be achieved through the existing jail per diem process.)

Item 419 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$623,140)	(\$623,140)	GF

Language:

Page 282, line 36, strike "\$623,140" and insert "\$0".
Page 282, line 36, strike "\$623,140" and insert "\$0".
Page 282, strike lines 35 through 53.
Page 283, strike lines 1 through 24.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers

the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 419 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$4,600,000	\$4,600,000	GF

Language:

Page 282, line 36, strike "\$623,140" and insert "\$5,223,140".

Page 282, line 36, strike "\$623,140" and insert "\$5,223,140".

Explanation:

(This amendment provides \$4.6 million from the general fund the first year and \$4.6 million from the general fund the second year to restore selected reductions for local Directors of Finance.)

Item 420 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$9,368,007)	(\$9,368,007)	GF

Language:

Page 283, line 26, strike "\$9,368,007" and insert "\$0".

Page 283, line 26, strike "\$9,368,007" and insert "\$0".

Page 283, strike lines 25 through 50.

Page 284, strike lines 1 through 24.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 420 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$7,500,000	\$7,500,000	GF

Language:

Page 283, line 26, strike "\$9,368,007" and insert "\$16,868,007".

Page 283, line 26, strike "\$9,368,007" and insert "\$16,868,007".

Explanation:

(This amendment provides \$7.5 million from the general fund the first year and \$7.5 million from the general fund the second year to restore selected reductions for local Commissioners of the Revenue.)

Item 420 #3c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$500,000	\$500,000	GF

Language:

Page 283, line 26, strike "\$9,368,007" and insert "\$9,868,007".

Page 283, line 26, strike "\$9,368,007" and insert "\$9,868,007".

Page 284, line 21, after "is", strike "removed" and insert:

"suspended for any individual who was not participating in the program on January 1, 2010."

Explanation:

(This amendment provides \$0.5 million from the general fund the first year and \$0.5 million from the general fund the second year to restore funding for the Commissioners of the Revenue career development programs.)

Item 421 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$55,271,427)	(\$55,271,427)	GF

Language:

Page 284, line 26, strike "\$55,271,427" and insert "\$0".

Page 284, line 26, strike "\$55,271,427" and insert "\$0".

Page 284, strike lines 25 through 50.
Page 285, strike lines 1 through 48.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 421 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$7,519,712	\$7,519,712	GF

Language:

Page 284, line 26, strike "\$55,271,427" and insert "\$62,791,139".
Page 284, line 26, strike "\$55,271,427" and insert "\$62,791,139".

Explanation:

(This amendment provides \$7.5 million from the general fund the first year and \$7.5 million from the general fund the second year to restore selected reductions for local Commonwealth's Attorneys.)

Item 421 #3c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$812,757	\$812,757	GF

Language:

Page 284, line 26, strike "\$55,271,427" and insert "\$56,084,184".
Page 284, line 26, strike "\$55,271,427" and insert "\$56,084,184".
Page 285, line 48, following "is", strike "removed" and insert:
"suspended for any individual who was not participating in the program on January 1, 2010."

Explanation:

(This amendment provides \$0.8 million from the general fund the first year and

\$0.8 million from the general fund the second year to restore funding for the Commonwealth's Attorneys career development programs.)

Item 422 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$32,608,049)	(\$32,608,049)	GF
	(\$14,229,597)	(\$14,229,597)	NGF

Language:

- Page 285, line 49, strike "\$46,837,646" and insert "\$0".
- Page 285, line 49, strike "\$46,837,646" and insert "\$0".
- Page 285, strike lines 49 through 54.
- Page 286, strike lines 1 through 52.
- Page 287, strike lines 1 through 52.
- Page 288, strike lines 1 through 13.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 422 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$9,000,000	\$9,000,000	GF

Language:

- Page 285, line 49, strike "\$46,837,646" and insert "\$55,837,646".
- Page 285, line 49, strike "\$46,837,646" and insert "\$55,837,646".

Explanation:

(This amendment provides \$9.0 million from the general fund the first year and \$9.0 million from the general fund the second year to restore selected reductions for local Circuit Court Clerks.)

Item 423 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$8,546,944)	(\$8,546,944)	GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$0".

Page 288, line 14, strike "\$8,546,944" and insert "\$0".

Page 288, strike lines 14 through 50.

Page 289, strike lines 1 through 13.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 423 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$7,200,000	\$7,200,000	GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$15,746,944".

Page 288, line 14, strike "\$8,546,944" and insert "\$15,746,944".

Explanation:

(This amendment provides \$7.2 million from the general fund the first year and \$7.2 million from the general fund the second year to restore selected reductions for local Treasurers.)

Item 423 #3c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$700,000	\$700,000	GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$9,246,944".

Page 288, line 14, strike "\$8,546,944" and insert "\$9,246,944".

Page 289, line 10, following "is", strike "removed" and insert:

"suspended for any individual who was not participating in the program on January 1, 2010."

Explanation:

(This amendment provides \$0.7 million from the general fund the first year and \$0.7 million from the general fund the second year to restore funding for the local Treasurers' career development programs.)

Item 424 #1c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	(\$4,965,347)	(\$4,965,347)	GF

Language:

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

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

Page 289, strike lines 14 through 52.

Page 290, strike lines 1 through 53.

Page 291, strike lines 1 through 55.

Page 292, strike line 1.

Explanation:

(This is one of a series of amendments to Items 417 through 424 which transfers the Compensation Board from the Office of the Secretary of Public Safety back to the Office of the Secretary of Administration. The budget, as introduced, moved the agency from Administration to Public Safety. A series of companion amendments to the Office of Administration restores these funds to Administration, with certain adjustments.)

Item 424 #2c

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$113,221	\$113,221	GF

Language:

Page 289, line 14, strike "\$4,965,347" and insert "\$5,078,568".

Page 289, line 14, strike "\$4,965,347" and insert "\$5,078,568".

Page 291, line 43, after "is" strike "\$993,274" and insert "\$1,106,495".

Page 291, line 43, after "and" strike "\$993,274" and insert "\$1,106,495".

Explanation:

(This amendment provides \$113,221 from the general fund the first year and \$113,221 from the general fund the second year to restore selected reductions for Compensation Board administrative costs.)

Item 424 #3c

Public Safety

Compensation Board

Language

Language:

Page 291, strike lines 54 and 55.

Page 292, strike line 1.

Explanation:

(This amendment strikes language that eliminated Compensation Board reimbursements for VRS retirement contributions and group life insurance premiums.)

Item 424 #4c

Public Safety

Compensation Board

Language

Language:

Page 291, line 33, after "an amount equal to", insert "fifty percent of".

Explanation:

(This amendment restores language that provided Compensation Board payment for fifty percent of the cost of the VARISK liability insurance and surety bond program for constitutional officers.)

Item 425 #1c

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 428 #1c

Technology	FY 10-11	FY 11-12	
Innovation And Entrepreneurship Investment Authority	\$500,000	\$1,000,000	GF

Language:

Page 293, line 12, strike "\$4,023,750" and insert "\$4,523,750".

Page 293, line 12, strike "\$4,023,750" and insert "\$5,023,750".

Page 294, after line 4, insert:

"I. From the amounts appropriated in this item \$500,000 in the first year and \$1,000,000 in the second year from the general fund shall be allocated to the Commonwealth GAP Fund program to foster the development of Virginia-based technology, biosciences, and energy companies. It is the intent of the General Assembly that this funding shall be used to underwrite immediate first financing for not fewer than 20 new early-stage companies and achieve a rate of return of not less than 11:1. As part of the reporting requirements identified within paragraph D of this item, the Director of the Center for Innovative Technology shall provide a detailed report on the number of companies and jobs created pursuant to this additional funding."

Explanation:

(This amendment provides \$500,000 in the first year and \$1.0 million in the second year to fund the GAP program for technology and life-science program administered by the Center for Innovative Technology.)

Item 429 #1c

Technology	FY 10-11	FY 11-12	
-------------------	-----------------	-----------------	--

Virginia Information Technologies \$1,694,282 \$1,694,282 NGF
Agency

Language:

Page 294, line 10, strike "\$455,718" and insert "\$2,150,000".

Page 294, line 10, strike "\$455,718" and insert "\$2,150,000".

Page 294, strike lines 9 through 12.

Page 294, after line 8, insert:

"429.

Information Systems Management and Direction (71100) \$2,150,000 \$2,150,000

Geographic Information Access Services (71105) \$2,150,000 \$2,150,000

Fund Sources: Dedicated Special Revenue \$2,150,000 \$2,150,000".

Explanation:

(This amendment corrects an error in the recording of nongeneral fund technical adjustments to the Virginia Geographic Information Network. A proposed \$847,141 increase was recorded as a decrease, resulting in a net deficit of \$1,694,282 in each year.)

Item 433 #1c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 296, delete lines 30 and 31.

Explanation:

(This amendment corrects an error of duplication involving service areas. During the 2009 session, two service areas were moved out of the planning and quality control program, Item 433, into the administrative and support program, Item 434. Erroneously, these services areas resurfaced in Item 433.)

Item 433 #2c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 297, strike lines 12 through 22, and insert:

"2. Not later than December 31, 2010, the Virginia Information Technologies Agency shall develop a formal plan describing how it intends to modernize and integrate enterprise applications that support the central administrative functions of the Commonwealth, including financial, human resources, and supply chain functions. The plan should also describe efforts to standardize common data associated with these functions. The plan should include description of (a) modernization and standardization goals and objectives, including benefits to the Commonwealth; (b) the overall approach to modernization, including current and anticipated research activities, application development projects, data standardization efforts, and supporting funding and partnership models; (c) plans for coordinating application development projects and data standardization efforts and managing their dependencies including but not limited to data integration, communications, budgets, schedules, resource requirements, and risk management planning; and (d) a structure for managing, operating and maintaining new applications and data resources that are delivered through modernization.

3. Funds received from the working capital advance will be used only for enterprise resource planning costs. No funds received from this working capital advance shall be used as payment toward operating costs of this or any other program."

Explanation:

(This amendment strikes a proposed transfer of funds from reduced reimbursement rates within the Department of Medical Assistance Services and continues language directing a funding plan for enterprise applications prior to development.)

Item 434 #1c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 303, after line 22, insert:

"H. The Chief Information Officer shall analyze and compare the costs of IT goods purchased through the Comprehensive Infrastructure Agreement to costs the Commonwealth would otherwise pay if comparable IT goods were purchased directly

by VITA, excluding any goods for which there is an existing internal service fund rate approved by the Joint Legislative Audit and Review Commission, or an approved contractual resource unit. In addition, this analysis shall focus on the status of any outstanding deliverables under the Comprehensive Infrastructure Agreement; including but not limited to the establishment of a service catalog. The analysis shall include the cost of the goods plus all taxes, including sales and personal property taxes, and all applicable overhead rates. If goods were purchased by VITA, identify all required changes to the contract, specific installation procedures and ongoing support requirements including any cost to be charged by the vendor for installation and support of goods purchased by the Commonwealth. VITA shall submit a report of this analysis and comparison to the Chairmen of the Senate Committees on Finance and General Laws and Technology and the House Committees on Appropriations and Science and Technology by December 31, 2010."

Explanation:

(This amendment directs VITA to report to the Senate and House technology and budget committees on an analysis of potential efficiencies or improvements to the procurement of IT goods that are not specifically covered under the Comprehensive Infrastructure Agreement.)

Item 434 #2c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 303, after line 22, insert:

"H. The Chief Information Officer and the Secretary of Technology shall provide to the Chairmen of the Senate Finance and House Appropriations Committees an analysis of any proposed amendments or modifications to the comprehensive infrastructure agreement, and accompanying statements describing the fiscal impact of such proposed amendments or modifications with such an impact, prior to the execution of the changes."

Explanation:

(This amendment requires the CIO and the Secretary of Technology to provide an analysis of all proposed amendments or modifications to the comprehensive infrastructure agreement including an analysis of costs of modifications to the agencies of the Commonwealth. This information is critical to ensuring that the

Appropriations Act accurately reflects the costs incurred by agencies for information technology services.)

Item 434 #3c

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 303, after line 22, insert:

"H.1. The Chief Information Officer of the Commonwealth (CIO) shall implement actions as necessary to reduce staffing levels and functions of the Virginia Information Technologies Agency (VITA) pursuant to the terms and limitations set forth in the following paragraphs and in compliance with the intent and provisions of this act. The Director, Department of Planning and Budget, is authorized to transfer appropriations in this act as necessary to carry out the budget reductions resulting from this item.

2. In carrying out any reductions resulting from this item, the actions implemented will be based on a "Restructuring Plan for the Virginia Information Technologies Agency" developed by the CIO not later October 31, 2010. The CIO shall present the proposed Restructuring Plan to the Governor, the Chairmen of the House Appropriations, House General Laws and Technology, Senate General Laws, and Senate Finance Committees prior to approval by the Secretary of Technology. The Plan shall include the specific actions enumerated below. Implementation of these actions shall begin in fiscal year 2011 and continue through fiscal year 2012. The Plan shall be phased so as to ensure that necessary overhead savings are achieved to meet the budgetary reductions set out in other items of this act.

3. Such plan shall:

a. Ensure that the actions of VITA are focused on 1.) the timely completion of all transition and transformation activities as currently defined in the comprehensive infrastructure agreement ("contract") or any successor contract for the operations of the Commonwealth's information technology infrastructure; 2.) provide for dedicated resources to manage any outsourcing contracts valued at more than \$1 million annually; 3.) improve the security of information technology used by State agencies; and 4.) continue progress toward the completion of enterprise applications projects undertaken by VITA and other State agencies.

- b. Set service and staffing levels for VITA programs that have clear and measurable performance requirements; are clearly linked to the goals set forth in this item; and are included in discrete cost centers.
 - c. Reconfigure, including the elimination and consolidation of organizational units, to achieve at least a 30 percent reduction in the number of total directorates, including those units supported by nongeneral fund sources. In planning for these reductions, the CIO shall evaluate the potential for implementing a human resources service bureau with the Department of Human Resource Management; the potential for transferring Supply Chain Management responsibilities to the Department of General Services, and the long-term viability of the Enterprise Applications Division.
 - d. As part of the consolidation of directorates, ensure that the supervisory layers between the lowest line staff and the CIO shall be no more than four;
 - e. use an objective methodology on which to base all actions and take no actions until customer input has been considered; and
 - f. ensure that appropriate accountability, compliance, and oversight by auditors is conducted on all programs and functions on a periodic basis.
4. On July 1 and January 1 of each year, the CIO shall provide a progress report detailing each action and its impact on the VITA budget to the Governor, the Chairmen of the House Appropriations, House General Laws and Technology, Senate General Laws, and Senate Finance Committees. Such reports shall include a detailed enumeration of progress that has been made to reduce the agency's expenditure levels in order to meet the reduction levels required by this item, an update on the next phase of actions planned to address the reductions, any obstacles encountered in implementing these reductions, and any adjustments to the Plan."

Explanation:

(This amendment directs the Virginia Information Technologies Agency to develop a plan for restructuring the agency that reduces the overall span of control by reducing the number of directorates and layers of management. The plan is to be presented to the Governor and the General Assembly by October 31, 2010 and VITA is required to provide a progress report on the reorganization on July 1 and January 1 of each year of the biennium.)

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 66 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.)

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 a 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 #1c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 312, strike lines 3 through 21.

Explanation:

(This amendment removes language that would dedicate a portion of transit capital funding authorized under the Commonwealth of Virginia Transportation Capital Projects Revenue Bonds debt obligation from House Bill 3202 (2007) to fund land use planning and development grants authorized by the Office of Intermodal Planning and Investment within the Department of Transportation.)

Item 447 #2c

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 311, after line 28, insert:

"c. Notwithstanding the provisions of paragraph A.1.a and A.1.b of this item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate up to 20 percent of the Commonwealth Mass Transit Fund dedicated for capital purposes to transit operating assistance if operating funds for the next fiscal year are estimated to be less than the current fiscal year's allocation, in an effort to maintain transit operations at approximately the same level as the previous fiscal share."

Explanation:

(This amendment provides the Commonwealth Transportation Board the flexibility to temporarily dedicate up to 20 percent of transit capital improvement funds to transit operating grant funds.)

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 percent 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.)

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 312, after line 40, insert:

"D. Not later than December 31, 2010, the Director shall provide the Commonwealth Transportation Board an assessment of the anticipated ridership and funding required to support a pilot project of daily bus connector service from the Roanoke Valley to the Kemper Street Station in Lynchburg as part of the on-going three year passenger rail demonstration project. Any support of this transit connector service shall be terminated if the Route 29 rail corridor project is not continued at the conclusion of the three year demonstration period."

Explanation:

(This amendment directs the DRPT to work with the City of Roanoke and local transit providers to identify funding and positions for a pilot program providing commuter bus connector service between Roanoke and the Kemper Street Station in Lynchburg as part of the on-going passenger rail demonstration project.)

Item 451 #1c

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 452 #1c

Transportation

Department Of Transportation

Language

Language:

Page 314, line 5, strike "\$964,595,264" and insert "\$958,095,264".

Page 314, line 5, strike "\$915,309,068" and insert "\$938,809,068".

Page 314, line 6, strike "\$377,673,645" and insert "\$371,173,645".

Page 314, line 6, strike "\$326,552,675" and insert "\$350,052,675".

Page 314, strike lines 16 through 22 and insert:

"A. Included in the amounts for dedicated and statewide construction in \$15,000,000 the first year and \$15,000,000 the second year from the Commonwealth Transportation Fund, which shall be allocated to localities for revenue sharing. No additional amount shall be appropriated from the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds for this program."

Explanation:

(This amendment redirects funding for the local revenue sharing program from Transportation Capital Project Revenue Bonds authorized pursuant to House Bill 3202 (2007) to traditional Commonwealth Transportation Fund sources.)

Item 453 #1c

Transportation

Department Of Transportation

Language

Language:

Page 315, after line 28 insert:

"F. Prior to undertaking any network capacity improvements or other enhancements to roads intersecting with State Route 193 ("Georgetown Pike"), including the

intersection with State Route 7, the Commissioner, in coordination with the Director of the Department of Historic Resources, shall ensure that any proposed improvements respect the historic nature of Georgetown Pike."

Explanation:

(This amendment directs VDOT to respect the historic nature of Georgetown Pike when making capacity improvements or other enhancements, including its intersection with Route 7.)

Item 457 #1c

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.)

Transportation

Department Of Transportation

Language

Language:

Page 320, line 22, after "the", strike remainder of line.

Page 320, line 23, strike "Applications Program (VEAP) Office Director" and insert: "Chief Application Officer (CAO) of the Virginia Information Technologies Agency".

Page 320, line 24, strike "VEAP Office Director" and insert "CAO".

Page 320, line 26, after "the", strike "VEAP Office Director" and insert "CAO".

Explanation:

(This amendment corrects references to the Virginia Information Technologies Agency's (VITA) Enterprise Applications Division. References to "the Virginia Enterprise Applications Program (VEAP) Office Director" should be changed to "the Chief Application Officer (CAO)" since the VEAP office was merged into VITA in Chapter 781 for fiscal year 2010.)

Central Appropriations

Central Appropriations

FY 10-11

(\$500,000)

FY 11-12

\$0 GF

Language:

Page 325, line 47, strike "\$500,000" and insert "\$0".

Page 325, strike lines 47 through 50.

Page 326, strike lines 1 through 20.

Explanation:

(This amendment eliminates the Productivity Investment Fund, which is used to provide working capital advances to state agencies for projects that could improve their operations. The second year funding for this fund was eliminated in the introduced budget.)

Central Appropriations

Central Appropriations

Language

Language:

Page 327, line 6, after ".", insert:

"No less than \$1.0 million each year shall be allocated for obesity prevention activities."

Page 327, after line 11, insert:

"3. Beginning November 1, 2010 and each year thereafter, the Director of the Virginia Healthy Youth Foundation shall report to the Chairmen of the House Appropriations and Senate Finance Committees on funding provided to community-based organizations for obesity prevention activities pursuant to §32.1-355 of the Code of Virginia."

Explanation:

(This language amendment requires at least \$1.0 million each year from the Virginia Healthy Youth Foundation be used for obesity prevention. Language is also added requiring the Director to report on funding provided to local organizations to address obesity issues.)

Item 469 #1c

Central Appropriations

Central Appropriations

Language

Language:

Page 333, after line 42, insert:

"Q1. All employees of the Commonwealth, except elected officials, who were employed on June 30, 2010, shall receive a one-time bonus payment equal to three percent of base pay on December 16, 2010, contingent on general fund revenue collections for fiscal year 2010 exceeding the official fiscal year 2010 revenue estimate contained in the 2010 Acts of Assembly by at least \$82,200,000. If general fund revenue collections for fiscal year 2010 exceed the official revenue estimate by less than \$82,200,000, the one-time bonus payment shall be prorated to a percent of base pay for the general fund payroll that equates to the amount of excess revenues collected.

2. Pursuant to the conditions in paragraph Q1 being met, the fiscal year 2011 general fund appropriation shall be increased to effect the one time bonus payment.

3. The Director of the Department of Planning and Budget shall administratively increase nongeneral fund appropriations as required to implement the one-time bonus

payment."

Explanation:

(This amendment is self-explanatory.)

Item 469 #2c

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. 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 #3c

Central Appropriations

Central Appropriations

FY 10-11	FY 11-12	
\$36,566,468	\$32,210,118	GF

Language:

Page 327, line 15, strike "\$38,270,141" and insert "\$1,703,673".

Page 327, line 15, strike "\$11,041,200" and insert "\$43,251,318".

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%
 <u>Other Post Employment Benefits</u>		
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 rates approved by the General Assembly and set out below:

<u>Retirement</u>	<u>FY 2011</u>	<u>FY 2012</u>
Regular VRS	2.13%	2.08%
SPORS	7.76%	7.73%
VaLORS	5.12%	5.07%
JRS	28.81%	28.65%
<u>Other Post Employment Benefits</u>		
Group Life	0.33%	0.33%
Retiree Health Care Credit	0.10%	0.10%
Virginia Sickness and Disability Program	0.00%	0.00%

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 \$245,727,423 the first year and \$258,333,980 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 Retirement contribution rates paid for public school teachers, excluding the five percent employee portion, shall be 4.01 percent in the first year and 5.31 percent in the second year.

2. Contribution rates paid for public school teachers for the retiree health care credit shall be 0.60 percent in the first and the second year.

K.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 percent employee contribution.

L.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 \$379,321 the first year and \$716,999 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 \$414,365 the first year and \$793,825 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.

M.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.

N. 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.

O. 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 42.

Page 331, line 43, strike "N." and insert "P.".

Page 333, strike lines 25 through 42.

Explanation:

(This amendment deletes language included in the introduced budget related to changes to the Virginia Retirement System. 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 \$464.9 million over the biennium resulting from a proposal to reimburse the VRS using the the "normal rate" for the state employee retirement in both years, and for teacher retirement the "normal rate" the first year and the "normal rate" plus 20 percent of the unfunded actuarial accrued liability in the second year, with the rates adjusted to reflect the savings pursuant to the passage of HB 1189 and SB 232. The contribution rate paid to VRS for the state employee group life program in this amendment is intended to represent the employee share of the contribution rate proposed in the introduced budget. The rates included in this amendment represent an estimate of the

rate policies proposed in this amendment.)

Item 469 #4c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	\$5,927,795	\$11,855,589	GF

Language:

Page 327, line 15, strike "\$38,270,141" and insert "\$32,342,346".

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 \$10.00 per pay period, or \$20.00 per month in the first year, and \$20.00 per pay period, or \$40.00 per month in the second year. 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.

5. Pursuant to § 3-1.01 of this act, amounts estimated at \$3,491,632 the first year

shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with a reduction in the level of state match, from \$20 per pay period to \$10 per pay period, in the first year."

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. The amendment restores half of the funding in the first year, \$5.9 million and all of the \$11.8 million to the general fund in the second year. In addition to restoring the general fund appropriation, it modifies language included in the introduced budget related to the transfer nongeneral fund cash to the general fund as a result of the proposed suspension in the program. The approved budget decreases the match by \$10.00 per period in the first year and restores the funding to its current level in the second year.)

Item 469 #5c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	\$0	\$3,000,000	GF

Language:

Page 327, line 15, strike "\$11,041,200" and insert "\$14,041,200".

Page 333, after line 42 insert;

""Q. Out of the general fund appropriation for this Item, \$3,000,000 in the second year shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with benefits provided pursuant to the Line of Duty Act."

Explanation:

(This amendment provides \$3.0 million general funds to support premiums charged for the Line of Duty Benefit in fiscal year 2012.)

Item 469 #6c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	(\$8,904,390)	(\$8,464,019)	GF

Language:

Page 327, line 15, strike "(\$38,270,141)" and insert "(\$47,174,531)".

Page 327, line 15, strike "\$11,041,200" and insert "\$2,577,181".

Page 328, line 26, after "estimated at" strike "\$20,281,028" and insert "\$11,376,638".

Page 328, line 27, before "the second year" strike "\$57,512,461" and insert "\$11,817,009".

Explanation:

(This amendment captures savings of \$8.9 million from the general fund the first year and \$8.4 million from the general fund the second year from maintaining the reserve in the Health Insurance Fund at \$25,000,000. Furthermore, it is the intention of the General Assembly that the state employee health insurance plan continue to provide maintenance drugs through the same provider network that is use to provide other pharmacy products and that the plan continues to cover non-sedating antihistamines and ED drugs.)

Item 469 #7c

Central Appropriations

FY 10-11

FY 11-12

Central Appropriations

\$0

(\$37,231,433) GF

Language:

Page 327, line 15, strike "\$11,041,200" and insert "\$26,190,233".

Page 328, line 27, strike "\$57,512,461" and insert "\$20,299,028".

Explanation:

(This amendment eliminates the appropriation of \$37.2 million from the general fund the second year for the projected increase in employer health insurance rates.)

Item 469 #8c

Central Appropriations

Central Appropriations

Language

Language:

Page 329, following line 44, insert:

"11. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for the 2012-2014 biennium, and subsequent biennia, the Board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred

payments over a period of ten years using the Board's assumed long-term rate of return. The Governor shall include funds to support payment of such Board-approved, supplemental employer contribution rates in the budget submitted to the General Assembly."

Explanation:

(This amendment requires that the deferred retirement contributions from limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal of the unfunded actuarial accrued liability shall be paid to the Virginia Retirement System over a period of ten years. The payments required are estimated at \$74 million from the general fund annually beginning in fiscal year 2013)

Item 472 #1c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	(\$1,800,000)	(\$1,800,000)	GF

Language:

Page 336, line 14, strike "\$1,800,000" and insert "\$0".

Page 336, line 14, strike "\$1,800,000" and insert "\$0".

Page 336, strike lines 14 through 21.

Explanation:

(This amendment moves funding for the community college transfer grant to the State Council of Higher Education for Virginia. A companion amendment is found under Item 137.)

Item 473 #1c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	(\$187,500)	(\$187,500)	GF

Language:

Page 336, line 22, strike "(\$266,987)" and insert "(\$454,487)".

Page 336, line 22, strike "(\$266,987)" and insert "(\$454,487)".

Page 336, after line 41, insert:

"C. The Director, Department of Planning and Budget shall withhold and transfer to this Item amounts estimated at \$187,500 the first year and \$187,500 the second year from the general fund appropriations of state agencies and institutions of higher education, representing savings resulting from reductions in printing costs."

Explanation:

(This amendment captures savings of \$187,500 from the general fund the first year and \$187,500 from the general fund the second year from reductions in agency printing expenses.)

Item 473.10 #1c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	(\$60,000,000)	(\$60,000,000)	GF

Language:

Page 336, after line 41

"473.10.	(\$60,000,000)	\$60,000,000
Fund Sources: General	(\$60,000,000)	\$60,000,000."

Authority: Discretionary Inclusion.

A. The purpose of this item is to capture savings in state aid to local government programs in a manner that provides localities flexibility in how such savings are implemented. This reversion is necessary as a result of the downward adjustment in general fund revenues caused by the slowing of the Virginia economy.

B. Within 30 days after enactment of this act, the Director of the Department of Planning and Budget, shall provide the chief operating officer of each city and county in the Commonwealth a list of certain state aid to local government programs along with an estimate of the general fund amount for each program that each county and city could expect to receive from the state during each year of the biennium. The total amount listed for these programs will serve as the basis for calculating the savings apportioned to each city and county for this item. The savings apportionment will be equal to the percentage of the aggregate general fund amount for all of these state aid programs in each city and county totaling \$60,000,000 the first year and \$60,000,000 the second year.

C. Each city and county in the Commonwealth shall have flexibility in determining how it will implement the savings apportioned to it. Each city or county can choose to (1) take the total savings out of one program included on the list provided by the Department of Planning and Budget, (2) reduce multiple state aid programs on a proportional basis or by a specified percentage reduction, or (3) reimburse the Commonwealth in aggregate for their share of the savings, thereby keeping the state aid programs at an unreduced level. Each locality may also use number 3 above in

combination with 1 or 2. The governing body of each city or county shall make its selection and certify its choice to the Director, Department of Planning and Budget, by August 30, 2010. Within 10 days of receipt, the Director, Department of Planning and Budget, shall review such certification for accuracy to ascertain that the required savings apportioned to the city or county are obtainable using the selection(s) submitted on the certification. Unless, the Director, Department of Planning and Budget, finds a certification to include savings that are not obtainable or sustainable, the certification shall be approved and implemented without further delay. In the event that a city or county has not submitted or obtained an approved certification by October 1, 2010, the Director, Department of Planning and Budget, is hereby authorized to withhold an amount equivalent to the savings apportioned to the affected city or county from the aid to local government programs that the Director determines are most discretionary and represent general purpose aid to the local government in question before he begins to withhold any funds from categorical grants serving a particular functional area or public service. The Director, Department of Planning and Budget, shall notify the affected locality of his decision in this regard and such decision shall remain in force unless it is superseded by the subsequent approval of a certification for the affected city or county after October 1, 2010.

D. The savings in state aid to local government programs identified by each city or county on their approved certification (or by the Director, Department of Planning and Budget, in absence of an approved certification) shall be transferred from the other items where such amounts are appropriated in this act to offset the reversion amount listed in this item. Payments from local governments electing to use option (3) above in paragraph C shall be deposited to a suspense account which shall be administered pursuant to § 3-1.03 of this act."

Explanation:

(This amendment captures savings of \$60.0 million from the general fund each year from a reduction in local aid.)

Item 473.10 #2c

Central Appropriations	FY 10-11	FY 11-12	
Central Appropriations	\$0	(\$10,000,000)	GF

Language:

Page 336, after line 41, insert:

"473.10. Higher Education Reversion	\$0	(\$10,000,000)
-------------------------------------	-----	----------------

Clearing Account
Fund Sources: General \$0 (\$10,000,000)."

Explanation:

(This amendment creates a \$10 million fiscal year 2012 general fund reduction clearing account for higher education institutions. The distribution of the reductions will be determined in fiscal year 2011.)

Item 485 #1c

Independent Agencies	FY 10-11	FY 11-12	
Virginia Retirement System	\$234,500	\$0	NGF

Language:

Page 341, line 37, strike "\$30,889,339" and insert "\$31,123,839".

Explanation:

(This amendment provides \$234,500 from the nongeneral fund in administrative funding in the first year for the Virginia Retirement System to reflect additional expenses which will be incurred pursuant to the passage of House Bill 1189 and Senate Bill 232 of the 2010 General Assembly session.)

Item 489 #1c

Independent Agencies	FY 10-11	FY 11-12	
Virginia Office For Protection And Advocacy	(\$220,227) -1.88	(\$220,227) -1.88	GF FTE

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 and 1.88 FTEs for the Virginia Office for Protection and Advocacy. The agency will continue to operate with \$2.9 million from federal and other special funds each year.)

Item C-0 #1c

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.)

Item C-0 #2c

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.)

Item C-0 #3c

General Conditions

General Conditions

Language

Language:

Page 347, after line 44, insert:

"Q. On or before June 30, 2012, the State Comptroller shall revert the following amounts from the agency, fund code, and project code listed.

Agency Name/Project Title	Fund	Project Code	Amount
Central Capital (949)	0965	17777	\$4,599,500".

Explanation:

(This amendment is self-explanatory.)

Item C-1 #1c

Administration	FY 10-11	FY 11-12
Department Of General Services	(\$913,000)	\$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-3 #1c

Education: Higher Education	FY 10-11	FY 11-12
Christopher Newport University	(\$1,100,230)	\$0 GF

Language:

Page 348, line 25, strike "\$1,100,230" and insert "\$0".

Page 348, strike lines 24 through 26 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-5.10 #1c

Education: Higher Education	FY 10-11	FY 11-12
Christopher Newport University	\$500,000	\$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.)

		Item	C-5.10 #2c
Education: Higher Education	FY 10-11	FY 11-12	
Christopher Newport University	\$3,000,000	\$0	NGF

Language:

Page 348, after line 32, insert:

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

Explanation:

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

		Item	C-6 #1c
Education: Higher Education	FY 10-11	FY 11-12	
The College Of William And Mary In Virginia	(\$2,200,230)	\$0	GF

Language:

Page 349, line 3, strike "\$2,200,230" and insert "\$0".
Page 349, strike lines 2 through 4 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

		Item	C-10.10 #1c
Education: Higher Education	FY 10-11	FY 11-12	
The College Of William And Mary	\$9,999,000	\$0	NGF

In Virginia

Language:

Page 349, after line 14, insert:

"C-10.10. Improvements: Cooling Plant and 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 work shall be accomplished within the current budget for the project."

Explanation:

(This amendment requests 9(d) revenue bond authority for Phase III of the utilities infrastructure improvements.)

Item C-11 #1c

Education: Higher Education

FY 10-11

FY 11-12

George Mason University

(\$1,999,205)

\$0 GF

Language:

Page 349, line 20, strike "\$1,999,205" and insert "\$0".

Page 349, strike lines 19 through 21 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-21 #1c

Education: Higher Education

FY 10-11

FY 11-12

George Mason University

(\$2,526,000)

\$0 NGF

Language:

Page 350, line 14, strike "\$2,526,000" and insert "\$0".

Page 350, strike lines 13 through 15 and insert "Omitted."

Explanation:

(This amendment transfers the funding for this project to House Bill 29.)

Education: Higher Education	FY 10-11	FY 11-12
George Mason University	\$10,000,000	\$0 NGF

Language:

Page 351, after line 14, insert:

"C-24.10. Improvements: Prince William Campus Labs	\$10,000,000	\$0
Fund Sources: Federal Trust	\$10,000,000".	\$0".

Explanation:

(This amendment requests nongeneral fund authority to renovate labs on the Prince William campus of George Mason University.)

Education: Higher Education	
George Mason University	Language

Language:

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 #3c

Education: Higher Education

George Mason University

FY 10-11
\$3,835,293

FY 11-12
\$0 NGF

Language:

Page 351, after line 14, insert:

"C-24.10. New Construction: Arlington
Phase II

\$3,835,293

\$0

Fund Sources: Bond Proceeds

\$3,835,293".

\$0".

Explanation:

(This amendment requests 9(d) revenue bond authority for the Arlington Phase II project.)

Item C-25 #1c

Education: Higher Education

James Madison University

FY 10-11
\$6,000,000

FY 11-12
\$0 NGF

Language:

Page 351, line 20, strike "\$2,322,811" and insert "\$8,322,811".

Page 351, after line 21, insert:

"Bond Proceeds.....\$6,000,000

\$0".

Page 351, strike lines 22 through 24.

Explanation:

(This amendment makes a technical correction to language in the introduced budget which incorrectly referred to the funding in this item as equipment. In addition, the amendment provides 9(d) nongeneral fund revenue bond capacity to renovate dining space within the facility.)

Item C-25 #2c

Education: Higher Education

FY 10-11

FY 11-12

James Madison University (\$2,322,811) \$0 GF

Language:

Page 351, line 20, strike "\$2,322,811" and insert "\$0".

Page 351, strike lines 19 through 24 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-26 #1c

Education: Higher Education

FY 10-11

FY 11-12

James Madison University

(\$1,100,230)

\$0 GF

Language:

Page 351, line 26, strike "\$1,100,230" and insert "\$0".

Page 351, strike lines 25 through 27 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-31.10 #1c

Education: Higher Education

FY 10-11

FY 11-12

James Madison University

\$2,500,000

\$0 NGF

Language:

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 #1c

Education: Higher Education

FY 10-11

FY 11-12

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-34 #1c

Education: Higher Education

FY 10-11

FY 11-12

University Of Mary Washington

(\$755,333)

\$0 GF

Language:

Page 352, line 16, strike "\$755,333" and insert "\$0".

Page 352, strike lines 15 through 17 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-37 #1c

Education: Higher Education

FY 10-11

FY 11-12

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 #1c

Education: Higher Education

FY 10-11

FY 11-12

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-41 #1c

Education: Higher Education

FY 10-11

FY 11-12

Radford University

(\$1,449,000)

\$0 GF

Language:

Page 353, line 12, strike "\$1,449,000" and insert "\$0".

Page 352, strike lines 11 through 13 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-42 #1c

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-43 #1c

Education: Higher Education	FY 10-11	FY 11-12
University Of Virginia	(\$791,277)	\$0 GF

Language:

Page 353, line 21, strike "\$791,277" and insert "\$0".

Page 353, strike lines 21 through 23 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-44 #1c

Education: Higher Education	FY 10-11	FY 11-12
University Of Virginia	(\$1,100,230)	\$0 GF

Language:

Page 353, line 24, strike "\$1,100,230" and insert "\$0".

Page 353, strike lines 24 through 25 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-58 #1c

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, after line 36, insert:

"The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also

authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same."

Explanation:

(This amendment provides authorization for Northern Virginia Community College, Alexandria Campus, to develop a student housing facility through a private contractor.)

	Item	C-69 #1c
Education: Higher Education	FY 10-11	FY 11-12
Virginia Polytechnic Institute And State University	(\$1,100,230)	\$0 GF

Language:

Page 356, line 19, strike "\$1,100,230" and insert "\$0".
Page 356, strike lines 18 through 20 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

	Item	C-71 #1c
Education: Higher Education	FY 10-11	FY 11-12
Virginia Cooperative Extension And Agricultural Experiment Station	(\$1,000,000)	\$0 GF

Language:

Page 356, line 31, strike "\$1,000,000" and insert "\$0".
Page 356, strike lines 30 through 32 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-73 #1c

Education: Higher Education

Virginia State University

FY 10-11

(\$1,000,000)

FY 11-12

\$0 GF

Language:

Page 357, line 3, strike "\$1,000,000" and insert "\$0".

Page 357, strike lines 2 through 6 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-75 #1c

Education: Other

Jamestown-Yorktown Foundation

FY 10-11

(\$1,332,374)

FY 11-12

\$0 GF

Language:

Page 357, line 12, strike "\$1,332,374" and insert "\$0".

Page 357, strike lines 11 through 13 and insert "Omitted".

Explanation:

(This amendment removes planning which is already included as part of the funding in Item C-85 B.)

Item C-76 #1c

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 removes planning which is already included as part of the funding in Item C-85 B.)

Item C-76.80 #1c

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 357, after line 29, insert:

"**Office of Natural Resources**

§ 2-19.10 Department of Conservation and Recreation

"C-76.80. New Construction: Biscuit Run

State Park Visitor Center and Infrastructure

"The Department of Conservation and Recreation is authorized to accept gifts for the construction of a visitor center and supporting infrastructure at Biscuit Run State Park in Albemarle County. Such nongeneral funds are hereby appropriated. All future costs for the development of this project shall be borne solely from grants, gifts, or federal funds."

Explanation:

(This amendment authorizes the Department of Conservation and Recreation to accept gifts for the construction of a visitor center at Biscuit Run State Park in Albemarle County.)

Item C-80.10 #1c

Public Safety

Department Of Veterans Services

Language

Language:

Page 358, after line 30, insert:

"C-80.10.

Effective July 1, 2010, the Southwestern Virginia Veterans Care Center shall be considered a part of the six-year capital outlay plan authorized under Chapter 46 and Chapter 696, 2009 Acts of Assembly."

Explanation:

(This amendment adds the Southwestern Virginia Veterans Care Center to the six-year capital outlay plan authorized under Chapter 46 and Chapter 696, 2009 Acts of Assembly.)

Item C-84 #1c

Central Appropriations
Central Capital Outlay

FY 10-11
(\$15,000,000)

FY 11-12
\$0 GF

Language:

Page 359, line 14, strike "\$65,000,000" and insert "\$50,000,000".

Page 359, strike lines 23 through 44 and insert:

"Agency Name	Project Code	FY 2011
Department of General Services	14260	3,104,240
Department of Veterans Services	17073	32,437
Department of Agriculture and Consumer Services	12253	242,630
Department of Forestry	13986	129,749
Department of Mines, Minerals and Energy	13096	43,466
Virginia School for the Deaf and the Blind at Staunton	14082	195,272
Christopher Newport University	12719	393,788
The College of William and Mary in Virginia	12713	1,620,563
Richard Bland College	12716	51,900
Virginia Institute of Marine Science	12331	275,067
George Mason University	12712	2,160,318
James Madison University	12718	1,679,598
Longwood University	12722	895,916
Norfolk State University	12724	2,815,549
Old Dominion University	12710	1,240,399
Radford University	12731	639,013
University of Mary Washington	12723	415,196
University of Virginia	12704	4,831,197
University of Virginia's College at Wise	12706	255,605
Virginia Commonwealth University	12708	3,320,272
Virginia Community College System	12611	4,728,695
Virginia Military Institute	12732	864,780
Virginia Polytechnic Institute and State University	12707	5,630,449
Virginia State University	12733	2,389,973

Frontier Culture Museum of Virginia	15045	72,011
Gunston Hall	12382	51,900
Jamestown-Yorktown Foundation	13605	352,268
The Library of Virginia	17423	48,656
The Science Museum of Virginia	13634	522,239
Virginia Museum of Fine Arts	13633	596,196
Southwest Virginia Higher Education Center	16499	43,466
Department of Mental Health, Mental Retardation and Substance Abuse Services	10880	4,110,442
Woodrow Wilson Rehabilitation Center	10885	711,023
Department for the Blind and Vision Impaired	13942	151,157
Department of Conservation and Recreation	16646	417,142
Virginia Museum of Natural History	14439	45,412
Department of Corrections	10887	3,165,218
Department of Emergency Management	15989	42,168
Department of Forensic Science	16320	47,358
Department of Juvenile Justice	15081	1,204,718
Department of Military Affairs	10893	313,343
Department of State Police	10886	149,211
Total		50,000,000".

Page 360, strike lines 1 through 23.

Page 360, strike lines 28 through 39, and insert:

"D. The Director, Department of Planning and Budget, in consultation with staff of the House Appropriations and Senate Finance Committees shall develop recommendations for the fiscal year 2012 allocation of maintenance reserve funding. The Director shall report the recommendations to the Governor and the Chairman of the House Appropriations and Senate Finance Committees by October 1, 2010."

Explanation:

(This amendment requests that maintenance reserve allocations for fiscal year 2011 reflect the same proportion as the prior fiscal year. In addition, the amendment requires that the Director, Department of Planning and Budget develop recommendations for the fiscal year 2012 allocation in consultation with money

committee staff.)

Item C-84 #2c

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 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 362, after line 32, insert:

"Jamestown-Yorktown Foundation (425)

Construct Yorktown Museum (17626)".

Page 363, strike lines 23 through 24 and insert:

"Priority 4: Construction funds for projects with completed planning

Priority 5: Improvements: Energy Conservation

E.1. The projects listed in paragraph B of this item include funds to complete planning through working drawings. The Secretary of Finance shall provide funding through the bond authorization upon completion of the plan in paragraph D.

2. In accordance with § 2.2-1516, each institution shall submit their planning documents to the Six-Year Capital Outlay Plan Advisory Committee for review. Projects contained in this item shall proceed according to §§ 2.2-1516 through 2.2-1520."

Explanation:

(This amendment is self-explanatory.)

	Item	C-85 #2c
Central Appropriations	FY 10-11	FY 11-12
Central Capital Outlay	\$500,000	\$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-85.10 #1c
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 3-1.01 #1c

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 #2c

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 an 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 #3c

Transfers

Interfund Transfers

Language

Language:

Page 372, after line 27, insert:

"MM. On or before June 30, 2011 and June 30, 2012, the State Comptroller shall transfer \$1,800,000 each year from the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 331, 384, and 408 of this act, for the purposes enumerated in Section 17.1-275.12. Any amounts remaining in the fund following these transfers, estimated at \$2,700,000 each year, shall be transferred to the general fund on or before June 30 of each year."

Explanation:

(This amendment provides for the transfer of \$1,800,000 each year from the Internet Crimes Against Children Fund to the Departments of Social Services, Criminal Justice Services, and State Police, as provided in Senate Bill 620 of the 2010 Session, with the remaining amounts to be transferred to the general fund. This amendment is contingent upon final passage of Senate Bill 620.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 370, line 48, strike the first "2,455,000" and insert "9,055,000".

Page 370, line 48, strike the second "2,455,000" and insert "9,055,000".

Explanation:

(This amendment increases the transfer of revenue from the Trauma Center Fund to the general fund by \$6.6 million in each year. The introduced budget transferred \$2.4 million each year from the Fund to the general fund. A companion amendment to Item 3-6.00 (Adjustments and Modifications to Fees) increases the drivers license reinstatement fee by \$50, allowing for the restoration of \$2.4 million each year to the trauma centers. Revenues in the Trauma Center Fund are used to defray the cost of providing emergency medical care to victims of automobile accidents attributable to alcohol or drug use.)

Item 3-1.01 #5c

Transfers

Interfund Transfers

Language

Language:

Page 372, after line 27, insert:

"MM. On or before June 30 each year, the State Comptroller shall transfer \$10,518,587 the first year and \$10,518,587 the second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200)."

Explanation:

(This amendment transfers \$10.5 million each year from the special emergency medical services fund to the general fund. A companion amendment to Item 3-6.00 (Adjustments and Modifications to Fees) increases the annual vehicle registration fee known as \$4 for Life from \$4.25 to \$6.25 generating \$12.6 million annually. Of the increase \$2.1 million will be transferred to the Department of State Police to operate the med-flight program, eliminating the need to transfer funds from the Rescue Squad Assistance Fund to State Police as proposed in the introduced budget. A separate amendment to Item 281

(Emergency Medical Services) eliminates the proposed transfer.)

Item 3-1.01 #6c

Transfers

Interfund Transfers

Language

Language:

Page 372, strike lines 22 through 27, and insert:

"LL. On or before June 30 each year, the State Comptroller shall transfer \$1,550,764 the first year and \$1,740,836 the second year from savings from changes to the durable medical equipment Medicaid rates, pursuant to paragraph UUU. in Item 297, to the general fund."

Explanation:

(This amendment eliminates language that would have transferred general fund savings from changes in the rates paid for durable medical equipment (DME) to the Virginia Infrastructure Technology Fund. Instead, this amendment directs the savings from the DME rates to the general fund less \$170,000 to repay the Department of Medical Assistance Services for costs incurred to achieve the savings.)

Item 3-1.01 #7c

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 to the general fund of nongeneral fund balances held by legislative agencies.)

Item 3-1.01 #8c

Transfers

Interfund Transfers

Language

Language:

Page 372, after line 27 insert:

""MM. On or before June 30, 2011, the State Comptroller shall transfer \$10,000,000 to the general fund from unobligated nongeneral fund balances at the State Corporation Commission, and on or before June 30, 2012, the State Comptroller shall transfer an additional \$10,000,000 to the general fund from unobligated nongeneral fund balances at the State Corporation Commission."

Explanation:

(This amendment authorizes the transfer of \$20.0 million from nongeneral fund balances within State Corporation Commission to the general fund.)

Item 3-1.01 #9c

Transfers

Interfund Transfers

Language

Language:

Page 367, line 41, strike "\$44,900,000" and "\$45,400,000" and insert: "\$46,200,000" and "\$49,300,000".

Explanation:

(This amendment increases the transfer of net profits to the general fund from the Alcoholic Beverage Control Enterprise Fund by \$1,300,000 the first year and \$3,900,000 the second year. The increased profits result from five new ABC stores assumed in the introduced budget and up to 15 additional new stores assumed in the budget as adopted. A companion amendment to Item 373 provides additional nongeneral funds and positions for the 15 additional stores.)

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.)

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 #12c

Transfers

Interfund Transfers

Language

Language:

Page 367, line 44, strike "this subsection § 3-1.01" and insert:
"any subsections of §§ 3-1.01 through 3-6.02."

Explanation:

(This is a technical amendment to insert language that was erroneously omitted from the introduced budget. This language clarifies that the State Comptroller shall not make any interfund transfer that is found to violate any federal statute or regulation.)

Item 3-1.01 #13c

Transfers

Interfund Transfers

Language

Language:

Page 372, strike lines 13 through 15.

Explanation:

(This amendment eliminates the transfer of \$18.8 million from the nongeneral fund from higher education auxiliary enterprise balances in fiscal year 2011 as proposed in the budget as introduced.)

Item 3-1.01 #14c

Transfers

Language:

Page 371, strike lines 46 through 59, and insert;

"DD. On or before, June 30, 2011, the State Comptroller shall transfer from agency and institution nongeneral fund accounts to the general fund amounts estimated at \$3,491,632 the first year resulting from savings associated with the decrease in the state level of support for the cash match on state employee deferred compensation plan accounts, pursuant to Item 469 of this Act. The Director, Department of Planning and Budget, shall provide the Comptroller with the amount to be transferred from each agency and institution of higher education. Constitutionally protected funds and amounts from federal sources are excluded from this action."

Page 372, strike lines 1 through 4.

Page 372, line 5, strike "GG." and insert "EE."

Page 372, line 11, strike "HH." and insert "FF."

Page 372, line 13, strike "II." and insert "GG."

Page 372, line 16, strike "JJ." and insert "HH."

Page 372, line 19, strike "KK." and insert "II."

Page 372, line 22, strike "LL." and insert "JJ."

Explanation:

(This amendment amends 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 strikes language related to the proposal to require current employees to pay a portion of the retirement contribution.)

Item 3-2.03 #1c

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 373, strike lines 40 and 41.

Explanation:

(This amendment eliminates a proposed \$10 million line of credit for the Productivity Investment Fund.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 377, strike line 28.

Page 377, strike line 31.

Page 377, strike line 34.

Page 377, strike line 35.

Page 377, strike line 37.

Page 378, strike line 20.

Page 378, strike line 34.

Explanation:

(This amendment deletes certain funds from the list of funds from which the Governor's budget proposed to withhold interest earnings. These funds in the Marine Resources Commission and the Department of Game and Inland Fisheries are derived from fishing, hunting and boating license fees. The Federal Aid in Wildlife Restoration Act (16 U.S.C. § 669 et seq.) and the Federal Aid in Sport Fish Restoration Act (16 U.S.C. § 777 et seq.) specifically prohibit the diversion of these funds, including interest, for any purpose other than administration of fish and wildlife programs. The Code of Virginia (§§ 28.2-201.8 and 29.1-103.2) assents to the provisions of the federal acts. Diversion of the interest from these funds would cause the Commonwealth to potentially forfeit federal funds from these acts. The amendment also deletes from the list the Department of Environmental Quality, State Revolving Loan Fund and the Department of Health, Safe Drinking Water State Revolving Loan Fund, both of which include federal funds.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 374, line 17, strike "\$35,800,000 the first year and \$35,800,000" and insert: "\$40,220,501 the first year and \$65,343,741".

Explanation:

(This amendment adjusts estimated nongeneral fund interest earnings based on a combination of updated fund balances and interest rate assumptions.)

Item 3-3.03 #3c

General Fund Deposits

Interest Earnings

Language

Language:

Page 376, strike line 15 and 16.

Page 376, strike line 18.

Page 376, after line 31, insert:

"Virginia Commonwealth University 236 Auxiliary Enterprise 0306".

Explanation:

(This is a technical amendment to delete certain fund details that were included in the introduced budget in error and to add one that was erroneously omitted.)

Item 3-3.03 #4c

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 #1c

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. This is a component of the Governor's jobs creation plan.)

Item 3-5.08 #1c

Adjustments and Modifications to Tax Collections

Accelerated Sales Tax

Language

Language:

Page 381, after line 10, insert:

"G. It is the intent of the General Assembly that the payment requirement contained herein be phased out beginning in fiscal year 2015. The payment amount for June 2015 should be reduced to 85 percent of the sales and purchases for the previous June and the payment amount should continue to be reduced until fully eliminated not later than June 2021."

Explanation:

(This amendment expresses the intent to phase out the policy in the introduced budget which requires retailers to remit their June sales and use tax collections by June 25 of each year.)

Item 3-5.09 #1c

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:

Monthly Taxable Sales	Percentage
\$0 to \$62,500	1.6%
\$62,501 to \$208,000	1.2%
\$208,001 and above	0.8%

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 40 percent of the current discount. The removal of the discount on only those who file electronically would eliminate payments to less than 2 percent of the retailers in the Commonwealth, with the remaining retailers retaining some compensation. For the remainder, the retained percentage would be reduced by 40 percent of the current rate. This would generate \$49.1 million in fiscal year 2011 – a loss of \$11.8 million compared to House Bill 30 as introduced, but would allow more than 98 percent of retailers to retain some compensation.)

Item 3-5.09 #2c

Adjustments and Modifications to Tax Collections

Discounts and Allowances

Language

Language:

Page 381, line 13, after "58.1-1021.03," strike "58.1-1720,".

Page 381, line 16, after "rate", strike the remainder of the line and insert "."

Page 381, strike line 17.

Explanation:

(This amendment restores the motor fuel dealer allowance for shrinkage and evaporation that is provided since these taxes are imposed at the terminal rack and not on the retail distributor.)

Item 3-6.03 #1c

Adjustments And Modifications To Fees

Annual Vehicle Registration Fee (\$4.25 for Life)

Language

Language:

Page 381, after line 51, insert:

"Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle shall be \$6.25."

Explanation:

(This amendment increases the annual vehicle registration fee known as "\$4 for Life" from \$4.25 to \$6.25. The additional \$2.00 fee is expected to generate \$12.6 million annually. A separate amendment to Item 281 (Emergency Medical Services) transfers \$2.1 million of the fee increase to the Department of State Police for med-flight operations. A companion amendment to Item 3-1.01 (Interfund Transfers) transfers \$10.5 million each year to the general fund during the 2010-12 biennium.)

Item 3-6.03 #2c

Adjustments And Modifications To Fees

Drivers License Reinstatement Fee

Language

Language:

Page 381, after line 51, insert:

"Notwithstanding § 18.2-270.01 of the Code of Virginia, the drivers license

reinstatement fee payable to the Trauma Center Fund shall be \$100."

Explanation:

(This amendment increases the drivers license reinstatement fee from \$50 to \$100 for persons convicted of a second or subsequent violation of the DUI statutes within 10 years of the date of the current offense. The additional fee revenue of \$9.0 million will be deposited into the Trauma Center Fund to reimburse trauma centers for the cost of providing emergency medical care to victims of automobile accidents. An amendment to Item 3-1.01 (Interfund Transfers) transfers \$6.6 million each year to the general fund during the 2010-12 biennium. The remaining portion estimated at \$2.4 million each year will restore funding for 14 trauma centers that was reduced in the introduced budget. All of the additional fee revenue will be distributed to trauma centers beginning July 1, 2012.)

Item 4-2.01 #1c

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.)

Item 4-2.02 #1c

Revenues

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.)

Item 4-4.01 #1c

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.)

Item 4-5.04 #1c

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 regarding the institutions of higher education

and their purchases of information technology and telecommunications services. The amendment restores existing language governing these purchases.)

Item 4-5.04 #2c

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.)

Item 4-5.05 #1c

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.)

Item 4-8.01 #1c

Reporting Requirements

Governor

Language

Language:

Page 424, strike lines 11 through 13.

Explanation:

(This amendment restores the Faculty Salary Average Report.)

Item 4-12.00 #1c

Conflict with Other Laws

Conflict with Other Laws

Language

Language:

Page 430, line 25; strike "2010", and insert "2012".

Explanation:

(This amendment corrects the date for the provisions relating to conflict with other laws. The introduced language was not changed from 2010 in Chapter 781.)

Item 5-0.00 #1c

Additional Enactments

Additional Enactments

Language

Language:

Page 430, strike all of line 37 through line 42 on page 435.

Page 435, strike all of lines 43 through 44.

Page 435, at the beginning of line 45, strike "5." and insert "4."

Explanation:

(This amendment removes unnecessary language from the budget bill and

allows the Code text to remain unchanged.)

Item 5-0.00 #2c

Additional Enactments

Additional Enactments

Language

Language:

Page 430, after line 36, insert:

"3. That § 58.1-301 of the Code of Virginia is amended and reenacted as follows:

§ 58.1-301. Conformity to Internal Revenue Code.

A. Any term used in this chapter shall have the same meaning as when used in a comparable context in the laws of the United States relating to federal income taxes, unless a different meaning is clearly required.

B. Any reference in this chapter to the laws of the United States relating to federal income taxes shall mean the provisions of the Internal Revenue Code of 1954, 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~~, *January 22, 2010*, except for:

1. The special depreciation allowance for certain property provided for under §§ 168(k), 168(l), 168(m), 1400L, and 1400N of the Internal Revenue Code;

2. The carry-back of certain net operating losses for five years under § 172(b)(1)(H) of the Internal Revenue Code;

3. *The original issue discount on applicable high yield discount obligations under § 163 (e)(5)(F) of the Internal Revenue Code;*

4. *The deferral of certain income under § 108 (i) of the Internal Revenue Code. For Virginia income tax purposes, income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument" (as defined under § 108 (i) of the Internal Revenue Code) reacquired in taxable year 2009 shall be fully included in the taxpayer's Virginia taxable income for taxable year*

2009, unless the taxpayer elects to include such income in the taxpayer's Virginia taxable income ratably over a 3-taxable-year period beginning with taxable year 2009. For purposes of such election, all other provisions of § 108 (i) shall apply mutatis mutandis. No other deferral shall be allowed for income from the discharge of indebtedness in connection with the reacquisition of an "applicable debt instrument";

5. The amount of the deduction allowed for domestic production activities pursuant to § 199 of the Internal Revenue Code for taxable years beginning on or after January 1, 2010. For Virginia income tax purposes, (i) two-thirds of the amount deducted pursuant to § 199 of the Internal Revenue Code for federal income tax purposes for taxable year 2010 may be deducted for Virginia income tax purposes for taxable year 2010, (ii) one-third of the amount deducted pursuant to § 199 of the Internal Revenue Code for federal income tax purposes for taxable year 2011 may be deducted for Virginia income tax purposes for taxable year 2011, (iii) one-third of the amount deducted pursuant to § 199 of the Internal Revenue Code for federal income tax purposes for taxable year 2012 may be deducted for Virginia income tax purposes for taxable year 2012, (iv) one-sixth of the amount deducted pursuant to § 199 of the Internal Revenue Code for federal income tax purposes for taxable year 2013 may be deducted for Virginia income tax purposes for taxable year 2013, and (v) no deduction shall be allowed for Virginia income tax purposes for any amount deducted pursuant to § 199 of the Internal Revenue Code for federal income tax purposes for taxable year 2014 or any taxable year thereafter;

6. For taxable years beginning on or after January 1, 2010, the provisions of § 32(b)(3) of the Internal Revenue Code relating to the earned income tax credit; and

7. For taxable years beginning on or after January 1, 2010, the deduction for qualified motor vehicle taxes pursuant to § 164(a)(6) of the Internal Revenue Code.

The Department of Taxation is hereby authorized to develop procedures or guidelines for implementation of the provisions of this section, which procedures or guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia) ."

Explanation:

(This amendment conforms the Code to certain federal tax actions that

occurred between January 1, 2009 and January 22, 2010.)

Item 5-0.00 #3c

Additional Enactments

Additional Enactments

Language

Language:

Page 435, after line 45, insert:

"5. That §§ 16.1-69.48:1, 16.1-69.48:2, and 17.1-275 of the Code of Virginia are amended and reenacted as follows:

§ 16.1-69.48:1. Fixed fee for misdemeanors, traffic infractions and other violations in district court; additional fees to be added.

A. Assessment of the fees provided for in this section shall be based on: (i) an appearance for court hearing in which there has been a finding of guilty; (ii) a written appearance with waiver of court hearing and entry of guilty plea; (iii) for a defendant failing to appear, a trial in his or her absence resulting in a finding of guilty; (iv) an appearance for court hearing in which the court requires that the defendant successfully complete traffic school or a driver improvement clinic, in lieu of a finding of guilty; (v) a deferral of proceedings pursuant to §§ 4.1-305, 16.1-278.8, 16.1-278.9, 18.2-57.3, 18.2-251 or 19.2-303.2; or (vi) proof of compliance with law under §§ 46.2-104 and 46.2-1157.

In addition to any other fee prescribed by this section, a fee of ~~\$20~~ **\$35** shall be taxed as costs whenever a defendant fails to appear, unless, after a hearing requested by such person, good cause is shown for such failure to appear. No defendant with multiple charges arising from a single incident shall be taxed the applicable fixed fee provided in subsection B, C, or D of this section more than once for a single appearance or trial in absence related to that incident. However, when a defendant who has multiple charges arising from the same incident and who has been assessed a fixed fee for one of those charges is later convicted of another charge that arises from that same incident and that has a higher fixed fee, he shall be assessed the difference between the fixed fee earlier assessed and the higher fixed fee.

A defendant with charges which arise from separate incidents shall be taxed a fee

for each incident even if the charges from the multiple incidents are disposed of in a single appearance or trial in absence.

In addition to the fixed fees assessed pursuant to this section, in the appropriate cases, the clerk shall also assess any costs otherwise specifically provided by statute.

B. In misdemeanors tried in district court, except for those proceedings provided for in subsection C, there shall be assessed as court costs a fixed fee of \$61. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.573770);
2. Virginia Crime Victim-Witness Fund (.049180);
3. Regional Criminal Justice Training Academies Fund (.016393);
4. Courthouse Construction/Maintenance Fund (.032787);
5. Criminal Injuries Compensation Fund (.098361);
6. Intensified Drug Enforcement Jurisdiction Fund (.065574);
7. Sentencing/supervision fee (General Fund) (.131148); and
8. Virginia Sexual and Domestic Violence Victim Fund (.032787).

C. In criminal actions and proceedings in district court for a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, there shall be assessed as court costs a fixed fee of \$136. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.257353);
2. Virginia Crime Victim-Witness Fund (.022059);
3. Regional Criminal Justice Training Academies Fund (.007353);

4. Courthouse Construction/Maintenance Fund (.014706);
5. Criminal Injuries Compensation Fund (.044118);
6. Intensified Drug Enforcement Jurisdiction Fund (.029412);
7. Drug Offender Assessment and Treatment Fund (.551471);
8. Forensic laboratory fee and sentencing/supervision fee (General Fund) (.058824); and
9. Virginia Sexual and Domestic Violence Victim Fund (.014706).

D. In traffic infractions tried in district court, there shall be assessed as court costs a fixed fee of \$51. The amount collected, in whole or in part, for the fixed fee shall be apportioned, as provided by law, to the following funds in the fractional amounts designated:

1. Processing fee (General Fund) (.764706);
2. Virginia Crime Victim-Witness Fund (.058824);
3. Regional Criminal Justice Training Academies Fund (.019608);
4. Courthouse Construction/Maintenance Fund (.039216);
5. Intensified Drug Enforcement Jurisdiction Fund (.078431); and
6. Virginia Sexual and Domestic Violence Victim Fund (.039216).

§ 16.1-69.48:2. Fees for services of district court judges and clerks and magistrates in civil cases.

Fees in civil cases for services performed by the judges or clerks of general district courts or magistrates in the event any such services are performed by magistrates in civil cases shall be as provided in this section, and, unless otherwise provided, shall be included in the taxed costs and shall not be refundable, except in case of error or as herein provided.

For all court and magistrate services in each distress, detinue, interrogatory

summons, unlawful detainer, civil warrant, notice of motion, garnishment, attachment issued, or other civil proceeding, the fee shall be ~~\$22 for the period between July 1, 2006, and December 31, 2006, and \$27 thereafter unless otherwise provided in this section or if the amount in controversy is \$200 or less, then the fee shall be \$22~~ **\$30** . No such fee shall be collected (i) in any tax case instituted by any county, city or town or (ii) in any case instituted by a school board for collection of overdue book rental fees. Of the fees collected under this section, ~~\$5 of the fee collected for all court and magistrate services in each distress, detinue, interrogatory summons, unlawful detainer, civil warrant, notice of motion, garnishment, attachment issued, or other civil proceeding in excess of \$200 shall be apportioned to the Courts Technology Fund established under § 17.1-132 for the period between July 1, 2006, and December 31, 2006, and \$10 thereafter. Of any fees collected for these services where the amounts in controversy equal \$200 or less, \$10 from any such fees~~ **\$10 of each such fee** collected shall be apportioned to the Courts Technology Fund established under § 17.1-132.

The judge or clerk shall collect the foregoing fee at the time of issuing process. Any magistrate or other issuing officer shall collect the foregoing fee at the time of issuing process, and shall remit the entire fee promptly to the court to which such process is returnable, or to its clerk. When no service of process is had on a defendant named in any civil process other than a notice of motion for judgment, such process may be reissued once by the court or clerk at the court's direction by changing the return day of such process, for which service by the court or clerk there shall be no charge; however, reissuance of such process shall be within three months after the original return day.

The clerk of any district court may charge a fee for making a copy of any paper of record to go out of his office which is not otherwise specifically provided for. The amount of this fee shall be set in the discretion of the clerk but shall not exceed \$1 for the first two pages and \$.50 for each page thereafter.

The fees prescribed in this section shall be the only fees charged in civil cases for services performed by such judges and clerks, and when the services referred to herein are performed by magistrates such fees shall be the only fees charged by such magistrates for the prescribed services.

§ 17.1-275. Fees collected by clerks of circuit courts; generally.

A. A clerk of a circuit court shall, for services performed by virtue of his office, charge the following fees:

1. [Repealed.]

2. For recording and indexing in the proper book any writing and all matters therewith, or for recording and indexing anything not otherwise provided for, \$16 for an instrument or document consisting of 10 or fewer pages or sheets; \$30 for an instrument or document consisting of 11 to 30 pages or sheets; and \$50 for an instrument or document consisting of 31 or more pages or sheets. Whenever any writing to be recorded includes plat or map sheets no larger than eight and one-half inches by 14 inches, such plat or map sheets shall be counted as ordinary pages for the purpose of computing the recording fee due pursuant to this section. A fee of \$15 per page or sheet shall be charged with respect to plat or map sheets larger than eight and one-half inches by 14 inches. Only a single fee as authorized by this subdivision shall be charged for recording a certificate of satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. One dollar and fifty cents of the fee collected for recording and indexing shall be designated for use in preserving the permanent records of the circuit courts. The sum collected for this purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

3. For appointing and qualifying any personal representative, committee, trustee, guardian, or other fiduciary, in addition to any fees for recording allowed by this section, \$20 for estates not exceeding \$50,000, \$25 for estates not exceeding \$100,000 and \$30 for estates exceeding \$100,000. No fee shall be charged for estates of \$5,000 or less.

4. For entering and granting and for issuing any license, other than a marriage license or a hunting and fishing license, and administering an oath when necessary, \$10.

5. For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths or affidavits, indexing and recording, \$10.

6. For making out any bond, other than those under § 17.1-267 or subdivision A 4, administering all necessary oaths and writing proper affidavits, \$3.

7. For all services rendered by the clerk in any garnishment or attachment

proceeding, the clerk's fee shall be \$15 in cases not exceeding \$500 and \$25 in all other cases.

8. For making out a copy of any paper, record, or electronic record to go out of the office, which is not otherwise specifically provided for herein, a fee of \$0.50 for each page or, if an electronic record, each image. From such fees, the clerk shall reimburse the locality the costs of making out the copies and pay the remaining fees directly to the Commonwealth. The funds to recoup the cost of making out the copies shall be deposited with the county or city treasurer or Director of Finance, and the governing body shall budget and appropriate such funds to be used to support the cost of copies pursuant to this subdivision. For purposes of this section, the costs of making out the copies shall include lease and maintenance agreements for the equipment used to make out the copies, but shall not include salaries or related benefits. The costs of copies shall otherwise be determined in accordance with § 2.2-3704. However, there shall be no charge to the recipient of a final order or decree to send an attested copy to such party.

9. For annexing the seal of the court to any paper, writing the certificate of the clerk accompanying it, the clerk shall charge \$2 and for attaching the certificate of the judge, if the clerk is requested to do so, the clerk shall charge an additional \$0.50.

10. In any case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 or is subject to a disposition under § 18.2-251, the clerk shall assess a fee of \$150 for each felony conviction and each felony disposition under § 18.2-251 which shall be taxed as costs to the defendant and shall be paid into the Drug Offender Assessment and Treatment Fund.

11. In any case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 or is subject to a disposition under § 18.2-251, the clerk shall assess a fee for each misdemeanor conviction and each misdemeanor disposition under § 18.2-251, which shall be taxed as costs to the defendant and shall be paid into the Drug Offender Assessment and Treatment Fund as provided in § 17.1-275.8.

12. Upon the defendant's being required to successfully complete traffic school or a driver improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as if he had been convicted.

13. In all civil actions that include one or more claims for the award of monetary damages the clerk's fee chargeable to the plaintiff shall be ~~\$60~~ **\$100** in cases seeking recovery not exceeding \$50,000, ~~\$10 of which shall be apportioned to the Courts Technology Fund established under § 17.1-132~~ **\$49,999** ; ~~\$110~~ **\$200** in cases seeking recovery *exceeding \$49,999, but* not exceeding \$100,000, ~~\$10 of which shall be apportioned to the Courts Technology Fund established under § 17.1-132; and~~ **\$250** in cases seeking recovery exceeding \$100,000, *but not exceeding \$500,000*; ~~\$10 of which shall be apportioned to the Courts Technology Fund established under § 17.1-132~~ *and \$300 in cases seeking recovery exceeding \$500,000 . Ten dollars of each such fee shall be apportioned to the Courts Technology Fund established under § 17.1-132 .* A fee of \$25 shall be paid by the plaintiff at the time of instituting a condemnation case, in lieu of any other fees. There shall be no fee charged for the filing of a cross-claim or setoff in any pending action. However, the fees prescribed by this subdivision shall be charged upon the filing of a counterclaim or a claim impleading a third-party defendant. The fees prescribed above shall be collected upon the filing of papers for the commencement of civil actions. This subdivision shall not be applicable to cases filed in the Supreme Court of Virginia.

13a. For the filing of any petition seeking court approval of a settlement where no action has yet been filed, the clerk's fee, chargeable to the petitioner, shall be \$50, to be paid by the petitioner at the time of filing the petition.

14. In addition to the fees chargeable for civil actions, for the costs of proceedings for judgments by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered or certified mail; (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the amount of the confessed judgment; (iii) for the sheriff for serving each copy of the order entering judgment, \$12; and (iv) for docketing the judgment and issuing executions thereon, the same fees as prescribed in subdivision A 17.

15. For qualifying notaries public, including the making out of the bond and any copies thereof, administering the necessary oaths, and entering the order, \$10.

16. For each habeas corpus proceeding, the clerk shall receive \$10 for all services required thereunder. This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

17. For docketing and indexing a judgment from any other court of this Commonwealth, for docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment pursuant to § 8.01-452, a fee of \$5; and for issuing an abstract of any recorded judgment, when proper to do so, a fee of \$5; and for filing, docketing, indexing and mailing notice of a foreign judgment, a fee of \$20.

18. For all services rendered by the clerk in any court proceeding for which no specific fee is provided by law, the clerk shall charge \$10, to be paid by the party filing said papers at the time of filing; however, this subdivision shall not be applicable in a divorce cause prior to and including the entry of a decree of divorce from the bond of matrimony.

19., 20. [Repealed.]

21. For making the endorsements on a forthcoming bond and recording the matters relating to such bond pursuant to the provisions of § 8.01-529, \$1.

22. For all services rendered by the clerk in any proceeding pursuant to § 57-8 or 57-15, \$10.

23. For preparation and issuance of a subpoena duces tecum, \$5.

24. For all services rendered by the clerk in matters under § 8.01-217 relating to change of name, \$20; however, this subdivision shall not be applicable in cases where the change of name is incident to a divorce.

25. For providing court records or documents on microfilm, per frame, \$0.50.

26. In all divorce and separate maintenance proceedings, and all civil actions that do not include one or more claims for the award of monetary damages, the clerk's fee chargeable to the plaintiff shall be \$60, \$10 of which shall be apportioned to the Courts Technology Fund established under § 17.1-132 to be paid by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified copy of the final decree. The fees prescribed by this subdivision shall be charged upon the filing of a counterclaim or a claim impleading a third-party defendant. However, no fee shall be charged for the filing of a cross-claim or setoff in any pending suit. In divorce cases, when there is a merger

of a divorce of separation a mensa et thoro into a decree of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of both such decrees.

27. For the acceptance of credit cards in lieu of money to collect and secure all fees, including filing fees, fines, restitution, forfeiture, penalties and costs, the clerk shall collect from the person presenting such credit card a reasonable convenience fee not to exceed four percent of the amount paid.

28. For the return of any check unpaid by the financial institution on which it was drawn or notice is received from the credit card issuer that payment will not be made for any reason, the clerk shall collect, if allowed by the court, a fee of \$20 or 10 percent of the amount to be paid, whichever is greater, in accordance with § 19.2-353.3.

29. For all services rendered, except in cases in which costs are assessed pursuant to § 17.1-275.1, 17.1-275.2, 17.1-275.3, or 17.1-275.4, in an adoption proceeding, a fee of \$20, in addition to the fee imposed under § 63.2-1246, to be paid by the petitioner or petitioners. For each petition for adoption filed pursuant to § 63.2-1201, except those filed pursuant to subdivisions 5 and 6 of § 63.2-1210, an additional \$50 filing fee as required under § 63.2-1201 shall be deposited in the Putative Father Registry Fund pursuant to § 63.2-1249.

30. For issuing a duplicate license for one lost or destroyed as provided in § 29.1-334, a fee in the same amount as the fee for the original license.

31. For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of \$5 to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same fee as for recording a deed as provided for in this section, to be paid by the party upon whose request such certificate is recorded or order is entered.

32. For making up, certifying and transmitting original record pursuant to the Rules of the Supreme Court, including all papers necessary to be copied and other services rendered, except in cases in which costs are assessed pursuant to § 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, or 17.1-275.9, a fee of \$20.

33. [Repealed.]

34. For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees shall be as prescribed in that Act.

35. For filing the appointment of a resident agent for a nonresident property owner in accordance with § 55-218.1, a fee of \$10.

36. [Repealed.]

37. For recordation of certificate and registration of names of nonresident owners in accordance with § 59.1-74, a fee of \$10.

38. For maintaining the information required under the Overhead High Voltage Line Safety Act (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

39. For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of \$2.

40. For filing a financing statement in accordance with § 8.9A-505, the fee shall be as prescribed under § 8.9A-525.

41. For filing a termination statement in accordance with § 8.9A-513, the fee shall be as prescribed under § 8.9A-525.

42. For filing assignment of security interest in accordance with § 8.9A-514, the fee shall be as prescribed under § 8.9A-525.

43. For filing a petition as provided in §§ 37.2-1001 and 37.2-1013, the fee shall be \$10.

44. For issuing any execution, and recording the return thereof, a fee of \$1.50.

45. For the preparation and issuance of a summons for interrogation by an execution creditor, a fee of \$5. If there is no outstanding execution, and one is requested herewith, the clerk shall be allowed an additional fee of \$1.50, in accordance with subdivision A 44.

B. In accordance with § 17.1-281, the clerk shall collect fees under subdivisions A

7, A 13, A 16, A 18 if applicable, A 20, A 22, A 24, A 26, A 29 and A 31 to be designated for courthouse construction, renovation or maintenance.

C. In accordance with § 17.1-278, the clerk shall collect fees under subdivisions A 7, A 13, A 16, A 18 if applicable, A 20, A 22, A 24, A 26, A 29 and A 31 to be designated for services provided for the poor, without charge, by a nonprofit legal aid program.

D. In accordance with § 42.1-70, the clerk shall collect fees under subdivisions A 7, A 13, A 16, A 18 if applicable, A 20, A 22, A 24, A 26, A 29 and A 31 to be designated for public law libraries.

E. The provisions of this section shall control the fees charged by clerks of circuit courts for the services above described. "

Explanation:

(This amendment increases court fees. The general fund revenue impact of these fee increases is \$10,000,000 each year.)
