

Chief Patron: Barker

Item 132 #8s

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 77, line 35, strike "shall spend" and insert "will allocate".

Page 77, line 36, strike "or" and insert ",".

Page 77, line 37, after "services" insert ", or for other school health services".

Explanation:

(This amendment relaxes the requirements for FY 2011 and FY 2012 regarding school nurses similar to what the requirements were in FY 2010.)

Health And Human Resources

Department Of Health

Language

Language:

Page 187, after line 17, insert:

"E. The Commissioner of Health shall not approve any Certificate of Public Need requests for additional psychiatric hospital beds in response to a Request for Applications issued for beds in Planning District 8. The Northern Virginia Regional partnership, established by the Department of Behavioral Health and Developmental Services, in coordination with the Department of Health and the Department of Behavioral Health and Developmental Services, shall revise and amend its plan for mental health services, including public and private inpatient hospital beds, crisis stabilization and other non-hospital beds, partial hospitalization services, and community based acute care services. The plan shall address needs for detentions and commitments. The plan shall be provided to the Secretary of Health and Human Resources, who shall provide it, along with any additional material the Secretary wishes to provide, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2010."

Explanation:

(This amendment adds language prohibiting the Commissioner of Health from approving any psychiatric hospital beds requested through a Certificate of Public Need in Planning District 8 in Northern Virginia. It also requires the Northern Virginia Regional Partnership to develop a revised plan for mental health services and submit it to the Secretary of Health and Human Resources, who in turn will submit it to the Governor and chairmen of the money committees.)

Chief Patron: Barker

Item 288 #6s

Health And Human Resources

FY 10-11

FY 11-12

Department Of Health

\$1,049,691

\$1,049,691 GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$14,334,024".

Page 189, line 28, strike "\$13,284,333" and insert "\$14,334,024".

Page 192, line 33, strike each "500,000" and insert "1,549,691".

Explanation:

(This amendment provides \$1.0 million each year from the general fund to restore funding for three poison control centers. The introduced budget proposes services at one poison control center and capturing savings to the general fund of \$1.0 million annually from this action.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$90,473	\$94,997	GF
Services	\$168,021	\$176,422	NGF

Language:

Page 195, line 15, strike "\$160,611,874" and insert "\$160,870,368".

Page 195, line 15, strike "\$172,334,005" and insert "\$172,605,424".

Page 196, after line 49, insert:

"L. The Department of Medical Assistance Services shall have the authority to amend the Title XIX State Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the Social Security Act and the Family Access to Medical Insurance Security Plan (FAMIS) MOMS waiver to include coverage of pregnant women who are lawfully residing and currently not eligible for FAMIS coverage until they have lived in the United States for five years. The department shall have the authority to promulgate emergency regulations to implement this change effective July 1, 2010."

Explanation:

(This amendment provides \$90,473 GF and \$168,021 NGF the first year and \$94,997 GF and \$176,442 million NGF from federal FAMIS matching funds the second year to include coverage of pregnant women who are lawfully residing and currently not eligible for FAMIS coverage until they have lived in the United States for five years. Federal reauthorization of the Children's Health Insurance Program allows states to offer coverage for this population. It is expected that this change will improve birth outcomes and reduce the cost of indigent and uncompensated care by providing prenatal, labor and delivery services to this population. This a recommendation of the Joint Commission on Health Care.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$3,033,699	\$16,963,510	GF
Services	\$3,828,321	\$16,963,510	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,813,188,179".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,306,332,050".

Page 209, after line 23, insert:

"XXX. Out of this appropriation, \$3,033,699 the first year and \$16,963,510 the second year from the general fund and \$3,828,321 the first year and \$16,963,510 from the federal trust fund is for the addition of 100 Intellectual Disability (ID) and 17 Individual and Family Developmental Disability (IFDDS) waivers the first year and 400 Intellectual Disability and 67 Individual and Family Developmental Disability (IFDDS) waivers the second year."

Explanation:

(This amendment restores funding for 100 ID waivers and 17 DD waivers the first year and 400 ID waivers and 67 DD waivers the second year. Legislation unanimously passed by the 2009 General Assembly required that 400 ID and 67 DD waivers be included in the Medicaid forecast each fiscal year. This funding was included in the 2009 Medicaid forecast but then removed in the Governor's introduced budget.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$898,275	\$1,066,955	GF
Services	\$1,134,021	\$1,066,955	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,808,358,455".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,274,538,940".

Page 203, line 6, after "CC." , insert "1."

Page 203, after line 16, insert:

"2. The Department of Medical Assistance Services shall have the authority to amend the Stat Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the Social Security Act and the Family Access to Medical Insurance Security Plan to include coverage to pregnant women who are lawfully residing in the United States and who are otherwise eligible for Medicaid services, pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009."

Explanation:

(This amendment provides \$898,275 GF and \$1.1 million NGF the first year and \$1.1 million GF and \$1.1 million NGF from federal Medicaid matching funds the second year to provide coverage to pregnant women who are legal immigrants and who are otherwise eligible for Medicaid. Federal reauthorization of the Children's Health Insurance Program allows states to offer Medicaid coverage for this population. Medicaid already covers the labor and delivery costs for this population as an emergency service which can be expensive, especially if there are complications due to the lack of prenatal care. This coverage may result in the avoidance of these additional Medicaid costs. This is a recommendation of the Joint Commission on Health Care.)

Chief Patron: Barker

Item 305 #2s

Health And Human Resources

Grants To Localities

Language

Language:

Page 218, after line 8, insert:

"2. The Department shall distribute this funding to community services boards on a per capita basis, except that the Department may provide additional funding to those CSBs with the smallest populations."

Explanation:

(This language amendment requires new funding approved by the 2008 General Assembly for community-based services related to mental health commitments to be distributed on a per capita basis with an exception allowed for CSBs with small populations).

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 in Northern Virginia shall work cooperatively with the Northern Virginia Training Center (NVTC) to utilize the Medicaid waiver program and any other resources available to provide services in the community where appropriate to individuals who otherwise might need to be admitted to NVTC. There shall be a determination, except for those seeking respite care, of whether each individual who otherwise might be admitted to NVTC can be served appropriately in the community, with the understanding that individuals may be admitted to NVTC if there are not appropriate services available in the community. Any judicial certification of eligibility for new admission to NVTC shall be for a period of no more than 365 days, with the opportunity for recertification if there still are no appropriate services available in the community. Any savings achieved at NVTC in excess of those already included in the budget, which reduces the number of beds by six, shall be reappropriated for additional waiver slots in Northern Virginia. This initiative shall have no effect on the status of individuals currently residing at NVTC. The Commissioner shall report outcomes data on this project to the Chairmen of the Senate Finance and House Appropriations Committees on November 30 each year.

Explanation:

(This language amendment establishes a pilot project to divert individuals from placement in Northern Virginia Training Center in cooperation with community services boards.)

Chief Patron: Blevins

Item 395 #1s

Public Safety

FY 10-11

FY 11-12

Department Of Fire Programs

\$75,000

\$0 GF

Language:

Page 266, line 13, strike "\$2,662,180" and insert "\$2,737,180".

Explanation:

(This amendment provides \$75,000 the first year from the general fund for one-time start-up expenses 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.)

Chief Patron: Colgan

Item 41 #1s

Judicial Department

Circuit Courts

Language

Language:

Page 21, following line 5, insert:

"F. Notwithstanding the provisions of Section 17.1-281(A) of the Code of Virginia, the maximum fee of two dollars as part of the costs in (i) each civil action filed in the district or circuit courts located within its boundaries and (ii) each criminal or traffic case in its district or circuit court in which the defendant is charged with a violation of any statute or ordinance may be raised by a local governing body from two dollars to ten dollars."

Explanation:

(This amendment allows localities to increase the courthouse construction and maintenance fee from two dollars to ten dollars.)

Executive Offices

Office Of The Governor

Language

Language:

Page 28, following line 19, insert:

"The Virginia Liaison Office shall work with the United States Congress to seek relief from selected federal mandates imposed upon State and local governments as follows:

1. Amend federal Older Americans Act to raise minimum age for services to age 65;
2. Amend federal Older Americans Act to authorize local area agencies on aging to charge fees on a sliding scale basis based on income for congregate meals and meals on wheels;
3. Repeal federal requirement found in Part C of the Individuals with Disabilities Education Act, Public Law 105-17: IDEA '97: Part C and Public Law 108-446: IDEA 2004: Part C to serve children in their natural environment;
4. Amend federal requirement found in Part C of the Individuals with Disabilities Education Act, Public Law 105-17: IDEA '97: Part C and Public Law 108-446: IDEA 2004: Part C to make the required timeframe for initial services to infants and toddlers ages 0-2 years dependent upon availability of federal funding;
5. Simplify recertification process for those with mental illness and intellectual disabilities by removing requirement to recomplete application form in favor of an exception reporting system;
6. Amend Smith-Lever Act of 1914 to authorize localities to charge program fees for cooperative extension services to recover staff time expenses and ensure such fees are used to defray costs supported by local governments;
7. Amend emergency preparedness grant program to authorize the federal government to appropriate funds to reimburse local health departments for administrative costs;
8. Amend WIC grant program to authorize the federal government to appropriate funds to reimburse local health departments for administrative costs;
9. Simplify initial application process for TANF, SNAP and other benefit programs by reducing the number of data elements;
10. Simplify recertification process for TANF, SNAP and other benefit programs by removing requirement to recomplete application form in favor of an exception reporting system;
11. Automate application and recertification processes for TANF, SNAP and other benefit programs; and,

12. Repeal Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 requiring that three percent of payments to vendors be withheld and remitted to Internal Revenue Service."

Explanation:

(This amendment requests the Virginia Liaison Office to work with the United States Congress to seek relief from selected federal mandates.)

Chief Patron: Colgan

Item 79 #1s

Administration

State Board Of Elections

Language

Language:

Page 41, following line 29, insert:

"F. Notwithstanding the provisions of 24.2-626, the prohibition on acquiring new Direct Recording Election machines without networking capabilities is hereby suspended."

Explanation:

(This amendment suspends the prohibition against acquiring new Direct Recording Election machines without networking capabilities.)

Chief Patron: Colgan

Item 100 #1s

Co-Patron(s): Puckett, Miller, Y.

Commerce And Trade

FY 10-11

FY 11-12

Department Of Housing And
Community Development

\$594,045

\$594,045 GF

Language:

Page 56, line 14, strike "\$55,330,883" and insert "\$55,924,928".

Page 56, line 14, strike "\$53,154,050" and insert "\$53,748,095".

Page 57, line 34, strike "\$668,442" and insert "\$1,262,487".

Page 57, line 35, strike "\$668,442" and insert "\$1,262,487".

Explanation:

(This amendment restores funding for the Southeast Rural Community Assistance Project that was reduced in SB 30, as introduced.)

Chief Patron: Colgan

Item 100 #2s

Commerce And Trade

FY 10-11

FY 11-12

Department Of Housing And
Community Development

\$150,000

\$150,000 GF

Language:

Page 56, line 14, strike "\$55,330,883" and insert "\$55,480,883".

Page 56, line 14, strike "\$53,154,050" and insert "\$53,304,050".

Page 57, line 6, following "Commission," strike "\$222,774" and insert "\$372,774".

Page 57, line 6, following "and" strike "\$222,774" and insert "\$372,774".

Explanation:

(This amendment increases by \$150,000 in each year the general fund allocation for the Northern Virginia Regional Commission.)

Chief Patron: Colgan

Item 103 #1s

Commerce And Trade

Department Of Housing And
Community Development

Language

Language:

Page 59, after line 31, insert:

"Notwithstanding the provisions of § 15.2-2230, Code of Virginia, the requirement to review the comprehensive plan once every five years is hereby suspended. However, every local government required to prepare such a plan must establish a schedule for updating its comprehensive plan that meets the needs of the community."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Colgan

Item 132 #1s

Co-Patron(s): Barker, Herring, Howell, Petersen, Puller,
Vogel, Whipple

Education: Elementary & Secondary	FY 10-11	FY 11-12
Direct Aid To Public Education	\$29,487,401	\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,310,182".

Page 78, strike lines 23 through 28.

Explanation:

(This amendment adds a net \$29.5 million GF in FY 2011 to use 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 FY 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget.)

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 81, after line 4, insert: "g. To provide temporary flexibility, notwithstanding other requirements in this Item, if necessary, school divisions may staff at levels that are one higher, in the case of class size ratios, or one lower, in the case of FTEs per 1,000 students, than each of the minimum required staffing levels as currently set out in the Code of Virginia."

Explanation:

(This amendment provides temporary staffing flexibility for school divisions in light of general fund reductions to Direct Aid to localities to Public Education and local revenue shortfalls.)

Chief Patron: Colgan

Item 132 #6s

Co-Patron(s): Barker, Puller, Stuart

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

\$187,313

\$374,626 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,581,010,094".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,780,856,203".

Page 76, line 10, strike "\$13,920,266" and insert "\$14,107,579".

Page 76, line 10, strike "\$14,371,298" and insert "\$14,745,924".

Explanation:

(This amendment adds funding in order to provide the state's share of per pupil funding for the new regional academic year Governor's School at Innovation Park to serve the initial enrollment of 90 students in FY 2011 from Prince William, Manassas Park, and Manassas City and 180 students in FY 2012.)

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 85, line 40, strike "These funds shall be matched by the local government, based on the composite index".

Page 85, line 41, strike "of local ability-to-pay."

Page 89, strike lines 30 and 31.

Page 94, strike lines 30 and 31.

Page 97, line 8, strike "These funds shall be matched by the local government, based on".

Page 97, line 9, strike "the composite index of local ability-to-pay.".

Explanation:

(This amendment waives, for FY 2011 and FY 2012 only, the local match normally required for the following: Textbooks, Support for School Construction and Operating Costs, Early Reading Intervention, K-3 Primary Class Size Reduction, and VPSA Technology if funded.)

Chief Patron: Colgan

Item 157 #1s

Education: Higher Education

George Mason University

FY 10-11

\$2,448,622

FY 11-12

\$3,229,190 GF

Language:

Page 113, line 10, strike "\$358,780,728" and insert "\$361,229,350".

Page 113, line 10, strike "\$325,483,153" and insert "\$328,712,343".

Explanation:

(This amendment provides operating support for new facilities coming on-line during the 2010-2012 biennium. These facilities include the Krasnow Addition, Performing Arts Addition, Administration Building, Arlington II, Public Safety Building, Biomedical Research Facility, and surge space/data center.)

Chief Patron: Colgan

Item 158 #1s

Education: Higher Education

George Mason University

FY 10-11

\$1,166,474

FY 11-12

\$1,857,969 GF

Language:

Page 114, line 4, strike "\$19,386,136" and insert "\$20,552,610".

Page 114, line 4, strike "\$20,086,136" and insert "\$21,944,105".

Explanation:

(This amendment provides almost \$1.2 million GF in the first year and almost \$1.9 million GF the second year for undergraduate student financial aid.)

Chief Patron: Colgan

Item 200 #1s

Education: Higher Education	FY 10-11	FY 11-12	
Virginia Commonwealth University	\$6,000,000	\$6,000,000	GF

Language:

Page 134, line 20, strike "\$241,065,152" and insert "\$247,065,152".

Page 134, line 20, strike "\$241,065,152" and insert "\$247,065,152".

Page 134, line 31, after "," strike "\$1,000,000" and insert "\$7,000,000" and after "and" strike "\$1,000,000" and insert "\$7,000,000".

Explanation:

(This amendment provides \$6.0 million GF in each year of the biennium for cancer research at Virginia Commonwealth University.)

Chief Patron: Colgan

Item 230 #1s

Education: Other

The Library Of Virginia

Language

Language:

Page 150, after line 31, insert "C. Notwithstanding the provisions of 42.1-15.1 of the Code of Virginia and appropriate State Library Board regulations, the requirement to employ only certified librarians for professional positions below the Director level is hereby suspended."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Colgan

Item 245 #2s

Education: Higher Education

Virginia College Building
Authority

Language

Language:

Page 156, line 45, after "of" strike "\$50,000,000" and insert "\$50,528,968" and after "and" strike "\$50,000,000" and insert "\$50,528,968"

Page 156, line 50, strike "\$3,023,034" in each column and insert "\$3,552,002" in each column

Explanation:

(This amendment provides an increase to the amount allocated to George Mason University from \$3,023,034 GF to \$3,552,002 GF in each year of the biennium under the Higher Education Equipment Trust Fund (HEETF). This would maintain the amount of funding that was available in FY 2010).

Finance

Treasury Board

Language

Language:

Page 172, following 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, following 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	FY 10-11	FY 11-12	
Comprehensive Services For At-Risk Youth And Families	\$6,460,698	\$6,460,698	GF

Language:

Page 177, line 3, strike "\$331,843,220" and insert "\$338,303,918".

Page 177, line 3, strike "\$330,608,613" and insert "\$337,069,311".

Page 179, line 24, strike "2009" and insert "2010".

Page 179, line 25, strike "25 percent above the fiscal year 2007 base." and insert:
"based on the match rate in place on September 1, 2008."

Explanation:

(This amendment adds \$6.5 million GF each year to change the base year calculation of the local match rate for non-Medicaid residential services provided through the Comprehensive Services Act. Instead of a match rate based on 25 percent above the fiscal year 2007 base, the local match would revert to the rate in place on September 1, 2008)

Chief Patron: Colgan

Item 281 #2s

Health And Human Resources

FY 10-11

FY 11-12

Department Of Health

\$1,600,000

\$1,600,000 NGF

Language:

Page 184, line 20, strike "\$36,447,065" and insert "\$38,047,065".

Page 184, line 20, strike "\$36,447,065" and insert "\$38,047,065".

Page 184, line 35, strike "1."

Page 184, line 35, strike the first "\$2,645,375" and insert "1,045,375".

Page 184, line 35, strike the second "\$2,645,375" and insert "1,045,375".

Page 184, strike lines 38 through 42.

Explanation:

(This amendment restores \$1.6 million each year in nongeneral funds from the additional \$0.25 of the motor vehicle registration fee to the Virginia Rescue Squad Assistance Fund that was transferred to the State Police for med-flight operations.)

Chief Patron: Colgan

Item 287 #1s

Health And Human Resources

Department Of Health

Language

Language:

Page 189, after line 26, insert:

"E. Beginning July 1, 2010, local governing bodies are hereby authorized to charge a restaurant reinspection fee in instances when health district staff must reinspect a restaurant following a failed inspection. All of the funds generated by the fee shall be retained by the locality and utilized as part of its required local match for health services."

Explanation:

(This language amendment allows localities to impose a local restaurant reinspection fee for inspections resulting from failed inspections. Funds generated by the fee are to be used as the local match for health department services.)

Chief Patron: Colgan

Item 333 #2s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$100,000	\$100,000	GF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$39,089,613".

Page 231, line 40, strike "\$33,412,198" and insert "\$33,512,198".

Page 233, after line 15, insert:

"H. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund is for Birmingham Green Adult Care Residence."

Explanation:

(This amendment provides \$100,000 GF each year for Birmingham Green Adult Care Residence a regional facility that serves residents with little or no financial resources.)

Chief Patron: Colgan

Item 380 #1s

Public Safety

Department Of Corrections

Language

Language:

Page 259, following line 23, insert:

"J. Notwithstanding the provisions of Section 53.1-116 of the Code of Virginia and any applicable Board of Corrections regulations, local and regional jail inmates assigned to a home electronic incarceration program pursuant to Subsection A or C of Section 553.1-131.2 of the Code of Virginia are eligible for good time credit as provided for in Section 53.1-116(A)."

Explanation:

(This amendment authorizes good time credits for local or regional jail inmates assigned to home electronic incarceration programs.)

Chief Patron: Colgan

Item 381 #1s

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 259, following line 44, insert:

"Notwithstanding the provisions of Section 19.2-392(B) of the Code of Virginia, the fee for the first fingerprint card shall not exceed \$25 and the fee for each successive fingerprint card shall not exceed \$15."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Colgan

Item 386 #1s

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 262, strike lines 41-50.

Page 263, strike line 1 and insert:

"D. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Colgan

Item 406 #2s

Public Safety

FY 10-11

FY 11-12

Department Of Military Affairs

\$500,000

\$0 GF

Language:

Page 270, line 44, strike "\$5,139,702" and insert "\$5,639,702".

Explanation:

(This amendment provides \$500,000 the first year from the general fund for the Virginia National Guard Foundation for emergency financial assistance in the form of no-interest loans, grants, and/or scholarships to Virginia National Guard service members, employees, and their families to enhance their health, safety, well-being, and/or welfare.)

Chief Patron: Colgan

Item 408 #5s

Public Safety

Department Of State Police

FY 10-11	FY 11-12	
\$1,600,000	\$1,600,000	GF
(\$1,600,000)	(\$1,600,000)	NGF

Language:

Page 273, line 14, strike "2,645,375" and "2,645,375" and insert "1,045,375" and "1,045,375".

Explanation:

(This amendment removes \$1,600,000 each year in nongeneral funds from the Rescue Squad Assistance Fund from the State Police medevac program, and restores an equal amount each year from the general fund. A companion amendment to the Department of Health restores the \$4-for-Life funds to the Rescue Squad Assistance Fund.)

Chief Patron: Colgan

Item 414 #1s

Public Safety	FY 10-11	FY 11-12	
Department Of Veterans Services	\$623,100	\$623,100	GF
	1.00	1.00	FTE

Language:

Page 275, line 37, strike "\$1,070,757" and insert "\$1,693,857".

Page 275, line 37, strike "\$1,070,757" and insert "\$1,693,857".

Explanation:

(This amendment provides \$623,100 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 to the public in mid-2010. No funds are included in the budget, as introduced, for operating expenses for this new facility.)

Chief Patron: Colgan

Item 417 #6s

Public Safety

Compensation Board

Language

Language:

Page 279, following line 43, insert:

“R. Notwithstanding the provisions of §17.1-272(A), the fee for process and service may be hereby increased by the local governing body to \$25 and the additional revenue generated by such an increase shall be retained wholly by the locality for the purpose of funding Sheriff services.”

Explanation:

(This amendment provides for an increase in the fee for process and service to be use for funding of Sheriffs offices by the localities.)

Chief Patron: Colgan

Item 417 #7s

Public Safety

Compensation Board

Language

Language:

Page 279, following line 43, insert:

“R. Notwithstanding the provisions of §53.1-120(D), and county or city, through its governing body, may assess a sum not in excess of \$25 as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a violation of any statute or ordinance.”

Explanation:

(This amendment provides for a local fee of \$25 as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted of a violation of any statute or ordinance.)

Chief Patron: Colgan

Item 419 #1s

Public Safety

Compensation Board

Language

Language:

Page 283, following line 24, insert:

"D. Notwithstanding the provisions of §58.1-202 and §58.1-3108, the mandate upon local officials to provide taxpayer assistance necessary for the preparation of any state tax return is hereby suspended."

Explanation:

(This amendment provides that local Commissioners of the Revenue shall not be required to provide taxpayer assistance for the preparation of any state tax returns.)

Chief Patron: Colgan

Item 419 #2s

Public Safety

Compensation Board

Language

Language:

Page 283, following line 24, insert:

"D. Notwithstanding the provisions of §58.1-1207, the requirement for local officials certify copies of banks returns on net capital and schedules and transmit certified copies to the Department of Taxation is hereby suspended."

Explanation:

(This amendment provides that local Commissioners of the Revenue shall not be required to certify copies of banks returns on net capital and schedules.)

Chief Patron: Colgan

Item 447 #1s

Transportation

Department Of Rail And Public
Transportation

FY 10-11
\$1,000,000

FY 11-12
\$0 GF

Language:

Page 311, line 6, strike "\$292,273,380" and insert "\$293,273,380".
Page 312, following line 21, insert

"F. Included in the amounts for Public Transportation Programs is \$1,000,000 from the general fund in the first year for final engineering design for a new parking structure at the Virginia Railway Express Broad Run Station. Receipt of these funds is contingent upon LEED Gold design certification for any proposed improvement."

Explanation:

(This amendment provides \$1.0 million from the general fund in the first year for final engineering designs for a new parking structure at the VRE's Broad Run Station.)

Transportation	FY 10-11	FY 11-12	
Department Of Rail And Public Transportation	\$0	\$24,700,000	GF

Language:

Page 311, line 6, strike "\$317,229,869" and insert "\$341,929,869".

Page 312, following line 21, insert

"F. Included in the amounts for Public Transportation Programs is \$24,700,000 from the general fund in the second year for the construction of a new parking structure at the Virginia Railway Express Broad Run Station. Receipt of these funds is contingent upon LEED Gold design certification for any proposed improvement."

Explanation:

(This amendment provides \$24.7 million from the general fund in the second year for the construction of a new parking structure at the VRE's Broad Run Station.)

Central Appropriations

FY 10-11

FY 11-12

Central Appropriations

\$0

\$8,413,337 GF

\$0

\$2,118,543 NGF

Language:

Page 325, line 4, strike "\$0" and insert "\$10,531,880".

Page 325, line 20, strike "the first year" and insert "each year of the biennium"

Page 325, line 29, strike "the first year" and insert "each year of the biennium"

Explanation:

(This amendment provides funding for estimated interest earnings from tuition and fees and other nongeneral fund Educational and General revenues and a pro rata amount of the rebate paid to the Commonwealth on certain credit card purchases for FY 2012. Institutions that are deemed certified under restructuring would be eligible to receive these payments.)

Chief Patron: Colgan

Item C-24.10 #1s

Education: Higher Education

George Mason University

FY 10-11

\$3,157,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Health & Human
Services Building (Fairfax Campus)

\$3,157,000

Fund Sources: General

\$3,157,000".

Explanation:

(This amendment provides \$3.2 million GF to George Mason University to plan the Health and Human Services Building on the Fairfax Campus.)

Chief Patron: Colgan

Item C-24.10 #2s

Education: Higher Education

George Mason University

FY 10-11

\$775,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Fine Arts Building

\$775,000

Renovation

Fund Sources: General

\$775,000".

Explanation:

(This amendment provides \$775,000 GF to George Mason University to complete planning of the Fine Arts Building renovation.)

Chief Patron: Colgan

Item C-24.10 #3s

Education: Higher Education

George Mason University

FY 10-11

\$1,478,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Library Addition

\$1,478,000

Fund Sources: General

\$1,478,000".

Explanation:

(This amendment provides \$1.5 million GF to George Mason University to complete planning of the Library addition.)

Chief Patron: Colgan

Item C-24.10 #4s

Education: Higher Education

George Mason University

FY 10-11

\$3,189,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Biomedical Life

\$3,189,000

Sciences Building (Prince William

Campus)

Fund Sources: General

\$3,189,000".

Explanation:

(This amendment provides \$3.2 million GF to George Mason University for planning of the Biomedical Life Sciences Building on the Prince William Campus.)

Chief Patron: Colgan

Item C-24.10 #5s

Education: Higher Education

George Mason University

FY 10-11

\$500,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. New Construction: Equipment:

\$500,000

Thompson Hall (16607)

Fund Sources: General

\$500,000".

Explanation:

(This amendment provides \$500,000 GF to George Mason University for equipment for Thompson Hall.)

Chief Patron: Colgan

Item C-24.10 #6s

Education: Higher Education

George Mason University

FY 10-11

\$1,100,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Loudoun Campus

\$1,100,000

Master Plan

Fund Sources: General

\$1,100,000".

Explanation:

(This amendment provides \$1.1 million GF to George Mason University to develop a master plan for the Loudoun Campus.)

Chief Patron: Colgan

Item C-24.10 #6s

Education: Higher Education

George Mason University

FY 10-11

\$1,100,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Loudoun Campus

\$1,100,000

Master Plan

Fund Sources: General

\$1,100,000".

Explanation:

(This amendment provides \$1.1 million GF to George Mason University to develop a master plan for the Loudoun Campus.)

Chief Patron: Colgan

Item C-24.10 #7s

Education: Higher Education

George Mason University

Language

Language:

Page 351, following line 14, insert:

General obligation bond proceeds in the amount of \$5,000,000 appropriated to the Science Museum of Virginia for the Belmont Bay Science Center shall be transferred to George Mason University for the Potomac Science Center .

Explanation:

(This amendment provides transfers \$5.0 million of general obligation bond proceeds originally appropriated to the Science Museum of Virginia for the Belmont Bay Science Center to George Mason University for the Potomac Science Center.)

Chief Patron: Colgan

Item C-24.10 #8s

Education: Higher Education

George Mason University

Language

Language:

Page 351, following line 14, insert:

"C-24.10. New Construction: Arlington II \$0
(16523)

Fund Sources: Higher Education Operating (\$3,835,293)
Bond Proceeds \$3,835,293".

Explanation:

(This amendment replaces \$3.8 million NGF appropriated for the Arlington II building with \$3.8 million from previously approved 9(d) bonds.)

Chief Patron: Colgan

Item C-24.10 #12s

Education: Higher Education

George Mason University

Language

Language:

Page 351, following line 14, insert:

"C-24.10. New Construction: Potomac
Science Center

Fund Sources:

George Mason University is authorized to enter into a public-private partnership for construction of the Potomac Science Center.)

Explanation:

(This amendment authorizes George Mason University to enter into a public-private partnership for construction of the Potomac Science Center.)

Chief Patron: Colgan

Item C-24.10 #14s

Education: Higher Education

George Mason University

Language

Language:

Page 351, following line 14, insert:

"C-24.10. New Construction: Prince
William Research Facilities

Fund Sources:

George Mason University is authorized to enter into a public-private partnership for construction of the Prince William Research Facilities.)

Explanation:

(This amendment authorizes George Mason University to enter into a public-private partnership for construction of research facilities on the Prince William campus.)

Chief Patron: Colgan

Item C-58.10 #1s

Co-Patron(s): Barker

Education: Higher Education

Virginia Community College
System

FY 10-11

\$3,500,000

FY 11-12

\$0 NGF

Language:

"C-58.10. New Construction: Workforce
Development Center, Northern Virginia
Community College, Woodbridge Campus

\$3,500,000

Fund Sources: Higher Education Operating
\$3,500,000".

Explanation:

(This amendment provides \$3.5 million NGF to the VCCS for construction of a Workforce Development Center on the Woodbridge Campus of Northern Virginia Community College.)

Central Appropriations	FY 10-11	FY 11-12
Central Capital Outlay	\$38,315,000	\$0 GF

Language:

Page 364, following line 15, insert:

"C-87.1. Planning: Central Capital Planning Fund

Fund Sources: General \$38,315,000".

The following projects shall be funded for detailed planning from amounts in the Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia, and the following amounts are hereby appropriated from the Central Capital Planning Fund for such purposes.

<u>Agency/ Institution</u>	<u>Project</u>		<u>Amount</u>
VCCS	Renovate Stone Hall Building, Patrick Henry	\$	953,000
VCCS	Renovate Library & Learning Resources Center, Virginia Highlands	\$	739,000
VCCS	Renovate and Construct Addition: Workforce Development Center, Piedmont Virginia	\$	629,000
VCCS	Renovate Buildings: Carroll, Bland, Galax, Grayson, Smyth Halls, Wytheville	\$	722,000
VCCS	Renovate Building B, Parham Road Campus, J. Sargaent Reynolds	\$	1,172,000
VCCS	Renovate and Expand Nicholas Center/ Renovate Bird, Goyne Halls, Chester Campus, John Tyler	\$	2,486,000
VCCS	Renovate Phase I Academic/Administrative Building, Eastern Shore	\$	1,155,000
VCCS	Construct Student Services & Learning Resources Center,	\$	1,402,000

	Christianna Campus, Southside Virginia	
VCCS	Renovate Main Building, Middletown Campus, Lord Fairfax	\$ 834,000
VCCS	Renovate and Repair Exterior/Interior Structures, Hampton Campus, Thomas Neson	\$ 118,000
VCCS	Construct Regional Center for Transportation and Maritime Logistics Center, Chesapeake Campus, Tidewater	\$ 3,212,000
VCCS	Construct Network Operations Center, Tidewater	\$ 478,000
VCCS	Renovate Phase III Academic Building, Loudoun Campus, Northern Virginia	\$ 2,160,000
VCCS	Renovate and Expand Phase III Academic Building, Manassas Campus, Northern Virginia	\$ 2,600,000
VCCS	Renovate Bisdorf Phase II Academic Building, Alexandria Campus, Northern Virginia	\$ 1,644,000
VCCS	Construct New Classroom and Academic Building, Blue Ridge	\$ 1,013,000
VCCS	Renovate Engineering and Industrial Technology Building, Danville	\$ 1,013,000
VCCS	Construct Regional Workforce Center, Virginia Beach Campus, Tidewater	\$ 2,510,000
VCCS	Renovate Main Academic Building, Phase II, Piedmont	\$ 1,588,000
VCCS	Renovate (CG) Godwin Hall Academic Building, Annandale Campus, Northern Virginia	\$ 2,635,000
VCCS	Renovate Anderson Hall, Virginia Western	\$ 3,084,000
VCCS	Renovate Bayside Building (Bldg. B), Virginia Beach Campus,	\$ 2,204,000

VCCS	Tidewater Renovate Kempsville Building (Bldg. D), Virginia Beach Campus, Tidewater	\$ 1,204,000
VCCS	Renovate Academic Classrooms & Laboratories, Tidewater	\$ 633,000
VCCS	Renovate Lynnhaven Building (Bldg. E), Virginia Beach Campus, Tidewater	\$ 1,956,000
VCCS	Renovate Buchanan Hall, Southwest Virginia	\$ 171,000
Total		\$ 38,315,000

Explanation:

(This amendment provides \$38.3 million GF to the Central Capital Planning Fund for detailed planning of 26 projects for the Virginia Community College System.)

Chief Patron: Colgan

Item 3-1.01 #2s

Transfers

Interfund Transfers

Language

Language:

Page 372, strike lines 13-15

Explanation:

(This amendment eliminates the transfer of \$18.8 million NGF from higher education auxiliary enterprise balances in FY 2011.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 374, line 17, after "is" strike "\$35,800,000" and insert "\$28,600,000"

Page 374, line 17, after "and" strike "\$35,800,000" and insert "\$28,600,000"

Page 376 strike lines 13-14

Page 376 strike line 17

Page 376 strike lines 19-26

Page 376 strike lines 32-33

Page 376 strike lines 36-37

Page 376 strike lines 40-48

Page 377 strike lines 1-14

Explanation:

(This amendment eliminates the withholding of interest on higher education auxiliary balances in the 2010-2012 biennium. The action would restore approximately \$7.2 million NGF in each year of the biennium.)

Adjustments and Modifications to Fees

E-911 Tax Line of Duty Fee Surcharge

Language

Language:

Page 381, strike line 46 through line 51, and insert

"Notwithstanding the provisions of §9.1-400-405, §56-484.12, and §58.1-1730, *Code of Virginia*, there is hereby assessed a \$0.50 surcharge imposed on the end user of each access line for which the \$0.75 E-911 fee is currently charged, as defined by §56-484.12 and §58.1-1730. Benefits paid under the Line of Duty Act shall be funded by the first \$0.18 of the surcharge, which shall be billed, collected and remitted in the same manner as the E-911 fee and shall be deposited by the Virginia Information Technologies Agency and the Department of Taxation, as applicable, directly to the Line of Duty Death and Health Benefits Trust Fund of the state treasury and on the books of the State Comptroller. The remaining \$0.32 of the surcharge shall be billed, collected and remitted in the same manner as the E-911 fee and shall be distributed by the Virginia Information Technologies Agency to local governments operating public safety answering points in the same manner as 60 percent of the E-911 Wireless Fund as provided for in § 56-484.17(c). "

Explanation:

(This amendment establishes an additional \$0.50 monthly surcharge on cellular telephones with \$0.18 dedicated to fund Line of Duty Act benefits. The remaining \$0.32 would be distributed to local Public Safety Answering Points (PSAPs) using the current allocation process.)

Chief Patron: Colgan

Item 3-5.12 #3s

Co-Patron(s): Hanger

Adjustments And Modifications To Tax Collections

SALES TAX COLLECTIONS FROM
OUT-OF-STATE ENTITIES

Language

Language:

Page 381, following line 35, insert:

"SALES AND USE TAX COLLECTIONS FROM OUT-OF-STATE ENTITIES

For purposes of Virginia's retail sales and use taxes (§ 58.1-600 et seq. of the Code of Virginia), a dealer as defined or described under § 58.1-612 of the Code of Virginia shall be presumed to be soliciting or transacting business by an independent contractor, agent, or other representative, if the dealer enters into an agreement with a resident of the Commonwealth under which the resident, for a commission or other consideration, directly or indirectly refers potential customers, whether by a link on an Internet site or otherwise, to the dealer if the cumulative gross receipts from sales by the dealer to purchasers in the Commonwealth who are referred to the dealer by all residents with this type of agreement with the dealer are in excess of \$10,000 during the preceding four quarterly periods. A dealer to which such presumption applies shall be deemed to have sufficient activity within the Commonwealth so as to require the dealer to register under § 58.1-613 of the Code of Virginia and to collect the tax imposed under or pursuant to Chapter 6 (§ 58.1-600 et seq.) of Title 58.1 of the Code of Virginia. This presumption may be rebutted by proof that the resident with whom the dealer has an agreement did not engage in any solicitation in the Commonwealth on behalf of the dealer that would satisfy the nexus requirement of the United States Constitution during the four quarterly periods in question."

Explanation:

(This amendment requires certain out-of-state entities to collect and remit Virginia's sales and use tax when doing business in Virginia.)

Revenues

Revenues

Language

Language:

Page 1, line 26, strike "\$14,451,432,415" and "\$15,181,414,575" and "\$29,632,846,990" and insert "\$14,451,207,115" and "\$15,181,178,075" and "\$29,632,385,190"

Page 1, line 33, strike "\$22,392,354,917" and "\$22,857,998,970" and "\$45,250,353,887" and insert "\$22,392,322,717" and "22,857,965,170" and "45,250,287,887"

Explanation:

(This amendment reflects the GF revenue loss of \$225,300 in FY 2011 and \$236,500 in FY 2012 and the TTF revenue loss of \$32,200 in FY 2011 and \$33,800 in FY 2012, associated with SB 174 that provides a Retail Sales and Use Tax exemption for the purchase of qualifying solar photovoltaic systems, solar thermal systems, and wind-powered electric generators purchased by a contractor or property owner for installation in or on residential real property.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$100,000	\$100,000	GF

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 the general fund 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.)

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	\$1,100,000	\$1,100,000	GF

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$77,880,910".

Page 260, line 11, strike "\$76,780,910" and insert "\$77,880,910".

Page 262, after line 11, insert:

"2. Out of the amounts appropriated for this item, \$600,000 the first year and \$600,000 the second year from the general fund shall be distributed to the Southern Virginia Internet Crimes Against Children Task Force."

Page 262, at the beginning of line 12, strike "2." and insert "3."

Page 262, line 12, strike "and Northern Virginia"

Page 262, line 12, strike "Forces" and insert "Force".

Page 262, line 14, strike "forces" and insert "force".

Page 262, line 14, strike "reports" and insert "report".

Page 262, after line 16, insert:

"4. Out of the amounts appropriated for this item, \$500,000 the first year and \$500,000 the second year from the general fund is provided to the Department of Criminal Justice Services to provide grants for training and equipment for local law enforcement agencies that are affiliated with the Northern Virginia and Southern Virginia Internet Crimes Against Children Task Forces. Grants distributed for this purpose shall solely be used for preventing internet crimes against children."

Explanation:

(This amendment provides \$1,100,000 each year from the general fund for the provision of (1) funding for the Southern Virginia Internet Crimes Against Children Task Force and (2) the creation of a grant program for the provision of training and equipment to law enforcement agencies affiliated with the task forces. Any grants provided by the Department of Criminal Justice Services for this purpose shall only be used to activities 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 amendment is contingent upon final passage of Senate Bill 620.)

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$600,000	\$600,000	GF

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 the general fund shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. The Northern Virginia Internet Crimes Against Children Task Force shall complete a report on the actual expenditures and performance results it achieved during the first 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 for the second year."

Explanation:

(This amendment provides an additional \$600,000 each year from the general fund for the Northern Virginia Internet Crimes Against Children Task Force, operated by the Department of State Police. The source of funding for this amendment 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.)

Chief Patron: Deeds

Item 469 #2s

Central Appropriations

FY 10-11

FY 11-12

Central Appropriations

\$471,000

\$471,000 GF

\$33,000

\$33,000 NGF

Language:

Page 327, line 15, strike "\$38,270,141" and insert "\$37,766,141".

Page 327, line 15, strike "\$11,041,200" and insert "\$11,545,200".

Explanation:

(This amendment provides \$471,000 GF and \$33,000 NGF the first year and \$471,000 GF and \$33,000 NGF the second year for the increased cost of including conservation officers in the Virginia Law officers' Retirement System (VALORS) as provided for in SB 175.)

Adjustments And Modifications To Fees

Additional Fee for Felony and Criminal
Misdemeanor Convictions

Language

Language:

Page 381, after line 51, insert:

"Notwithstanding §§ 17.1-275.1, 17.1-275.2, 17.1-275.3, 17.1-275.4, 17.1-275.7, 17.1-275.8, and 17.1-275.9, Code of Virginia, there is hereby assessed an additional fee of ten dollars on every person convicted of a felony or criminal misdemeanor. The revenue generated by this additional fee shall be deposited to the general fund for use in supporting efforts to prevent internet crimes against children."

Explanation:

(This amendment provides for the creation of an additional \$10 fee on all persons convicted of felonies and criminal misdemeanors separate from those fees included in the Code of Virginia. The additional fee is projected to produce slightly more than \$1.8 million. This additional revenue will be deposited into the general fund for use in supporting efforts to protect children from internet predators and will be directed to the Northern Virginia Internet Crimes Against Children task force operated by the Virginia State Police, the Southern Virginia Internet Crimes Against Children task force operated by the Bedford County Sheriff's Office, the Department of Criminal Justice Services, and the Department of Social Services. This amendment is contingent upon final passage of Senate Bill 620.)

Chief Patron: Edwards

Item 83 #2s

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$142,500	\$142,500	GF
Consumer Services	3.00	0.00	FTE

Language:

Page 45, line 17, strike "\$6,744,156" and insert "\$6,886,656".

Page 45, line 17, strike "\$6,742,906" and insert "\$6,885,406".

Explanation:

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

Education: Higher Education	FY 10-11	FY 11-12	
Virginia Community College System	\$5,000,000	\$5,000,000	GF

Language:

Page 138, line 29, strike "\$316,625,660" and insert "\$321,625,660".

Page 138, line 29, strike "\$316,625,660" and insert "\$321,625,660".

Page 138, after line 39, insert:

"B. Out of this appropriation, up to \$5.0 million GF the first year and \$5.0 million GF the second year from the general fund is designated for the Community College Scholarship Match Program. Funds may be paid on the basis of one dollar of state general fund appropriation for every dollar donated by private individuals, foundations, or corporations beginning on July 1, 2010 up to the yearly maximum of \$5.0 million GF."

Explanation:

(This amendment provides a maximum of \$5.0 million GF in each year of the biennium to create a Community College Scholarship Match program.)

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 and the Department of Behavioral Health and Developmental Services, shall report on the feasibility of expanding the definition of "Adult foster care provider" in 22VAC40-771-10 to include a provider employed by or contracted by a community services board who gives room and board, supervision and special services in residential settings other than the adult foster care provider's own home. This report shall include a determination as to whether such an expansion could be accomplished without the requirement for licensing by the Department of Behavioral Health and Developmental Services. The Secretary shall report his findings to the Chairmen of the House Committee on Health, Welfare and Institutions and the Chairman of the Senate Committee on Education and Health by October 1, 2010."

Explanation:

(This language amendment requires the Secretary of Health and Human Resources to evaluate the feasibility of expanding the definition of adult foster care provider to include providers employed by or contracted with community services boards.)

Health And Human Resources

Department Of Social Services

Language

Language:

Page 231, after line 29, insert:

"331.10. Office of the Children's Ombudsman	\$334,492	\$696,940
Fund Sources: General	\$334,492	\$696,940."
"Protective Services (45300).	\$334,492	\$696,940".
Protection and Advocacy (45307).	\$334,492	\$696,940".

Explanation:

(This amendment provides funding and positions for the creation of an Office of the Children's Ombudsman as an executive branch agency to provide ombudsman services, including investigation of complaints, advocacy and the provision of information for children, parents and citizens involved with child-serving agencies. The ombudsman would be appointed by the Governor and would be required to report to the Governor, General Assembly and the Commission on Youth. This amendment is contingent upon the passage of SB 160 creating the office.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$50,000	\$75,000	GF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$39,039,613".

Page 231, line 40, strike "\$33,412,198" and insert "\$33,487,198".

Page 233, after line 15, insert:

"H. Out of this appropriation, \$50,000 the first year and \$75,000 the second year from the general fund shall be provided to Craig County for day care services."

Explanation:

(This amendment restores funding for Craig County child day care services whose federal funding is being reduced by one-third in FY 2010 and eliminated in FY 2011. Without federal funding, these services will not be continued.)

Chief Patron: Edwards

Item 414 #2s

Public Safety	FY 10-11	FY 11-12	
Department Of Veterans Services	\$285,000	\$285,000	GF
	\$15,000	\$15,000	NGF
	5.00	5.00	FTE

Language:

Page 275, line 37, strike "\$1,070,757" and insert "\$1,370,757".

Page 275, line 37, strike "\$1,070,757" and insert "\$1,370,757".

Explanation:

(This amendment provides \$285,000 and 5.0 positions each year from the general fund and \$15,000 each year from nongeneral funds to operate the new Southwest Virginia Veterans Cemetery. The positions are included to support burial operations, grounds maintenance, and administration.)

Transportation	FY 10-11	FY 11-12	
Department Of Rail And Public	\$291,952	\$291,952	GF
Transportation	7.00	7.00	FTE

Language:

Page 312, line 22, strike "\$46,074,000" and insert "\$46,365,952".

Page 312, line 22, strike "\$51,187,000" and insert "\$51,478,952".

Page 312, following line 40, insert

"D. Included within these amounts is \$291,952 and 7.0 FTE in the first year and \$291,952 and 7.0 FTE in the second year from the general fund to support operations 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. 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 provides funding and positions for daily commuter bus connector service between Roanoke and the Kemper Street Station in Lynchburg as part of the on-going passenger rail demonstration project.)

Revenues

Revenues

Language

Language:

Page 1, line 26, strike "\$14,451,432,415" and "\$15,181,414,575" and "\$29,632,846,990" and insert "\$14,390,532,415" and "\$15,120,514,575" and "\$29,511,046,990"

Page 1, line 33, strike "\$22,392,354,917" and "\$22,857,998,970" and "\$45,250,353,887" and insert "\$22,377,254,917" and "22,842,898,970" and "45,220,153,887"

Explanation:

(This amendment reduces General Fund revenue by \$60.9 million in each year and Nongeneral Fund revenue by \$15.1 million in each year to reflect the reversal of the proposed elimination of the dealer discount on the Retail Sales and Use Tax; Motor Fuels Sales Tax in certain transportation districts; Motor fuels tax; State Tax for Enhanced E-911 Service; Tire Recycling Fee; and the Cigarette and Other Tobacco Products Tax. The \$9.2 million reduction per year in local tax collections for the Communications Sales and Use Tax is not reflected in the state budget.

Companion appropriation amendments for Medicaid and Public Education SOQ reflect the GF offset that is required for the reduction in retail sales and tobacco taxes.)

Chief Patron: Hanger

Item 1 #1s

Legislative Department

General Assembly Of Virginia

Language

Language:

Page 6, following line 35, insert:

"L. The Clerks of the Senate and the House of Delegates shall conduct a study of the feasibility of implementing a "years of service" category for the Legislative Account authorized for each Member of the General Assembly, to adjust salaries for experienced Legislative Assistants to better serve the Members of the General Assembly. Such a category would be intended to better reflect comparable private sector salaries in order to reduce turnover and to provide incentives to retain more experienced Legislative Assistants. A report on the findings of this study together with any recommendations shall be provided to the Senate and House Committees on Rules and to the Senate Finance and House Appropriations Committees by November 1, 2010 for consideration by the 2011 General Assembly."

Explanation:

(This amendment authorizes a study of the salary structure for Legislative Assistants.)

Chief Patron: Hanger

Item 89 #1s

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$1,244,000	\$1,244,000	GF
Consumer Services	35.00	0.00	FTE

Language:

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

Page 47, line 26, strike "\$4,871,394" and insert "\$6,115,394".

Page 47, strike lines 37 through 45 and insert:

" B. The Department of Agriculture and Consumer Services hereby shall have the authority to establish a reasonable fee to offset the cost of providing these services."

Explanation:

(This amendment restores funds for VDACS to provide for a state meat inspection program for meat and poultry processing plants that operate under the Talmadge-Aiken program as well as authorizes a fee to recover revenue to offset some portion of the general fund appropriation.)

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

(\$9,135,000)

(\$9,135,000) GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,571,687,781".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,771,346,577".

Explanation:

(This amendment reflects the net impact on the State SOQ appropriation of restoring the Retail Sales and Use Tax dealer discount that was eliminated in the introduced budget. A loss of sales tax revenue that is dedicated to public education is partially offset by localities, thereby resulting in a net savings for the state share of public education costs. Companion amendments strike language in Part III of the budget authorizing the elimination of the dealer discount and reduce the front page revenue estimates accordingly.)

Chief Patron: Hanger

Item 137 #2s

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 102, Strike lines 31-32.

Explanation:

(This amendment would allow students enrolled in the Virginia Women's Institute for Leadership (VWIL) at Mary Baldwin College to be eligible for the Tuition Assistance Grant (TAG).)

Chief Patron: Hanger

Item 161 #1s

Education: Higher Education

James Madison University

FY 10-11

\$837,941

\$944,912

16.00

FY 11-12

\$749,581

\$845,272

16.00

GF

NGF

FTE

Language:

Page 115, line 2, strike "\$219,033,975" and insert "\$220,816,828".

Page 115, line 2, strike "\$200,199,495" and insert "\$201,794,348".

Explanation:

(This amendment provides operating support for new facilities coming on-line during the 2010-2012 biennium. These facilities include the Performing Arts Center and Music Recital Hall; an increase of 175,305 gross square feet.)

Chief Patron: Hanger

Item 161 #2s

Education: Higher Education

James Madison University

FY 10-11

\$477,483

\$538,439

12.00

FY 11-12

\$745,373

\$840,527

12.00

GF

NGF

FTE

Language:

Page 115, line 2, strike "\$219,033,975" and insert "\$220,049,897".

Page 115, line 2, strike "\$200,199,495" and insert "\$201,785,395".

Explanation:

(This amendment provides operating support for the Rockingham Memorial Hospital campus coming on-line during the 2010-2012 biennium.)

Chief Patron: Hanger

Item 162 #1s

Education: Higher Education

James Madison University

FY 10-11

\$572,220

FY 11-12

\$1,055,699 GF

Language:

Page 115, line 45, strike "\$9,566,308" and insert "\$10,138,528".

Page 115, line 45, strike "\$9,566,308" and insert "\$10,622,007".

Explanation:

(This amendment provides an increase in undergraduate financial aid for the 2010-2012 biennium.)

Chief Patron: Hanger

Item 219 #1s

Co-Patron(s): Blevins, Deeds

Education: Higher Education

FY 10-11

FY 11-12

Virginia Cooperative Extension
And Agricultural Experiment
Station

\$67,000

\$0 GF

Language:

Page 144, line 13, strike "\$85,794,415" and insert "\$85,861,415".

Explanation:

(This amendment provides \$67,000 GF in the first year for the continuation of research related to the declining population of honeybees.)

Chief Patron: Hanger

Item 273 #2s

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 develop and implement a plan to reorganize and consolidate the service delivery system of the Department of Social Services with that of the service delivery areas of the CSBs with a maximum of 40 regional offices. The Secretary shall report his findings to 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 develop and implement a plan to consolidate local DSS services in the same way that CSBs are organized.)

Chief Patron: Hanger

Item 274 #1s

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 179, line 19, after the period, insert:

"The local match rate for participating localities shall be the lowest match rate of all participating localities when a locality partners with two or more contiguous communities to establish community-based services."

Explanation:

(This amendment reduces the match rate that localities must pay for CSA services to the lowest match rate for participating localities when two or more contiguous communities join efforts to establish community-based services.)

Chief Patron: Hanger

Item 274 #3s

Health And Human Resources	FY 10-11	FY 11-12	
Comprehensive Services For At-Risk Youth And Families	\$800,000	\$800,000	GF

Language:

Page 177, line 3, strike "\$331,843,220" and insert "\$332,643,220".

Page 177, line 3, strike "\$330,608,613" and insert "\$331,408,613".

Page 179, line 25, after "base" insert:

"rate after a locality has incurred a total of \$200,000 in residential care expenditures."

Explanation:

(This amendment restores \$800,000 GF each year to reinstate a hold harmless provision for residential services that was removed in the introduced budget. Current law exempts localities from paying a higher local match rate for CSA-funded residential treatment services up to \$200,000. Beyond that amount, localities are subject to a higher match rate. This "disincentive" is designed to encourage localities to pursue placements in community-based services.)

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 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 Area Agency on Aging (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. 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.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 209 line 4, after "Committees", insert:

"Notwithstanding the findings and suggestions contained therein, the fee schedule rate reduction for incontinence supplies shall not exceed the 10 percent reduction recommended in this report."

Page 209, line 14, strike "have the authority to".

page 209, line 15, strike "modify", and insert:

"perform an impact analysis on the potential effects of instituting a competitive bidding requirement for".

Page 209, line 15, strike "based on", and insert:

". DMAS shall solicit input from, and consider the views expressed by, patient advocacy groups and Virginia-based providers, and the analysis shall include consideration of the following: (i) impact on quality of patient care, (ii) impact on product accessibility by Medicaid recipients, (iii) the likelihood that competitive bidding would result in actual savings, (iv) the expense of designing conducting and properly managing the competitive bidding process, and (v) the impact on Virginia companies and employers. This analysis shall include a review of other state's experience with the imposition of competitive bidding requirements for the reimbursement of Durable Medical Equipment for incontinence supplies. DMAS shall, prior to implementing a competitive bidding process for the reimbursement of Durable Medical Equipment for incontinence supplies, report to the Chairmen of the House Appropriations and Senate Finance Committees the findings and conclusions resulting from such analysis and obtain budget authority for undertaking a competitive bidding process. Any such competitive bidding process shall be subject to approval by the Centers for Medicare and Medicaid Services (CMS)."

Page 209, strike lines 16 through 18.

Page 209, strike lines 19 through 23, and insert:

"WWW. The Department of Medical Assistance Services (DMAS) shall maintain current quantity limits for incontinence supplies that may be furnished without requiring a prior authorization until DMAS (i) conducts further analysis of the potential effects upon patients and providers of modifying such limits, and (ii) reports the findings of this analysis to the Chairmen of the House Appropriations and Senate Finance Committees."

XXX. The Department of Medical Assistance Services (DMAS) shall, to assist in the prevention of fraud, waste and abuse, require all Durable Medical Equipment suppliers enrolled in the Virginia Medicaid program to (i) be certified Medicare DMEPOS Suppliers which includes accreditation by a CMS-approved accreditation organization, adherence to all other Medicare DMEPOS Supplier Standards and implementation of a corporate compliance program, and (ii) have a physical presence in the Commonwealth, as is currently required in some other states."

Explanation:

(This amendment modifies language in the introduced budget which limits the amount of savings to be gained from reducing reimbursement by 10 percent for Durable Medical Equipment (DME). Language also requires the department to perform an impact analysis of beginning a competitive bidding requirement for reimbursement of DME for incontinence supplies and work with interested parties to solicit input along with other criteria in determining whether to go forward with this proposal. Language is modified to lift a limit on quantity limits and require the department to maintain current limits without prior authorization and conduct further analysis of the effect of imposing limits on these supplies. Additional requirements are added regarding requirements for DME suppliers enrolled as Virginia Medicaid providers to be certified and have a physical presence in Virginia.)

Chief Patron: Hanger

Item 297 #20s

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"

Explanation:

(This amendment reduces the Medicaid nongeneral fund appropriation to reflect a restoration of the dealer discount that was eliminated in the introduced budget and offsets the loss with a general fund appropriation. Companion amendments strike language in Part III of the budget authorizing the elimination of the dealer discount and reduce the front page revenue estimates accordingly.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance 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, strike lines 34 through 48 and insert:

"Q. The Commissioner shall continue developing a plan based on Option 2 of the Report Regarding Acute Psychiatric Services for Children and Adolescents submitted December 15, 2009 that requires the continuation of publicly funded acute inpatient psychiatric care through state operated mental health facilities for children and adolescents. The plan shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2010."

Explanation:

(This amendment reduces \$2.1 million GF each year that was proposed in the introduced budget to provide inpatient mental health services for children who do not have other insurance to pay for needed treatment. Language is also added to continue developing a plan to operate child and adolescent treatment beds at state mental health facilities. A separate amendment to Item 309 restores general funds to continue operating 48 treatment beds at the Commonwealth Center for Children and Adolescents in Staunton, making this additional \$2.1 million GF unnecessary.)

Chief Patron: Hanger

Item 309 #3s

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 GF and \$1.8 million NGF the first year and \$8.3 million GF and \$1.8 million NGF 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.)

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 GF and \$1.8 million NGF the first year and \$8.3 million GF and \$1.8 million NGF the second year to maintain the cost of operating child and adolescent treatment services at the Commonwealth Center for Children and Adolescents in Staunton.)

Chief Patron: Hanger

Item 320 #2s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Rehabilitative Services	\$1,134,910	\$1,134,910	GF

Language:

Page 222, line 37, strike "\$91,068,348" and insert "\$92,203,258".

Page 222, line 37, strike "\$90,836,209" and insert "\$91,971,119".

Explanation:

(This amendment provides \$1.1 million GF each year for Long-term Employment Support Services (LTISS/EES) to restore reductions for support services for individuals with disabilities. This funding will allow individuals with disabilities to access and maintain employment services. The funds will be allocated based on recommendations from an established steering committee and are intended solely for long-term employment support services.)

Chief Patron: Hanger

Item 351 #4s

Co-Patron(s): Reynolds

Natural Resources

FY 10-11

FY 11-12

Department Of Conservation And
Recreation

\$350,000

\$350,000 GF

Language:

Page 241, line 2, strike "\$67,590,053" and insert "\$67,940,053".

Page 241, line 2, strike "\$67,590,053" and insert "\$67,940,053".

Explanation:

(This amendment partially restores funding for local Soil and Water Conservation Districts. Reductions proposed for the 47 districts total 29 percent. This level of reductions will leave districts unable to meet the Commonwealth's water quality goals.)

Chief Patron: Hanger

Item 351 #5s

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 242, after line 18, insert:

"J. Notwithstanding any other provision of law, the regulations set forth in Chapter 18 of the Acts of Assembly of 2009 relating to the stormwater management programs shall be delayed and not become effective until July 1, 2011."

Explanation:

(This amendment delays the implementation of stormwater management regulations for one year.)

Chief Patron: Hanger

Item 351 #6s

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 State through voluntary cooperation with lawn care operators across the Commonwealth. 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.)

Chief Patron: Hanger

Item 370 #4s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, following line 40, insert:

"F. The Secretary of Public Safety shall develop and implement a plan to transfer all state responsible inmates into the state system and to reduce by at least 25 percent the number of nonviolent offenders in state facilities with strategies to include a statewide system of drug courts, substance abuse treatment, electronic monitoring with "homebound" incarceration, and expanded re-entry programs."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Hanger

Item 376 #1s

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	\$328,500	\$328,500	GF

Language:

Page 253, line 34, strike "\$81,923,593" and insert "\$82,252,093".

Page 253, line 34, strike "\$81,923,593" and insert "\$82,252,093".

Explanation:

(This amendment provides \$328,500 each year from the general fund to restore funding for the transitional therapeutic community treatment program at the Gemeinschaft House in Harrisonburg.)

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 269, following 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 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.)

Chief Patron: Hanger

Item 425 #4s

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Hanger

Item C-31.10 #1s

Education: Higher Education

James Madison University

FY 10-11

\$2,500,000

FY 11-12

\$0 NGF

Language:

Page 252, following line 40, insert:

"C-31.10. New Construction: Surface

Parking

Fund Sources:

Explanation:

(This amendment provides \$2.5 million NGF to James Madison University for the construction of a surface parking lot.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 377, strike line 28.

Page 377, strike lines 31 through 35.

Explanation:

(This amendment deletes certain funds from the list of funds from which the Governor's budget proposed to not allocate 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 millions of dollars in federal funds from these acts.)

Chief Patron: Hanger

Item 3-5.09 #1s

Adjustments and Modifications to Tax Collections

Discounts and Allowances

Language

Language:

Page 381, strike lines 11 through 17.

Explanation:

(This amendment reverses the proposed elimination of the dealer discount on the Retail Sales and Use Tax; Motor Fuels Sales Tax in certain transportation districts; Motor fuels tax; State Tax for Enhanced E-911 Service; Tire Recycling Fee; Cigarette and Other Tobacco Products Tax; and the local Communications Sales and Use Tax.)

Chief Patron: Hanger

Item 4-5.11 #1s

Special Conditions And Restrictions On Expenditures

Unfunded Mandates

Language

Language:

Page 410, following line 32, insert:

"4-5.11 UNFUNDED MANDATES

Notwithstanding any other provision of law, for fiscal years 2011 and 2012, any locality may be exempted from any mandate from the Commonwealth, whether by statute or by regulation, for which the funds proposed to be allocated by the Commonwealth are not adequate to met the state funding responsibility. There shall be no unfunded mandates."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Herring

Item 132 #1s

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

\$29,487,401

\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,310,182".

Page 78, strike lines 23 through 28.

Explanation:

(This amendment adds a net \$29.5 million GF in FY 2011 to use 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 FY 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget.)

Technology	FY 10-11	FY 11-12	
Innovation And Entrepreneurship Investment Authority	\$1,000,000	\$1,000,000	GF

Language:

Page 293, line 12, strike "\$4,023,750" and insert "\$5,023,750".

Page 293, line 12, strike "\$4,023,750" and insert "\$5,023,750".

Page 294, following line 4, insert

"I. From the amounts appropriated in this Item it is the intent of the General Assembly that \$1,000,000 in the first year and \$1,000,000 in the second year from the general fund be used to fund competitive grants for technology and life-science research projects through the Commonwealth Research Commercialization Fund."

Explanation:

(This amendment provides \$1.0 million in each year from the general fund for research projects eligible for funding under the Commonwealth Research Commercialization Fund, formerly named the Commonwealth Technology Research Fund.)

Chief Patron: Herring

Item C-24.10 #13s

Education: Higher Education

George Mason University

FY 10-11

\$1,100,000

FY 11-12

\$0 GF

Language:

Page 351, following line 14, insert:

"C-24.10. Planning: Loudoun Campus

\$1,100,000

Master Plan

Fund Sources: General

\$1,100,000".

Explanation:

(This amendment provides \$1.1 million GF to George Mason University to develop a master plan for the Loudoun Campus.)

Chief Patron: Houck

Item 181 #1s

Education: Higher Education	FY 10-11	FY 11-12	
University Of Mary Washington	\$100,000	(\$100,000)	GF
	1.00	1.00	FTE

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 \$100,000 GF from FY 2012 to FY 2011 and adds one FTE for operating support of the new Dahlgren Education and Research Center (DERC). DERC will serve as an anchor in the development of education and research partnerships between state higher education institutions and the adjacent Naval Support Facility - Dahlgren (NSFD).)

Finance

Department Of Taxation

Language

Language:

Page 166, line 1, following A., insert "1."

Page 166, following line 9, insert:

"2. Upon the request of a city or county treasurer or a city or county finance director exercising the duties of a treasurer as defined in § 58.1-3123, Code of Virginia, the Department of Taxation shall enter into an agreement with such treasurer or finance director, pursuant to the authority provided the Department in § 58.1-1803 A, by and through which such treasurer or finance director is authorized to collect delinquent accounts owed to the Commonwealth by taxpayers who may be found within, or who may receive income or possess or control tangible or intangible property or other assets within the jurisdiction of such treasurer or finance director. Upon the execution of such an agreement, the Department shall commence referring accounts for collection to such treasurer or finance director and shall maintain records relating to collections received by the Commonwealth as a result of such collection efforts."

Explanation:

(This amendment is self-explanatory.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$1,600,000	\$1,600,000	NGF

Language:

Page 184, line 20, strike "\$36,447,065" and insert "\$38,047,065".

Page 184, line 20, strike "\$36,447,065" and insert "\$38,047,065".

Page 184, line 35, strike "1."

Page 184, line 35, strike the first "\$2,645,375" and insert "1,045,375".

Page 184, line 35, strike the second "\$2,645,375" and insert "1,045,375".

Page 184, strike lines 38 through 42.

Explanation:

(This amendment restores \$1.6 million each year in nongeneral funds from the additional \$0.25 of the motor vehicle registration fee to the Virginia Rescue Squad Assistance Fund that was transferred to the State Police for med-flight operations.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$989,396	\$1,119,227	GF
Services	\$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. When such patterns are identified, the department shall notify the Medical Director for the Department of Behavioral Health and Developmental Services who may require a peer-to-peer consultation with the target prescribers, in coordination with the Department of Medical Assistance Services. Alternatives discussed during peer-to-peer consultations may be based upon: (i) evidence-based criteria available regarding efficacy or safety of the covered treatments; (ii) policy approval by the Drug Utilization Review Board; and/or (iii) FDA approved indications and dosage levels. However, the target prescriber has final decision-making authority to determine which behavioral health medications to prescribe or refill."

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.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	(\$4,000,000)	(\$4,000,000)	GF
Services	(\$4,000,000)	(\$4,000,000)	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,798,326,159".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,264,405,030".

Page 209, after line 23, insert:

"XXX. The Department of Medical Assistance Services shall partner with one or more appropriate vendors to improve clinical outcomes and achieve Medicaid savings through enhanced coordination of care for that portion of Medicaid enrollees identified with end stage renal disease (ESRD) or chronic kidney disease. Any agreement between the Department and any vendor(s) shall only provide compensation for vendor(s) out of identified savings reasonably attributable to the scope of work performed by the vendor in providing the enhanced coordination of care. The Department shall ensure that the services provided are directed at (i) delaying the progression of kidney disease and reducing avoidable costs such as the use of emergency rooms for ESRD diagnosis; (ii) improving transplantation rates in the Commonwealth; (iii) preparing patients for dialysis, including a focus on the modality for which they are most suitable and fistula placement in accordance with the Fistula First Breakthrough Initiative through the Centers for Medicare and Medicaid Services (CMS); (iv) assisting patients with adapting to dialysis; and (v) providing education and taking on care coordination issues such as nutrition, medication, management, and immunizations."

Explanation:

(This amendment adds language requiring the Department of Medical Assistance Services to partner with one or more vendors to improve outcomes and achieve efficiencies in providing care to Medicaid enrollees with end stage renal disease or chronic kidney disease.)

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 242, after line 18, insert:

"J. Until such time as adequate funding is available through the Dam Safety, Flood Prevention and Protection Assistance Fund established pursuant to § 10.1-603.17, the Soil and Water Conservation Board shall continue to issue conditional operation and maintenance certificates for any existing impoundment that does not comply with current dam safety regulations so long as the owner of the impoundment has an emergency action plan in place pursuant to 4 VAC 50-20-175.)

Explanation:

(This amendment requires the Soil and Water Conservation Board to continue to issue conditional operation and maintenance certificates for dams that were constructed prior to the adoption of the current dam safety regulations, as long as they maintain and annually practice an emergency action plan as required by the Virginia Administrative Code, until such time as there is adequate funding available to assist dam owners in making upgrades necessary to meet the new regulations.)

Chief Patron: Houck

Item 408 #1s

Public Safety

Department Of State Police

FY 10-11

(\$1,600,000)

FY 11-12

(\$1,600,000) NGF

Language:

Page 272, line 27, strike "\$212,684,300" and insert "\$211,084,300".

Page 272, line 27, strike "\$211,251,317" and insert "\$209,651,317".

Page 273, line 14, strike "2,645,375" and "2,645,375" and insert "1,045,375" and "1,045,375".

Explanation:

(This amendment removes \$1,600,000 each year in nongeneral funds from the Rescue Squad Assistance Fund from the State Police medevac program. A companion amendment to the Department of Health restores the \$4-for-Life funds to the Rescue Squad Assistance Fund.)

Public Safety

Compensation Board

Language

Language:

Page 280, strike lines 34 to 37.

Page 280, following line 33, insert:

"1. For local responsible inmates--\$8 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 \$22 per inmate day.

2. For state responsible inmates:

a. Who are being held awaiting trial for additional felony charges--\$8 per inmate day.

b. With all pending charges adjudicated:

i. \$8 per inmate day—for up to sixty days following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

ii. \$14 per inmate day—on and after the sixty-first day following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

iii. \$14 per inmate day—on and after the ninety-first day following the date of final sentence, if the final court order was not mailed by certified letter or electronic transmission to the Department of Corrections within thirty days after the order being issued. "

Page 280, following line 37, insert:

"3. Payments for the purposes of this paragraph shall cease once available funds are expended."

Page 282, line 15, strike "\$8" and insert "\$14".

Explanation:

(This amendment restores per diem payment rates for maintenance of prisoners in local and regional jails to the FY 2010 levels and provides that payments shall cease once available funds are expended.)

Chief Patron: Houck

Item 425 #7s

Co-Patron(s): Barker, Deeds, Edwards, Herring, Howell,
Locke, Lucas, Marsh, McEachin, Miller, J., Miller, Y.,
Northam, Petersen, Puckett, Puller, Reynolds, Saslaw,
Ticer, Whipple

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Houck

Item C-37.10 #1s

Education: Higher Education

University Of Mary Washington

FY 10-11

\$2,500,000

FY 11-12

\$0 NGF

Language:

Page 352, following line 25, insert:

"C-37.10. Improvements: Renovation and

\$2,500,000

Construction of Battleground Athletic

Complex Soccer Field

Fund Sources: Bond Proceeds

\$2,500,000".

Explanation:

(This amendment provides \$2.5 million from 9(d) bond proceeds for renovation and construction of Battleground Athletic Complex Soccer Field.)

Chief Patron: Howell

Item 6 #1s

Legislative Department	FY 10-11	FY 11-12	
Division Of Legislative Services	\$41,000	\$0	GF

Language:

Page 8, line 21, strike "\$6,015,667" and insert "\$6,056,667".

Explanation:

(This amendment provides \$41,000 the first year from the general fund for additional hardware, software, and other equipment needed to support the redistricting process. These funds will support two additional work stations, software applications, maintenance contracts, and equipping of two rooms for meetings related to redistricting.)

Chief Patron: Howell

Item 67.10 #1s

Administration

	FY 10-11	FY 11-12	
Compensation Board	\$513,276,014	\$502,817,324	GF
	\$30,530,045	\$43,903,767	NGF
	21.00	21.00	FTE

Language:

Remove contents of Page 276, line 30 through Page 292, line 16, and reinsert after line 11 on Page 34.

Explanation:

(This amendment restores the Compensation Board to the Office of Administration. A Companion amendment to Item 417 deletes the Compensation Board from the Office of Public Safety.)

Chief Patron: Howell

Item 132 #1s

Co-Patron(s): Barker, Herring, Marsden, Petersen,
Puller, Ticer, Whipple

Education: Elementary & Secondary	FY 10-11	FY 11-12
Direct Aid To Public Education	\$29,487,401	\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,310,182".

Page 78, strike lines 23 through 28.

Explanation:

(This amendment adds a net \$29.5 million GF in FY 2011 to use 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 FY 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget.)

Chief Patron: Howell

Item 227 #1s

Co-Patron(s): Colgan, Norment, Quayle, Watkins

Education: Other	FY 10-11	FY 11-12	
Jamestown-Yorktown Foundation	\$363,000	\$0	GF

Language:

Page 149, line 2, strike "\$14,864,935" and insert "\$15,227,935".

Explanation:

(This amendment adds \$297,000 for fee-based public programming, for front-line wages for interpretive programming, costuming supplies and laundry, and exhibit and grounds maintenance, and \$66,000 for web content development, graphic design and Web support in FY 2011. This action would hold general fund reductions to the FY 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.)

Chief Patron: Howell

Item 284 #1s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$85,000	\$85,000	GF

Language:

Page 185, line 27, strike "\$46,207,930" and insert "\$46,292,930".

Page 185, line 27, strike "\$46,190,166" and insert "\$46,275,166".

Page 186, line 5, strike each "200,000" and insert "285,000".

Explanation:

(This amendment restores \$85,000 GF each year for the pharmaceutical assistance program. The program provides health insurance premiums and copayments for low-income Medicare recipients who have HIV through the so-called "donut hole" -- a cap in Medicare coverage -- insuring recipients have access to HIV drugs. It is estimated that \$1.00 spent in the program avoids costs of \$4.00 to \$5.00 in the AIDS Drug Assistance Program.)

Chief Patron: Howell

Item 288 #2s

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 each "1,380,360" and insert "1,750,000".

Explanation:

(This amendment restores \$319,640 GF each year that was reduced from the operating costs for free clinics in the introduced budget.)

Chief Patron: Howell

Item 288 #3s

Health And Human Resources

FY 10-11

FY 11-12

Department Of Health

\$50,000

\$50,000 GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,334,333".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,334,333".

Page 192, after line 37, insert:

"X. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be provided to the Northern Virginia Dental Clinic."

Explanation:

(This amendment provides \$50,000 GF each year for the Northern Virginia Dental Clinic to increase access to adult dental care services.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$850,000	\$850,000	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$14,134,333".

Page 189, line 28, strike "\$13,284,333" and insert "\$14,134,333".

Page 192, after line 37, insert:

"X. Out of this appropriation, \$850,000 the first year and \$850,000 the second year from the general fund shall be provided to Food & Friends to provide meals, groceries and nutrition counseling to individuals living with life-challenging illnesses such as cancer, dementia, HIV/AIDS and end-stage renal failure. To be eligible for services, individuals must have a qualifying primary illness, compromised nutritional status and a limited ability to prepare meals due to disability, illness or medical treatment."

Explanation:

(This amendment provides \$850,000 GF each year to Food & Friends for home-delivered specialized meals and nutrition counseling to hundreds of Virginia residents who otherwise would not be offered such medically needed services. Food & Friends provides meals, groceries and nutrition counseling to individuals with cancer, dementia, HIV/AIDS and end-stage renal failure. To be eligible for services, individuals must have a qualifying primary illness, compromised nutritional status and a limited ability to prepare meals due to disability, illness or medical treatment. Appropriate home-based nutrition is critical and a medically necessary service to avoid more costly in-patient institutional care.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$3,700,000	\$13,300,000	GF
Services	\$3,700,000	\$13,300,000	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,813,726,159".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,299,005,030".

Page 207, strike lines 9 through 58.

Page 208, strike lines 1 through 5 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$3.7 million GF and \$3.7 million NGF the first year and \$13.3 million GF and \$13.3 million NGF from federal Medicaid matching funds the second year to remove a proposal in the introduced budget to freeze the distribution of unallocated home and community-based waiver slots from January 1, 2011 through December 31, 2011.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$9,300,759	\$10,521,220	GF
Services	\$11,736,923	\$10,521,220	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,827,363,841".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,293,447,470".

Page 209, after line 23, insert:

"XXX. The Department of Medical Assistance Services shall not reduce the rates paid for intensive in-home services below the payment rates in effect on July 1, 2009."

Explanation:

(This amendment restores \$9.3 million GF and \$11.7 million NGF the first year and \$10.5 million GF and \$10.5 million NGF from federal Medicaid matching funds the second year to maintain the current hourly rate for intensive in-home services at \$70 per hour. The introduced budget proposes a reduction from \$70 to \$60 per hour for intensive in-home services.)

Chief Patron: Howell

Item 297 #11s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 203, after line 47, insert:

"3. Upon approval by the Centers for Medicare and Medicaid Services to cover cervical cancers vaccines as part of the basic services protocol for family planning, the Department shall have the authority, if feasible and consistent with federal requirements, to amend the family planning waiver to cover such services."

Explanation:

(This amendment authorizes the Department to provide cervical cancer vaccines if the federal government allows coverage under the Medicaid Family Planning Waiver. The federal match rate for such services is 90 percent.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$2,485,652	\$2,565,193	GF
Services	\$2,485,652	\$2,565,193	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,811,297,463".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,277,535,416".

Page 208, strike lines 43 through 49 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$2.5 million GF and \$2.5 million NGF the first year and \$2.6 million GF and \$2.6 million NGF from federal Medicaid matching funds the second year to reverse a decision to require out of state hospitals to meet a threshold of 12 percent of Virginia residents from the Medicaid caseloads to qualify for additional disproportionate share hospital (DSH) payments.)

Chief Patron: Howell

Item 304 #2s

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 "2,270,000" and insert "2,670,000".

Explanation:

(This amendment restores \$400,000 GF each year for jail diversion and prisoner reentry services for individuals with mental illness.)

Chief Patron: Howell

Item 304 #3s

Health And Human Resources

Department Of Behavioral Health
And Developmental Services

Language

Language:

Page 212, strike lines 34 through 53.

Page 213, strike lines 8 through 16.

Explanation:

(This amendment removes budget language related to duplicative reporting requirements, obsolete references, or administrative responsibilities. In light of recent budget reductions, which 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 Item 304 will provide more meaningful and useful data about the system's performance. A companion amendment to Item 305 makes similar modifications.)

Chief Patron: Howell

Item 305 #1s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$832,100	\$832,100	GF

Language:

Page 215, line 2, strike "\$294,389,510" and insert "\$295,221,610".

Page 215, line 2, strike "\$294,324,510" and insert "\$295,156,610".

Explanation:

(This amendment adds \$832,100 GF each year to restore \$27,500 GF that was reduced from the project's general fund allocation and \$804,600 GF to expand services. The Regional Older Adult Facilities Mental Health Support Team pilot project currently receives \$550,000 GF each year to divert elderly individuals with mental illness from placement in Eastern State Hospital. Funding was reduced by 5 percent in September 2009.)

Health And Human Resources

Grants To Localities

Language

Language:

Page 215, strike lines 18 through 21 and re-letter the remaining paragraphs.

Page 215, strike lines 29 through 32 and re-letter the remaining paragraphs.

Page 216, strike lines 1 through 4 and re-letter the remaining paragraphs.

Page 216, strike lines 17 through 54 and re-letter the remaining paragraphs.

Page 217, strike lines 1 through 17 and re-letter the remaining paragraphs.

Page 218, strike lines 9 through 18 and re-letter the remaining paragraphs.

Page 218, after line 27, insert:

"GG. The Department of Behavioral Health and Developmental Services shall submit an annual 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 CSB or state facility 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 FY 2010.

Explanation:

(This amendment removes budget language related to duplicative reporting requirements, obsolete references, or administrative responsibilities. In light of recent budget reductions, which 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 304 makes similar modifications.)

Health And Human Resources

Department Of Social Services

Language

Language:

Page 228, after line 28, insert:

"O. The Commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the TANF assistance grant. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees."

Explanation:

(This language amendment requires that a cost of living increase be provided for recipients of cash assistance under the Temporary Assistance for Needy Families (TANF) program in the fiscal year following an increase for state employees. Because the proposed budget does not provide a salary increase for state employees, there is no fiscal impact to this amendment.)

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 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.)

Chief Patron: Howell

Item 327 #3s

Co-Patron(s): Reynolds

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$0	\$1,500,000	NGF

Language:

Page 226, line 20, strike "\$283,822,009" and insert "\$285,322,009".

Page 228, after line 28, insert:

"O. The Department of Social Services shall be authorized to contract with the Virginia Alliance for Boys and Girls Clubs and other community-based organizations that provide matching private sector funding or third party in-kind contributions for services to TANF-eligible individuals and families in order to draw down federal funds from the TANF Emergency Contingency Fund established in the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment adds language authorizing the department to contract with the Virginia Alliance of Boys and Girls Clubs to draw down TANF Emergency Contingency Fund amounts through the use of private matching funds or in-kind contributions. Virginia is eligible for up to \$79 million from the fund in federal fiscal years 2009 and 2010 and may partner with community-based organizations to access these funds based upon increased caseloads and increased expenditures.)

Chief Patron: Howell

Item 370 #1s

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, line 31, following "issues." insert "The task force membership shall include the State Coordinator for Behavioral Health and Criminal Justice Initiatives."

Explanation:

(This amendment adds the State Coordinator for Behavioral Health and Criminal Justice Initiatives to the Task Force on Alternatives for Nonviolent Offenders.)

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, line 32, following "appropriate" insert ", and shall include representatives of victims, drug and mental health treatment providers, reentry program providers, public defenders, and families of offenders. The task force shall monitor and report to the Joint Subcommittee on Public Safety concerning the implementation of its prior recommendations. The task force shall also make further recommendations concerning policies designed (1) to reduce the number of nonviolent offenders entering and continuing to be incarcerated in state and local correctional facilities, and (2) within the resources available, to increase the availability and effectiveness of educational, vocational, treatment, reentry, and other programs for violent and nonviolent offenders incarcerated in and released from such facilities. Such recommendations shall include appropriate consideration of the need to protect public safety."

Explanation:

(This amendment expands the membership of the Task Force on Alternatives for Nonviolent Offenders and clarifies its mission.)

Chief Patron: Howell

Item 384 #1s

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 261, following line 8, insert:

"e. The Board of Criminal Justice Services shall include within its training standards for local and regional criminal justice training academies, beginning in fiscal year 2011, a requirement that such academies shall provide Autism Spectrum Disorder awareness during basic training."

Explanation:

(This amendment is self-explanatory.)

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	\$27,124,240	\$36,696,711	GF

Language:

Page 262, line 23, strike "\$160,571,263" and insert "\$187,695,503".

Page 262, line 23, strike "\$160,571,263" and insert "\$197,267,974".

Page 262, line 30, strike "160,571,263" and "160,571,263" and insert "187,695,503" and "197,267,974".

Explanation:

(This amendment increases funding for state aid to localities with police department (the House Bill 599 Program) by \$27,124,240 the first year and \$36,696,711 the second year from the general fund. This is intended to restore funding to the statutorily-required rate of growth in the General Fund of 3.8 percent in fiscal year 2011 and 5.1 percent in fiscal year 2012.)

Chief Patron: Howell

Item 406 #1s

Public Safety

FY 10-11

FY 11-12

Department Of Military Affairs

\$500,000

\$0 GF

Language:

Page 270, line 44, strike "\$5,139,702" and insert "\$5,639,702".

Explanation:

(This amendment provides \$500,000 the first year from the general fund for the Virginia National Guard Foundation for emergency financial assistance in the form of no-interest loans, grants, and/or scholarships to Virginia National Guard service members, employees, and their families to enhance their health, safety, well-being, and/or welfare.)

Public Safety

Virginia Parole Board

Language

Language:

Page 276, at the beginning of line 23, insert "A."

Page 276, following line 25, insert:

"B.1. Absent compelling reasons to the contrary, the Virginia Parole Board shall grant a petition for geriatric release filed in accordance with Section 53.1-40.01, and shall grant discretionary parole to any inmate eligible therefore, with respect to any inmate who is terminally ill or permanently and totally disabled.

2. Compelling reasons may include reliance on any evidence-based risk assessment tool developed by the Virginia Criminal Sentencing Commission for consideration of candidates for parole or geriatric release that is consistent with best practices.

3. Any decision to deny geriatric release or discretionary parole in the foregoing cases shall be accompanied by fact-specific individualized reasons for such denial, which balances any material post-sentencing factors against the nature and circumstances of the offense. Nothing in this provision is intended to deprive any other inmate of the right established in Title 53.1 to fair and meaningful consideration for parole and geriatric release.

4. For purposes of this provision, "permanently and totally disabled" means unable to engage in any substantial gainful activity by reason of any medically determinable physical impairment or deformity that can be expected to result in death or can be expected to last for the duration of such person's life, and "terminally ill" means having an illness or sickness where the medical prognosis is the person's death within six months or less. The burden of demonstrating that an inmate is permanently and totally disabled or terminally ill shall be on the inmate and may not be satisfied without competent medical evidence."

Explanation:

(This amendment establishes a standard by which the Parole Board is required to grant petitions for geriatric release and petitions for discretionary parole in cases involving the terminal illness or permanent and total disability of a geriatric inmate, regardless of whether or not the inmate has reached the current required age standards. This amendment would continue to permit the Board to deny parole where there are good reasons for doing so.)

Chief Patron: Howell

Item 416 #2s

Public Safety

Virginia Parole Board

FY 10-11

(\$62,553)

FY 11-12

(\$62,553) GF

Language:

Page 276, line 19, strike "\$739,310" and insert "\$676,757".

Page 276, line 19, strike "\$613,407" and insert "\$550,854".

Page 414, line 23, strike "125,107" "125,107" and "125,107" and insert "62,554" "62,554" and "62,554".

Explanation:

(This amendment reduces the salary of the Chairman of the Parole Board by fifty percent. It is the intention of this amendment that the chairman's position become part-time as of July 1, 2010, as are the other four members of the Parole Board in the budget, as introduced.)

Chief Patron: Howell

Item 417 #9s

Public Safety

Compensation Board

	FY 10-11	FY 11-12	
	(\$513,276,014)	(\$502,817,324)	GF
	(\$30,530,045)	(\$43,903,767)	NGF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "(\$176,714,893)".

Page 276, line 32, strike "\$367,755,709" and insert "(\$178,965,382)".

Explanation:

(This amendment deletes the Compensation Board from the Office of Public Safety. A Companion amendment to Item 67.10 moves the Compensation Board back to the Office of Administration.)

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$19,587,856	\$19,261,327	GF

Language:

Page 279, line 45, strike "\$51,102,382" and insert "\$70,690,238".

Page 279, line 45, strike "\$53,352,871" and insert "\$72,614,198".

Page 280, strike lines 34 to 37.

Page 280, following line 33, insert:

"1. For local responsible inmates--\$8 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 \$22 per inmate day.

2. For state responsible inmates:

a. Who are being held awaiting trial for additional felony charges--\$8 per inmate day.

b. With all pending charges adjudicated:

i. \$8 per inmate day—for up to sixty days following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

ii. \$14 per inmate day—on and after the sixty-first day following the mailing by certified letter or electronic transmission to the Department of Corrections of the final court order within thirty days after the order being issued.

iii. \$14 per inmate day—on and after the ninety-first day following the date of final sentence, if the final court order was not mailed by certified letter or electronic transmission to the Department of Corrections within thirty days after the order being issued. "

Page 282, line 15, strike "\$8" and insert "\$14".

Explanation:

(This amendment provides \$19.6 million GF the first year and \$19.3 million GF the second year to restore per diem payment for maintenance of prisoners in local and regional jails to the FY 2010 levels.)

Transportation

Secretary Of Transportation

Language

Language:

Page 307, following line 12, insert

"G. It is the intent of the General Assembly that pursuant to the provisions of the Memorandum of Agreement between the Commonwealth of Virginia, Department of Transportation, and the Metropolitan Washington Airports Authority as part of the ongoing construction of Dulles Metro Silver Line, the Secretary and the Metropolitan Washington Airports Authority shall ensure the construction of sound walls along residential properties from the beginning of the Dulles Access Toll Road Corridor to Dulles International Airport. "

Explanation:

(This amendment directs the construction of sound barriers along the Dulles Access Toll Road corridor as part of the construction of the Dulles Metro Silver Line project.)

Chief Patron: Howell

Item 453 #1s

Transportation

Department Of Transportation

Language

Language:

Page 315, following line 28 insert

"F. Prior to undertaking any capacity improvements or other enhancements to roads intersecting with the Georgetown Pike, including the intersection with 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 requires VDOT to respect the historic nature of Georgetown Pike, including its intersection with Route 7.)

Chief Patron: Howell

Item C-84 #1s

Co-Patron(s): Colgan, Norment, Quayle, Watkins

Central Appropriations

Central Capital Outlay

Language

Language:

Page 361, line 10, after "Virginia Museum of Fine Arts" insert "and the Jamestown-Yorktown Foundation".

Page 361, after line 14, insert: "3. 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 owned by the Museum."

Explanation:

(This amendment allows unexpended maintenance reserve balances to be brought forward into the next biennium and allows up to 20 percent of the annual maintenance reserve allocation for the Jamestown-Yorktown Foundation to be used for conservation, as is currently permitted for the Virginia Museum of Fine Arts.)

Chief Patron: Hurt

Item 83 #3s

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$142,500	\$142,500	GF
Consumer Services	3.00	0.00	FTE

Language:

Page 45, line 17, strike "\$6,744,156" and insert "\$6,886,656".

Page 45, line 17, strike "\$6,742,906" and insert "\$6,885,406".

Explanation:

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

Commerce And Trade	FY 10-11	FY 11-12	
Department Of Housing And Community Development	\$100,000	\$2,350,000	NGF

Language:

Page 55, line 18, strike "\$47,675,836" and insert "\$47,775,836".

Page 55, line 18, strike "\$48,903,368" and insert "\$51,253,368".

Explanation:

(This amendment provides \$100,000 NGF in FY 2011 from the TANF block grant for start-up costs for a Rental Assistance Pilot Project (RAPP) that will continue into FY 2012. The RAPP would be created under the Department of Housing and Community Development through its existing Homeless Intervention Program sites, minimizing administrative costs and ensuring that funds go directly to families and individuals in need. The purpose of the pilot project is to prevent families from going into emergency shelters for housing and to assist families who are unable to leave shelters due to the difference between their income and market rent rates. Funds from RAPP would temporarily field the gap between family income and the cost of housing. Working families would be responsible to contribute 30 percent (the national average housing affordability figure) of their income toward their rent. It is estimated that 700 families could be served during the first year of the pilot project. The project would include the requirement for biannual reports from the participating localities in order to evaluate the effectiveness of the program, as well as a final report to the Governor and the housing commission on the effectiveness of the pilot project. The American Recovery and Reinvestment Act (ARRA) TANF Emergency Contingency Fund (ECF) provides for 80 percent federal reimbursement of increased costs for basic assistance, non-recurrent short-term payments, and subsidized employment (over FY 2007 or FY 2008). Data from the Department of Social Services demonstrate increased costs in the eligible categories during FY 2009 and FY 2010, which qualifies Virginia for additional reimbursements, as described above. The Department of Social Services is directed to request such reimbursement from the ARRA TANF ECF, and to utilize \$1,000,000 of these reimbursed funds to support a two year Rental Assistance Program.)

Chief Patron: Locke

Item 99 #2s

Commerce And Trade

Department Of Housing And
Community Development

FY 10-11
\$2,350,000

FY 11-12
\$2,350,000 NGF

Language:

Page 55, line 18, strike "\$47,675,836" and insert "\$50,025,836".

Page 55, line 18, strike "\$48,903,368" and insert "\$51,253,368".

Explanation:

(This amendment provides \$4,750,000 from the TANF block grant for a Rental Assistance Pilot Project (RAPP) that would have begun in 2010. In FY 2011, \$2.35 million will come from TANF balances. In FY 2012 funds will be taken from reduced TANF block grant transfers.)

Chief Patron: Locke

Item 297 #21s

Co-Patron(s): Barker, Lucas, Marsh, McEachin, Miller, J., Miller, Y., Northam, Petersen, Puckett, Puller, Reynolds

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$430,950	\$487,500	GF
Services	\$543,830	\$487,500	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,300,939".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,380,030".

Page 208, strike lines 18 through 21 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$430,950 GF and \$543,830 NGF the first year and \$487,500 GF and \$487,500 NGF from federal Medicaid matching funds the second year to reverse a proposed elimination of Medicaid coverage of podiatry services that was included in the introduced budget.)

Public Safety	FY 10-11	FY 11-12
Department Of Corrections	\$75,804	\$0 GF

Language:

Page 257, line 44, strike "\$82,246,458" and insert "\$82,322,262".

Page 257, following line 43, insert:

"J. Included in the appropriation for this Item is \$75,804 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 Senate Bill 22 by the 2010 Session of the General Assembly. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with Section 30-19.1:4 of the Code of Virginia."

Explanation:

(This amendment provides \$75,804 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 Senate Bill 22, which adds fire marshals and assistant fire marshals with police powers to the definition of law enforcement officers in the criminal statute for assault and battery. This amendment is contingent upon final passage of Senate Bill 22.)

Chief Patron: Locke

Item 425 #5s

Co-Patron(s): Houck

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Lucas

Item 29.1 #3s

Legislative Department	FY 10-11	FY 11-12	
Division of Legislative Services	\$3,040	\$3,040	GF

Language:

Page 14, following line 23, insert:

"29.1. Virginia Slave Commission \$3,040 \$3,040

29.1 Human Relations Management
(14600)

Fund Sources: General \$3,040 \$3,040."

Explanation:

(This amendment provides \$3,040 each year from the general fund for the Virginia Slave Commission , established by Senate Bill 618 of the 2010 General Assembly. This amendment is contingent upon final passage of Senate Bill 618.)

Chief Patron: Lucas

Item 101 #1s

Commerce And Trade

Department Of Housing And
Community Development

FY 10-11
\$1,000,000

FY 11-12
\$1,000,000 GF

Language:

Page 59, line 5, strike "\$12,423,354" and insert "\$13,423,354".

Page 59, line 5, strike "\$12,423,354" and insert "\$13,423,354".

Explanation:

(This amendment restores funding for Enterprise Zone grants in the 2010-2012 biennium to the FY 2010 level. Enterprise Zone grants are directly tied to job creation and business activities.)

Chief Patron: Lucas

Item 137 #1s

Education: Higher Education

State Council Of Higher Education
For Virginia

Language

Language:

Page 103, line 23, after "year.", insert:

"H. The Director of the State Council of Higher Education in Virginia shall allocate funds received from the federal College Access Challenge Grant Program to community based programs in Virginia that provide direct college access services to low and moderate income students."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Lucas

Item 281 #3s

Health And Human Resources

Department Of Health

Language

Language:

Page 184, line 37, after "operations.", insert:

"The Department of State Police shall report on the use of funds provided from the Rescue Squad Assistance Fund for aviation (med-flight) operations to the Emergency Medical Services Advisory Board by November 1 of each year."

Explanation:

(This amendment adds language requiring the Department of State Police to report annually on the use of \$4 for Life funds for med-flight operations. A companion amendment restores the transfer of \$1.6 million from the \$4 for Life funds to the State Police contained in the introduced budget.)

Chief Patron: Lucas

Item 288 #5s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$500,000	\$500,000	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,784,333".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,784,333".

Page 190, line 24, strike each "1,559,125" and insert "2,059,125".

Explanation:

(This amendment provides \$240,875 each year from the general fund to restore funding for Community and Migrant Health Centers which was reduced in the introduced budget by 10 percent. The amendment also increases funding by \$259,125 each year from the general fund to assist community health centers in addressing the increasing demands for health care services for the uninsured and those with incomes below 200 percent of the federal poverty level.)

Chief Patron: Lucas

Item 296 #4s

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 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.)

Chief Patron: Lucas

Item 333 #5s

Co-Patron(s): Puckett

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$637,500	\$637,500	NGF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$39,627,113".

Page 231, line 40, strike "\$33,412,198" and insert "\$34,049,698".

Page 233, after line 15, insert:

"H. Out of this appropriation, \$637,500 the first year and \$637,500 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to Centers for Employment and Training to promote self-sufficiency."

Explanation:

(This amendment restores \$637,500 each year from federal Temporary Assistance to Needy Families (TANF) block grant funds for the Centers for Employment and Training. The introduced budget eliminated TANF funding for these centers which provide job training for low-income citizens.)

Chief Patron: Lucas

Item 417 #4s

Public Safety

Compensation Board

FY 10-11

\$17,177,247

FY 11-12

\$17,177,247 GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$384,268,413".

Page 276, line 32, strike "\$367,755,709" and insert "\$384,932,956".

Page 279, strike lines 36 to 39.

Explanation:

(This amendment provides \$17.2 million GF the first year and \$17.2 million GF the second year to restore funding for retirement and group life insurance premiums for Sheriffs and their employees. A companion amendment to Item 424 provides language changes necessary to implement this restoration.)

Chief Patron: Lucas

Item 417 #5s

Public Safety

Compensation Board

FY 10-11

\$28,545,977

FY 11-12

\$28,545,977 GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$395,637,143".

Page 276, line 32, strike "\$367,755,709" and insert "\$396,301,686".

Explanation:

(This amendment provides \$28.5 million GF the first year and \$28.5 million GF the second year to restore Sheriffs' across-the-board reductions)

Chief Patron: Lucas

Item 418 #1s

Public Safety

Compensation Board

Language

Language:

Page 281, line 53, after "apply" insert ": (a)".

Page 281, line 55, after "contribution" strike "." and insert ", or (b) to any housing unit within a local or regional jail which for which there was no state contribution to the capital cost of the particular unit."

Explanation:

(This amendment exempts from the federal cost recovery methodology any specific housing unit of a local or regional jail for which no state funds were provided for the capital cost of the particular housing unit.)

Chief Patron: Lucas

Item 424 #6s

Public Safety

Compensation Board

Language

Language:

Page 291, line 55, strike “Items 417” and insert “Item 417 for regional jail operations, and Items”.

Explanation:

(This amendment provides for restoration of premiums for retirement and group life insurance for Sheriffs and their employees. A companion amendment to Item 417 provides funding necessary to implement this restoration.)

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive Payments	\$2,500,000	\$6,500,000	GF

Language:

Page 51, line 39, strike "\$38,950,436" and insert "\$41,450,436".

Page 51, line 39, strike "\$44,310,384" and insert "\$50,810,384".

§Page 54, after line 3, insert:

"K. Out of the appropriation for this item, \$2,500,000 the first year and \$6,500,000 the second year 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 accordance with § 45.1-393 et. seq, of the Code of Virginia, the grant shall be in an amount equal to \$0.10 for each gallon of neat biofuels produced and sold by the facility in each calendar year. The Director of the Department of Mines, Minerals and Energy shall certify to the Director of the Department of Planning and Budget that such company has established its eligibility to receive such funds by commencing qualifying sales during calendar year 2010."

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 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 regarding the intent to fund the grant if the facility meets required production levels.)

Chief Patron: Marsh

Item 111 #1s

Commerce And Trade

Department Of Mines, Minerals
And Energy

Language

Language:

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.)

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 83, after line 43, insert "Notwithstanding requirements elsewhere in this Item, no local match shall be required for any program funded with Lottery Proceeds."

Page 85, line 40, strike "These funds shall be matched by the local government, based on the composite index".

Page 85, line 41, strike "of local ability-to-pay."

Page 89, strike lines 30 and 31.

Page 94, strike lines 30 and 31.

Page 97, line 8, strike "These funds shall be matched by the local government, based on".

Page 97, line 9, strike "the composite index of local ability-to-pay."

Explanation:

(This amendment waives, for FY 2011 and FY 2012 only, the local match normally required for Textbooks and Lottery-funded programs, including Early Reading Intervention and K-3 Primary Class Size Reduction.)

Chief Patron: Marsh

Item 187 #1s

Education: Higher Education

University Of Virginia

FY 10-11

\$290,737

FY 11-12

\$290,737 GF

Language:

Page 126, line 5, strike "\$498,044,623" and insert "\$498,335,360".

Page 126, line 5, strike "\$461,809,231" and insert "\$462,099,968".

Explanation:

(This amendment partially restores reductions to the Virginia Foundation for the Humanities (VFH) at the University of Virginia. The Foundation reported that reductions of this magnitude would have severely damaged the ability of VFH to assist individuals and organizations across the Commonwealth.)

Chief Patron: Marsh

Item 327 #5s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$0	\$4,800,000	GF

Language:

Page 226, line 20, strike "\$283,822,009" and insert "\$288,622,009".

Page 227, line 13, after "grant", insert:

"and \$4,800,000 the second year from the general fund".

Explanation:

(This amendment restores \$4.8 million GF the second year for the child support supplement. Federal TANF block grant funding was eliminated for a number of programs that have been funded with these federal resources because of increased demands on TANF cash assistance, therefore general fund support is provided in FY 2012 to continue funding the supplement.)

Chief Patron: Marsh

Item 363 #1s

Natural Resources

FY 10-11

FY 11-12

Department Of Historic Resources

\$500,000

\$0 GF

Language:

Page 247, line 7, strike "\$4,655,433" and insert "\$5,155,433".

Explanation:

(This amendment provides funding for the Commonwealth's only National Historic Landmark site-based Civil Rights Era Museum. The Permanent Exhibition will tell the story of Prince Edward County's 13-year struggle (1951-1964) for Civil Rights in Education, a struggle which forever changed America's educational system.)

Chief Patron: McEachin

Item 99 #3s

Commerce And Trade	FY 10-11	FY 11-12	
Department Of Housing And	\$100,000	\$100,000	GF
Community Development	1.00	0.00	FTE

Language:

Page 55, line 18, strike "\$47,675,836" and insert "\$47,775,836".

Page 55, line 18, strike "\$48,903,368" and insert "\$49,003,368".

Page 55, line 28, strike "\$3,082,705" and insert "\$3,182,705".

Page 55, line 30, strike "\$3,082,705" and insert "\$3,182,705".

Explanation:

(This amendment provides funding and one position for DHCD for administration of the Communities of Opportunity Tax Credit created pursuant to SB 458.)

Revenues

Revenues

Language

Language:

Page 1, line 26, strike "\$14,451,432,415" and "\$15,181,414,575" and "\$29,632,846,990" and insert "\$14,450,532,415" and "\$15,180,514,575" and "\$29,631,046,990"

Explanation:

(This amendment reflects a preliminary estimate of the GF revenue loss of \$900,000 per year from proposed legislation that would increase the amount of the Major Business Facility Job Tax Credit from \$1,000 to \$2,000 for each qualifying new job and would lower the threshold from 50 new jobs to 25 new jobs in an economically distressed area or enterprise zone and from 100 jobs to 50 jobs in other areas of the Commonwealth. The revenue impact will be updated once a fiscal impact statement has been issued by the Tax Department.)

Commerce And Trade	FY 10-11	FY 11-12	
Economic Development Incentive Payments	\$13,188,945	\$13,188,945	GF

Language:

Page 51, line 39, strike "\$38,950,436" and insert "\$52,139,381".

Page 51, line 39, strike "\$44,310,384" and insert "\$57,499,329".

Page 52, line 1, strike "\$11,811,055 the first year and \$11,811,055" and insert "\$25,000,000 the first year and \$25,000,000".

Explanation:

(This amendment increases funding for the Governor's Development Opportunity Fund to a total of \$25 million GF each year of the biennium.)

Chief Patron: Miller, J.

Item C-5.10 #1s

Education: Higher Education

Christopher Newport University

FY 10-11

\$500,000

FY 11-12

\$0 NGF

Language:

"C-5.10. Planning: Student Success Center

\$500,000

Fund Sources: Higher Education Operating

\$500,000".

Explanation:

(This amendment provides \$500,000 NGF to Christopher Newport University for preplanning of a new Student Success Center.)

Chief Patron: Miller, J.

Item C-5.10 #2s

Education: Higher Education

Christopher Newport University

FY 10-11

\$17,682,000

FY 11-12

\$0 GF

Language:

"C-5.10. New Construction: Integrated
Science Center (Phase II) (17690)

\$17,682,000

Fund Sources: General

\$17,682,000".

Explanation:

(This amendment provides \$17.7 million GF to Christopher Newport University for construction of the Integrated Science Center (Phase II).)

Chief Patron: Miller, J.

Item C-5.10 #3s

Education: Higher Education

Christopher Newport University

FY 10-11

\$3,000,000

FY 11-12

\$0 NGF

Language:

"C-5.10. Improvements: Replace Roofs on
Residence Halls

\$3,000,000

Fund Sources: Bond Proceeds

\$3,000,000".

Explanation:

(This amendment provides \$3.0 million from 9(c) bond proceeds to Christopher Newport University for replacement of roofs on residence halls.)

Chief Patron: Miller, J.

Item 3-1.01 #1s

Transfers

Interfund Transfers

Language

Language:

Page 372, strike lines 13-15

Explanation:

(This amendment eliminates the transfer of \$18.8 million NGF from higher education auxiliary enterprise balances in FY 2011.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 374, line 17, after "is" strike "\$35,800,000" and insert "\$28,600,000"

Page 374, line 17, after "and" strike "\$35,800,000" and insert "\$28,600,000"

Page 376 strike lines 13-14

Page 376 strike line 17

Page 376 strike lines 19-26

Page 376 strike lines 32-33

Page 376 strike lines 36-37

Page 376 strike lines 40-48

Page 377 strike lines 1-14

Explanation:

(This amendment eliminates the withholding of interest on higher education auxiliary balances in the 2010-2012 biennium. The action would restore approximately \$7.2 million NGF in each year of the biennium.)

Chief Patron: Miller, Y.

Item 169 #1s

Education: Higher Education

Norfolk State University

FY 10-11

\$970,420

FY 11-12

\$970,420 GF

Language:

Page 118, line 8, strike "\$76,660,510" and insert "\$77,630,930".

Page 118, line 8, strike "\$69,000,291" and insert "\$69,970,711".

Explanation:

(This amendment provides \$970,420 GF in each year of the biennium for the Ph.D. program in Materials Science at NSU.)

Chief Patron: Miller, Y.

Item 297 #6s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$18,154,159	\$17,961,285	GF
Services	\$22,909,309	\$17,961,285	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,847,389,627".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,308,327,600".

Page 208, strike lines 13 through 17 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$18.2 million GF and \$22.9 million NGF the first year and \$18.0 million GF and \$18.0 million NGF from federal Medicaid matching funds the second year to reverse a proposed reduction of five percent from the rates paid to providers of home and community-based Medicaid waiver services that was included in the introduced budget.)

Chief Patron: Miller, Y.

Item 297 #7s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$449,298	\$522,102	GF
Services	\$566,983	\$522,102	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,342,440".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,449,234".

Page 206, strike lines 11 through 17 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$449,298 GF and \$566,983 NGF the first year and \$522,102 GF and \$522,102 NGF from federal Medicaid matching funds the second year to restore funding that was eliminated for long-stay hospitals in the introduced budget.)

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

Language:

- Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,786,326,159".
- Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,252,405,030".
- Page 199, line 28, strike the semi-colon and insert a period.
- Page 199, line 28, strike "(iii) appropriate exclusions for".
- Page 199, strike lines 29 through 31.
- Page 199, line 32, strike "v" and insert "iii".
- Page 199, line 34, strike "and (vi)" and insert "(iv)".
- Page 199, line 36, before the period, insert:
"; and (v) The Department shall require that a generic drug be dispensed if it is chemically-equivalent to a brand name drug and more cost-effective."

Explanation:

(This amendment assumes Medicaid savings by making changes to the preferred drug list program. This amendment removes exclusions for medications used in the treatment of serious mental illnesses, brain disorders, cancer or HIV-related conditions. Under current law, prescription drugs used in the treatment of these illnesses are exempt from the preferred drug list program. This amendment applies the same principles for receiving prescription drugs under Medicaid's preferred drug list to non-Medicaid recipients by requiring that a generic drug be dispensed for a brand-name equivalent if it is chemically the same.)

Chief Patron: Norment

Item 146 #1s

Education: Higher Education	FY 10-11	FY 11-12	
The College Of William And Mary	\$761,139	\$888,147	GF
In Virginia	6.43	6.43	FTE

Language:

Page 108, line 8, strike "\$140,915,608" and insert "\$141,676,747".

Page 108, line 8, strike "\$129,576,192" and insert "\$130,464,339".

Explanation:

(This amendment provides operating support for new facilities coming on-line during the 2010-2012 biennium. These facilities include the new School of Education, the Career Center, and two additions; an increase of 153,000 gross square feet.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$0	\$1,500,000	NGF

Language:

Page 226, line 20, strike "\$283,822,009" and insert "\$285,322,009".

Page 228, after line 28, insert:

“O. The Department of Social Services shall be authorized to contract with the Virginia Alliance for Boys and Girls Clubs and other community-based organizations that provide matching private sector funding or third party in-kind contributions for services to TANF-eligible individuals and families in order to draw down federal funds from the TANF Emergency Contingency Fund established in the American Recovery and Reinvestment Act of 2009.”

Explanation:

(This amendment adds language authorizing the department to contract with the Virginia Alliance of Boys and Girls Clubs to draw down TANF Emergency Contingency Fund amounts through the use of private matching funds or in-kind contributions. Virginia is eligible for up to \$79 million from the fund in federal fiscal years 2009 and 2010 and may partner with community-based organizations to access these funds based upon increased caseloads and increased expenditures.)

Chief Patron: Norment

Item 422 #1s

Public Safety

Compensation Board

Language

Language:

Page 287, following line 13, insert:

"2. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the City of Newport News, whose Circuit Court Clerk's Technology Trust Fund is segregated from the statewide pool pursuant to § 17.1-288, may allocate up to \$100,000 the first year and \$100,000 the second year of its Technology Trust Fund monies for operating expenses of the Newport News Circuit Court Clerk's office."

Explanation:

(This amendment allows the Newport News Circuit Court Clerk to use up to \$100,000 the first year and \$100,000 the second year of its Technology Trust Fund monies for operating expenses.)

Chief Patron: Norment

Item C-10.10 #3s

Education: Higher Education

FY 10-11

FY 11-12

The College Of William And Mary
In Virginia

\$0
\$0

\$8,181,000 GF
\$9,999,000 NGF

Language:

Page 349, following line 14, insert:

"C-10.10. New Construction: Cooling Plant
& Utilities (Phase III)

\$18,180,000

Fund Sources: General

\$8,181,000

Bond Proceeds

\$9,999,000".

Explanation:

(This amendment provides \$8.2 million GF and \$10.0 million from 9(d) bond proceeds to the College of William and Mary for construction of the cooling plant and utilities, phase III.)

Chief Patron: Norment

Item C-68.50 #1s

Co-Patron(s): Hanger, Northam

Education: Higher Education

Virginia Military Institute

FY 10-11

\$0

FY 11-12

\$4,570,000 GF

Language:

Page 356, following line 16, insert:

"C-68.50. Planning: Physical Training

\$4,570,000

Facilities

Fund Sources: General

\$4,570,000".

Explanation:

(This amendment provides \$4.6 million GF to the Virginia Military Institute for detailed planning of physical training facilities.)

Chief Patron: Northam

Item 117 #1s

Commerce And Trade	FY 10-11	FY 11-12	
Virginia Employment Commission	\$12,628,029	\$12,079,990	GF

Language:

Page 64, line 41, strike "\$0" and insert "\$12,628,029".

Page 64, line 41, strike "\$0" and insert "\$12,079,990".

Explanation:

(This amendment provides \$12.6 million GF the first year and \$12.1 million GF the second year to restore law enforcement deputy sheriff positions at a ratio of 1 deputy per 1500 locality population, per Section 15.2-1609.1, Code of Virginia. An additional 375 positions for Sheriffs are also added to the position count table in Item 424, paragraph B.1.)

Chief Patron: Northam

Item 154 #1s

Education: Higher Education	FY 10-11	FY 11-12	
Virginia Institute Of Marine Science	\$450,000 3.00	\$450,000 3.00	GF FTE

Language:

Page 111, line 19, strike "\$22,788,496" and insert "\$23,238,496".

Page 111, line 19, strike "\$17,582,788" and insert "\$18,032,788".

Explanation:

(This amendment would provide funding for monitoring and analysis of toxic pollutants concentrate in fish/shellfish from Virginia waters so that consumption advisories could be issued as mandated under the Code.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$449,298	\$522,102	GF
Services	\$566,983	\$522,102	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,342,440".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,449,234".

Page 206, strike lines 11 through 17 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$449,298 GF and \$566,983 NGF the first year and \$522,102 GF and \$522,102 NGF from federal Medicaid matching funds the second year to restore funding that was eliminated for long-stay hospitals in the introduced budget.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$750,000	\$750,000	GF
Services	\$750,000	\$750,000	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,826,159".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,905,030".

Page 209, after line 23, insert:

"XXX. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance governing Medicaid reimbursements for Virginia hospitals to provide enhanced reimbursements to provide an increase in Indirect Medical Education payments for non-state owned hospitals with base year 2002 Medicaid Neonatal Intensive Care Unit (NICU) utilization greater than 50 percent, as reported to the Department as of March 1, 2004."

Explanation:

(This amendment provides enhanced reimbursements to inpatient hospitals located in the Commonwealth with Medicaid utilization rates greater than 50 percent of their Neonatal Intensive Care Unit (NICU) patient populations. The enhanced reimbursements would be proportionally distributed to the hospitals based on each hospital's share of NICU Medicaid patient days.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$2,367,186	\$3,935,676	GF
Services	\$2,367,186	\$3,935,676	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,811,060,531".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,280,276,382".

Page 206, line 22, before the period, insert:

"except Virginia hospitals with 50 percent or greater Medicaid utilization in their provider fiscal year ending in calendar year 2007"

Explanation:

(This amendments restores \$2.4 million GF the first year and \$3.9 million GF the second year to exempt hospitals with 50 percent or greater Medicaid utilization from a reduction in the inflation adjustment for inpatient hospital services.)

Chief Patron: Northam

Item 320 #1s

Health And Human Resources
Department Of Rehabilitative
Services

FY 10-11
\$321,854

FY 11-12
\$321,854 GF

Language:

Page 222, line 37, strike "\$91,068,348" and insert "\$91,390,202".

Page 222, line 37, strike "\$90,836,209" and insert "\$91,158,063".

Page 223, line 9, strike each "3,188,638" and insert "3,510,492".

Explanation:

(This amendment adds \$321,854 GF each year to restore \$194,931 GF that was reduced in the introduced budget and expand services for individuals with brain injury.)

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 to 39.

Explanation:

(This amendment provides \$12.6 million GF the first year and \$12.1 million GF the second year to restore law enforcement deputy sheriff positions at a ratio of one deputy per 1,500 locality population, per Section 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.)

Chief Patron: Northam

Item 417 #2s

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$382,505	\$382,505	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$367,473,671".

Page 276, line 32, strike "\$367,755,709" and insert "\$368,138,214".

Page 279, strike lines 36 to 39.

Explanation:

(This amendment provides \$382,505 GF the first year and \$382,505 GF the second year to restore funding for the VARISK liability insurance and surety bond programs for Sheriffs at the current level of 50 percent of cost. A companion amendment to Item 424 provides language changes necessary to maintain the current recovery level.)

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$2,958,139	\$2,958,139	GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$370,049,305".

Page 276, line 32, strike "\$367,755,709" and insert "\$370,713,848".

Page 278, line 36, after "Program" insert "in regional jails".

Page 278, line 37, after "Program" insert "in regional jails".

Page 279, strike lines 25 through 27.

Explanation:

(This amendment provides \$3.0 million GF the first year and \$3.0 million GF the second year to restore funding for the Sheriffs' career development program.)

Chief Patron: Northam

Item 424 #1s

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$102,000	\$102,000	GF

Language:

Page 289, line 14, strike "\$4,965,347" and insert "\$5,067,347".

Page 289, line 14, strike "\$4,965,347" and insert "\$5,067,347".

Explanation:

(This amendment restore \$102,000 GF the first year and \$102,000 GF the second year for support of the Local Inmate Data system.)

Chief Patron: Northam

Item 424 #4s

Public Safety

Compensation Board

Language

Language:

Page 289, line 42, Strike "10,501" and "10,501" and insert "10,826" and "10,826".

Explanation:

(This amendment makes a technical correction in the Compensation Board's position authorization table to reflect restoration of deputy sheriff positions to maintain Law Enforcement Deputy Sheriff positions at a ratio of one deputy per 1,500 locality population, per Section 15.2-1609.1, Code of Virginia.)

Chief Patron: Northam

Item 424 #5s

Public Safety

Compensation Board

Language

Language:

Page 291, line 32, strike “Items 417” and insert “Item 417 for regional jail operations, and Items”;

Page 291, line 34, after “offices” insert “excluding Sheriffs”.

Explanation:

(This amendment provides for maintenance of the cost of the VARISK liability insurance and surety bond program for Sheriffs at 50 percent. A companion amendment to Item 417 provides funding necessary to maintain the current recovery level.)

Chief Patron: Obenshain

Item 60 #1s

Executive Offices

Attorney General And Department
Of Law

Language

Language:

Page 30, at the beginning of line 20, insert "A."

Page 30, following line 37, insert:

"B. The Department of Planning and Budget shall transfer such funds and full time equivalent positions from Item 87 to this Item as shall be necessary to carry out the provisions of Senate Bill 388 of the 2010 General Assembly."

Explanation:

(This amendment provides authority for the Department of Planning and Budget to transfer funds as necessary to implement the transfer of the investigative and consumer complaint and dispute resolution functions from the Office of Consumer Affairs in the Department of Agriculture and Consumer Services to the Division of Consumer Counsel in the Office of the Attorney General. This amendment is contingent upon final passage of Senate Bill 388.)

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 83, line 38, insert "24. Notwithstanding other requirements in this Item, for the first year and the second year, no school division shall be required to meet any program or local matching requirements for any program funded with Lottery proceeds, with the exception of Foster Care, as long as the funds are used for public education purposes. In the case of programs where funding is calculated based on participation levels, such distributions shall be based on projections in SB 30 as introduced."

Explanation:

(This amendment permits, for FY 2011 and FY 2012, school divisions discretion on the expenditure of Lottery-derived funds, rather than requiring such funds to be spent specifically on the following programs: Enrollment Loss, At-Risk, Virginia Preschool Initiative, Early Reading Intervention, Mentor Teacher, K-3 Class Size Reduction, School Breakfast, SOL Algebra Readiness, Support for School Construction and Operating Costs, Regional Alternative Education, ISAEP, Special Education Regional Tuition, Career and Technical Education Categorical, No Child Left Behind/Education for a Lifetime Programs, Project Graduation, and Supplemental Basic Aid. In addition, local matching requirements are waived.)

Finance

Treasury Board

Language

Language:

Page 172, following line 31, insert:

"Rappahannock-Shenandoah-Warren Regional Jail \$32,840,850."

Page 172, line 32, strike "177,469,988" and insert "210,310,838".

Page 172, line 37, following "\$875,294.", insert:

"The Commonwealth's share of the total cost of construction for the Rappahannock-Shenandoah-Warren Regional Jail shall not exceed \$32,840,850."

Explanation:

(This amendment adds the Rappahannock-Shenandoah-Warren Regional Jail to the list of projects approved for reimbursement for the state share of the capital cost for the project.)

Chief Patron: Obenshain

Item 4-5.05 #2s

Co-Patron(s): Hanger, Hurt, Martin, McDougle, McWaters, Newman, Smith, Vogel

Special Conditions and Restrictions on Expenditures

Nonstate Agencies, Interstate Compacts and
Organizational Memberships

Language

Language:

Page 408, after line 48, insert:

"6. MEDICAL SERVICES. Notwithstanding any other provisions of this act, no expenditure from general, special, or other non-general fund sources may be made out of any appropriation by the General Assembly for services provided by any organization providing abortion or abortion counseling services, except hospitals as defined in Section 32.1-123 of the Code of Virginia."

Explanation:

(This amendment is self-explanatory.)

Chief Patron: Petersen

Item 0 #1s

Revenues

Revenues

Language

Language:

Page 1, line 26, strike "\$14,451,432,415" and "\$15,181,414,575" and "\$29,632,846,990" and enter "\$14,553,432,415" and "\$15,283,414,575" and "\$29,836,846,990"

Explanation:

(This amendment reflects increased General Fund revenue of \$102.0 million per year from reinstatement of the estate tax as proposed in a companion amendment included in Section 4. The tax would be reimposed for deceased residents whose gross estates exceed \$5.0 million, unless the majority of the assets of the total estate are an interest in a closely held business or working farm. The estimated \$102.0 million per year would be used to fund specified community-based Health and Human Resources programs.)

Judicial Department

Virginia Criminal Sentencing
Commission

Language

Language:

Page 25, at the beginning of line 28, insert "A."

Page 25, following line 32, insert:

"B. On or before August 1, 2010, the Virginia Criminal Sentencing Commission shall publish in the Virginia Register proposed evidence-based risk guidelines designed to inform all discretionary parole and geriatric release decisions made by the Virginia Parole Board. Such proposal shall be accompanied by an evaluation of those evidence-based risk assessment tools then in use or under consideration by other paroling authorities, including an analysis of both static and dynamic risk factors. On or before December 1, 2010, and following at least thirty (30) days notice and opportunity to comment on such proposal by interested members of the public, the Commission shall adopt and publish in the Virginia Register final risk assessment guidelines. Such guidelines shall be applied by the Virginia Parole Board in course of all discretionary and geriatric release decisions."

Explanation:

(This amendment directs the Virginia Criminal Sentencing Commission to develop risk assessment guidelines to inform discretionary parole and geriatric release decisions made by the Virginia Parole Board.)

Chief Patron: Petersen

Item 132 #1s

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

\$29,487,401

\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,310,182".

Page 78, strike lines 23 through 28.

Explanation:

(This amendment adds a net \$29.5 million GF in FY 2011 to use 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 FY 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget.)

Chief Patron: Petersen

Item 275 #1s

Health And Human Resources

FY 10-11

FY 11-12

Department For The Aging

\$20,000

\$20,000 GF

Language:

Page 180, line 48, strike "\$28,902,375" and insert "\$28,922,375".

Page 180, line 48, strike "\$28,902,375" and insert "\$28,922,375".

Page 181, line 34, strike each "\$8,076" and insert "\$28,076".

Explanation:

(This amendment restores \$20,000 GF each year for the Korean Intergenerational and Multi-Purpose Senior Center. Funding was reduced in the introduced budget.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance Services	\$102,000,000	\$102,000,000	GF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,908,326,159".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,374,405,030".

Page 209, after line 23, insert:

"XXX. Within the limits of this appropriation, \$102,000,000 each year from the general fund shall be used to restore or expand funding for i) community-based services provided through area agencies on aging, ii) Medicaid reimbursement rates for hospitals and nursing homes, and iii) services provided through the Medicaid Home and Community Based waiver program. Up to 10 percent of these funds may be transferred to the Department for the Aging for these purposes."

Explanation:

(This amendment adds \$102 million GF each year to expand community-based services to the elderly and disabled. A separate amendment generates funding from the repeal of the estate tax.)

Public Safety

Secretary Of Public Safety

Language

Language:

Page 251, line 32, following "appropriate" insert ", and shall include representatives of victims, drug and mental health treatment providers, reentry program providers, public defenders, and families of offenders. The task force shall monitor and report to the Joint Subcommittee on Public Safety concerning the implementation of its prior recommendations. The task force shall also make further recommendations concerning policies designed (1) to reduce the number of nonviolent offenders entering and continuing to be incarcerated in state and local correctional facilities, and (2) within the resources available, to increase the availability and effectiveness of educational, vocational, treatment, reentry, and other programs for violent and nonviolent offenders incarcerated in and released from such facilities. Such recommendations shall include appropriate consideration of the need to protect public safety."

Explanation:

(This amendment expands the membership of the Task Force on Alternatives for Nonviolent Offenders and clarifies its mission.)

Public Safety

Department Of Corrections

Language

Language:

Page 259, following 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 make 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 Section 53.1-154.1 of the Code of Virginia."

Explanation:

(This amendment requires 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.)

Public Safety	FY 10-11	FY 11-12	
Department Of Criminal Justice Services	(\$3,000,000)	(\$6,000,000)	GF

Language:

Page 260, line 11, strike "\$76,780,910" and insert "\$73,780,910".

Page 260, line 11, strike "\$76,780,910" and insert "\$70,780,910".

Page 261, line 21, strike "23,408,828" and "23,408,828" and insert "17,408,828" and "17,408,828".

Page 261, following line 33, insert:

"3. No such person shall be released to a pretrial services agency in lieu of secured bond until he is determined by a court to be indigent pursuant to the provisions of Section 19.2-159 of the Code of Virginia."

Explanation:

(This amendment reduces funding for local pretrial services programs by \$3,000,000, consistent with the provisions of House Bill 728 of the 2010 Session of the General Assembly, which limits pretrial supervision in lieu of secured bond to persons who have been determined by the court to be indigent. This amendment is contingent upon final passage of House Bill 728.)

Effective Date

Effective Date

Language

Language:

Page 435, following line 47, insert:

7. That §§ 58.1-901, 58.1-902, 58.1-905, and 58.1-912 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 58.1-901.1 as follows:

§ 58.1-901. Definitions.

As used in this chapter, unless the context clearly shows otherwise, the term or phrase:

"Decedent" means a deceased person.

"Federal credit" means the maximum amount of the credit for state death taxes allowable by § 2011 of the United States Internal Revenue Code of 1954, as amended or renumbered, or successor provision, in respect to a decedent's taxable estate. The term "maximum amount" shall be construed as to take full advantage of such credit as the laws of the United States may allow. For deaths occurring on or after July 1, 2009, in no event (including for purposes of the computations under § 58.1-901.1) shall such maximum amount be less than the federal credit allowable by § 2011 of the Internal Revenue Code as it existed on January 1, 1978.

"Gross estate" means "gross estate" as defined in § 2031 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

"Interest in a closely held business" means an "interest in a closely held business" as defined in § 6166 of the United States Internal Revenue Code of 1986, as amended or renumbered, or the

successor provision of the laws of the United States.

"Nonresident" means a decedent who was domiciled outside of the Commonwealth of Virginia at his death.

"Personal representative" means the personal representative of the estate of the decedent, appointed, qualified and acting within the Commonwealth, or, if there is no personal representative appointed, qualified and acting within the Commonwealth, then any person in actual or constructive possession of the Virginia gross estate of the decedent.

"Resident" means a decedent who was domiciled in the Commonwealth of Virginia at his death.

"State" means any state, territory or possession of the United States and the District of Columbia.

"Taxable estate" means "taxable estate" as defined in § 2051 of the United States Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States.

"Value" means "value" as finally determined for federal estate tax purposes under the laws of the United States relating to federal estate taxes.

"Working farm" means an interest in a closely held business that operates as an active trade or business for agricultural purposes.

Any reference in this chapter to the laws of the United States relating to federal estate and gift taxes means 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 estate and gift taxes, as the same may be or become effective at any time or from time to time.

§ 58.1-901.1. Date of death for decedents dying on or after January 1, 2010.

For deaths occurring on or after January 1, 2010, solely for purposes of computing the tax due under this article or Article 4 (§ 58.1-931 et seq.) of this chapter, and regardless of whether or not the laws of the United States require that a federal estate tax return be filed, the personal representative shall compute the federal estate tax as if the decedent had died on January 1, 2009.

§ 58.1-902. Tax on transfer of taxable estate of residents; amounts; credit; property of resident defined.

A. 1. A tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident, subject, where applicable, to the credit provided for in subsection B.

2. For deaths occurring on or after July 1, 2009, a tax in the amount of the federal credit is imposed on the transfer of the taxable estate of every resident whose gross estate exceeds \$5 million, subject, where applicable, to the credit provided for in subsection B. However, no tax shall be imposed on a gross estate if the majority of the assets of the total estate are an interest in a closely held business or working farm.

B. If the real and tangible personal property of a resident is located outside of the Commonwealth and is subject to a death tax imposed by another state for which a credit is allowed under § 2011 of the Internal Revenue Code of 1954, as amended or renumbered, or the successor provision of the laws of the United States relating to federal estate taxes, the amount of tax due under this section shall be credited with the lesser of:

1. The amount of the death tax paid the other state and credited against the federal estate tax; or
2. An amount computed by multiplying the federal credit by a fraction, the numerator of which is the value of that part of the gross estate over which another state or states have jurisdiction to the same extent to which Virginia would exert jurisdiction under this chapter with respect to the

residents of such other state or states and the denominator of which is the value of the decedent's gross estate.

C. Property of a resident includes:

1. Real property situated in the Commonwealth of Virginia;
2. Tangible personal property having an actual situs in the Commonwealth of Virginia; and
3. Intangible personal property owned by the resident regardless of where it is located.

§ 58.1-905. Filing returns; payment of tax due thereon.

A. 1. The personal representative of every estate subject to the tax imposed by this chapter who is required by the laws of the United States to file a federal estate tax return shall file with the Department, on or before the date the federal estate tax return is required to be filed: (i) a return for the tax due under this chapter; and (ii) a copy of the federal estate tax return.

2. If the personal representative of any estate subject to the tax imposed by this chapter is not required by the laws of the United States to file a federal estate tax return, then the personal representative shall file with the Department a return for the tax due under this chapter within the 180 days immediately following the death of the decedent.

B. 1. If the personal representative has obtained an extension of time for filing the federal estate tax return or paying the federal estate tax or any portion thereof, the filing required by subsection A subdivision A 1 or payment required by subsection C shall be similarly extended until the end of the time period granted in the federal extension. Upon obtaining an extension of time for filing the federal estate tax return, or paying the federal estate tax or any portion thereof, the personal representative shall provide the Department with a true copy of the instrument providing for this extension.

2. For personal representatives described under subdivision A 2, the Department may grant an

extension of time for filing the state estate tax return or remitting to the Department the tax due pursuant to this chapter, or any portion of the tax due. The Department shall establish procedures and conditions for an extension.

C. The tax due under this chapter shall be paid by the personal representative to the Department not later than the date specified under subsection A or B. If such tax is paid pursuant to subsection B, interest, at a rate equal to the rate of interest established pursuant to § 58.1-15, shall be added for the period between the date when such tax would have been due had no extension been granted and the date of full payment.

D. Notwithstanding any other provision of this section, the extensions provided to individual taxpayers under subdivisions 1 and 2 of subsections F and G of § 58.1-344 shall be applicable in the same manner to the tax imposed by this chapter.

§ 58.1-912. Deposit of funds.

All moneys collected pursuant to this chapter shall be paid into the general fund of the state treasury and shall be used, as provided in the general appropriation act, for funding community-based programs of area agencies on aging, increasing Medicaid reimbursement rates for hospitals or nursing homes that serve indigent seniors, and funding the cost of existing or additional waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover certain health care services and delivery systems for senior citizens, as may be permitted by Title XIX of the Social Security Act.

Explanation:

(This amendment effectively reinstates the Virginia estate tax for residents whose gross estates exceed \$5.0 million, unless the majority of the assets of the total estate are an interest in a closely held business or working farm. The estimated \$102.0 million per year would be used to fund specified

community-based Health and Human Resources programs.)

Chief Patron: Puckett

Item 120 #1s

Commerce And Trade

FY 10-11

FY 11-12

Virginia Tourism Authority

\$100,000

\$100,000 GF

Language:

Page 66, line 2, strike "\$14,458,765" and insert "\$14,558,765".

Page 66, line 2, strike "\$14,458,765" and insert "\$14,558,765".

Explanation:

(This amendment provides funding for the Virginia Coalfield Regional Tourism Development Authority, which develops, markets and promotes tourism related efforts throughout the seven coalfield counties in Southwest Virginia to include Cuchanan, Lee, Russell, Scott, Tazewell, Dickenson, Wise and the City of Norton.)

Chief Patron: Puckett

Item 120 #2s

Co-Patron(s): Hanger

Commerce And Trade

FY 10-11

FY 11-12

Virginia Tourism Authority

\$34,500

\$34,500 GF

Language:

Page 66, line 2, strike "\$14,458,765" and insert "\$14,493,265".

Page 66, line 2, strike "\$14,458,765" and insert "\$14,493,265".

Page 66, line 40, strike "\$85,500 the first year and \$85,500" and insert "\$120,000 the first year and \$120,000".

Page 66, line 43, strike "\$256,500" and insert "\$360,000".

Explanation:

(This amendment provides an additional \$34,500 GF each year for the Tourism Cooperative Advertising Program.)

Chief Patron: Puckett

Item 198 #1s

Education: Higher Education

Virginia Commonwealth University

Language

Language:

Page 134, after line 11, insert:

"P. The School of Dentistry at Virginia Commonwealth University shall place a priority of acceptance on applicants and students who apply from rural and underserved areas of the Commonwealth, specifically Southwest Virginia and Southside Virginia."

Explanation:

(This amendment prioritizes applicants from the underserved areas of the Commonwealth for the School of Dentistry at Virginia Commonwealth University.)

Health And Human Resources

Department Of Health

Language

Language:

Page 187, after line 17, insert:

"E. Effective July 1, 2010, the schedule of fees for applications for certificates of public need (COPN) shall not be less than \$1,000 nor exceed the lesser of one percent of the proposed expenditure for the project or \$50,000. Such fees shall be divided equally between the Department of Health and regional health planning agencies (RHPAs), with the allocation among the regional health planning agencies based on population. If any region does not have a designated RHPA for any period of time, the Department of Health shall retain the fees that would have been distributed to the RHPA."

Explanation:

(This language amendment restricts COPN application fees to \$1,000 or the lesser of one percent of the project expenditures not to exceed \$50,000.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$5,195,132	\$21,238,946	GF
Services	\$6,555,902	\$21,238,946	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,818,077,193".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,314,882,922".

Page 205, strike lines 39 through 46 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$5.2 million GF and \$6.6 million NGF from federal Medicaid matching funds the first year and \$21.2 million GF and \$21.2 million NGF the second year by eliminating a proposal to reduce respite care services for home and community-based waiver recipients beginning January 1, 2011. The introduced budget reduced available hours of respite care from 720 to 240 hours per year.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$18,154,159	\$17,961,285	GF
Services	\$22,909,309	\$17,961,285	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,847,389,627".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,308,327,600".

Page 208, strike lines 13 through 17 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$18.2 million GF and \$22.9 million NGF the first year and \$18.0 million GF and \$18.0 million NGF from federal Medicaid matching funds the second year to reverse a proposed reduction of five percent from the rates paid to providers of home and community-based Medicaid waiver services that was included in the introduced budget.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$182,916	\$402,131	GF
Services	\$230,826	\$402,131	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,806,739,901".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,209,292".

Page 206, strike lines 52 and 53.

Page 207, strike lines 1 through 3 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$182,916 GF and \$230,826 NGF the first year and \$402,131 GF and \$402,131 NGF from federal Medicaid matching funds the second year to restore funding for an inflationary adjustment for home health agencies that was included in the introduced budget.)

Chief Patron: Puckett

Item 297 #18s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 207, strike lines 9 through 19.

Explanation:

(This amendment restores funding for the Elderly or Disabled with Consumer Direction home and community-based waiver program that was reduced in the introduced budget by imposing a freeze on the distribution of new slots from January 1, 2011 through December 31, 2011.)

Chief Patron: Puckett

Item 419 #3s

Public Safety

FY 10-11

FY 11-12

Compensation Board

\$10,714,997

\$10,714,997 GF

Language:

Page 282, line 36, strike "\$623,140" and insert "\$11,338,137".

Page 282, line 36, strike "\$623,140" and insert "\$11,338,137".

Explanation:

(This amendment provides \$10.7 million GF the first year and \$10.7 million GF the second year to restore funding for local Commissioners of the Revenue.)

Chief Patron: Puckett

Item 423 #1s

Public Safety

Compensation Board

FY 10-11

\$10,593,333

FY 11-12

\$10,593,333 GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$19,140,277".

Page 288, line 14, strike "\$8,546,944" and insert "\$19,140,277".

Explanation:

(This amendment provides \$10.6 million GF the first year and \$10.6 million GF the second year to restore funding for local Treasurers.)

Chief Patron: Puckett

Item 425 #6s

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Public Safety

Department Of Veterans Services

Language

Language:

Page 358, following line 30, insert:

"C-80.10. New Construction: Southwestern
Virginia Veterans Care Center

Fund Sources:

The Governor is authorized to request federal funds to construct a new veterans care center with up to 120 beds located in the far southwestern area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of \$28,500,000 to the Department of Veterans Services for the state share of the construction."

Explanation:

(This amendment authorizes the Governor to request federal funds for construction of a new veterans' care center in far southwestern Virginia. A treasury loan in the amount of \$28.5 million is authorized if federal funds are approved.)

Chief Patron: Puller

Item 132 #1s

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education

\$29,487,401

\$0 GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,610,310,182".

Page 78, strike lines 23 through 28.

Explanation:

(This amendment adds a net \$29.5 million GF in FY 2011 to use 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 FY 2012, education funding is already based on the updated 2010-12 Composite Index in the introduced budget.)

Chief Patron: Quayle

Item 351 #2s

Natural Resources

FY 10-11

FY 11-12

Department Of Conservation And
Recreation

\$329,147

\$0 NGF

Language:

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

Page 242, after line 18, insert:

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

Explanation:

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

Chief Patron: Quayle

Item 418 #2s

Public Safety

Compensation Board

Language

Language:

Page 281, line 53, after "apply" insert ": (a)".

Page 281, line 55, after "contribution" strike "." and insert ", or (b) to any housing unit within a local or regional jail which for which there was no state contribution to the capital cost of the particular unit."

Explanation:

(This amendment exempts from the federal cost recovery methodology any specific housing unit of a local or regional jail for which no state funds were provided for the capital cost of the particular housing unit.)

Chief Patron: Quayle

Item 423 #2s

Public Safety

FY 10-11

FY 11-12

Compensation Board

\$138,054

\$138,054 GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$8,684,998".

Page 288, line 14, strike "\$8,546,944" and insert "\$8,684,998".

Explanation:

(This amendment provides \$138,054 GF the first year and \$138,054 GF the second year to restore funding hourly wage positions in local Treasurers' offices.)

Chief Patron: Quayle

Item 423 #3s

Public Safety

FY 10-11

FY 11-12

Compensation Board

\$10,677,510

\$10,677,510 GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$19,224,454".

Page 288, line 14, strike "\$8,546,944" and insert "\$19,224,454".

Page 289, Strike lines 11 to 13.

Explanation:

(This amendment provides \$10.7 million GF the first year and \$10.7 million GF the second year to restore funding deputy treasurer positions in local Treasurers' offices.)

Chief Patron: Quayle

Item 423 #4s

Public Safety

FY 10-11

FY 11-12

Compensation Board

\$705,711

\$705,711 GF

Language:

Page 288, line 14, strike "\$8,546,944" and insert "\$9,252,655".

Page 288, line 14, strike "\$8,546,944" and insert "\$9,252,655".

Page 289, strike lines 11 to 13.

Explanation:

(This amendment provides \$705,711 GF the first year and \$705,711 GF the second year to restore funding for the treasurers' career development program.)

Chief Patron: Quayle

Item 424 #2s

Public Safety

Compensation Board

Language

Language:

Page 289, line 46, Strike " 128" and "128" and insert "861" and "861".

Explanation:

(This amendment makes a technical correction in the Compensation Board's position authorization table to reflect restoration of deputy treasurer positions.)

Chief Patron: Quayle

Item 425 #3s

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Technology	FY 10-11	FY 11-12	
Innovation And Entrepreneurship Investment Authority	(\$3,000,000)	(\$4,023,750)	GF

Language:

Page 293, line 12, strike "\$4,023,750" and insert "\$1,023,750".

Page 293, line 12, strike "\$4,023,750" and insert "\$0".

Page 294, following line 4 insert

"I. Effective July 1, 2011 the Innovation and Entrepreneurship Investment Authority shall no longer receive general fund support for ongoing operations. As of July 1, 2010 the Authority shall make no additional research awards from general funds. Any existing grant commitments in-place as of July 1, 2010 may be funded from the Governor's Opportunity Fund with the approval of the Governor."

Explanation:

(This amendment eliminates the Innovation and Entrepreneurship Investment Authority, formerly the Center for Innovative Technology.)

Central Appropriations

Central Appropriations

Language

Language:

Page 333, line 34, after "Agencies" insert:

", with the exception of those public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616, of the 2008 Acts of Assembly,"

Page 333, line 37, after "agencies" insert:

", with the exception of those public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616, of the 2008 Acts of Assembly"

Explanation:

(This amendment revises proposed language prohibiting salary increases from NGF sources to provide an exemption to Level III public higher education institutions. This proposed language would reverse authority granted to Level III institutions under restructuring.)

Chief Patron: Quayle

Item C-84 #2s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 359, line 33, strike "\$1,384,093" and "\$1,384,093" and insert "\$6,238,867" and "\$4,799,129".

Explanation:

(This amendment changes the maintenance reserve allocation for the University of Virginia to a pro rata share of the total.)

Chief Patron: Quayle

Item 3-2.03 #1s

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 373, strike line 42.

Explanation:

(This amendment eliminates the line of credit authorized in the budget as introduced for the Department of Fire Programs. This reverses the recommendation in the Senate Bill 30, as introduced, to transfer \$26,000,000 in nongeneral fund revenue for the Fire Programs Fund to the general fund and to replace that amount with a line of credit.)

General Fund Deposits

Interest Earnings

Language

Language:

Page 377, strike line 28.

Page 377, strike lines 31 through 35.

Explanation:

(This amendment deletes certain funds from the list of funds from which the Governor's budget proposed to not allocate 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 millions of dollars in federal funds from these acts.)

Chief Patron: Reynolds

Item 120 #3s

Commerce And Trade

Virginia Tourism Authority

Language

Language:

Page 67, after line 14, 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 Televisions and Radio promotion that must be matched by other in-kind promotions.)

Chief Patron: Reynolds

Item 245 #1s

Education: Higher Education

Virginia College Building
Authority

Language

Language:

Page 156, line 45, after "of" strike "\$50,000,000" and insert "\$50,011,169" and after "and" strike "\$50,000,000" and insert "\$50,011,169"

Page 157, line 27, strike "\$63,831" in each column and insert "\$75,000" in each column

Explanation:

(This amendment provides an increase to the amount allocated to the New College Institute from \$63,831 GF to \$75,000 GF in each year of the biennium under the Higher Education Equipment Trust Fund (HEETF)).

Chief Patron: Reynolds

Item 425 #2s

Co-Patron(s): Puckett, Stuart

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Reynolds

Item 425 #9s

Co-Patron(s): Hanger, Locke, Lucas, Marsh, Miller, J.,
Miller, Y., Northam, Petersen, Quayle, Saslaw

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Ruff

Item 379 #1s

Public Safety

Department Of Corrections

Language

Language:

Page 257, following line 43, insert:

"J. The next priority for the Department of Corrections for the construction of a 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 medium security correctional facility be constructed in Charlotte County.)

Chief Patron: Ruff

Item 425 #1s

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Ruff

Item C-33.10 #1s

Education: Higher Education

Longwood University

Language

Language:

Page 352, following line 10, insert:

"C-33.10.

Fund Sources:

Longwood University is authorized to transfer \$4,000,000 from Virginia College Building Authority bond proceeds previously appropriated for the renovation of Bedford Hall to the renovation of Stevens Hall.

Explanation:

(This amendment authorizes the transfer of \$4.0 million from Virginia College Building Authority bond proceeds previously appropriated for the renovation of Bedford Hall to the renovation of Stevens Hall.)

Chief Patron: Ruff

Item C-33.10 #2s

Education: Higher Education

Longwood University

FY 10-11

\$1,675,000

FY 11-12

\$0 NGF

Language:

Explanation:

(This amendment provides \$1.7 million from 9(d) bond proceeds to Longwood University for the addition to and renovation of Lankford Hall.)

Chief Patron: Saslaw

Item 264 #1s

Finance	FY 10-11	FY 11-12	
Department Of Taxation	\$252,000	\$55,000	GF
	1.00	1.00	FTE

Language:

Page 167, line 17, strike "\$30,189,960" and insert "\$30,441,960".

Page 167, line 17, strike "\$30,189,960" and insert "\$30,244,960".

Explanation:

(This amendment provides funds to enable TAX to take over the administration of the prepaid wireless E-911 fee currently administered by the Wireless E-911 Services Board, consistent with SB 441 which proposes to repeal the current E-911 fee on prepaid wireless service and impose a new prepaid wireless 9-11 fee to be collected at the point of sale by retail merchants or the service provider.)

Chief Patron: Smith

Item 452 #1s

Transportation

Department Of Transportation

Language

Language:

Page 314, following line 47 insert

"G. Included in the amounts for interstate construction is \$11,000,000 in the second year for safety improvements to Exit 150 on Interstate 81."

Explanation:

(This amendment dedicates \$11.0 million in the second year from the Transportation Trust Fund allocations for Interstate construction for improvements to Exit 150 on Interstate 81.)

Public Safety	FY 10-11	FY 11-12	
Department Of Veterans Services	\$30,000	\$30,000	GF

Language:

Page 275, line 18, strike "\$5,445,226" and insert "\$5,475,226".

Page 275, line 18, strike "\$5,445,226" and insert "\$5,475,226".

Page 275, following line 34, insert:

"D. Out of the amounts appropriated in this Item, \$30,000 each year from the general fund is provided for the continued development of an automated system for the processing of veterans' claims, including improvements to the agency's existing computer systems. In designing this automated claims processing system, the agency shall ensure that the appropriate information is collected on veterans' claims in order to expedite processing of Virginia veterans' claims by the U.S. Department of Veterans' Affairs and that any system developed is capable of electronically submitting veterans' claims to the U.S. Department of Veterans' Affairs as that federal agency develops such capabilities in the future."

Explanation:

(This amendment provides \$30,000 each year from the general fund for the further development of an electronic system for processing Virginia veterans' claims for federal benefits.)

Chief Patron: Stuart

Item 417 #8s

Public Safety

Compensation Board

FY 10-11

\$60,000,000

FY 11-12

\$60,000,000 GF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "\$427,091,166".

Page 276, line 32, strike "\$367,755,709" and insert "\$427,755,709".

Explanation:

(This amendment provides \$60.0 million GF the first year and \$60.0 million GF the second year to restore Sheriffs' reductions from revenues generated for that purpose by SB 329.)

Chief Patron: Stuart

Item 422 #2s

Public Safety	FY 10-11	FY 11-12	
Compensation Board	\$15,000,000	\$15,000,000	GF

Language:

Page 285, line 49, strike "\$46,837,646" and insert "\$61,837,646".

Page 285, line 49, strike "\$46,837,646" and insert "\$61,837,646".

Explanation:

(This amendment provides \$15.0 million GF the first year and \$15.0 million GF the second year to restore circuit court clerks' reductions from revenues generated for that purpose by SB 329.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$72,072	\$129,888	GF

Language:

Page 226, line 20, strike "\$315,566,537" and insert "\$315,638,609".

Page 226, line 20, strike "\$283,822,009" and insert "\$283,951,897".

Explanation:

(This amendment provides funding for the provision of cash assistance through the Temporary Assistance to Needy Families (TANF) program to individuals who would be eligible for such assistance but for a conviction of a felony offense of possession of a controlled substance in violation of § 18.2-250, *Code of Virginia* . While federal TANF legislation bars assistance to such persons, the federal law does permit states to opt out of this provision. Thirty-four states have opted out of this provision and provide TANF to eligible recipients. Funding is contingent upon the passage of Senate Bill 576.)

Chief Patron: Vogel

Item 408 #2s

Public Safety	FY 10-11	FY 11-12	
Department Of State Police	\$185,000	\$185,000	GF

Language:

Page 272, line 27, strike "\$212,684,300" and insert "\$212,869,300".

Page 272, line 27, strike "\$211,251,317" and insert "\$211,436,317".

Explanation:

(This amendment provides \$185,000 each year from the general fund to provide the Northern Virginia pay differential for sworn officers assigned to work stations in Senate District 27, including all of Clarke and Frederick Counties, all of the City of Winchester, and parts of Fauquier and Loudoun Counties.)

Chief Patron: Vogel

Item 425 #8s

Co-Patron(s): McDougle

Public Safety

Compensation Board

Language

Language:

Page 292, Strike lines 2 through 8.

Explanation:

(This amendment eliminates language that allows local governing bodies to create the office of a Director of Finance and assign to it the duties currently performed by locally elected Treasurers and Commissioners of the Revenue.)

Chief Patron: Vogel

Item 4-5.05 #1s

Special Conditions and Restrictions on Expenditures

Nonstate Agencies, Interstate Compacts and
Organizational Memberships

Language

Language:

Page 408, after line 48, insert:

"6. Notwithstanding any other provisions of this act, no expenditure from general, special, or other non-general fund sources shall be made out of any appropriation by the General Assembly to Planned Parenthood Federation of America, Inc. or any subsidiary or affiliate thereof."

Explanation:

(This amendment is self-explanatory.)

Administration

Department Of General Services

Language

Language:

Page 37, line 2, following "designed", strike "and, constructed".

Page 37, strike lines 3 and 4.

Page 37, line 2, following "designed", insert:

", constructed, verified, and operated to achieve energy savings that exceed the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE Standard 90.1-2007 (Energy Standard for Buildings Except Low-rise Residential Buildings) by at least 10 percent for new construction and 5 percent for major renovation. In addition, water systems design should result in water use savings at least 25 percent better than the Federal Energy Policy Act of 1992 baseline standard."

Explanation:

(This amendment sets out standards for the design of energy and water efficient state buildings)

Chief Patron: Wagner

Item 173 #1s

Education: Higher Education

Old Dominion University

Language

Language:

Page 121, after line 26 insert:

"K. In calculating any future general fund reductions during the 2010-2012 biennium, it is the desire of the General Assembly that the relative position to the base adequacy guidelines and enrollment growth of an institution be considered."

Explanation:

(This amendment proposes language that would have the position of an institution relative to the base adequacy guidelines and their enrollment growth be considered in any further reductions during the 2010-2012 biennium.)

Chief Patron: Wagner

Item 244 #1s

Education: Higher Education	FY 10-11	FY 11-12	
Higher Education Research Initiative	\$1,750,000	\$1,750,000	GF

Language:

Page 155, line 34, strike "\$3,510,000" and insert "\$5,260,000".

Page 155, line 34, strike "\$510,000" and insert "\$2,260,000".

Explanation:

(This amendment would provide funding of \$1.75 million in each year of the biennium for the Virginia Coastal Energy Research Consortium (VCERC). These funds would be at least matched by funding from members of the consortium.)

Chief Patron: Wagner

Item 489 #1s

Independent Agencies

	FY 10-11	FY 11-12	
Virginia Office For Protection And	(\$220,227)	(\$220,227)	GF
Advocacy	(\$2,945,625)	(\$2,945,625)	NGF
	-35.00	-35.00	FTE

Language:

Page 342, line 37, strike "\$3,165,852" and insert "\$0".

Page 342, line 37, strike "\$3,165,852" and insert "\$0".

Explanation:

(This amendment eliminates funding and FTEs for the Virginia Office for Protection and Advocacy.)

Chief Patron: Wampler

Item 67.10 #2s

Administration

	FY 10-11	FY 11-12	
Compensation Board	\$513,276,014	\$502,817,324	GF
	\$30,530,045	\$43,903,767	NGF
	21.00	21.00	FTE

Language:

Remove contents of Page 276, line 30 through Page 292, line 16, and reinsert after line 11 on Page 34.

Explanation:

(This amendment restores the Compensation Board to the Office of Administration. A Companion amendment to Item 417 deletes the Compensation Board from the Office of Public Safety.)

Chief Patron: Wampler

Item 83 #1s

Co-Patron(s): Deeds, Hanger, Puckett

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And	\$142,500	\$142,500	GF
Consumer Services	3.00	0.00	FTE

Language:

Page 45, line 17, strike "\$6,744,156" and insert "\$6,886,656".

Page 45, line 17, strike "\$6,742,906" and insert "\$6,885,406".

Explanation:

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

Chief Patron: Wampler

Item 132 #2s

Co-Patron(s): Puckett

Education: Elementary & Secondary	FY 10-11	FY 11-12	
Direct Aid To Public Education	\$567,744	\$580,271	GF

Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,581,390,525".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,781,061,848".

Page 76, line 27, strike "\$32,750,549" and insert "\$33,318,293".

Page 76, line 27, strike "\$34,058,499" and insert "\$34,638,770".

Page 95, line 20, strike "\$32,750,549" and insert "\$33,318,293".

Page 95, line 21, strike "\$34,058,499" and insert "\$34,638,770".

Explanation:

(This amendment restores \$567,744 the first year and \$580,271 the second year for educational services through "state operated programs" for children residing at the adolescent unit at Southwestern Virginia Mental Health Institute at Marion in Smyth County. The introduced budget anticipated the savings by again proposing the closure of the unit, along with the Commonwealth Center for Children and Adolescents in Staunton. There is a companion amendment in Health and Human Resources restoring the funds for the mental health treatment center.)

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Direct Aid To Public Education	(\$75,529,020)	(\$74,405,901)	GF
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Language:

Page 75, line 12, strike "\$5,580,822,781" and insert "\$5,505,293,761".

Page 75, line 12, strike "\$5,780,481,577" and insert "\$5,706,075,676".

Page 92, strike line 13 through 55.

Page 93, strike lines 1 through 49.

Page 75, stike "\$50,901,192" and insert "\$37,331,659".

Page 75, strike "\$51,414,358" and insert "\$43,540,610".

Page 76, strike lines 2, 3, and 35.

Page 76, after line 51, insert "Textbooks (partial) \$13,569,533 \$7,873,745".

Page 76, after line 51, insert "English as a Second Language \$36,559,335 \$41,018,003".

Page 76, after line 51, insert "Remedial Summer School \$25,400,152 \$25,514,150".

Explanation:

(This amendment suspends state support for the Virginia Preschool Initiative for At-Risk Four-Year-Olds. To generate a like amount of general fund savings, the amendment also moves SOQ English as a Second Language, Remedial Summer School, and a portion of Textbooks to the Lottery funding source.)

Finance	FY 10-11	FY 11-12	
Department Of Accounts Transfer Payments	\$0	(\$40,000,000)	GF

Language:

Page 161, line 23, strike "\$40,000,000" and insert "\$0".

Page 161, strike lines 33 through 46 and insert:

"B. Pursuant to Article X, Section 8 of the Constitution of Virginia and § 2.2-1829 of the Code of Virginia, the Auditor of Public Accounts shall certify the required deposit to the Revenue Stabilization Fund attributable to actual tax collections for the fiscal year ending June 30, 2011, and the 2012 General Assembly shall take action consistent with the Auditor's certification."

Explanation:

(This amendment stipulates that the mandatory deposit to the Revenue Stabilization Fund will be made in accordance with Constitutional and statutory provisions, rather than being made a year early.)

Chief Patron: Wampler

Item 309 #1s

Co-Patron(s): Puckett

Health And Human Resources	FY 10-11	FY 11-12	
Mental Health Treatment Centers	\$0	\$2,000,000	GF

Language:

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

Explanation:

(This amendment restores \$2.0 million GF the second year to reverse a proposal included in the introduced budget to transfer the geriatric unit and patients from Southwest Virginia Mental Health Institute in Marion to the Piedmont Geriatric Center in Burkeville. Separate amendments update an informational table in Item 311 reflect position levels and appropriations and restore educational funding in Item 132.)

Chief Patron: Wampler

Item 309 #2s

Co-Patron(s): Puckett

Health And Human Resources	FY 10-11	FY 11-12	
Mental Health Treatment Centers	\$700,000	\$1,400,000	GF

Language:

Page 219, line 4, strike "\$183,686,347" and insert "\$184,386,347".

Page 219, line 4, strike "\$177,686,347" and insert "\$179,086,347".

Explanation:

(This amendment restores \$700,000 GF the first year and \$1.4 million GF the second year to reverse a proposal included in the introduced budget to close the adolescent treatment unit at Southwest Virginia Mental Health Institute in Marion. Separate amendments update an informational table in Item 311 reflecting position levels and appropriations and restore educational funding in Item 132.)

Chief Patron: Wampler

Item 311 #1s

Co-Patron(s): Puckett

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 220, line 15, strike "20,276,074" and insert "22,276,074".

Page 220, line 15, strike "30,997,664" and insert "32,997,664".

Explanation:

(This language amendment updates an information table that displays current funding for state mental health facilities. A separate amendment to Item 309 restores \$2.0 million GF the second year for the geriatric unit at Southwestern Virginia Mental Health Institute located in Marion.)

Chief Patron: Wampler

Item 311 #2s

Co-Patron(s): Puckett

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 220, line 15, strike "20,276,074" and insert "20,976,074".

Page 220, line 15, strike "30,997,664" and insert "32,397,664".

Explanation:

(This language amendment updates an information table that displays current funding for state mental health facilities. A separate amendment to Item 309 restores \$700,000 GF the first year and \$1.4 million GF the second year to maintain the cost of operating adolescent treatment services at Southwestern Virginia Mental Health Institute located in Marion.)

Chief Patron: Wampler

Item 333 #1s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	(\$1,275,000)	(\$1,275,000)	GF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$37,714,613".

Page 231, line 40, strike "\$33,412,198" and insert "\$32,137,198".

Page 232, strike lines 30 through 41 and re-letter the remaining paragraphs.

Explanation:

(This amendment eliminates \$1.3 million GF each year for the Virginia Early Childhood Foundation and reporting requirements for the Foundation.)

Chief Patron: Wampler

Item 333 #3s

Co-Patron(s): Edwards

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Social Services	\$2,116,610	\$3,300,000	GF

Language:

Page 231, line 40, strike "\$38,989,613" and insert "\$41,106,223".

Page 231, line 40, strike "\$33,412,198" and insert "\$36,712,198".

Page 232, after line 20, insert:

"4. Out of this appropriation, \$2,116,610 the first year and \$3,256,323 the second year from the general fund shall be provided to community action agencies."

Explanation:

(This amendment restores \$2.1 million GF the first year and \$3.3 million GF the second year for community action agencies. Federal TANF block grant funding was eliminated for a number of programs that have been funded with these federal resources because of increased demands on TANF cash assistance.)

Chief Patron: Wampler

Item 379 #2s

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	\$15,000,000	\$20,000,000	GF
	350.00	350.00	FTE

Language:

Page 256, line 1, strike "\$828,426,107" and insert "\$843,426,107".

Page 256, line 1, strike "\$827,815,103" and insert "\$847,815,103".

Explanation:

(This amendment provides \$15,000,000 the first year and \$20,000,000 the second year and 350 positions each year from the general fund to open the new state correctional facility in Grayson County. Construction of this facility will be completed in mid-2010.)

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, before line 1, 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 the Amelia Veterans Cemetery 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.)

Chief Patron: Wampler

Item 417 #10s

Public Safety

Compensation Board

	FY 10-11	FY 11-12	
	(\$513,276,014)	(\$502,817,324)	GF
	(\$30,530,045)	(\$43,903,767)	NGF

Language:

Page 276, line 32, strike "\$367,091,166" and insert "(\$176,714,893)".

Page 276, line 32, strike "\$367,755,709" and insert "(\$178,965,382)".

Explanation:

(This amendment deletes the Compensation Board from the Office of Public Safety. A Companion amendment to Item 67.10 moves the Compensation Board back to the Office of Administration.)

Chief Patron: Wampler

Item C-78.10 #1s

Public Safety

Department Of State Police

FY 10-11

\$250,000

FY 11-12

\$0 GF

Language:

"C-78.10. New Construction: Russell

\$250,000

County Area Office

Fund Sources: General

\$250,000".

Explanation:

(This amendment provides \$250,000 to the Department of State Police for construction of a new Russell County Area Office.)

Adjustments And Modifications To Tax Collections

Tax Collections from Commercial Spaceflight
Activities

Language

Language:

Page 381, following line 35, insert:

"TAX COLLECTIONS FROM COMMERCIAL SPACEFLIGHT ACTIVITIES

Subsequent to July 1, 2010, any state sales and use tax or corporate income tax that is collected from the gross sales of commercial human spaceflights or commercial spaceflight training sold in or by Virginia corporations shall be transferred to the Virginia Commercial Space Flight Authority. The transfer shall occur no later than ninety days after the tax is collected by the state. Fifty percent of said transfer shall be used by the Authority for general spaceport operations, and the remaining fifty percent shall be used for teacher and high school student ZeroG flights for STEM education, in consultation with the Virginia Department of Education."

Explanation:

(This amendment dedicates prospective sales and or corporate income tax revenues that may result from the sale of human spaceflights or commercial spaceflight training to the Commercial Space Flight Authority for operations and educational space flight simulation activities.)

Chief Patron: Watkins

Item 2 #1s

Legislative Department

Auditor Of Public Accounts

Language

Language:

Page 7, following line 13, insert:

"D. The Auditor of Public Accounts, with the assistance of the Executive Secretary of the Supreme Court, shall determine the total amount of fines that are diverted annually from the Literary Fund and the State Treasury by the practice of citing offenses as violations of local ordinances in lieu of state law."

Explanation:

(This amendment request the Auditor of Public accounts to determine the amount of funds diverted annually from the Literary Fund and the State Treasury.)

Chief Patron: Watkins

Item 58 #1s

Executive Offices

FY 10-11

FY 11-12

Attorney General And Department
Of Law

\$100,000

\$0 GF

Language:

Page 29, line 18, strike "\$26,510,916" and insert "\$26,610,916".

Explanation:

(This amendment provides \$100,000 the first year from the general fund for expenses related to higher-than-anticipated staff turnover as several positions transition to the new administration.)

Agriculture And Forestry	FY 10-11	FY 11-12	
Department Of Agriculture And Consumer Services	\$1,300,000	\$1,300,000	GF

Language:

Page 45, line 26, strike "\$15,461,990" and insert "\$16,761,990".

Page 45, line 26, strike "\$15,461,990" and insert "\$16,761,990".

Page 46, after line 33, insert:

"G. Included in this appropriation is \$1,300,000 the first year and \$1,300,000 the second year from the general fund that shall be deposited into the Virginia Wine Promotion Fund established pursuant to § 3.2-3005 of the Code of Virginia pursuant to Senate Bill 237 (2010)."

Explanation:

(This amendment appropriates funds to the Virginia Wine Promotion Fund from the portion of the wine liter tax that is attributable to the sale of wine produced by a farm winery pursuant to SB 237.)

Chief Patron: Watkins

Item 130 #1s

**Education: Elementary &
Secondary**

FY 10-11

FY 11-12

Department Of Education, Central	(\$1,113,288)	(\$1,113,168)	GF
Office Operations	-7.00	-7.00	FTE

Language:

Page 72, line 35, strike "\$18,787,358" and insert "\$17,674,070".

Page 72, line 35, strike "\$18,787,358" and insert "\$17,674,190".

Explanation:

(This amendment reduces general funds, exclusive of the \$28.1 million GF each year for the state's testing contract, and FTE positions at the Virginia Department of Education, Central Office, by an additional 5 percent, in order to prioritize funding for aid to localities for public schools.)

Chief Patron: Watkins

Item 139 #1s

Education: Higher Education	FY 10-11	FY 11-12	
State Council Of Higher Education	(\$500,575)	(\$500,575)	GF
For Virginia	-1.50	-1.50	FTE

Language:

Page 104, line 11, strike "\$12,122,865" and insert "\$11,622,290".

Page 104, line 11, strike "\$12,122,865" and insert "\$11,622,290".

Explanation:

(This amendment provides an additional five percent reduction to the general fund appropriation and staff at the State Council of Higher Education for Virginia.)

Chief Patron: Watkins

Item 296 #2s

Co-Patron(s): Northam

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$1,979,124	\$2,004,563	GF
Services	(\$1,979,124)	(\$2,004,563)	NGF

Language:

Page 196, strike lines 47 through 49.

Explanation:

(This amendment restores \$2.0 million GF each year and eliminates \$2.0 million NGF each year from the Virginia Health Care Fund (VHCF). The introduced budget proposes the transfer of funding from the Virginia Foundation for Healthy Youth (formerly the Virginia Tobacco Settlement Foundation) to supplant general fund support for FAMIS. Separate amendments to Items 297 and 468 reverse this action.)

Chief Patron: Watkins

Item 297 #13s

Co-Patron(s): Northam

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 201, line 7, strike "292,001,874" and insert "290,022,750".

Page 201, line 8, strike "294,242,812" and insert "292,238,249".

Page 201, strike lines 21 through 23.

Explanation:

(This amendment modifies budget language appropriating funding from the Virginia Health Care Fund (VHCF) to FAMIS. A separate amendment to Item 468 eliminates the proposed transfer of 1.5 percent of funds received under the Master Tobacco Settlement Agreement to the VHCF, which is then transferred to FAMIS to generate general fund savings.)

Public Safety

Department Of Corrections

Language

Language:

Page 257, following 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 directs the Department of Corrections to prepare a long range plan for consolidation of secure facilities at the James River-Powhatan correctional complex.)

Public Safety

Compensation Board

Language

Language:

Page 292, following line 8, insert:

"425.1 Effective July 1, 2010, the Compensation Board is abolished. All general fund and nongeneral fund appropriations in Items 417, 418, 421, and 424 are hereby transferred to the Department of Criminal Justice Services, which shall administer state funding for Sheriffs, regional jails, and Commonwealth's Attorneys as a block grant, taking into account the population of each jurisdiction and the offender population of each jail, and other factors as may be appropriate. The Compensation Board and the Department of Criminal Justice Services report on the implementation of this block grant shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by July 1, 2010."

Explanation:

(This amendment eliminates the Compensation Board and transfers funding for Sheriffs, regional jails and Commonwealth's Attorneys to the Department of Criminal Justice Services to be administered as a block grant.)

Chief Patron: Watkins

Item 429 #1s

Technology	FY 10-11	FY 11-12	
Virginia Information Technologies Agency	\$1,694,282	\$1,694,282	NGF

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".

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.)

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 295, strike lines 30 through 43 and insert

"B. Notwithstanding the provisions of §56-484.17, Code of Virginia, 60 percent of the Wireless E-911 Fund shall be distributed on a monthly basis to the Public Safety Answering Point (PSAP) according to the percentage of recurring wireless E-911 funding received by the PSAP as determined by the Board. The Board shall calculate the distribution percentage for each PSAP annually prior to the start of each fiscal year based on the cost and call load data from all or part of a time period of up to three previous fiscal years."

Explanation:

(This amendment was proposed by the E-911 Board to eliminate outdated language that was codified in 2009 and change the distribution methodology for Wireless E-911 funding to move the date of calculation from October to June and to allow for averaging of cost and call load data in determining allocations.)

Chief Patron: Watkins

Item 468 #1s

Co-Patron(s): Northam

Central Appropriations

FY 10-11

FY 11-12

Central Appropriations

\$1,979,124

\$2,004,563 NGF

Language:

Page 326, line 35, strike "\$88,215,046" and insert "\$90,194,170".

Page 326, line 35, strike "\$88,359,200" and insert "\$90,363,763".

Page 327, line 2, strike "8.5" and insert "10.0".

Page 327, line 4, strike "11,215,046" and insert "13,195,170".

Page 327, line 5, strike "11,359,200" and insert "13,363,763".

Page 327, line 7, strike "8.5" and insert "10.0".

Explanation:

(This amendment restores \$2.0 million each year from the Master Tobacco Settlement Agreement to the Virginia Tobacco Settlement Fund (VTSF). The introduced budget proposed to reduce the current allocation that distributes 10.0 percent of these funds to the VTSF to 8.5 percent, which would result in a reduction in funding for the Virginia Healthy Youth Foundation that funds tobacco use prevention activities and obesity prevention. Separate amendments to Item 296 and 297 remove this proposed transfer of funding.)

Chief Patron: Whipple

Item 29.1 #2s

Legislative Department	FY 10-11	FY 11-12	
Division of Legislative Services	\$15,975	\$15,975	GF

Language:

Page 14, following line 23, insert:
"29.1. Commission on Energy and
Environment

\$15,975

\$15,975

29.1 Resource Management Research,
Planning and Coordination (50700)
Fund Sources: General

\$15,975

\$15,975."

Explanation:

(This amendment provides \$15,975 each 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 Section 30-301 of the Code of Virginia.)

Chief Patron: Whipple

Item 288 #1s

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Health	\$100,000	\$100,000	GF

Language:

Page 189, line 28, strike "\$13,284,333" and insert "\$13,384,333".

Page 189, line 28, strike "\$13,284,333" and insert "\$13,384,333".

Page 192, after line 37, insert:

"X. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the general fund shall be provided to Project Access of Northern Virginia."

Explanation:

(This amendment provides \$100,000 GF each year for Project Access of Northern Virginia to improve access to pro-bono specialty health care for "safety net" patients.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$140,000	\$140,000	GF
Services	\$280,000	\$280,000	NGF

Language:

Page 195, line 15, strike "\$160,611,874" and insert "\$161,031,874".

Page 195, line 15, strike "\$172,334,005" and insert "\$172,754,005".

Page 196, after line 49, insert:

"L. The Department of Medical Assistance Services is directed to offer coverage, pursuant to Section 214 of the Children's Health Insurance Reauthorization Act of 2009, P.L. 111-3, to children who are lawfully residing in the United States who are otherwise eligible for FAMIS coverage."

Explanation:

(This amendment provides \$140,000 GF and \$280,000 NGF from federal Medicaid matching funds each year to expand coverage under FAMIS to children who are legal immigrants that have resided in the United States less than five years. Under current law, uninsured children who reside in the United States legally must wait five years prior to enrolling in FAMIS. The five-year wait interferes with access to necessary health care services and takes advantage of the 65 percent federal match.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$5,195,132	\$21,238,946	GF
Services	\$6,555,902	\$21,238,946	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,818,077,193".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,314,882,922".

Page 205, strike lines 39 through 46 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$5.2 million GF and \$6.6 million NGF from federal Medicaid matching funds the first year and \$21.2 million GF and \$21.2 million NGF the second year by eliminating a proposal to reduce respite care services for home and community-based waiver recipients beginning January 1, 2011. The introduced budget reduced available hours of respite care from 720 to 240 hours per year.)

Health And Human Resources	FY 10-11	FY 11-12	
Department Of Medical Assistance	\$344,954	\$418,500	GF
Services	\$391,856	\$418,500	NGF

Language:

Page 196, line 50, strike "\$6,806,326,159" and insert "\$6,807,062,969".

Page 196, line 50, strike "\$7,272,405,030" and insert "\$7,273,242,030".

Page 208, strike lines 22 through 25 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$344,954 GF and \$391,856 NGF from federal Medicaid matching funds the first year and \$418,500 GF and \$418,500 NGF from federal Medicaid matching funds the second year to restore funding for adult vision services. This optional Medicaid service was eliminated in the introduced budget.)

Health And Human Resources

Department Of Social Services

Language

Language:

Page 230, after line 50, insert:

"G.1. Notwithstanding §20-15, Code of Virginia, effective July 1, 2010, the tax on a marriage license shall be \$45, which tax shall be collected by the clerk when the license is issued and accounted for as in the case of other state taxes collected.

2. Notwithstanding §20-15, Code of Virginia, ten dollars of the increase contained in G.1. shall be allocated to the Virginia Department of Social Services for the purpose of providing services to victims of domestic violence and ten dollars shall be allocated to the Virginia Department of Social Services for the purpose of providing services for children and youth exposed to sexual and/or domestic violence.

3. Notwithstanding §20-15, Code of Virginia, \$580,000 the first year and \$580,000 the second year of the revenue collected from the marriage license tax increase shall be appropriated to the Virginia Department of Social Services for the purpose of providing services for children and youth exposed to sexual and/or domestic violence."

Explanation:

(This amendment increases the marriage license tax from \$20 to \$45 and earmarks the revenue for domestic violence services. In addition, a portion (\$10) of the revenue that is currently collected from \$20 marriage license fee and appropriated to the Department of Social Services for domestic violence services is earmarked to serve children and youth.)

Health And Human Resources

Department Of Social Services

Language

Language:

Page 235, after line 46, insert:

"F. The Department of Social Services shall, to the extent permitted by federal law, in determining eligibility for the Supplemental Nutrition Assistance Program (SNAP), implement options for categorical eligibility under 7 CFR 273.2(j)(2) to (1) align SNAP resource limits and methodologies with those in the Virginia TANF program, and (2) increase the SNAP gross income test to 165 percent of the federal poverty guidelines."

Explanation:

(This language amendment will streamline the process for low-income individuals to qualify for federally funded food stamp or SNAP benefits. This change will allow DSS caseworkers to align eligibility for food stamps with those in place for TANF recipients and increase eligibility levels that will primarily benefit low income workers with child care expenses and high shelter costs.)

Natural Resources	FY 10-11	FY 11-12	
Department Of Conservation And Recreation	\$15,000,000	\$15,000,000	GF

Language:

Page 241, line 2, strike "\$67,590,053" and insert "\$82,590,053".

Page 241, line 2, strike "\$67,590,053" and insert "\$82,590,053".

Page 242, line 2, strike the first "\$5,000,000" and insert "\$20,000,000".

Page 242, line 2, strike the second "\$5,000,000" and insert "\$20,000,000".

Explanation:

(This amendment provides an additional \$15,000,000 each year from the general fund for Agricultural Best Management Practices.)

Chief Patron:

Item 491 #1s

Co-Patron(s): Colgan, Edwards, Howell, Puller

Nonstate Agencies	FY 10-11	FY 11-12	
State Grants To Nonstate Entities-Nonstate Agencies	\$1,850,000	\$450,000	GF

Language:

Page 344, line 4, strike "\$0" and insert "\$1,850,000".

Page 344, line 4, strike "\$0" and insert "\$450,000".

Page 344, after line 30, insert:

"

<u>Nonstate Agency</u>	<u>FY 10-11</u>	<u>FY 11-12</u>	<u>Patron</u>
Benedictine Aid and Relief for Neighbors	0	50,000	Colgan
SERVE Shelter for Homeless Women and Children	0	50,000	Colgan
Science Museum of Western Virginia	250,000	0	Edwards
Western Virginia Foundation for the Arts and Sciences (Center in the Square)	1,250,000	0	Edwards
Wolf Trap Foundation for the Performing Arts	250,000	250,000	Howell
Special Olympics of Virginia, Inc.	<u>100,000</u>	<u>100,000</u>	Puller
Totals	\$1,850,000	\$450,000	

".

Explanation:

(This amendment adds \$1.9 million the first year and \$450,000 the second year for grants to the six non-state entities as listed.)