

**Floor Approved Requests to House Bill 30, as Introduced**

Item 0 #1h

**Adjustments to Resources**

**Revenues**

Revenues Language

**Language:**

Page 1, strike lines 19 through 27 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2016	\$425,962,078	\$0	\$425,962,078
Additions to Balance	\$666,780,000	(\$500,000)	\$666,280,000
Official Revenue Estimates	\$18,903,319,295	\$19,633,142,916	\$38,536,462,211
Transfers	\$575,542,197	\$594,575,436	\$1,170,117,633
Total General Fund Resources Available for Appropriation	\$20,571,603,570	\$20,227,218,352	\$40,798,821,922"

Page 1, strike lines 29 through 39 and insert:

	"First Year	Second Year	Total
Balance, June 30, 2016	\$4,728,561,193	\$0	\$4,728,561,193
Official Revenue Estimates	\$27,091,870,348	\$27,567,834,255	\$54,659,704,603
Lottery Proceeds Fund	\$541,231,250	\$541,231,250	\$1,082,462,500
Internal Service Fund	\$2,026,622,884	\$2,124,095,360	\$4,150,718,244
Bond Proceeds	\$712,476,000	\$99,900,000	\$812,376,000
Total Nongeneral Fund Revenues Available for Appropriation	\$35,100,761,675	\$30,333,060,865	\$65,433,822,540
<b>TOTAL PROJECTED REVENUES</b>	\$55,672,365,245	\$50,560,279,217	\$106,232,644,462"

**Explanation:**

(This amendment includes the general and nongeneral fund revenue adjustments contained in the House Appropriations Committee amendments to House Bill 30 as introduced.)

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Item 1 #1h

**Review of Neighborhood Assist. Tax Credits**

**Legislative Department**

General Assembly of Virginia

Language

**Language:**

Page 10, after line 23, insert:

"S. The Joint Subcommittee to Evaluate Tax Preferences established pursuant to Chapter 777, 2012 Session of the General Assembly, is hereby directed, as part of its work during calendar year 2016, to undertake a review of the Neighborhood Assistance Act tax credit program and to report to the General Assembly on any proposed changes to the program structure, eligibility requirements, distribution of funding or overall funding amounts made available for the credit by November 15, 2016."

**Explanation:**

(This amendment directs the Joint Subcommittee to Evaluate Tax Preferences to review the Neighborhood Assistance Act tax credits as part of its work in 2016.)

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Item 1 #2h

**Clarify Legislative Assistant Language**

**Legislative Department**

General Assembly of Virginia

Language

**Language:**

Page 6, line 29, after "C." strike "A" and insert "One".

**Explanation:**

(This amendment clarifies that only one legislative assistant per member may receive benefits.)

**Revisions to WWII Commission**

<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>
General Assembly of Virginia	1.00	1.00 FTE

**Language:**

Page 8, line 49, before "World" insert "Virginia".

Page 8, line 49, delete "II 75th Anniversary" and insert:  
"I and World War II".

Page 8, line 51, after "the" insert "100th anniversary of World War I and the".

Page 8, lines 51, strike ", including a" and insert "."

Page 8, line 52, strike "national reunion of living veterans".

Page 9, line 7, after "shall be a" insert "World War I or".

Page 9, after line 18, insert:

"3. Legislative members of the Commission and Advisory Council shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members of the Commission shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission.

4. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia World War I and World War II Commemoration Commission Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and shall consist of gifts, grants, donations, bequests, or other funds from any source as may be received by the Commission for its work. Moneys shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of enabling the Commission to perform its duties. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the chairman of the Commission."

Page 9, line 19, strike "3" and insert "5".

Page 9, line 26, strike "4" and insert "6".

Page 9, line 29, before "World", insert "Virginia".

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Page 9, line 29, delete "II 75th Anniversary and insert:  
"I and World War II".

Page 9, after line 29, insert:

"7. The Commission may appoint and establish an Advisory Council composed of nonlegislative citizens at large and public officials who have knowledge of World War I and World War II and their respective anniversary commemorations, to serve in a consultative capacity to assist the Commission in its work. Nonlegislative citizen members of the Advisory Council shall serve without compensation but may be reimbursed for travel expenses to attend a meeting of the Advisory Council within the Commonwealth of Virginia. The Advisory Council shall have a Chairman and Vice-Chairman, one of whom shall be a member of the House of Delegates, to be appointed by the Speaker of the House of Delegates, and one of whom shall be a member of the Senate, to be appointed by the Senate Committee on Rules."

**Explanation:**

(This amendment expands the purview of the existing World War II 75th Anniversary Commemoration Commission to include commemoration of World War I and provides authority for the Commission to appoint an advisory council, and technical changes to the existing language.)

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Item 1 #4h

**Study of Standards of Quality**

<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>
General Assembly of Virginia	\$24,000	\$24,000 GF

**Language:**

Page 3, line 5, strike "\$40,478,773" and insert "\$40,502,773".

Page 3, line 5, strike "\$40,479,905" and insert "\$40,503,905".

**Explanation:**

(This amendment provides \$24,600 from the general fund each year pursuant to House Joint Resolution 112 which establishes a two-year joint subcommittee to study the need for revisions to or reorganization of state Standards of Quality.)

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Item 1 #5h

**Joint Subcommittee on Future Competitiveness of Virginia Higher Education**

**Legislative Department**

General Assembly of Virginia

Language

**Language:**

Page 10, after line 14, insert:

"3. As part of its deliberations, the Joint Subcommittee shall review opportunities for mergers, shared governance or cooperative agreements between and among public four-year institutions and higher education centers and institutes. Public institutions are encouraged to submit proposals to the Joint Subcommittee for consideration.

4. As part of its deliberations, the Joint Subcommittee shall review alternative tuition or fee structures, including discounted tuition, flat tuition rates, discounted student fees, or student fee and student services flexibility, to any first-time, incoming freshman undergraduate student."

Page 10, line 15, strike "3." and insert "5."

Page 10, line 21, strike "4." and insert "6."

**Explanation:**

(This amendment requires the Higher Education Joint Subcommittee to review two additional issues.)

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Item 1 #6h

**Establish a Salary Range for the Chief, Division of Capitol Police**

**Legislative Department**

General Assembly of Virginia

Language

**Language:**

Page 8, line 25, after "2," insert "4,".

**Explanation:**

(This amendment includes the Chief of Capitol Police in language which authorizes the Committee on Joint Rules to establish salary ranges for certain legislative agency head positions.)

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Item 1 #7h

**Operations and Maintenance**

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<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>
General Assembly of Virginia	\$500,000	\$500,000 GF

**Language:**

Page 3, line 5, strike "\$40,478,773" and insert "\$40,978,773".  
Page 3, line 5, strike "\$40,479,905" and insert "\$40,979,905".  
Page 3, line 9, strike "\$24,532,589" and insert "\$25,032,589".  
Page 3, line 10, strike "\$24,533,562" and insert "\$25,033,562".

**Explanation:**

(This amendment provides \$500,000 each year from the general fund for operating and maintenance expenses in the House of Delegates.)

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Item 2 #1h

**Local Stormwater Charge Reporting**

**Legislative Department**

Auditor of Public Accounts

Language

**Language:**

Page 10, after line 50, insert:

"D. 1. Each locality establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, shall provide to the Auditor of Public Accounts by October 1 of each year, in a format specified by the Auditor, a report as to each program funded by these fees and the expected nutrient and sediment reductions for each of these programs.

2. The Auditor of Public Accounts shall include in the Specifications for Audits of Counties, Cities, and Towns regulations for all local governments establishing a utility or enacting a system of service charges to support a local stormwater management program pursuant to § 15.2-2114, Code of Virginia, a requirement to ensure that each impacted local government is in compliance with the provisions of § 15.2-2114 A., Code of Virginia. Any such adjustment to the Specifications for Audits of Counties, Cities, and Towns regulations shall be exempt from the Administrative Process Act and shall be required for all audits completed after July 1, 2014."

**Explanation:**

(This amendment directs the Auditor of Public Accounts to receive reports on local stormwater charges. A companion amendment moves this requirement from the Department of Environmental Quality. This is intended to reduce redundancies as the local governments

already report finances and charges to the APA on an annual basis.)

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Item 3 #1h

**Establish Salary Range for Executive Director of VASAP**

**Legislative Department**

Commission on the Virginia Alcohol Safety Action Program

Language

**Language:**

Page 11, line 12, before "Out" insert "A."

Page 11, after line 14 insert:

"B. Notwithstanding the salaries listed in paragraph A. of this item, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program."

**Explanation:**

(This amendment is self-explanatory.)

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Item 26 #1h

**Authorization for Additional Positions**

**Legislative Department**

**FY16-17**

**FY17-18**

Virginia Conflict of Interest and Ethics  
Advisory Council

2.00

2.00 FTE

**Language:**

**Explanation:**

(This amendment provides authorization for two additional staff positions for the Virginia Conflict of Interest and Ethics Advisory Council. No additional appropriation is provided.)

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Item 26 #2h

**Council Operating Expenses**

**Legislative Department**

**FY16-17**

**FY17-18**

*Floor Approved Requests to House Bill 30, as Introduced*

Virginia Conflict of Interest and Ethics Advisory Council	\$80,000	\$15,000	GF
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**Language:**

Page 17, line 19, strike "\$393,000" and insert "\$473,000".

Page 17, line 19, strike "\$393,000" and insert "\$408,000".

**Explanation:**

(This amendment provides \$80,000 the first year and \$15,000 the second year from general funds for costs of system upgrades to meet current reporting and other requirements and associated ongoing operating costs.)

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Item 28.10 #1h

**Commission on Economic Opportunity for Virginians in Aspiring and Diverse Communities**

<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Division of Legislative Services	\$10,560	\$10,560	GF

**Language:**

Page 18, after line 1, insert:

"28.10 Commission on Economic Opportunity  
for Virginians in Aspiring and Diverse  
Communities

\$10,560

\$10,560

Fund Sources:

General

\$10,560

\$10,560

"

**Explanation:**

(This amendment establishes the Commission on Economic Opportunity for Virginians in Aspiring and Diverse Communities consistent with the provisions of House Bill 451 of the 2016 General Assembly.)

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Item 29 #1h

**Multi-State Consultant for Bay Clean-Up Progress**

<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Chesapeake Bay Commission	\$0	\$38,000	GF

**Language:**

Page 18, line 7, strike "\$292,217" and insert "\$330,217".



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Page 18, after line 11, insert:

"Included in the amounts for this item is \$38,000 the second year from the general fund representing Virginia's share of contributions to the six state Chesapeake Bay Region efforts to hire an independent outside evaluator responsible for reviewing and submitting reports to Congress according to the schedule prescribed in the Chesapeake Bay Accountability and Recovery Act of 2014. Such funds shall not be released until such time as all six states in the Region have committed equal amounts of funding to the project. If such commitment has not been achieved by June 30, 2018, the amounts will revert to the general fund."

**Explanation:**

(This amendment provides \$38,000 from the general fund in the second year to the Chesapeake Bay Commission. This amount represents Virginia's share of funds required to hire an independent outside evaluator to verify the impact of clean-up efforts undertaken in the 6-state Chesapeake Bay Region. Such funds will not be released until such time as all six states - Virginia, West Virginia, Maryland, Delaware, Pennsylvania and New York - commit to provide equal amounts of funding for this purpose. This proposal has been advanced by Congressman Rob Wittman and Senator Mark Warner as necessary steps following the passage of the Chesapeake Bay Accountability and Recovery Act by Congress in December 2014.)

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Item 33 #1h

**JLARC Study of VEDP**

**Legislative Department**

Joint Legislative Audit and Review Commission

Language

**Language:**

Page 21, after line 20, insert:

"J.1. To assist JLARC in conducting its study of the Virginia Economic Development Partnership Authority (VEDP) pursuant to House Joint Resolution 7 of the 2016 General Assembly, JLARC shall have the legal authority to access the facilities, employees, information and records, including the information and records provided by private entities, of VEDP and its contractors for the purpose of conducting this study. JLARC shall also have access to the public and executive session meetings and records of the board of directors of VEDP. Access shall include the right to attend such meetings for the purpose of conducting this study.

2. Records provided by VEDP and its contractors to the Joint Legislative Audit and Review Commission in connection with its study of VEDP, where the records would not be subject to disclosure by VEDP, shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.). VEDP shall identify the specific portion of the records

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to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure."

**Explanation:**

(This amendment provides JLARC authority to review FOIA exempt documents at the VEDP and ensures that the Commission has access to the data needed to effectively undertake the study authorized pursuant House Joint Resolution 7, 2016 Session of the General Assembly.)

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Item 33 #2h

**Expand JLARC Water Resource Planning Review**

**Legislative Department**

Joint Legislative Audit and Review Commission

Language

**Language:**

Page 21, after line 20, insert:

"J. As a component of its review of water resource planning and management pursuant to House Joint Resolution 623 from the 2015 Session of the General Assembly, the Joint Legislative Audit and Review Commission shall also (i) identify and report a list of the water systems and other water dependent facilities that could be affected by changes, including those that may relate to current "grandfathering" provisions, to the state's water protection permit regulations pursuant to 9 VAC 25-210, and (ii) describe the nature and magnitude of the impact on affected water systems and other water dependent facilities."

**Explanation:**

(This amendment expands the scope of the previously authorized JLARC study of water resource planning and management to include the identification of water systems and other water dependent facilities that would be affected by changes to the state's water protection regulations.)

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Item 33 #3h

**Establish Salary Range for Director of JLARC**

**Legislative Department**

Joint Legislative Audit and Review Commission

Language

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 21, after line 20 insert:

"J. Notwithstanding the salaries listed in paragraph A. of this item, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC."

**Explanation:**

(This amendment is self-explanatory.)

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Item 33 #4h

**JLARC Unit for Eco Dev Oversight**

<b>Legislative Department</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Joint Legislative Audit and Review Commission	\$250,000 2.00	\$300,000 2.00	GF FTE

**Language:**

Page 19, line 10, strike "\$3,840,287" and insert "\$4,090,287".

Page 19, line 10, strike "\$3,840,445" and insert "\$4,140,445".

Page 21, after line 20, insert:

"J.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to oversee and evaluate economic development initiatives and policies on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) spending on and performance of individual economic development incentives, including grants, tax preferences, and other assistance; (ii) economic benefits to Virginia of total spending on economic development initiatives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission; and (iv) design, oversight, and accountability of economic development entities, initiatives, and policies as needed.

3. For the purpose of carrying out its duties under this authority and notwithstanding any contrary provision of law, JLARC shall have the following powers, including but not limited to: (i) access to the information, records, facilities and employees of all public bodies involved in economic development initiatives and policies for the purpose of carrying out such duties; (ii) access to the public and executive session meetings and records of the boards of all public bodies involved in economic development initiatives and policies. Access shall include the right to attend such meetings for the purpose of carrying out such duties; (iii)

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access to the information and records of private entities, where private entities are obligated to provide such information and records to other public bodies pursuant to law or contract for the purpose of carrying out such duties.

4. Notwithstanding the provisions of subsection A or B of § 58.1-3 or any other provision of law, unless prohibited by federal law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to JLARC such tax information as may be necessary to conduct oversight of economic development initiatives and policies.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.):

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to the Joint Legislative Audit and Review Commission in connection with its oversight of economic development initiatives and policies, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to the Joint Legislative Audit and Review Commission shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from the Joint Legislative Audit and Review Commission, used by the Joint Legislative Audit and Review Commission in connection with its oversight of economic development initiatives and policies where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. By August 15 of each year, the Secretary of Commerce and Trade shall provide to JLARC all information collected pursuant to § 2.2-206.1, Code of Virginia, in a format and manner specified by JLARC to ensure that the final report to be submitted by the Secretary fulfills the intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.

7. JLARC shall assist the agencies submitting information to the Secretary of Commerce and Trade pursuant to the provisions of § 2.2-206.1, Code of Virginia, to ensure that the agencies work together to effectively develop standard definitions and measures for the data required to be reported and facilitate the development of appropriate unique project identifiers to be used by the impacted agencies.

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

9. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

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

**Explanation:**

(This amendment establishes a new unit at JLARC to provide ongoing oversight of economic development incentives, including tax incentives focused on the area of economic development and business expansion. The unit will report economic benefits to Virginia of total spending on economic development initiatives at least biennially; and evaluate the effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission. In addition, the unit will assist in the development of the annual report required pursuant to the provisions of House Bill 1191, 2014 Session of the General Assembly.)

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Item 33 #5h

**Remove Obsolete Language**

**Legislative Department**

Joint Legislative Audit and Review Commission

Language

**Language:**

Page 20, strike lines 32 through 53.

Page 21, strike lines 1 through 20.

**Explanation:**

(This amendment removes obsolete language regarding studies already completed by the Joint Legislative Audit and Review Commission.)

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Item 37 #1h

**Fee for Court-Appointed Mediators**

**Judicial Department**

**FY16-17**

**FY17-18**

Supreme Court

\$303,000

\$303,000 GF

**Language:**

Page 23, line 3, strike "\$13,360,061" and insert "\$13,663,061".

Page 23, line 3, strike "\$13,360,061" and insert "\$13,663,061".

Page 23, line 33, after "cost of", strike "proposed".

Page 23, line 34, after "cases", insert:

"consistent with the provisions of House Bill 287 of the 2016 General Assembly".

Page 23, after line 34, insert:

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"F. Notwithstanding the provisions of § 20-124.4, Code of Virginia, the fee paid to mediators shall be \$120 per appointment mediated. For such purpose, \$303,000 the first year and \$303,000 the second year from general funds are included in the appropriation for this item."

**Explanation:**

(This amendment provides \$303,000 from the general fund each year to increase the rate of reimbursement for court-appointed mediators from \$100 to \$120 per appointment mediated.)

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Item 37 #2h

**Court-Appointed Attorneys for Commitment Hearings**

<b>Judicial Department</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Supreme Court	\$60,625	\$60,625	GF

**Language:**

Page 23, line 3, strike "\$13,360,061" and insert "\$13,420,686".  
Page 23, line 3, strike "\$13,360,061" and insert "\$13,420,686".

**Explanation:**

(This amendment provides \$60,625 from the general fund each year for the estimated costs of increasing the fee for court-appointed attorneys in commitment proceedings from \$25 to \$150 per case, consistent with the provisions of House Bill 364 of the 2016 General Assembly.)

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Item 40 #1h

**Review of Drug Court Pilot Sites**

<b>Judicial Department</b>	
Supreme Court	Language

**Language:**

Page 25, after line 6, insert:  
"4. The Executive Secretary of the Supreme Court of Virginia shall identify eligible adult drug court sites for participation in a pilot program to provide substance abuse treatment utilizing non-narcotic, non-addictive, long-acting, injectable prescription drug treatment regimens. The Executive Secretary shall identify the state funding resources necessary to support pilot program medication, provider fees, counseling, and patient monitoring, as well as any available local or regional funding resources available. The Executive Secretary shall

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meet with and solicit feedback from stakeholders including requesting information on the success of comparable pilot programs in other states. The Executive Secretary shall report the results of this review, as well as recommendations for establishment of the pilot program to other drug courts, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget by October 1, 2016. All Adult Drug Courts in the Commonwealth shall provide all necessary information to the Office of the Executive Secretary of the Supreme Court of Virginia in order to conduct such a review.”

**Explanation:**

(This amendment directs the Executive Secretary of the Supreme Court to identify drug court sites for participation in a pilot program providing substance abuse treatment using drug treatment regimens, and report on the findings and recommendations of the review to the Chairmen of the House Appropriations and Senate Finance Committees, and to the Director of the Department of Planning and Budget no later than October 1, 2016.)

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Item 42 #1h

**Transfer from Judicial Reversion Clearing Account**

<b>Judicial Department</b>	<b>FY16-17</b>	<b>FY17-18</b>
Circuit Courts	\$855,795	\$855,795 GF

**Language:**

Page 26, line 5, strike "\$112,799,681" and insert "\$113,655,476".  
Page 26, line 5, strike "\$112,814,867" and insert "\$113,670,662".

**Explanation:**

(This amendment transfers \$855,795 each year in general funds from the Judicial Reversion Clearing Account, representing funds for three Circuit Court judgeships included in Chapter 665 of the 2015 General Assembly. A companion amendment to Item 53 of this act removes this funding, offset by additional funds to bring the total number of judgeships funded in this act to 415, an increase from 405.)

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Item 50 #1h

**Extend Immediate Sanction Probation Pilot Program**

**Judicial Department**

*Floor Approved Requests to House Bill 30, as Introduced*

Virginia Criminal Sentencing Commission

Language

**Language:**

Page 32, line 24, after "B." insert:

"Notwithstanding the provisions of § 19.2-303.5, Code of Virginia, the provisions of that section shall not expire on July 1, 2016, but shall continue in effect until July 1, 2017."

**Explanation:**

(This amendment extends authorization for participating localities to operate their immediate sanction probation pilot programs for an additional year.)

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Item 53 #1h

**Funding for Vacant Judgeships (415 total)**

<b>Judicial Department</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Judicial Department Reversion Clearing Account	\$1,998,159	\$1,998,159	GF

**Language:**

Page 34, line 1, strike "\$855,795" and insert "\$2,853,954".

Page 34, line 1, strike "\$855,795" and insert "\$2,853,954".

Page 34, strike lines 4 through 7.

Page 34, after line 7, insert:

"A. Sufficient funding is included within the Judicial Department to support a total of 415 circuit and district court judgeships. The vacant judgeships to be filled as of July 1, 2016, are as follows:

1. Circuit Court judgeships: one each in the 7th, 10th, 19th, 23rd, and 27th circuits; and two each in the 15th and 25th circuits, for a total of 9 Circuit Court judgeships to be filled as of July 1, 2016.

2. General District Court judgeships: one each in the 7th, 8th, 16th, 21st, 24th, and 31st districts; two in the 19th district; and three in the 15th district, for a total of 11 General District Court judgeships to be filled as of July 1, 2016.

3. Juvenile and Domestic Relations District Court judgeships: one each in the 5th, 13th, 15th, 16th, 17th, 24th, and 29th, for a total of seven Juvenile and Domestic Relations District Court judgeships to be filled as of July 1, 2016.

4. Included in the appropriation for this item is \$2,853,954 from the general fund each year to support the filling of judgeships. The Executive Secretary of the Supreme Court is authorized to request the transfer of funds between this item and Items 42, 43, and 44 as needed to reflect the distribution of the 418 judgeships."



**Explanation:**

(This amendment provides \$2.9 million each year from the general fund to increase the number of funded judgeships from 405 to 415. A companion amendment transfers the \$855,795 already in the Judicial Reversion Clearing Account to Item 42 of this act to reflect three circuit court positions funded in Chapter 665 of the 2015 General Assembly.)

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Item 59 #1h

**Reimbursement for Security Services**

**Executive Offices**

Attorney General and Department of Law

Language

**Language:**

Page 37, after line 24, insert:

"G. The Office of Attorney General and Department of Law shall reimburse the Division of Capitol Police for any costs incurred in providing personal protection services to the Attorney General or other staff of the Office."

**Explanation:**

(This amendment is self-explanatory.)

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Item 65 #1h

**Fund Creation of Virginia Indian Advisory Board**

**Executive Offices**

**FY16-17**

**FY17-18**

Secretary of the Commonwealth

\$18,470

\$18,470

GF

**Language:**

Page 39, line 30, strike "\$2,395,709" and insert "\$2,414,179".

Page 39, line 30, strike "\$2,419,154" and insert "\$2,437,624".

Page 39, line 38, before "Authority" insert "A."

Page 39, after line 40, insert:

"B. Included in the general fund appropriation for this item is \$18,470 each year for costs related to the Virginia Indian Advisory Board, pursuant to the provision of House Bill 814 of the 2016 General Assembly."

**Explanation:**

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(This amendment provides funding for the establishment and operation of the Virginia Indian Advisory Board within the office of the Secretary of the Commonwealth. House Bill 814 authorizes the Secretary to establish the aforementioned board to assist in reviewing applications seeking recognition as a Virginia Indian tribe, among other activities.)

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Item 65 #2h

**Remove New Funding and Positions**

<b>Executive Offices</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Secretary of the Commonwealth	(\$253,476) -5.00	(\$253,476) -5.00	GF FTE

**Language:**

Page 39, line 30, strike "\$2,395,709" and insert "\$2,142,233".  
Page 39, line 30, strike "\$2,419,154" and insert "\$2,165,678".

**Explanation:**

(This amendment removes new funding and positions included in the introduced budget for the Office of the Secretary of the Commonwealth.)

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Item 69 #1h

**Adjust Appropriation for Statewide Automated Victim Notification System**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	\$60,270	\$60,270	GF

**Language:**

Page 42, line 13, strike "\$460,643,124" and insert "\$460,703,394".  
Page 42, line 13, strike "\$465,911,600" and insert "\$465,971,870".  
Page 45, line 24, strike "\$1,004,500" and \$1,004,500" and insert:  
"\$1,064,770" and "\$1,064,770".

**Explanation:**

(This amendment increases the general fund appropriation for use of the Statewide Automated Victim Notification (SAVIN) system to reflect increased vendor costs.)

---

Item 69 #2h

**Redirect Funding for Sheriffs' Career Development Programs**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	(\$1,906,594)	(\$1,906,594)	GF

**Language:**

Page 42, line 13, strike "\$460,643,124" and insert "\$458,736,530".  
Page 42, line 13, strike "\$465,911,600" and insert "\$464,005,006".  
Page 45, strike lines 32 through 36.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to add additional individuals to the Sheriffs' and the Sheriff's Master Deputy Career Development Programs to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

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Item 69 #3h

**Redirect Funding for Compression Plan for Sheriffs and their Employees**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	(\$3,633,037)	(\$8,719,289)	GF

**Language:**

Page 42, line 13, strike "\$460,643,124" and insert "\$457,010,087".  
Page 42, line 13, strike "\$465,911,600" and insert "\$457,192,311".  
Page 45, strike lines 43 through 49.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to fund a compression salary adjustment for sheriffs' offices and regional jails to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

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Item 70 #1h

**Defray Costs to Nottoway of VCBR Referrals**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
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*Floor Approved Requests to House Bill 30, as Introduced*

Compensation Board	\$100,000	\$100,000	GF
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**Language:**

Page 45, line 50, strike "\$50,115,331" and insert "\$50,215,331".

Page 45, line 50, strike "\$50,115,331" and insert "\$50,215,331".

Page 48, after line 37, insert:

"L. Out of the amounts appropriated in this item, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the purpose of reimbursing the County of Nottoway for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail at the expense of the County."

**Explanation:**

(This amendment provides \$100,000 from the general fund each year to be reimbursed to Nottoway County. The County currently bears the costs of confining in Piedmont Regional Jail those residents arrested for new offenses and confined in the jail facility.)

---

Item 70 #2h

**Jail Per Diems**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	\$10,394,662	\$11,132,914	GF

**Language:**

Page 45, line 50, strike "\$50,115,331" and insert "\$60,509,993".

Page 45, line 50, strike "\$50,115,331" and insert "\$61,248,245".

Page 48, strike lines 26 through 28.

**Explanation:**

(This amendment provides for the total estimated cost to the general fund of per diem payments to local and regional jails.)

---

Item 72 #1h

**Redirect Funding for Commissioners of Revenue Career Development Programs**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	(\$237,615)	(\$237,615)	GF

**Language:**

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Page 49, line 23, strike "\$18,199,602" and insert "\$17,961,987".

Page 49, line 23, strike "\$18,199,602" and insert "\$17,961,987".

Page 50, strike lines 29 through 33.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to add additional individuals to the Commissioners of Revenue and Assistant Commissioners of Revenue Career Development Programs to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

---

Item 73 #1h

**Redirect Funding for Assistant Commonwealth Attorney's CDP**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>
Compensation Board	(\$566,501)	(\$566,501) GF

**Language:**

Page 50, line 34, strike "\$71,883,986" and insert "\$71,317,485".

Page 50, line 34, strike "\$71,883,986" and insert "\$71,317,485".

Page 52, strike lines 22 through 24.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to add additional individuals to the Assistant Commonwealth's Attorneys Career Development Program to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

---

Item 73 #2h

**Restore Local Treasurers Contingency Fee Language**

<b>Administration</b>	
Compensation Board	Language

**Language:**

Page 52, line 19, after "fee." insert:

"Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being

*Floor Approved Requests to House Bill 30, as Introduced*

compensated on a contingency basis but shall be instead compensated administrative cost pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2016, the collection of delinquent court fines, costs, forfeitures, and penalties shall be made consistent with § 19.2-349, Code of Virginia."

**Explanation:**

(This amendment restores the policy adopted by the 2015 General Assembly concerning court debt collections by local treasurers. The amendment removes the June 30, 2018 sunset of localities grandfathered by the language as it existed in Chapter 665 of the 2015 General Assembly.)

---

Item 74 #1h

**Redirect Funding for Circuit Court Clerks' Career Development Programs**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	(\$618,817)	(\$618,817)	GF

**Language:**

Page 52, line 25, strike "\$53,418,022" and insert "\$52,799,205".  
Page 52, line 25, strike "\$53,418,022" and insert "\$52,799,205".  
Page 54, strike lines 40 through 43.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to fund for the first time the Career Development Programs for Circuit Court and Deputy Circuit Court Clerks to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

---

Item 75 #1h

**Redirect Funding for Treasurers' Career Development Programs**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	(\$132,313)	(\$132,313)	GF

**Language:**

Page 54, line 44, strike "\$17,127,404" and insert "\$16,995,091".

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Page 54, line 44, strike "\$17,127,404" and insert "\$16,995,091".

Page 55, strike lines 48 through 51.

**Explanation:**

(This amendment redirects new funding included in the introduced budget to add individuals to the Treasurers' and Deputy Treasurers' Career Development Program to an amendment in Item 475 which provides a 3% salary increase to all state supported local employees in fiscal year 2017 and an additional 1% salary increase in fiscal year 2018.)

---

Item 76 #1h

**Review of Virginia Association of Counties Risk Pool**

**Administration**

Compensation Board

Language

**Language:**

Page 59, after line 18, insert:

"T. The State Compensation Board is directed to convene a group of stakeholders representing constitutional officers and the Virginia Association of Counties Risk Pool to jointly examine the liability policy coverage and contract for such coverage currently provided to constitutional officers under VARisk, the premiums which have and are being charged to local governments for such coverage, the educational and training services being provided to constitutional officers in coordination with the VARisk coverage, the names of the attorneys being utilized in defense of claims made against constitutional officers insured under VARisk, and the associated legal costs being paid for their services by VARisk. The results of such examination shall be compared by the State Compensation Board and stakeholders to available alternative coverage and contracts which could be provided by the Virginia Association of Counties Risk Pool to insure constitutional officers, the premiums that would be charged for such coverage, the names of the attorneys that would be utilized in the defense of claims made against constitutional officers insured under this alternative coverage, and the legal fees that would be paid for such defense work. The State Compensation Board and stakeholders shall determine whether the available alternative coverage and services are competitive with or preferable to the coverage and services provided under VARisk and shall report their findings by December 1, 2016, to the Chairmen of the House Appropriations Committee and the Senate Finance Committee."

**Explanation:**

(This amendment directs the State Compensation Board to convene a group of stakeholders to examine costs and liabilities to constitutional officers covered by VARisk associated with the Virginia Association of Counties Risk Pool, to examine alternative coverage arrangements, and to report their findings to the Chairmen of the House Appropriations

Committee and Senate Finance Committee.)

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Item 76 #2h

**Correct Technology Payment Rate Error**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Compensation Board	\$131,505	\$131,505	GF

**Language:**

Page 56, line 1, strike "\$3,359,444" and insert "\$3,490,949".

Page 56, line 1, strike "\$3,365,442" and insert "\$3,496,947".

**Explanation:**

(This amendment provides funding to correct improperly calculated information technology rate changes included in the introduced budget.)

---

Item 78 #1h

**Address O&M Shortfall**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of General Services	\$284,000	\$289,000	GF

**Language:**

Page 60, line 17, strike "\$63,058,520" and insert "\$63,342,520".

Page 60, line 17, strike "\$63,059,428" and insert "\$63,348,428".

**Explanation:**

(This amendment provides \$284,000 from the general fund the first year and \$289,000 from the general fund the second year to address a shortfall in the Department of General Services budget related to operations and maintenance of state property.)

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Item 79 #1h

**eVA Maintenance Enhancements**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
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Department of General Services \$409,500 \$562,500 NGF

**Language:**

Page 60, line 52, strike "\$59,740,143" and insert "\$60,149,643".  
Page 60, line 52, strike "\$59,685,266" and insert "\$60,247,766".

**Explanation:**

(This amendment increases the non-general fund appropriation for maintenance and enhancements to the eVA statewide procurement system. The increase in appropriation will not require an increase in rates charged to agencies or vendors for use of the system.)

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Item 84 #1h

**Remove New Funding and Position**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Human Resource Management	(\$124,343) -1.00	(\$124,343) -1.00	GF FTE

**Language:**

Page 64, line 50, strike "\$15,923,988" and insert "\$15,799,645".  
Page 64, line 50, strike "\$15,547,725" and insert "\$15,423,382".

**Explanation:**

(This amendment removes a new position and associated funding included in the introduced budget for the Department of Human Resources Management.)

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Item 84 #2h

**HB 665 - Administrative Support for Retirement Commission**

<b>Administration</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Human Resource Management	\$150,000	\$150,000	GF

**Language:**

Page 64, line 50, strike "\$15,923,988" and insert "\$16,073,988".  
Page 64, line 50, strike "\$15,547,725" and insert "\$15,697,725".

**Explanation:**

(This amendment provides \$150,000 from the general fund in funding the Department of

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Human Resource Management to provide administrative support to the Commission on Employee Retirement Security and Pension Reform created pursuant to the passage of House Bill 665 of the 2016 General Assembly session.)

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Item 85 #1h

**Analysis of Pharmacy Claims Expenditures**

**Administration**

Administration of Health Insurance

Language

**Language:**

Page 67, after line 45, insert:

"H. The Director of the Department of Human Resource Management shall analyze pharmacy claims data from the past biennium in order to assess the value of payments made to the state employee health plan's network pharmacies and payments made to the state employee health program's contracted health insurance plans. The Director shall identify and report any difference in value in payments made to network pharmacies and to the contracted health insurance plans and shall make recommendations to the Chairmen of the House Appropriations Committee and Senate Finance Committees by October 1, 2016."

**Explanation:**

(This amendment is self-explanatory.)

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Item 89 #1h

**Report on Proposed Food Program Change**

**Agriculture and Forestry**

Department of Agriculture and Consumer Services

Language

**Language:**

Page 72, strike lines 23 through 26 and insert:

"and shall submit such plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2016. Such plan shall detail the funding amounts and positions associated with the impacted programs, and estimate of whether cost savings or additional costs would be incurred, both during the transition and over the long-term, resulting from the transfer of these programs. The review shall also assess any potential administrative impacts on the local school divisions, the Department of Education and the Department of Health. No transfer of positions or funding shall occur

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without prior approval of the General Assembly at the 2017 Regular Session."

**Explanation:**

(This amendment removes language proposed in House Bill 30 as introduced that would have moved and consolidated the food programs through the Department of Education and Department of Health into the Department of Agriculture and Consumer Services and instead requires that the Department present a report on the planned transition to the General Assembly and propose any such change to the 2017 Session of the General Assembly.)

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Item 91 #1h

**Agricultural Marketing/Business Expansion Program**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	\$373,944 2.00	\$373,944 2.00	GF FTE

**Language:**

Page 72, line 35, strike "\$22,412,142" and insert "\$22,786,086".

Page 72, line 35, strike "\$22,399,142" and insert "\$22,773,086".

Page 74, after line 27, insert:

"L. Out of the amounts in this item, \$373,944 the first year and \$373,944 the second year from the general fund and 2.00 full-time equivalent positions shall be used to establish a program of grants to agribusiness for a marketing and business planning activities, including in-depth research, website design, social media strategy, food innovation, packaging design, modernization of facilities and certification."

**Explanation:**

(This amendment provides \$373,944 each year and two positions from the general fund to support a program to provide grants to agribusinesses. The investment will provide \$5,000 grants to 30 companies each year and include at least two half-day workshops around the state. This program will be a first-of-its-kind strategic investment in domestic marketing for agriculture and forestry. Many agribusinesses are so focused on farming and production costs it is difficult to balance marketing and business planning tasks.)

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Item 91 #2h

**Reduce Increase to PDR Program**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>
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*Floor Approved Requests to House Bill 30, as Introduced*

Department of Agriculture and Consumer Services	(\$500,000)	(\$500,000)	GF
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**Language:**

Page 72, line 35, strike "\$22,412,142" and insert "\$21,912,142".  
Page 72, line 35, strike "\$22,399,142" and insert "\$21,899,142".  
Page 73, line 42, strike "\$2,000,000" and "\$2,000,000" and insert:  
"\$1,500,000" and "\$1,500,000".

**Explanation:**

(This amendment reduces by \$500,000 each year the amounts dedicated to the Virginia Farmland Preservation Fund. The remaining \$1.5 million annual appropriation matches the amounts included for fiscal year 2016 in Chapter 665.)

---

Item 91 #3h

**VA Grown Food Ambassador**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	(\$107,224)	(\$107,224)	GF

**Language:**

Page 72, line 35, strike "\$22,412,142" and insert "\$22,304,918".  
Page 72, line 35, strike "\$22,399,142" and insert "\$22,291,918".

**Explanation:**

(This amendment removes \$107,224 each year that was included in House Bill 30 as introduced to support a new initiative to create a Virginia Grown Foods Ambassador.)

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Item 91 #4h

**International Marketing**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	\$250,000	\$250,000	GF

**Language:**

Page 72, line 35, strike "\$22,412,142" and insert "\$22,662,142".  
Page 72, line 35, strike "\$22,399,142" and insert "\$22,649,142".

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Page 74, line 4, strike "\$1,170,226" and insert "\$1,420,226".

Page 74, line 5, strike "\$1,170,226" and insert "\$1,420,226".

**Explanation:**

(This amendment provides an additional \$250,000 each year from the general fund to support international marketing of Virginia's agricultural products through the Department of Agriculture and Consumer Services. Virginia agriculture and forestry exports reached a new all-time high of \$3.35 billion in 2014, making the Commonwealth the No. 2 exporter on the East Coast.)

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Item 91 #5h

**Cider Revenues to Wine Promotion Fund**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	\$21,983	\$21,983	GF

**Language:**

Page 72, line 35, strike "\$22,412,142" and insert "\$22,434,125".

Page 72, line 35, strike "\$22,399,142" and insert "\$22,421,125".

Page 73, line 39, strike "\$1,919,248" and "\$1,919,248" and insert: "\$1,941,231" and "\$1,941,231".

**Explanation:**

(This amendment increases the amounts deposited to the Wine Promotion Fund to reflect the dedication of the cider mark-up on cider produced by farm wine licensees.)

---

Item 93 #1h

**Coyote Control Program Language**

**Agriculture and Forestry**

Department of Agriculture and Consumer Services

Language

**Language:**

Page 74, at the beginning of line 50, insert "A."

Page 75, after line 2, insert:

"B. The Commissioner shall enter into agreements with local and state agencies, or other persons, for the control of black vultures, coyotes, and other wildlife that pose a danger to agricultural animals. The Commissioner shall enter into an agreement with the federal

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government to establish and maintain the Virginia Cooperative Wildlife Damage Management Program. Pursuant to this requirement, the memorandum of agreement with the U.S. Department of Agriculture Animal and Plant Health Inspection Service (APHIS) Wildlife Services (WS) shall be updated on or before December 31, 2016 to ensure continuation of the partnership."

**Explanation:**

(This amendment directs VDACS to enter into an agreement with the federal government by December 31, 2016 to ensure continued operation of the cooperative wildlife damage management program.)

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Item 96 #1h

**Weights & Measures Program Support**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	\$345,701	\$197,101	GF

**Language:**

Page 75, line 17, strike "\$2,973,717" and insert "\$3,319,418".  
Page 75, line 17, strike "\$2,973,717" and insert "\$3,170,818".

**Explanation:**

(This amendment provides additional support for the weights and measures program. The amounts would be used to hire two additional inspectors and related support equipment. This would increase the total devices inspected by 3,600 annually with a focus on farm scales and risk-based needs. This would continue the General Assembly's goal of incrementally addressing the deficit between available funding and stated goals in terms of timely inspections.)

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Item 100 #1h

**Information Technology Upgrade Funding**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Agriculture and Consumer Services	(\$200,000) -1.00	(\$200,000) -1.00	GF FTE

**Language:**

Page 76, line 41, strike "\$10,760,048" and insert "\$10,560,048".

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Page 76, line 41, strike "\$10,766,773" and insert "\$10,566,773".

**Explanation:**

(This amendment reduces the funding available to upgrade internal information technology applications by \$200,000 each year and one position, leaving a total of \$707,788 and five additional positions each year to begin the system upgrades in a phased fashion.)

---

Item 101 #1h

**Phase-In Funding of Forestry MELP**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Forestry	(\$177,729)	(\$177,729) GF

**Language:**

Page 77, line 8, strike "\$31,912,262" and insert "\$31,734,533".

Page 77, line 8, strike "\$32,643,961" and insert "\$32,466,232".

Page 77, line 44, strike "\$1,470,685 the first year and \$2,303,855 the second year" and insert: "\$1,292,956 the first year and \$2,126,126 the second year".

**Explanation:**

(This amendment reduces the proposed proposed funding for the replacement of forestry firefighting equipment by \$177,729 each year, leaving new funding of \$898,351 in the first year and \$1,731,521 in the second year for this purpose in addition to the base funding in Chapter 665.)

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Item 101 #2h

**Reduce Proposed Forestry Increases**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Forestry	(\$407,566)	(\$301,709) GF

**Language:**

Page 77, line 8, strike "\$31,912,262" and insert "\$31,504,696".

Page 77, line 8, strike "\$32,643,961" and insert "\$32,342,252".

**Explanation:**

(This amendment reduces the funding proposed in House Bill 30 as introduced for three additional regional foresters and for a telecommunications specialist.)

Item 105 #1h

**HB 858 - Create Virginia International Trade Corporation**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Secretary of Commerce and Trade	\$150,000 1.00	\$150,000 1.00	GF FTE

**Language:**

Page 80, line 3, strike "\$703,632" and insert "\$853,632".

Page 80, line 3, strike "\$703,779" and insert "\$853,779".

Page 80, after line 17, insert:

"C. Out of the appropriation for this item, \$150,000 the first year and \$150,000 the second year from the general fund is provided to support the establishment of the Virginia International Trade Corporation created pursuant to the passage of House Bill 858 of the 2016 General Assembly Session."

**Explanation:**

(This amendment provides \$150,000 from the general fund each year to establish the Virginia International Trade Corporation.)

---

Item 106 #1h

**Reduce New Funding for Trade Missions**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Economic Development Incentive Payments	(\$500,000)	(\$500,000)	GF

**Language:**

Page 80, line 23, strike "\$99,284,360" and insert "\$98,784,360".

Page 80, line 23, strike "\$93,109,529" and insert "\$92,609,529".

Page 83, line 52, strike "\$1,000,000 the first year and \$1,000,000" and insert:

"\$500,000 the first year and \$500,000".

**Explanation:**

(This amendment reduces \$1.0 million from the general fund each year to \$500,000 from the general fund each year, new funding included in the introduced budget for additional trade missions.)

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Item 106 #2h

**Eliminate New Funding for Biotechnology Spinoffs**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Economic Development Incentive Payments	(\$30,000,000)	(\$30,000,000)	GF

**Language:**

Page 80, line 23, strike "\$99,284,360" and insert "\$69,284,360".  
Page 80, line 23, strike "\$93,109,529" and insert "\$63,109,529".  
Page 84, strike lines 4 through 15.

**Explanation:**

(This amendment eliminates new funding included in the introduced budget to develop biotechnology spinoff companies. The budget does include \$20.0 million from the general fund each year under higher education to support research in bioscience, biotechnology, cybersecurity, genomics, other technological or scientific projects to support the commercialization of these technologies.)

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Item 106 #3h

**Additional Funding for the Motion Picture Opportunity Fund**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Economic Development Incentive Payments	\$4,500,000	\$0	GF

**Language:**

Page 80, line 23, strike "\$99,284,360" and insert "\$103,784,360".  
Page 81, line 35, after "Item," strike "\$3,000,000 " and insert "\$7,500,000".

**Explanation:**

(This amendment provides additional funding of \$4.5 million from the general fund in the first year to the Governor's Motion Picture Opportunity Fund to increase the appropriation in the fund from \$3.0 million to \$7.5 million in fiscal year 2017. All of the funding proposed in the introduced budget is obligated to current projects and there is no funding available to attract additional projects.)

---

Item 106 #4h

**Level Fund VBHRC**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Economic Development Incentive Payments	(\$5,000,000)	(\$7,500,000)	GF

**Language:**

Page 80, line 23, strike "\$99,284,360" and insert "\$94,284,360".  
Page 80, line 23, strike "\$93,109,529" and insert "\$85,609,529".  
Page 82, line 39, strike "\$7,500,000 the first year and \$10,000,000" and insert: "\$2,500,000 the first year and \$2,500,000".

**Explanation:**

(This amendment eliminates new funding, of \$5.0 million from the general fund in fiscal year 2017 and \$7.5 million from the general fund in fiscal year 2018, for the Virginia Biosciences Health Research Corporation and instead level funds the corporation at \$2.5 million a year. A separate amendment in higher education provides \$20.0 million from the general fund each year to capitalize the Virginia Research, Development, and Commercialization Fund. The VBHRC will vet proposals related to bioscience prior to grants being provided from the new fund.)

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Item 108 #1h

**Level Fund the Virginia Housing Trust Fund**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	(\$6,000,000)	(\$6,000,000)	GF

**Language:**

Page 84, line 35, strike "\$55,715,827" and insert "\$49,715,827".  
Page 84, line 35, strike "\$55,715,827" and insert "\$49,715,827".  
Page 85, line 31, strike "\$10,000,000 the first year and \$10,000,000" and insert: "\$4,000,000 the first year and \$4,000,000".

**Explanation:**

(This amendment eliminates the proposed increase in funding for the Virginia Housing Trust fund and instead provides for \$4.0 million a year in funding for the trust fund, which is equal to the level of funding provided in fiscal year 2016.)

Item 108 #2h

**Increase Funding for Rapid Re-Housing**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	\$1,500,000	\$1,500,000	GF

**Language:**

Page 84, line 35, strike "\$55,715,827" and insert "\$57,215,827".

Page 84, line 35, strike "\$55,715,827" and insert "\$57,215,827".

Page 85, strike lines 22 through 28 and insert:

"C. Out of the amounts in this item, \$2,500,000 the first year and \$2,500,000 the second year from the general fund shall be provided for rapid re-housing efforts. As part of the Department's rapid re-housing efforts the Department shall give priority to providing services to veterans, victims of domestic abuse, and individuals with serious mental illness."

**Explanation:**

(This amendment provides an additional \$1.5 million from the general fund each year, increasing funding to \$2.5 million from the general fund a year, for rapid re-housing and gives priority in funding to veterans, victims of domestic abuse, and individuals with serious mental illness.)

---

Item 109 #1h

**Funding for the Ctr. for Adv. Engineering & Research**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	\$600,000	\$325,797	GF

**Language:**

Page 85, line 50, strike "\$50,637,001" and insert "\$51,237,001".

Page 85, line 50, strike "\$64,504,601" and insert "\$64,830,398".

Page 88, after line 32, insert:

"Q. Out of the amounts appropriated in this item, \$600,000 from the general fund the first year and \$325,797 from the general fund the second year, is provided to support efforts to restore the Center for Advanced Engineering and Research and Integrated Systems Test back to operational conditions. This funding is contingent on the Center receiving a grant of no less than \$20,000,000 from the federal Department of Energy. "

**Explanation:**

(This amendment provides \$600,000 from the general fund the first year and \$325,797 from the general fund the second year to restore the Center for Advanced Engineering and Research and Integrated Systems Test back to operational conditions. Once the facility is operational, future funds from the federal Department of Energy as well as funds from private companies and universities will support the facility.)

---

Item 109 #2h

**Eliminate New Funding for Broadband Initiative**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	(\$2,833,647) -1.00	(\$2,833,647) -1.00	GF FTE

**Language:**

Page 85, line 50, strike "\$50,637,001" and insert "\$47,803,354".  
Page 85, line 50, strike "\$64,504,601" and insert "\$61,670,954".  
Page 88, strike lines 3 through 10.

**Explanation:**

(This amendment eliminates funding included in the introduced budget of \$2.8 million from the general fund each year for the Virginia Telecommunication Initiative.)

---

Item 109 #3h

**Additional Funding for GO Virginia**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	\$0	\$7,000,000	GF

**Language:**

Page 85, line 50, strike "\$64,504,601" and insert "\$71,504,601".  
Page 88, line 16, after "and" strike "\$20,000,000" and insert "\$27,000,000".  
Page 88, line 21, after "first year and" strike "\$5,500,000" and insert "\$3,500,000".  
Page 88, line 24, after "(ii)" strike "\$6,200,000" and insert "\$10,700,000".  
Page 88, line 26, after "(iii)" strike "\$8,300,000" and insert "\$12,800,000".  
Page 88, after line 27, insert:

"3. The appropriation for this paragraph is contingent on the passage of House Bill 834 of the

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2016 Session. If the bill should fail, the amounts appropriated in this item shall be transferred to Item 475.S as part of the Revenue Reserve."

**Explanation:**

(This amendment provides \$7.0 million from the general fund in additional funding, increasing total funding to \$27.0 million, for GO Virginia in fiscal year 2018.)

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Item 109 #4h

**Eliminate Funding for the New Healthy Food Financing Program**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Housing and Community Development	(\$5,000,000)	(\$5,000,000)	GF

**Language:**

Page 85, line 50, strike "\$50,637,001" and insert "\$45,637,001".

Page 85, line 50, strike "\$64,504,601" and insert "\$59,504,601".

Page 88, delete lines 11 through 15.

**Explanation:**

(This amendment eliminates funding, of \$5.0 million from the general fund each year, to create a new "Healthy Food Financing Program" which would provide grants to grocery stores locating in underserved areas.)

---

Item 120 #1h

**Eliminate New Funding for Development of Solar Energy**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Mines, Minerals and Energy	(\$1,000,000)	(\$1,000,000)	GF

**Language:**

Page 91, line 4, strike "\$5,610,922" and insert "\$4,610,922".

Page 91, line 4, strike "\$5,611,422" and insert "\$4,611,422".

**Explanation:**

(This amendment eliminates new funding proposed in the introduced budget for solar energy development.)

---

Item 120 #2h

**Eliminate New Funding for Biofuels Production Fund**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Mines, Minerals and Energy	(\$1,500,000)	(\$1,500,000)	GF

**Language:**

Page 91, line 4, strike "\$5,610,922" and insert "\$4,110,922".

Page 91, line 4, strike "\$5,611,422" and insert "\$4,111,422".

Page 91, strike lines 25 through 51.

**Explanation:**

(This amendment eliminates new funding in the introduced budget, of \$1.5 million from the general fund each year, to provide grants to the the producers of biofuels.)

---

Item 125 #1h

**Reduce New Funding for VEDP**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Economic Development Partnership	(\$4,000,000)	(\$4,000,000)	GF

**Language:**

Page 95, line 1, strike "\$27,601,544" and insert "\$23,601,544".

Page 95, line 1, strike "\$27,601,546" and insert "\$23,601,546".

Page 96, after line 24, insert:

"P. Out of the amounts in this item, \$5,160,771 the first year and \$5,160,771 the second year from the general fund shall be provided to strengthen and promote economic development initiatives. The funding shall be allocated on an annual basis as follows; \$466,000 to expand and rebrand the for the Virginia Jobs Investment Program, \$1,000,000 to support the Virginia International Trade Alliance, \$2,000,000 to match federal grants for the Going Global Defense Initiative, Virginia International Trade Alliance, and the State Trade Export Promotion (STEP) grant program, \$650,000 to Support Virginia exporters and \$1,044,771 to support US and international business attraction."

**Explanation:**

(This amendment reduces the new funding that was included in the introduced budget for the

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Virginia Economic Development Partnership from \$9.2 million from the general fund each year to \$5.2 million each year. The language designates how the new funding should be allocated.)

---

Item 125 #2h

**Virginia Business Ready Sites Program**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Economic Development Partnership	\$750,000	\$1,250,000	GF

**Language:**

Page 95, line 1, strike "\$27,601,544" and insert "\$28,351,544".  
Page 95, line 1, strike "\$27,601,546" and insert "\$28,851,546".

**Explanation:**

(This amendment provides \$750,000 from the general fund the first year and \$1.25 million from the general fund the second year for a pilot project to support the development of sites which have been included in the Virginia Business Ready Sites Program as being suitable for industrial development.)

---

Item 125 #3h

**Transfer Study from VEDP to DEQ**

<b>Commerce and Trade</b>		<b>Language</b>
Virginia Economic Development Partnership		

**Language:**

Page 96, line 21, strike "may utilize" and insert:  
"shall transfer to the Department of Environmental Quality".  
Page 96, line 24, after "Exchange." insert:  
"The Virginia Economic Development Partnership shall work in conjunction with the Department of Environmental Quality to develop the long-term offsetting methods."

**Explanation:**

(This amendment transfers primarily responsibility for the development of a long-term offsetting methods within the Virginia Nutrient Credit Exchange from VEDP to the Department of Environmental Quality and directs the two entities to work together on the

process.)

---

Item 126 #1h

**Treasury Offset Program - Recovery of Fees**

**Commerce and Trade**

Virginia Employment Commission

Language

**Language:**

Page 97, after line 4 insert:

"D. Notwithstanding any other provision of law, all fees incurred by the Virginia Employment Commission with respect to the collection of debts authorized to be collected under § 2.2-4806 of the Code of Virginia, using the Treasury Offset Program of the United States, shall become part of the debt owed the Commission and may be recovered accordingly."

**Explanation:**

(This amendment is self-explanatory.)

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Item 129 #1h

**Funding for Development of Spearhead Trails**

**Commerce and Trade**

**FY16-17**

**FY17-18**

Virginia Tourism Authority

\$300,000

\$300,000 GF

**Language:**

Page 97, line 22, strike "\$22,196,335" and insert "\$22,496,335".

Page 97, line 22, strike "\$21,746,337" and insert "\$22,046,337".

Page 98, after line 49, insert:

"M. Out of the amounts provided for Tourist Promotion shall be provided \$300,000 the first year and \$300,000 the second year from the general fund to support the Southwest Regional Recreation Authority to further the development of the Spearhead Trails."

**Explanation:**

(This amendment provides \$300,000 from the general fund each year for the Southwest Regional Recreation Authority to further the development of the Spearhead Trails. Thus far, 25% of the proposed trail system has been built and the additional funding would allow for the continued development of the system.)



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Item 129 #2h

**Reduce New Funding for Additional Tourism Marketing**

<b>Commerce and Trade</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Tourism Authority	(\$1,000,000)	(\$1,000,000)	GF

**Language:**

Page 97, line 22, strike "\$22,196,335" and insert "\$21,196,335".  
Page 97, line 22, strike "\$21,746,337" and insert "\$20,746,337".

**Explanation:**

(This amendment reduces from \$2.0 million from the general fund each year to \$1.0 million from the general fund each year funding that was included in the introduced budget for increased tourism marketing.)

---

Item 130 #1h

**Sec Ed - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Secretary of Education	(\$4,400,000)	(\$3,700,000)	GF

**Language:**

Page 100, line 3, strike "\$5,074,735" and insert "\$674,735".  
Page 100, line 3, strike "\$4,374,794" and insert "\$674,794".  
Page 100, strike lines 33 through 43.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

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Item 131 #1h

**Technical - Removes Language Related to Budget Reductions - Career Pathways Program**

**Education**

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Department of Education, Central Office Operations

Language

**Language:**

Page 101, strike lines 31 through 33.

Page 101, line 34, strike "F." and insert "E."

Page 102, line 2, strike "G." and insert "F."

Page 102, line 6, strike "H." and insert "G."

Page 102, line 10, strike "I." and insert "H."

**Explanation:**

(This technical amendment removes the language that was inadvertently left in the introduced budget for the Career Pathways Program which was eliminated as a budget saving initiative in the Department of Education during the 2015 Session and reflected in the current budget in Chapter 665.)

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Item 132 #1h

**Technical - Removes Language Related to Budget Reductions - Positive Behavioral Interventions and Supports Training**

**Education**

Department of Education, Central Office Operations

Language

**Language:**

Page 102, line 50, strike "\$402,000" and "\$402,000" and insert:  
"\$197,416" and "\$197,416".

**Explanation:**

(This technical amendment removes the language that was inadvertently left in the introduced budget for the Positive Behavioral Interventions and Supports training which was reduced by \$204,584, or 51%, as a budget saving initiative in the Department of Education during the 2015 Session and reflected in the current budget in Chapter 665.)

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Item 134 #1h

**Eliminate New Language - Transfer School Breakfast & Lunch Programs**

**Education**

Department of Education, Central Office Operations

Language

**Language:**

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Page 103, strike lines 45 through 51.

Page 104, strike lines 1 through 4.

**Explanation:**

(This language amendment eliminates the transfer of the School Breakfast and Lunch programs' state funding and personnel to the Department of Agriculture and Consumer Services.)

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Item 136 #1h

**Teacher Licensure - Dyslexia Training**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Education, Central Office	\$257,000	\$157,000	GF
Operations	1.00	1.00	FTE

**Language:**

Page 104, line 27, strike "\$2,181,226" and insert "\$2,438,226".

Page 104, line 27, strike "\$2,181,251" and insert "\$2,338,251".

**Explanation:**

(This amendment provides \$257,000 the first year and \$157,000 the second year from the general fund for the Department of Education to develop and implement training on indicators of dyslexia and the evidence-based interventions and accommodations for dyslexia for teachers who are seeking initial licensure or renewal of a license.)

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Item 137 #1h

**Review of Classroom Technology and Digital Content Development**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Education, Central Office	\$127,420	\$127,420	GF
Operations	1.00	1.00	FTE

**Language:**

Page 104, line 45, strike "\$18,953,680" and insert "\$19,081,100".

Page 104, line 45, strike "\$19,005,311" and insert "\$19,132,731".

Page 105, after line 46, insert:

"J. The Department of Education is directed to holistically review the statewide use of technology in the classroom and all sources of digital content development, and online

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learning such as virtual courses. The review shall include, but not be limited to, various types of technology currently used in the classroom such as personal computers, tablets, laptops, or other hand held devices, and how any such technology are used and coordinated with the various types of digital content or on-line options that support student academic improvement. The Department of Education shall report its preliminary findings to the Chairmen of House Appropriations and Senate Finance Committees by November 1, 2017."

**Explanation:**

(This amendment provides \$127, 420 each year from the general fund to the Department of Education to hire a new position that will be dedicated to the review of the use of technology and digital content or on-line based curriculum.)

---

Item 137 #2h

**Technical - Removes Language Related to Budget Reductions - ECS and Performance Evaluations**

**Education**

Department of Education, Central Office Operations

Language

**Language:**

- Page 105, strike lines 15 through 17.
- Page 105, line 18, strike "E." and insert "D."
- Page 105, line 29, strike "F." and insert "E."
- Page 105, line 29, strike "\$138,500" and "\$138,500" and insert: "\$69,250" and "\$69,250".
- Page 105, line 34, strike "G." and insert "F."
- Page 105, line 38, strike "H." and insert "G."
- Page 105, line 43, strike "I." and insert "H."

**Explanation:**

(This technical amendment removes language that was inadvertently left in the introduced budget for Education Commission of the States which was eliminated and it updates the budgeted amount for performance evaluation training given to school personnel in support of the transition from continuing employment contracts to annual employment contracts for teachers and principals as two budget saving initiatives in the Department of Education during the 2015 Session and reflected in the current budget in Chapter 665.)

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Item 137 #3h

**Eliminate One Year Funding for New Pilot**

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<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Education, Central Office Operations	(\$150,000)	\$0 GF

**Language:**

Page 104, line 45, strike "\$18,953,680" and insert "\$18,803,680".  
 Page 105, strike lines 43 through 46.

**Explanation:**

(This amendment captures \$150,000 the first year from the general fund by eliminating the proposed new funding for a one-year pilot in the Department of Education's Central Office budget for academic planning and system improvements.)

Item 137 #4h

**Virginia Virtual School**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Education, Central Office Operations	\$275,000	\$0 GF
	\$0	\$550,000 NGF
	4.00	0.00 FTE

**Language:**

Page 104, line 45, strike "\$18,953,680" and insert "\$19,228,680".  
 Page 104, line 45, strike "\$19,005,311" and insert "\$19,555,311".  
 Page 105, after line 46, insert:

"J. Out of this appropriation, \$275,000 the first year from the general fund for a one-time start-up payment and \$550,000 from the non-general fund is provided to the Virginia Virtual School for personnel costs pursuant to the passage of House Bill 8."

**Explanation:**

(This amendment provides \$275,000 the first year from the general fund for a one-time start-up payment and \$550,000 the second year from non-general funds, which would be generated from payments from the multidivision on-line providers to DOE, for the Virginia Virtual School. The \$275,000 would cover the cost of the 4 full-time employees employed by the Virginia Virtual School and Virginia Virtual Board members costs during the first year start-up. Staff should be hired by January 1, 2017, in order to be ready for the opening of the School for the 2017-18 school year. Once students have enrolled in the Virginia Virtual School in the fall of 2017, the costs of the administration of the School will be provided for by the multidivision online providers that contract to provide full-time virtual

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school programs with the School. There is a companion amendment in Item 139. This funding is contingent on the passage of House Bill 8.)

---

Item 138 #1h

**Jobs for Virginia Graduates - Restore Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$200,000	\$200,000 GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$27,591,970".  
Page 106, line 5, strike "\$28,091,970" and insert "\$28,291,970".  
Page 106, line 11, strike "\$373,776" and insert "\$573,776".  
Page 106, line 12, strike "\$373,776" and insert "\$573,776".

**Explanation:**

(This amendment restores \$200,000 each year from the general fund to provide the Jobs for Virginia Graduates initiative with the amount funded in fiscal year 2016.)

---

Item 138 #2h

**Virginia Student Training and Refurbishment (VA STAR)**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$50,000	\$50,000 GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$27,441,970".  
Page 106, line 5, strike "\$28,091,970" and insert "\$28,141,970".  
Page 108, line 35, strike "\$250,000" and insert "\$300,000".  
Page 108, line 36, strike "\$250,000" and insert "\$300,000".

**Explanation:**

(This amendment provides \$50,000 each year from the general fund to support the Virginia Student Training and Refurbishment (VA STAR) Program. VA STAR is a collaborative effort of the Secretaries of Education and Technology and the Department of Education and General Services to introduce Virginia's students to the field of Information Technology (IT). The ultimate goal of VA STAR, which is administered by the Prince William County school divisions, is to create a sustainable educational program that takes surplus hardware from

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state agencies or private companies in order to offer students IT repair certification. Once refurbished, the computers are available for school use or distributed to students' families and community foundations needing them. Still in its infancy, VA STAR already has more than 63 schools in 38 school divisions participating with divisions ranging in size from rural King William to urban Fairfax. It has clearly demonstrated that it is an excellent teaching tool that also results in savings (King William has saved an estimated \$45,000) to school divisions, and has established itself as a program that can be beneficial to school divisions across the Commonwealth. This amendment continues funding necessary for VA STAR to continue the program within currently participating school divisions and to expand the number of participants through the 2016-18 biennium.)

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Item 138 #3h

**Positive Behavioral Intervention & Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$500,000)	(\$500,000)	GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$26,891,970".  
Page 106, line 5, strike "\$28,091,970" and insert "\$27,591,970".  
Page 108, line 38, strike "\$1,098,000" and "\$1,098,000" and insert:  
"\$598,000" and "\$598,000".

**Explanation:**

(This amendment saves \$500,000 each year from the general fund by continuing the current fiscal year 2016 level of funding for the Positive Behavioral Intervention & Supports initiative.)

---

Item 138 #4h

**Tuition Grants for Community Colleges**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$1,000,000)	(\$1,300,000)	GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$26,391,970".  
Page 106, line 5, strike "\$28,091,970" and insert "\$26,791,970".  
Page 110, line 23, strike "\$3,350,000" and insert "\$2,350,000".

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Page 110, line 23, strike "\$4,050,000" and insert "\$2,750,000".

Page 110, line 29, strike "\$1,600,000" and insert "\$600,000".

Page 110, line 29, strike "\$2,300,000" and insert "\$1,000,000".

**Explanation:**

(This amendment captures \$2.3 million from the general fund by adjusting the new initiative's funding that the Virginia Early Childhood Foundation would administer to provide tuition scholarships to community college students for early education workforce courses. The new initiative will still have \$1.6 million available to provide tuition grants. In addition, the budget includes \$3.0 million in new funding for mixed-delivery preschool services to high-risk children and communities. The Foundation will continue to receive the \$500,000 in the current budget for a grant program to strengthen the capacity of local communities to promote school readiness for young children through innovative regional partnerships.)

---

Item 138 #5h

**Continue Project Discovery Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$250,000)	(\$250,000)	GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$27,141,970".

Page 106, line 5, strike "\$28,091,970" and insert "\$27,841,970".

Page 108, line 22, strike "\$675,000" and insert "\$425,000".

Page 108, line 23, strike "\$675,000" and insert "\$425,000".

**Explanation:**

(This amendment decreases \$250,000 each year from the increases proposed in the introduced budget for Project Discovery.)

---

Item 138 #6h

**Continue Pre-K STEM Thru the Arts - Wolf Trap Model - Level Fund**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$275,000)	(\$275,000)	GF

**Language:**



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Page 106, line 5, strike "\$27,391,970" and insert "\$27,116,970".

Page 106, line 5, strike "\$28,091,970" and insert "\$27,816,970".

Page 109, line 55, strike "\$600,000" and "\$600,000" and insert: "\$325,000" and "\$325,000".

Page 110, line 1, strike "Arlington, Chesterfield,".

Page 110, line 2, strike "Norfolk, Petersburg, Richmond City,".

**Explanation:**

(This amendment saves \$275,000 each year from the general fund by continuing to fund the Pre-K STEM Thru the Arts - Wolf Trap Model initiative at the current fiscal year 2016 level.)

---

Item 138 #7h

**Eliminate New Initiative - Jason Learning Program**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$100,000)	(\$100,000)	GF

**Language:**

Page 106, line 5, strike "\$27,391,970" and insert "\$27,291,970".

Page 106, line 5, strike "\$28,091,970" and insert "\$27,991,970".

Page 111, strike lines 4 through 7.

Page 111, line 8, strike "X" and insert "W".

**Explanation:**

(This amendment captures \$100,000 each year from the general fund from removing the new Jason Learning program initiative for an online STEM program.)

---

Item 138 #8h

**Technical - Add Listing of Supplemental Education Programs**

<b>Education</b>		<b>Language</b>
Direct Aid to Public Education		Language

**Language:**

Page 106, after line 10, insert:

"Appropriation Detail of Supplemental Education Assistance Programs (14300)

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Career and Technical Education Resource Center	\$298,021	\$298,021
Jobs for Virginia Graduates	\$573,776	\$573,776
Project Discovery	\$425,000	\$425,000
Small School Division Assistance	\$145,896	\$145,896
Southside Virginia Technology Consortium	\$58,905	\$58,905
Southwest Virginia Public Education Consortium	\$124,011	\$124,011
Van Gogh Outreach Program	\$71,849	\$71,849
Charter School Supplement	\$100,000	\$100,000
Virginia Student Training and Refurbishment (VA STAR) Program	\$300,000	\$300,000
Teacher Recruitment & Retention Incentive Payments	\$2,331,000	\$2,331,000
National Board Certification Program	\$5,885,000	\$5,885,000
Great Aspirations Scholarship Program	\$212,500	\$212,500
Communities in Schools	\$1,244,400	\$1,244,400
Newport News Aviation Academy - STEM Program	\$100,000	\$100,000
Positive Behavioral Interventions & Support	\$598,000	\$598,000
Year-Round Schools Planning Grants	\$7,763,312	\$7,763,312
Teach for America	\$500,000	\$500,000
Wolf Trap Model STEM Program	\$325,000	\$325,000
Achievable Dream	\$500,000	\$500,000
Teacher Residency Program	\$500,000	\$500,000
Computer Science Training For Teachers	\$550,000	\$550,000
Virginia Early Childhood Foundation (VECF)	\$2,350,000	\$2,750,000
Career Council at Northern Neck Career & Technical Center	\$60,300	\$60,300
High School Program	\$500,000	\$500,000

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Innovation		
Total	\$25,516,970	\$25,916,970

**Explanation:**

(This language amendment adds a table for all of the supplemental education assistance programs that are funded in the Direct Aid to Public Education for Item 138.)

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Item 138 #9h

**Language Clarification - Teach For America**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 109, line 47, after "America program" strike", the Teacher Residency program, or to other preparation".

Page 109, after line 47, insert "School divisions or their partners may apply for those funds"

Page 109, strike lines 48 through 50.

Page 109, line 53, strike "for the same".

Page 109, after line 53, insert "exclusively for Teach for America."

Page 109 strike line 54.

**Explanation:**

(This language amendment clarifies that the funding included in the budget for the Teach for America initiative will only be spent for that program.)

---

Item 139 #1h

**Expand Local Flexibility for Salary Increase**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 143, line 18, strike the first "in" and insert "by".

**Explanation:**

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(This language amendment provides additional flexibility to school divisions in implementing and satisfying the local matching requirements for the two percent salary increase for instructional and support positions included in paragraph 36. a.1) and 2) in Item 139 of the introduced budget. School divisions will be allowed to include salary increases provided to instructional and support positions during fiscal year 2017 and fiscal year 2018 by January 1, 2018 in an accumulative manner, to satisfy the required minimum average salary increase of two percent has been provided by the second year by January 1, 2018, in order to be eligible to receive the state's share of a two percent salary increase effective on July 10, 2017.)

---

Item 139 #2h

**Update Lottery Proceeds Revenue Estimated from FY 2016 Carry Forward Balance**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$20,295,920	\$0 NGF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,533,905,507".

Page 113, line 7, strike "\$541,231,250" and insert "\$561,527,170".

**Explanation:**

(This amendment provides \$20.3 million in the first year from carry forward Lottery Proceeds Fund revenues from fiscal year 2016.)

---

Item 139 #3h

**Technical Update for Data Corrections Since December**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	(\$9,850,181)	(\$9,663,367) GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,503,759,406".

Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,783,750,363".

**Explanation:**

(This technical amendment reflects appropriation updates as a result of technical revisions made to source data for the following programs: Foster Care (\$38,905); CEP Schools F/L

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\$1,015,140; SPED Regional Tuition (\$5,421,054); Additional Instructional Positions \$94,897; Remedial Summer School (\$4,084); Emporia's Free Lunch percentage (\$227,943); Rappahannock supplemental basic aid \$27,918; Manassas City Vocational Education PPA \$386,854; Bedford City free lunch percentage (\$15,346,371). The associated budget language for each program will be updated during the enrolling process if this amendment is adopted.)

---

Item 139 #4h

**Regional CTE Center Planning Start-up Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$100,000	\$0 GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,513,709,587".

Page 140, after line 10, insert:

"i. Out of this appropriation, \$100,000 the first year from the general fund is available for the Department of Education to develop, in collaboration with the schools divisions and community colleges in the Roanoke Valley region, a model proposal that establishes a Regional Career and Technical Governor's School Center."

**Explanation:**

(This amendment provides a one-time allocation of \$100,000 in the first year from the general fund to develop a regional Career and Technical Governor's School Center in the Roanoke Valley area. The surrounding school divisions and local community college will offer dual enrollment to high school students that focus on regional industry needs such as coding/games/App design, cyber security, and automotive service excellence (ASE) certified technicians.)

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Item 139 #5h

**Technical Update for Sales Tax Mid-Year Forecast**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	(\$4,815,138)	(\$4,815,138) GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,508,794,449".

Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,788,598,592".

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Page 111, line 45, strike "\$3,153,190,035" and insert "\$3,159,374,897".  
Page 111, line 45, strike "\$3,184,787,160" and insert "\$3,190,972,022".  
Page 111, line 46, strike "\$1,393,300,000" and insert "\$1,382,300,000".  
Page 111, line 46, strike "\$1,443,300,000" and insert "\$1,432,300,000".

**Explanation:**

(This technical amendment captures \$4.8 million each year from the general fund to reflect the update to reflect the net result of the sales tax estimated revenue for the mid-year forecast decrease of \$11.0 million each year and the SOQ Basic Aid account increase of \$6.2 million each year to offset the state's share of the decreased sales tax.)

---

Item 139 #6h

**Language Clarification - School Breakfast**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 140, line 38, strike "either,".  
Page 140, line 38, after "school" insert:  
"After-the-Bell Model".  
Page 140, line 39, strike "at" and insert:  
"only to".  
Page 140, line 40, after "participating" insert:  
"eligible elementary".  
Page 140, line 40, strike "or" and insert:  
"and".  
Page 140, line 42, after "school." insert:  
"The Department of Education is directed to ensure that only eligible elementary schools receive reimbursement funding for participating in the After-the-Bell school breakfast model."

**Explanation:**

(This language amendment clarifies that only an elementary school that has more than 45 percent of its students eligible for free or reduced lunch meals is eligible to request and potentially receive state reimbursement funding of \$0.05 cents per breakfast meal served through an After-the-Bell breakfast model to its students. In addition, the language directs the Department of Education to ensure that only eligible elementary schools receive such reimbursement funding for participating in the After-the-Bell breakfast model. All schools that offer additional traditional breakfast meals may request state reimbursement funding of \$0.05 cents per additional breakfast meal served under this initiative.)

Item 139 #7h

**Re-purpose Additional Instructional Positions to Lottery PPA**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$42,738,796)	(\$96,458,533)	GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,470,870,791".  
Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,696,955,197".  
Page 112, strike line 9.  
Page 112, line 21, strike "\$69,478,352" and insert "\$26,802,419".  
Page 112, line 21, strike "\$214,867,359" and insert "\$118,456,870".  
Page 143, strike lines 28 through 44.  
Page 143, line 45, strike "38" and insert "37".  
Page 143, line 49, strike "39" and insert "38".

**Explanation:**

(This amendment redirects \$42.7 million the first year and \$96.5 million the second year from the general fund to be used toward reinstating the policy of providing school divisions with a Lottery Fund per pupil amount basis.)

Item 139 #8h

**Re-purpose At-Risk Add-on Range Increase**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	(\$24,676,052)	(\$24,909,556)	GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,488,933,535".  
Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,768,504,174".  
Page 111, line 47, after "Textbooks" insert "(split funded)".  
Page 111, line 47, strike "\$76,610,200" and insert "\$53,963,654".  
Page 111, line 47, strike "\$76,878,558" and insert "\$51,969,002".  
Page 112, line 5, strike "\$5,844,303,468" and insert "\$5,821,656,922".  
Page 112, line 5, strike "\$5,978,073,623" and insert "\$5,953,164,067".  
Page 112, strike line 10.  
Page 112, line 21, strike "\$69,478,352" and insert "\$67,448,846".  
Page 112, line 35, strike "(split funded)".

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Page 112, line 35, strike "\$121,475,611" and insert "\$98,829,065".

Page 112, line 35, strike "\$116,433,736" and insert "\$91,524,180".

Page 113, after line 6, insert "Textbooks (split funded) \$22,646,546 \$24,909,556".

Page 123, line 8, strike "\$76,610,200" and insert "\$53,963,654".

Page 123, line 8, strike "\$76,878,558" and insert "\$51,969,002".

Page 123, line 9, after "fund" insert:

"and \$22,646,546 the first year and \$24,909,556 the second year from the Lottery Proceeds Fund".

**Explanation:**

(This amendment redirects \$24.7 million the first year and \$24.9 million, the second year from the new funding included in the introduced budget for the increased range used for the At-Risk Add-on, toward reinstating the policy of providing school divisions with a Lottery Fund per pupil amount basis

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Item 139 #9h

**Lottery Proceeds Fund Per Pupil Allocations**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	\$85,249,444	\$157,173,376	GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,598,859,031".

Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,950,587,106".

Page 113, after line 6, insert:

"Supplemental Lottery Per Pupil Allocation \$105,494,302 \$167,174,802".

Page 113, line 7, strike "\$541,231,250" and insert "\$561,527,170".

Page 144, after line 6, insert:

"40. Supplemental Lottery Per Pupil Allocation Payments

a. Out of this appropriation, an amount estimated at \$105,494,302 the first year and \$167,174,802 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of an estimated \$151.18 per pupil the first year and \$238.73 per pupil the second year in adjusted March 31 average daily membership. These per pupil amounts are subject to change for the purpose of payment to school divisions based on the actual March 31 ADM collected each year. No locality shall be required to maintain a per pupil expenditure which is greater than the per pupil amount expended by the locality for such purposes in the year upon which the 2016-18 biennial Standards of Quality expenditure data were based.

b. Of the amounts listed above, no more than 50 percent shall be used for recurring costs and at least 50 percent shall be spent on nonrecurring expenditures by the relevant school



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divisions. Nonrecurring costs shall include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, and debt service payments on school projects completed during the last 10 years.

c. Any lottery funds provided to school divisions from this item that are unexpended as of June 30, 2017, and June 30, 2018, shall be carried on the books of the locality to be appropriated to the school division in the following year."

**Explanation:**

(This amendment provides \$85.2 million the first year and \$157.2 million the second year from the Lottery Proceeds Fund and distributes to schools divisions on a per pupil amount basis. This amendment reinstates the policy that provides a per pupil amount to school divisions from the Lottery Fund. There are other amendments in this item that provide additional revenues toward this initiative that collectively equal to \$105.5 million in the first year and \$167.2 million the second year.)

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Item 139 #10h

**Additional General Fund Revenue for Lottery PPA**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	\$0	\$10,000,000	GF

**Language:**

Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,803,413,730".

**Explanation:**

(This amendment provides \$10 million the second year from the general fund to support the reinstatement of the policy that allocates a portion of Lottery Proceeds revenues to distribute to school divisions on a per pupil amount basis.)

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Item 139 #11h

**Reinstate Literary Funds for VRS**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Direct Aid to Public Education	\$0	(\$20,000,000)	GF
	\$0	\$20,000,000	NGF

**Language:**

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Page 122, line 6, strike "\$135,223,825" and insert "\$155,223,825".

**Explanation:**

(This amendment allocates \$20.0 million the second year from available balances in the Literary Fund to pay for a portion of the teacher retirement costs. The freed up general funds will be used in support of providing school divisions with revenues allocated on a per pupil basis through the Lottery Proceed Fund.)

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Item 139 #12h

**Correction for Group Life Rate**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	\$1,709,940	\$0 GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,515,319,527".

Page 112, line 3, strike "\$12,051,432" and insert "\$13,761,372".

Page 112, line 5, strike "\$5,844,303,468" and insert "\$5,846,013,408".

**Explanation:**

(This amendment adds \$1.7 million the first year from the general fund to correct the group life rate that is included in the introduced budget. Unlike the retirement investments that reflect separate pools and rates for state employees and school divisions, VRS has always maintained a single pool for group life and budgeted a single rate. However, the introduced budget reflected a lower rate for schools of 0.47 percent instead of the same rate that is budgeted for state employees of 0.52 percent. This amendment corrects the group life rate that should be budgeted and used for school divisions and consequently increases the state and local costs. There is a companion language amendment in Item 475 that corrects the group life rate for school divisions.)

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Item 139 #13h

**Academic Year Governor's School**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	(\$1,859,617)	(\$3,726,499) GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,511,749,970".

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Page 111, line 12, strike "\$6,793,413,730" and insert "\$6,789,687,231".

Page 112, line 8, strike "\$18,680,108" and insert "\$16,820,491".

Page 112, line 8, strike "\$20,998,982" and insert "\$17,272,483".

Page 112, line 21, strike "\$69,478,352" and insert "\$67,618,735".

Page 112, line 21, strike "\$214,867,359" and insert "\$211,140,860".

Page 139. after line 52, insert:

"4) The Department of Education shall review the distribution methodology used to determine governor's school tuition payments by November 4, 2016, and submit the findings of the review to the Chairmen of House Appropriations and Senate Finance Committees. The review shall include, but not be limited to, consideration of the length of the academic program day with the intent to determine and provide an equitable distribution of tuition payments based on the actual lengthen of academic program day, the appropriate state and local shares, and the academic model used by governor's schools in the configuration of the funding formula."

Page 139, strike lines 53 through 56.

Page 140, strike line 1.

**Explanation:**

(This amendment saves \$1.8 million the first year and \$3.7 million the second year from the general fund and maintains the current funding formula for the Academic Year Governor's Schools. The budget reflects an increase of almost \$350,000 the second year to provide the state's share of a 2.0% salary increase. The amendment further directs DOE to review the tuition distribution methodology such that the distributions are equitable based on the lengthen of the academic program day.)

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Item 139 #14h

**Remove FY16 to FY17 Hold Harmless Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Direct Aid to Public Education	(\$3,803,288)	\$0 GF

**Language:**

Page 111, line 12, strike "\$6,513,609,587" and insert "\$6,509,806,299".

Page 111, line 47, after "Textbooks" insert "(split funded)".

Page 111, line 47, strike "\$76,610,200" and insert "\$74,836,418".

Page 112, line 5, strike "\$5,844,303,468" and insert "\$5,842,529,686".

Page 112, line 10, strike "\$2,029,506" and insert "\$0".

Page 112, line 21 strike "\$69,478,352" and insert "\$67,448,846".

Page 112, line 35, strike "\$121,475,611" and insert "\$123,505,117".

Page 113, after line 5, insert "Textbooks (split-funded) \$1,773,782 \$0".

Page 113, strike line 6.

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Page 123, line 8, strike "\$76,610,200" and insert "\$74,836,418".

Page 123, line 9, after "fund" insert:

"and \$1,773,782 the first year from the Lottery Proceeds Fund".

Page 125, line 10, strike "\$2,029,506 the first year and".

Page 125, line 11, strike "\$121,475,611" and insert "\$123,505,117".

Page 143, strike lines 45 through 48.

Page 143, line 49, strike "39" and insert "38".

**Explanation:**

(This amendment saves \$3.8 million the first year from the general fund by eliminating the extra funding allocated to selected divisions that had a decrease in funding from fiscal year 2016 to fiscal year 2017, attributed to a decrease in student membership and an increase in local composite index.)

---

Item 139 #15h

**Parental Choice Education Saving Account**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 144, after line 6, insert:

"40. Parental Choice Education Savings Account Payments

A.1. The Department of Education is directed to transfer ninety percent of the total of the state's share of the per pupil amount of Standards of Quality, sales tax per pupil funding amount and any applicable special education funding to a school division from which a parent of an eligible kindergarten through grade eleven special education student who has an individual education plan for the purpose of receiving special education services and has applied and been approved for a Parental Choice Education Savings account, pursuant to the passage of House Bill 389.

2. The resident school division shall deposit the received eligible state funds defined in this item, 40.A.1., into such Parental Choice Education Savings Account and such deposit shall be contingent on approval of any prior submissions of required receipts and invoices from such parents for the eligible education expenses for the qualified eligible student.

3. Parents receiving such state funds will be allowed to use the funds deposited in the Parental Choice Savings Account solely for one or more of the following expenses on behalf of the qualified student: (i) tuition, fees, or required textbooks at a qualified school; (ii) educational therapies or services for the qualified student from a practitioner or provider, including paraprofessionals or educational aides; (iii) tutoring services; (iv) curriculum; (v) tuition or fees for a private online learning program; (vi) fees for a nationally standardized

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norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; (vii) tuition fees or required textbooks at an eligible institution; (viii) fees for management of the Savings Account by firms selected by the Plan pursuant to subsection A of § 22.1-222.3; (ix) services that are offered on a fee-for-service basis by a public elementary or secondary school to the public, including classes and extracurricular activities; (x) such insurance or surety bond payments as may be required by the Virginia College Savings Plan Agency; or (xi) transportation, consumable educational supplies, or any other goods or services that are necessary for the provision of the qualified student's education pursuant to § 22.1-254, in exchange for solely educating the qualifying eligible student.

4. Each parent who expends any funds from a Parental Choice Savings Account shall submit all applicable receipts and invoices for such expenditures to the resident school division for review of appropriateness of each expense and possible audit. Each resident school division shall determine, based on the policies established by the Department of Education pursuant to subsection F of § 22.1.222.3, the appropriateness of the submitted receipts and invoices prior to considerations for a subsequent renewal request.

5. The Department of Education and the Virginia 529 College Savings Plan agencies shall be required to manage and audit each Parental Choice Education Savings Account that approved parents have established with an approved financial institution where accounts are maintained."

**Explanation:**

(This language amendment directs the resident school division to deposit the appropriate state's share of SOQ, sales tax and any applicable special education funding received from the Department of Education for a qualifying student into an approved and established Parental Choice Education Savings account. The amendment further direct the Department of Education and the Virginia College Savings Plan agencies to manage and audit such accounts.)

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Item 139 #16h

**Technical Correction - Free Lunch Date Reference**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 115, line 30, strike "2015" and insert:

"2014. In addition, October 2013 Free Lunch eligibility data will be used for schools that participate in the Community Eligibility Program."

**Explanation:**

(This technical language amendment corrects a date reference for free lunch data and clarifies that October 2013 free lunch data will be used for those schools that participate in the Community Eligibility Program.)

---

Item 139 #17h

**Technical Correction - Removes Language Related to Budget Reduction and Clarifies In-State**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 132, line 53, after "four-years-olds", insert "who are in-state and".

Page 133, line 23, after "biennial budget", strike remaining line.

Page 133, strike lines 24 through 26.

Page 133, line 27, strike "provided."

**Explanation:**

(This technical amendment removes language that was inadvertently left in the budget. The appropriation was removed in the introduced budget, but the related language was not deleted. It also clarifies that the program is solely for in-state students.)

---

Item 139 #18h

**Dual Enrollment for Home-school Students**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 121, after line 33, insert:

"28. The Department of Education, in collaboration with the Virginia Community College System, will ensure that the same policy regarding dual enrollment tuition-free waiver option shall be applied in the same manner for students enrolled in the public education system and students that are home-schooled. In addition, any reduced tuition cost options afforded to parents of public school students who are enrolled in a dual enrollment course in a community college shall also be available to parents of home-schooled students."

**Explanation:**

(This language amendment is self-explanatory.)

---

Item 139 #19h

**Virginia Virtual School - Transfer of Statewide Average SOQ PPA**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 144, after line 6, insert:

"40. Virginia Virtual School Transfer Payments

Out of this appropriation, the Department of Education shall transfer the average state share of Standards of Quality per pupil funding and the state's sales tax per pupil amount of funding to the Virginia Virtual School for each student that is enrolled in the Virginia Virtual School and who was previously enrolled in public school. Funds shall be transferred based on the number of actual students enrolled in the Virginia Virtual School with a limit of 5,000 student per school year. The Department of Education shall transfer these funds to the Virginia Virtual School semimonthly."

**Explanation:**

(This language amendment is self-explanatory and contingent on the passage of House Bill 8.)

---

Item 139 #20h

**Work Group to Review Use of Chromebooks**

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 131, after line 43, insert:

"1. The Department of Education is directed to convene a workgroup to review the current utilization of separate computer labs in schools for instruction and testing requirements and consider a transition to the usage of Chromebooks and similar other types of tablets or laptop computers in the classroom for students to use as an integrated part of instruction and Standards of Learning testing using the TestNav 8 software system upgrades. The workgroup shall review the Department's Virginia Digital Textbook Marketplace contract and guidelines for the implementation of the pilot projects established in eight school divisions in the 2015-

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2016 school year and review the effectiveness of the pilots at the end of the year for improving academic success. Further, the workgroup shall consider repurposing new issuances for educational technology grants to be used to purchase or lease Chromebooks or similar laptop devices. The workgroup shall consist of the Superintendent of Instruction, or his designee, key staff from the Department, superintendents from each of the eight superintendent regions and staff from House Appropriations and Senate Finance Committees."

**Explanation:**

(This language amendment establishes a workgroup to review the transition from the use of computer labs in schools to the use of Chromebook tablets and similar laptop devices in classrooms.)

---

Item 144 #1h

**SCHEV - Undergraduate Financial Aid Reform**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
State Council of Higher Education for Virginia	\$0	\$28,598,663	GF

**Language:**

Page 145, line 48, strike "\$73,287,665" and insert "\$101,886,328".

Page 148, after line 50, insert:

"I. Out of this appropriation, \$28,598,663 the second year from the general fund is designated for in-state undergraduate financial aid. Based on the recommendations of the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education, the State Council of Higher Education for Virginia will allocate these funds to each institution in fiscal year 2018."

**Explanation:**

(This amendment provides for additional in-state undergraduate financial aid that will be allocated based on the financial aid reform recommendations of the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education.)

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Item 144 #2h

**SCHEV - HB 66 Workforce Credentials**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
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State Council of Higher Education for Virginia	\$2,000,000	\$10,000,000	GF
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**Language:**

Page 145, line 48, strike "\$73,287,665" and insert "\$75,287,665".

Page 145, line 48, strike "\$73,287,665" and insert "\$83,287,665".

Page 148, after line 50, insert:

"I. 1. Out of this appropriation \$2,000,000 the first year and \$10,000,000 the second year from the general fund is designated for the New Economy Industry Credential Assistance Training Grants program provided in House Bill 66. Pursuant to the provisions of House Bill 66, the State Council of Higher Education for Virginia shall disburse these funds for eligible students who enroll in noncredit workforce training programs identified by the governing boards consistent with the high-demand fields identified by the Virginia Board of Workforce Development per § 23-18.10:16 and the education and skills gaps identified by regional councils of the GO Virginia Board per §2.2-2489, Code of Virginia.

2. The State Council of Higher Education may use \$200,000 each year from this item for the administration of this program.

3. Any general fund appropriation for the New Economy Industry Credential Assistance Training Grants program which is unexpended at the close of business June 30 of any fiscal year shall be reappropriated for use in the program the following year."

**Explanation:**

(This amendment provides funding for the New Economy Industry Credential Assistance Training Grants program provided in House Bill 66.)

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Item 144 #3h

**SCHEV - Correct TAG Award and Repurpose New Initiative Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
State Council of Higher Education for Virginia	(\$1,500,000)	(\$1,500,000)	GF

**Language:**

Page 145, line 48, strike "\$73,287,665" and insert "\$71,787,665".

Page 145, line 48, strike "\$73,287,665" and insert "\$71,787,665".

Page 146, line 28, strike "\$3,400" and insert:

"\$3,200 the first year and \$3,300 the second year".

Page 147, strike lines 23 through 25 and insert:

"unexpended at the close of business June 30 of any fiscal year shall be reappropriated for

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use in the program in the following year."

Page 148, strike lines 45 through 50.

**Explanation:**

(This amendment corrects an error in the introduced budget for the maximum amount of the Tuition Assistance Grant award achievable based on the funding provided and repurposes proposed new cyber security initiative funding for higher priorities in the budget.)

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Item 146 #1h

**SCHEV - Repurpose Proposed New Initiatives**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
State Council of Higher Education for Virginia	(\$5,392,000)	(\$5,362,000)	GF

**Language:**

Page 149, line 11, strike "\$20,545,178" and insert "\$15,153,178".

Page 149, line 11, strike "\$20,529,719" and insert "\$15,167,719".

Page 150, strike lines 41 through 55.

Page 151, strike lines 1 through 38.

**Explanation:**

(This amendment repurposes proposed new initiatives at the State Council of Higher Education to higher priority funding requirements within the budget.)

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Item 146 #2h

**SCHEV - Substance Abuse Programs**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
State Council of Higher Education for Virginia	\$25,000	\$0	GF

**Language:**

Page 149, line 11, strike "\$20,545,178" and insert "\$20,570,178".

Page 151, after line 42, insert:

"S. The State Council of Higher Education, with input from the Secretary of Education, the Secretary of Health and Human Resources and the Secretary of Public Safety, shall work with the Department of Alcohol and Beverage Control to identify the current recreational substance use awareness and education programs at Virginia's universities. A list of best

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practices will be compiled to be included in a plan for Virginia's universities to implement which program addresses the increased use of recreational drugs by young people on college campuses. The effort will also examine what silos need to be brought together and the need for potentially mandating substance use programs at Virginia's two- and four-year schools and high schools which may include, but not limited to, peer-to-peer programs and college recovery programs. A final report with recommendations for legislation shall be made to the Commission on Youth prior to the 2017 General Assembly Session."

**Explanation:**

(This amendment is self-explanatory.)

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Item 146 #3h

**SCHEV - Digital Textbooks**

**Education**

State Council of Higher Education for Virginia

Language

**Language:**

Page 151, after line 42, insert:

"S. The State Council of Higher Education (SCHEV) shall develop policies and procedures for the inclusion of information to students on access to free digital textbooks at Virginia's public institutions of higher education. SCHEV shall insure that the policies and procedures provide that the information is distributed prior to the course commencing and clearly stated on the course syllabus."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 150 #1h

**CNU - HAC Access and Affordability**

**Education**

**FY16-17**

**FY17-18**

Christopher Newport University

\$1,015,395

\$1,438,477 GF

**Language:**

Page 152, line 27, strike "\$69,989,362" and insert "\$71,004,757".

Page 152, line 27, strike "\$69,992,129" and insert "\$71,430,606".

Page 152, after line 48, insert:

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"C. Out of this appropriation, \$1,015,395 the first year and \$1,438,477 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to increase student retention and success, to enhance technology infrastructure and to expand Presidential Leadership Program. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 150 #2h

**CNU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Christopher Newport University	(\$859,540)	(\$859,540)	GF

**Language:**

Page 152, line 27, strike "\$69,989,362" and insert "\$69,129,822".  
Page 152, line 27, strike "\$69,992,129" and insert "\$69,132,589".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 151 #1h

**CNU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Christopher Newport University	\$0	(\$186,591)	GF

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 153, line 1, strike "\$6,552,698" and insert "\$6,366,107".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 154 #1h

**CWM - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The College of William and Mary in Virginia	\$1,370,580	\$1,967,308	GF

**Language:**

Page 153, line 39, strike "\$193,991,607" and insert "\$195,362,187".

Page 153, line 39, strike "\$193,494,027" and insert "\$195,461,335".

Page 154, after line 28, insert:

"F. Out of this appropriation, \$1,370,580 the first year and \$1,967,308 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to redesign and enhance curriculum, to expand the eLearning Platform and to implement the Presidential Precinct Program. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than the amount anticipated under the William and Mary Promise. However, a formal request and justification for increases that exceed this level may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 154 #2h

*Floor Approved Requests to House Bill 30, as Introduced*

**CWM - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The College of William and Mary in Virginia	(\$1,215,930)	(\$715,930)	GF

**Language:**

Page 153, line 39, strike "\$193,991,607" and insert "\$192,775,677".  
Page 153, line 39, strike "\$193,494,027" and insert "\$192,778,097".  
Page 154, strike lines 16 through 23.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 155 #1h

**CWM - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The College of William and Mary in Virginia	\$0	(\$131,919)	GF

**Language:**

Page 154, line 29, strike "\$31,109,918" and insert "\$30,977,999".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 158 #1h

**RBC - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
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*Floor Approved Requests to House Bill 30, as Introduced*

Richard Bland College (\$345,330) (\$145,330) GF

**Language:**

Page 155, line 34, strike "\$11,365,076" and insert "\$11,019,746".  
Page 155, line 34, strike "\$11,165,531" and insert "\$11,020,201".  
Page 156, strike lines 49 through 51.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 158 #2h

**RBC - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Richard Bland College	\$381,828	\$446,277	GF

**Language:**

Page 155, line 34, strike "\$11,365,076" and insert "\$11,746,904".  
Page 155, line 34, strike "\$11,165,531" and insert "\$11,611,808".  
Page 156, after line 51, insert:

"E. Out of this appropriation, \$381,828 the first year and \$446,277 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to increase student retention and success through predictive analytics, to support operations and maintenance of new facilities and to enhance technology. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 159 #1h

**RBC - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Richard Bland College	\$0	(\$57,911)	GF

**Language:**

Page 156, line 52, strike "\$697,018" and insert "\$639,107".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 162 #1h

**VIMS - Base Operating Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Institute of Marine Science	\$620,000	\$620,000	GF

**Language:**

Page 157, line 30, strike "\$21,948,523" and insert "\$22,568,523".

Page 157, line 30, strike "\$21,955,827" and insert "\$22,575,827".

Page 158, after line 35, insert:

"J. Out of this appropriation, \$600,000 each year from the general fund is designated to support the institution's priorities such as operations and maintenance of new facilities and technology infrastructure."

**Explanation:**

(This amendment provides additional support for base operations.)

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Item 163 #1h

**VIMS - Graduate Fin Aid**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Institute of Marine Science	\$150,000	\$150,000	GF



**Language:**

Page 158, line 36, strike "\$241,540" and insert "\$391,540".  
Page 158, line 36, strike "\$241,540" and insert "\$391,540".

**Explanation:**

(This amendment provides additional funding for graduate financial aid.)

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Item 165 #1h

**GMU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
George Mason University	\$7,584,143	\$11,291,946	GF

**Language:**

Page 159, line 16, strike "\$478,703,471" and insert "\$486,287,614".  
Page 159, line 16, strike "\$478,709,149" and insert "\$490,001,095".  
Page 160, after line 13, insert:

" H. 1. Out of this appropriation, \$7,584,143 the first year and \$11,291,946 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to support the Innovation Commercialization Assistance Program at GMU's Small Business Development Center and to engage in biomedical research collaborations. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests.

2. Out of the amounts provided in paragraph H.1., \$1,000,000 each year is designated to continue efforts to provide online course offerings in collaboration with Old Dominion University. Each institution shall take into consideration the findings and recommendations of Item 1. §1., Chapter 664, 2015 Acts of Assembly. It is the intent of the General Assembly that per credit rate charged to Virginia residents by George Mason University and Old Dominion University for these online course and program offerings be less than the on-campus in-state undergraduate rate and should be standardized for both institutions. Each institution shall coordinate with other Virginia public institutions of higher education to offer the opportunity of achieving a low-cost degree through the use of online courses."

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

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Item 165 #2h

**GMU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
George Mason University	(\$2,536,420)	(\$2,536,420)	GF

**Language:**

Page 159, line 16, strike "\$478,703,471" and insert "\$476,167,051".  
Page 159, line 16, strike "\$478,709,149" and insert "\$476,172,729".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 166 #1h

**GMU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
George Mason University	\$0	(\$3,064,841)	GF

**Language:**

Page 160, line 14, strike "\$31,436,301" and insert "\$28,371,460".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aids fund will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 169 #1h

**JMU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
James Madison University	(\$2,410,880)	(\$2,677,880)	GF

**Language:**

Page 161, line 17, strike "\$294,938,607" and insert "\$292,527,727".

Page 161, line 17, strike "\$295,212,542" and insert "\$292,534,662".

Page 161, strike line 51.

Page 162, strike lines 1 through 6.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 169 #2h

**JMU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
James Madison University	\$3,320,393	\$4,943,696	GF

**Language:**

Page 161, line 17, strike "\$294,938,607" and insert "\$298,259,000".

Page 161, line 17, strike "\$295,212,542" and insert "\$300,156,238".

Page 162, after line 6, insert:

"E. Out of this appropriation, \$3,320,393 the first year and \$4,943,696 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access,

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affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 170 #1h

**JMU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
James Madison University	\$0	(\$301,326)	GF

**Language:**

Page 162, line 7, strike "\$14,739,355" and insert "\$14,438,029".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 173 #1h

**LU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Longwood University	\$883,478	\$1,242,067	GF

**Language:**

Page 162, line 45, strike "\$69,223,995" and insert "\$70,107,473".

Page 162, line 45, strike "\$69,226,107" and insert "\$70,468,174".

Page 163, after line 16, insert:

"C. Out of this appropriation, \$883,478 the first year and \$1,242,067 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate

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Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 173 #2h

**LU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Longwood University	(\$643,690)	(\$643,690)	GF

**Language:**

Page 162, line 45, strike "\$69,223,995" and insert "\$68,580,305".  
Page 162, line 45, strike "\$69,226,107" and insert "\$68,582,417".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 174 #1h

**LU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Longwood University	\$0	(\$366,214)	GF

**Language:**

Page 163, line 17, strike "\$4,649,056" and insert "\$4,282,842".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

Item 177 #1h

**NSU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Norfolk State University	(\$570,260)	(\$570,260)	GF

**Language:**

Page 164, line 6, strike "\$81,212,222" and insert "\$80,641,962".  
Page 164, line 6, strike "\$81,455,029" and insert "\$80,884,769".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

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Item 177 #2h

**NSU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Norfolk State University	\$653,123	\$899,094	GF

**Language:**

Page 164, line 6, strike "\$81,212,222" and insert "\$81,865,345".  
Page 164, line 6, strike "\$81,455,029" and insert "\$82,354,123".  
Page 164, after line 50, insert:

"F. Out of this appropriation, \$653,123 the first year and \$899,094 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 178 #1h

**NSU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Norfolk State University	\$0	(\$2,950,444)	GF

**Language:**

Page 165, line 1, strike "\$16,470,108" and insert "\$13,519,664".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 181 #1h

**ODU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Old Dominion University	\$6,111,888	\$8,611,033	GF

**Language:**

Page 165, line 39, strike "\$274,571,127" and insert "\$280,683,015".

Page 165, line 39, strike "\$276,948,677" and insert "\$285,559,710".

Page 166, after line 53, insert:

"I. 1. Out of this appropriation, \$6,111,888 the first year and \$8,611,033 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to increase student retention and success, and to engage in collaborative research on sea level rise. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the

*Floor Approved Requests to House Bill 30, as Introduced*

Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests.

2. Out of the amounts provided in paragraph H.1., \$1,000,000 each year is designated to continue efforts to provide online course offerings in collaboration with George Mason University. Each institution shall take into consideration the findings and recommendations of Item 1. §1., Chapter 664, 2015 Acts of Assembly. It is the intent of the General Assembly that per credit rate charged to Virginia residents by Old Dominion University and George Mason University for these online course and program offerings be less than the on-campus in-state undergraduate rate and should be standardized for both institutions. Each institution shall coordinate with other Virginia public institutions of higher education to offer the opportunity of achieving a low-cost degree through the use of online courses."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 181 #2h

**ODU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Old Dominion University	(\$3,702,120)	(\$3,702,120)	GF

**Language:**

Page 165, line 39, strike "\$274,571,127" and insert "\$270,869,007".  
Page 165, line 39, strike "\$276,948,677" and insert "\$273,246,557".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

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Item 182 #1h

**ODU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
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*Floor Approved Requests to House Bill 30, as Introduced*

Old Dominion University \$0 (\$4,340,632) GF

**Language:**

Page 166, line 54, strike "\$31,824,002" and insert "\$27,483,370".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 185 #1h

**RU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Radford University	(\$1,103,960)	(\$1,103,960)	GF

**Language:**

Page 168, line 19, strike "\$122,595,128" and insert "\$121,491,168".

Page 168, line 19, strike "\$122,599,322" and insert "\$121,495,362".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

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Item 185 #2h

**RU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Radford University	\$1,664,640	\$2,478,464	GF

**Language:**

Page 168, line 19, strike "\$122,595,128" and insert "\$124,259,768".

Page 168, line 19, strike "\$122,599,322" and insert "\$125,077,786".

Page 168, after line 40, insert:

*Floor Approved Requests to House Bill 30, as Introduced*

"C. Out of this appropriation, \$1,664,640 the first year and \$2,478,464 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

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Item 186 #1h

**RU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Radford University	\$0	(\$1,685,086)	GF

**Language:**

Page 168, line 41, strike "\$11,779,787" and insert "\$10,094,701".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 189 #1h

**UMW - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Mary Washington	\$1,937,048	\$2,884,049	GF

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 169, line 30, strike "\$71,557,092" and insert "\$73,494,140".

Page 169, line 30, strike "\$72,759,554" and insert "\$75,643,603".

Page 170, after line 8, insert:

"D. Out of this appropriation, \$1,937,048 the first year and \$2,884,049 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to increase student retention and success, to support in-state undergraduate enrollment growth. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests.

E. Notwithstanding any other provision of law, the University of Mary Washington may enter into an agreement with the Fredericksburg Regional Alliance, a nonprofit organization dedicated to cooperative economic development efforts in the Fredericksburg region, for the purpose of expanding regional efforts in the field of economic development and research."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 189 #2h

**UMW - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Mary Washington	(\$998,640)	(\$998,640)	GF

**Language:**

Page 169, line 30, strike "\$71,557,092" and insert "\$70,558,452".

Page 169, line 30, strike "\$72,759,554" and insert "\$71,760,914".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 190 #1h

**UMW - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Mary Washington	\$0	(\$234,822)	GF

**Language:**

Page 170, line 9, strike "\$7,790,087" and insert "\$7,555,265".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 192 #1h

**UMW - James Monroe Museum Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Mary Washington	\$50,000	\$50,000	GF

**Language:**

Page 170, line 23, strike "\$793,139" and insert "\$843,139".

Page 170, line 23, strike "\$793,139" and insert "\$843,139".

**Explanation:**

(This amendment provides additional funding to support ongoing operating costs for the James Monroe Museum and Memorial Library.)

---

Item 196 #1h

**UVA - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia	\$4,173,418	\$6,180,511	GF

*Floor Approved Requests to House Bill 30, as Introduced*

**Language:**

Page 171, line 23, strike "\$630,139,990" and insert "\$634,313,408".

Page 171, line 23, strike "\$630,167,012" and insert "\$636,347,523".

Page 172, line 30, strike the first "\$251,146" and insert "\$319,146".

Page 172, line 30, strike the second "\$251,146" and insert "\$319,146".

Page 172, after line 55, insert:

"K. Out of this appropriation, \$4,105,418 the first year and \$6,112,511 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to support in-state undergraduate enrollment growth. In addition funding under this item may be used to support fellowship programs in Gero-Psychiatry and Addiction Psychiatry. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than the amount anticipated under the UVA Board of Visitors' Affordable Access model. However, a formal request and justification for increases that exceed this level may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees as well as an increase for the State Arboretum at Blandy Farm. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 196 #2h

**UVA - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia	(\$1,651,960)	(\$1,651,960)	GF

**Language:**

Page 171, line 23, strike "\$630,139,990" and insert "\$628,488,030".

Page 171, line 23, strike "\$630,167,012" and insert "\$628,515,052".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher

education.)

---

Item 197 #1h

**UVA - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia	\$0	(\$232,735)	GF

**Language:**

Page 173, line 1, strike "\$101,906,533" and insert "\$101,673,798".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 198 #1h

**UVA - Focused Ultrasound Research Center**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia	\$2,000,000	\$2,000,000	GF

**Language:**

Page 173, line 16, strike "\$321,807,778" and insert "\$323,807,778".

Page 173, line 16, strike "\$321,807,778" and insert "\$323,807,778".

Page 173, line 29, strike "\$750,000" and "\$750,000" and insert:

"\$2,750,000" and "\$2,750,000".

**Explanation:**

(This amendment provides additional general funds each year to expand the research capacity of the Focused Ultrasound Center at the University of Virginia to continue cutting edge research and treatment for serious medical conditions including uterine fibroids, Parkinson's disease and bone metastases.)

---

Item 203 #1h

**UVA-Wise - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia's College at Wise	\$418,973	\$623,804	GF

**Language:**

Page 175, line 13, strike "\$25,953,537" and insert "\$26,372,510".

Page 175, line 13, strike "\$25,434,431" and insert "\$26,058,235".

Page 175, after line 47, insert:

"F. Out of this appropriation, \$418,973 the first year and \$623,804 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to increase student retention and success and to support in-state undergraduate enrollment growth. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 203 #2h

**UVA-Wise - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia's College at Wise	(\$711,540)	(\$191,540)	GF

**Language:**

Page 175, line 13, strike "\$25,953,537" and insert "\$25,241,997".

Page 175, line 13, strike "\$25,434,431" and insert "\$25,242,891".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the

*Floor Approved Requests to House Bill 30, as Introduced*

House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 204 #1h

**UVA-Wise - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
University of Virginia's College at Wise	\$0	(\$365,638)	GF

**Language:**

Page 175, line 48, strike "\$2,615,576" and insert "\$2,249,938".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 207 #1h

**VCU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Commonwealth University	(\$3,090,610)	(\$3,090,610)	GF

**Language:**

Page 176, line 40, strike "\$572,632,080" and insert "\$569,541,470".

Page 176, line 40, strike "\$572,639,674" and insert "\$569,549,064".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

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Item 207 #2h

**VCU - HAC Access and Affordability**



*Floor Approved Requests to House Bill 30, as Introduced*

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Commonwealth University	\$5,462,450	\$7,860,670	GF

**Language:**

Page 176, line 40, strike "\$572,632,080" and insert "\$578,094,530".

Page 176, line 40, strike "\$572,639,674" and insert "\$580,500,344".

Page 177, line 43, strike the first "\$253,244" and insert "\$310,244".

Page 177, line 43, strike the second "\$253,244" and insert "\$310,244".

Page 178, after line 39, insert:

"M. Out of this appropriation, \$4,905,450 the first year and \$7,303,670 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to increase student retention and success and to support in-state undergraduate enrollment growth. In addition funding under this item may be used to support fellowship programs in Gero-Psychiatry and Addiction Psychiatry. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests.

N. Out of this appropriation, \$125,000 each year from the general fund is designated to support a partnership between Virginia Commonwealth University and the Virginia Repertory Theatre at the historic November Theatre (formally known as the Empire Theatre).

O. Out of this appropriation, \$250,000 each year from the general fund is designated for the Commonwealth Center for Advanced Logistics to serve as state matching funds for industry research and membership fees.

P. Out of this appropriation, \$125,000 each year from the general fund is designated for the Commonwealth Center for Advanced Logistics to support the traffic optimization modeling and simulation project at the Port of Virginia to improve port operations."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 208 #1h

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Commonwealth University	\$0	(\$4,417,541)	GF

**Language:**

Page 178, line 40, strike "\$38,880,807" and insert "\$34,463,266".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 209 #1h

**VCU - Massey Cancer Center**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Commonwealth University	\$3,000,000	\$3,000,000	GF

**Language:**

Page 178, line 52, strike "\$282,785,981" and insert "\$285,785,981".  
Page 178, line 52, strike "\$282,785,981" and insert "\$285,785,981".  
Page 179, line 10, strike "\$9,500,000" and insert "\$12,500,000".  
Page 179, line 10, strike "\$9,500,000" and insert "\$12,500,000".

**Explanation:**

(This amendment provides additional funding to expand research capacity at Massey Cancer Center.)

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Item 213 #1h

**VCCS - House Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Community College System	\$7,678,759	\$11,381,513	GF

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 180, line 30, strike "\$949,909,842" and insert "\$957,588,601".

Page 180, line 30, strike "\$950,456,794" and insert "\$961,838,307".

Page 182, line 22, strike the first "\$249,390" and insert "\$255,000".

Page 182, line 22, strike the second "\$249,390" and insert "\$255,000".

Page 182, strike lines 29 through 31 and insert:

"Q. Out of this appropriation, \$200,000 each year from the general fund is designated for Lord Fairfax Community College. Of this amount \$100,000 each year is designated to expand the career and technical education programs at the Middletown Campus and \$100,000 each year is designated for workforce training programs at the Fauquier Campus. The programs will be designed in collaboration with regional employers and high schools."

Page 182, strike lines 34 through 35 and insert:

"a veterans resource center on campus of each of the seven comprehensive community colleges with the highest number of enrolled students who are veterans to provide access to federal and state veterans resources, to serve as a quiet place for veterans to study, to enable veterans to connect to other veterans, to help veterans renew the bonds of military service, and to be the central hub for all activities on campus related to veterans. The Virginia Community College System, in consultation with the State Council of Higher Education for Virginia, shall determine, no later than August 1, 2016, the seven comprehensive community colleges with the highest number of enrolled students who are veterans."

Page 182, after line 45, insert:

"V. Out of this appropriation, \$7,678,759 the first year and \$11,381,513 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests.

W. Out of the amounts provided in paragraph V of this item, \$104,950 each year from the general fund is designated to support career and technical education at Lord Fairfax Community College's Luray-Page County Center with a focus on healthcare and medical programs.

X. Out of the amounts provided in paragraph V. of this item, \$695,074 each year from the general fund is designated for the A.L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College as a state match to an increased grant from the U.S. Department of Commerce. "

**Explanation:**

(This amendment provides additional general funds to support the goals of access,

*Floor Approved Requests to House Bill 30, as Introduced*

affordability, quality and increased degrees. It provides funding to support career and technical education at Lord Fairfax Community College's Luray-Page County Center and the A.L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 213 #2h

**VCCS - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Community College System	(\$6,388,780)	(\$6,909,780)	GF

**Language:**

Page 180, line 30, strike "\$949,909,842" and insert "\$943,521,062".  
Page 180, line 30, strike "\$950,456,794" and insert "\$943,547,014".  
Page 182, strike lines 36 through 45.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 214 #1h

**VCCS - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Community College System	\$0	(\$3,927,747)	GF

**Language:**

Page 182, line 47, strike "\$566,766,889" and insert "\$562,839,142".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 216 #1h

**VCCS - Health Workforce**

**Education**

Virginia Community College System

Language

**Language:**

Page 184, after line 50, insert:

"J. Out of the amounts appropriated in this item, the Virginia Community College System shall work with local healthcare associations and develop a pilot grant program, the Health Employment Accreditation Learning (HEAL) competitive grant program. The HEAL program will award funds for the purpose of providing non-degree, certification education and training in STEM-H fields. HEAL funding will be utilized to assist job seeker applicants in developing skills and national certifications in specific allied health fields."

**Explanation:**

(This amendment is self-explanatory.)

Item 216 #2h

**VCCS Workforce - Repurpose New Funding**

**Education**

**FY16-17**

**FY17-18**

Virginia Community College System

(\$9,250,000)

(\$15,850,000)

GF

**Language:**

Page 183, line 16, strike "\$106,849,296" and insert "\$97,599,296".

Page 183, line 16, strike "\$113,449,296" and insert "\$97,599,296".

Page 184, strike lines 40 through 50.

**Explanation:**

(This amendment defers new initiative funding and transfers workforce credential funding to the State Council of Higher Education consistent with House Bill 66.)

Item 219 #1h

**VMI - Repurpose New Funding**

**Education**

**FY16-17**

**FY17-18**

*Floor Approved Requests to House Bill 30, as Introduced*

Virginia Military Institute (\$259,860) (\$259,860) GF

**Language:**

Page 185, line 31, strike "\$38,090,033" and insert "\$37,830,173".  
Page 185, line 31, strike "\$38,091,414" and insert "\$37,831,554".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 219 #2h

**VMI - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Military Institute	\$299,768	\$446,321	GF

**Language:**

Page 185, line 31, strike "\$38,090,033" and insert "\$38,389,801".  
Page 185, line 31, strike "\$38,091,414" and insert "\$38,537,735".  
Page 186, after line 7, insert:

"D. Out of this appropriation, \$299,768 the first year and \$446,321 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 220 #1h

**VMI - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Military Institute	\$0	(\$45,312)	GF

**Language:**

Page 186, line 8, strike "\$5,616,240" and insert "\$5,570,928".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 222 #1h

**VMI - Unique Military Programs**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Military Institute	\$450,000	\$450,000	GF

**Language:**

Page 186, line 23, strike "\$8,322,662" and insert "\$8,772,662".

Page 186, line 23, strike "\$8,322,662" and insert "\$8,772,662".

**Explanation:**

(This amendment provides additional funding for the unique military programs.)

---

Item 224 #1h

**VT - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	\$6,135,288	\$8,205,873	GF

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 187, line 5, strike "\$644,892,906" and insert "\$651,028,194".

Page 187, line 5, strike "\$644,903,089" and insert "\$653,108,962".

Page 188, after line 26, insert:

"K. Out of this appropriation, \$6,135,288 the first year and \$8,205,873 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, to support high-performance computing and to expand and enhance STEM-H degree production and to support in-state undergraduate enrollment growth. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

---

Item 224 #2h

**VT - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	(\$4,761,670)	(\$4,761,670)	GF

**Language:**

Page 187, line 5, strike "\$644,892,906" and insert "\$640,131,236".

Page 187, line 5, strike "\$644,903,089" and insert "\$640,141,419".

Page 188, strike lines 13 through 26.

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 225 #1h



*Floor Approved Requests to House Bill 30, as Introduced*

**VT - Fin Aid Technical Changes**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	(\$750,000)	(\$1,700,000)	GF

**Language:**

Page 188, line 27, strike "\$22,137,635" and insert "\$21,387,635".  
Page 188, line 27, strike "\$23,327,635" and insert "\$21,627,635".

**Explanation:**

(This amendment is a technical adjustment to remove funding placed in the incorrect program.)

---

Item 225 #2h

**VT - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	\$0	(\$590,288)	GF

**Language:**

Page 188, line 27, strike "\$23,327,635" and insert "\$22,737,347".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 226 #1h

**VT - Defer New Initiative**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	(\$950,000)	\$0	GF

**Language:**

Page 188, line 47, strike "\$337,751,687" and insert "\$336,801,687".  
Page 189, strike lines 33 through 35.

**Explanation:**

(This amendment redirects funding from a new initiative into other budget priorities.)

---

Item 227 #1h

**VT - Unique Military Programs**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Polytechnic Institute and State University	\$200,000	\$200,000	GF

**Language:**

Page 189, line 36, strike "\$2,084,350" and insert "\$2,284,350".  
Page 189, line 36, strike "\$2,084,350" and insert "\$2,284,350".

**Explanation:**

(This amendment provides additional funding to address growing costs associated with the Corp of Cadets unique military program.)

---

Item 229 #1h

**VT Ext - Fund Split Language**

<b>Education</b>	
Virginia Cooperative Extension and Agricultural Experiment Station	Language

**Language:**

Page 190, after line 44, insert:  
"E. It is the intent of the General Assembly that the general fund share of the Educational and General Program for the Cooperative Extension Agricultural Experiment Station Division shall be 95 percent for state funding calculations."

**Explanation:**

(This amendment is self-explanatory.)

---

**VSU - HAC Access and Affordability**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia State University	\$638,778	\$828,847	GF

**Language:**

Page 191, line 12, strike "\$69,708,738" and insert "\$70,347,516".

Page 191, line 12, strike "\$69,710,182" and insert "\$70,539,029".

Page 192, after line 6, insert:

"G. Out of this appropriation, \$638,778 the first year and \$828,847 the second year from the general fund is designated to support the goals of access, affordability, quality and increased degrees. Funds provided in this item support the institution's priorities to hire new faculty, to support operations and maintenance of new facilities, and to increase student retention and success. Given the increased general fund, it is the intent of the General Assembly that in-state undergraduate tuition should not increase by more than 3.0% in each year. However, a formal request and justification for increases that exceed this percent may be submitted by the institution to the Governor for his approval. The Director, Department of Planning and Budget, shall report to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2016 on the receipt and status of such requests."

**Explanation:**

(This amendment provides additional general funds to support the goals of access, affordability, quality and increased degrees. It also reflects legislative intent with regard to in-state undergraduate tuition increases.)

**VSU - Repurpose New Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia State University	(\$415,810)	(\$415,810)	GF

**Language:**

Page 191, line 12, strike "\$69,708,738" and insert "\$69,292,928".

Page 191, line 12, strike "\$69,710,182" and insert "\$69,294,372".

**Explanation:**

(This amendment defers new initiative funding and repurposes the funding as part of the

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House Appropriations Committee's access and affordability recommendations for higher education.)

---

Item 231 #1h

**VSU - Move Fin Aid to SCHEV**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia State University	\$0	(\$1,199,616)	GF

**Language:**

Page 192, line 7, strike "\$15,109,877" and insert "\$13,910,261".

**Explanation:**

(This amendment and other companion amendments move the proposed new financial aid funding for fiscal year 2018 into the State Council of Education for Virginia. The distribution of these financial aid funds will be recommended prior to the 2018 Session by the Joint Subcommittee on the Future Competitiveness of Virginia Higher Education as part of its financial aid reform review.)

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Item 235 #1h

**FCM - Operating Costs**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Frontier Culture Museum of Virginia	\$100,000 2.00	\$100,000 2.00	GF FTE

**Language:**

Page 193, line 36, strike "\$2,358,426" and insert "\$2,458,426".

Page 193, line 36, strike "\$2,243,451" and insert "\$2,343,451".

**Explanation:**

(This amendment provides additional funding to increase the number of interpretative staff in order to provide expanded educational programs.)

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Item 238 #1h

**JYF - 2019 Commemoration**

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<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Jamestown-Yorktown Commemorations	\$2,000,000	\$2,000,000	GF

**Language:**

Page 195, line 8, strike "\$317,532" and insert "\$2,317,532".  
Page 195, line 8, strike "\$317,532" and insert "\$2,317,532".

**Explanation:**

(This amendment provides additional funding to support the 2019 Commemoration initiatives.)

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Item 239 #1h

**LOV - Digital Archives**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The Library Of Virginia	\$210,000	\$185,000	GF

**Language:**

Page 195, line 21, strike "\$7,763,496" and insert "\$7,973,496".  
Page 195, line 21, strike "\$7,763,496" and insert "\$7,948,496".

**Explanation:**

(This amendment provides additional funding for digital collections security in order to maintain and preserve permanent historical archival records and federal and state security compliance requirements.)

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Item 241 #1h

**LOV - Eastern Shore Public Library**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The Library Of Virginia	\$250,000	\$250,000	GF

**Language:**

Page 196, line 5, strike "\$15,233,584" and insert "\$15,483,584".  
Page 196, line 5, strike "\$15,233,584" and insert "\$15,483,584".

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Page 196, after line 17, insert:

"C. Out of this appropriation, \$250,000 each year from the general fund is designated for the Eastern Shore Public Library to support construction of a new library."

**Explanation:**

(This amendment provides additional funding for aid to local libraries to support construction of a new Eastern Shore Public Library. The funds are matched by \$2 million from local government and \$2.5 million from donors.)

---

Item 241 #2h

**LOV - Aid to Local Libraries**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
The Library Of Virginia	\$20,000	\$20,000	GF

**Language:**

Page 196, line 5, strike "\$15,233,584" and insert "\$15,253,584".

Page 196, line 5, strike "\$15,233,584" and insert "\$15,253,584".

Page 196, after line 17, insert:

"C. Out of this appropriation, \$20,000 each year from the general fund is designated for the Saltville branch of the Smyth-Bland Regional Library to support operational costs."

**Explanation:**

(This amendment provides additional funding for aid to local libraries for operating costs at the Saltville branch of the Smyth-Bland Regional Library.)

---

Item 244 #1h

**VCOA - Grant Funding**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Commission for the Arts	\$350,000	\$0	GF

**Language:**

Page 197, line 17, strike "\$3,909,308" and insert "\$4,259,308".

**Explanation:**

(This amendment provides funding for additional grants to arts organizations.)

---

Item 247 #1h

**EVMS - Base Operating Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Eastern Virginia Medical School	\$200,000	\$200,000	GF

**Language:**

Page 198, line 33, strike "\$24,275,260" and insert "\$24,475,260".  
Page 198, line 33, strike "\$25,045,450" and insert "\$25,245,450".

**Explanation:**

(This amendment provides additional funding to support base operating costs.)

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Item 249 #1h

**NCI - Operating Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
New College Institute	\$100,000	\$100,000	GF

**Language:**

Page 199, line 17, strike "\$3,492,872" and insert "\$3,592,872".  
Page 199, line 17, strike "\$3,492,956" and insert "\$3,592,956".

**Explanation:**

(This amendment provides additional funding for part-time staff to expand workforce training and job certifications as well as for information technology purchases to meet APA audit requirements.)

---

Item 250 #1h

**IALR - Utilities and Maintenance**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Institute for Advanced Learning and Research	\$350,000	\$350,000	GF

**Language:**

Page 199, line 37, strike "\$6,087,245" and insert "\$6,437,245".  
Page 199, line 37, strike "\$6,087,103" and insert "\$6,437,103".

**Explanation:**

(This amendment provides additional funding to support increased cost of utilities and preventive maintenance.)

---

Item 251 #1h

**RHEC - Programmatic and Operational Support**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Roanoke Higher Education Authority	\$250,000	\$250,000	GF

**Language:**

Page 200, line 15, strike "\$1,216,005" and insert "\$1,466,005".  
Page 200, line 15, strike "\$1,216,008" and insert "\$1,466,008".

**Explanation:**

(This amendment provides additional funding to expand programmatic and operational support for the center.)

---

Item 254 #1h

**Jeff Labs - Shift Collider Project Funding & Technical Correction**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC	(\$1,400,000)	(\$1,000,000)	GF

**Language:**

Page 201, line 38, strike "\$2,742,566" and insert "\$1,342,566".  
Page 201, line 38, strike "\$2,342,568" and insert "\$1,342,568".  
Page 202, strike lines 1 through 5 and insert:  
"B. An amount of \$2,400,000 the first year from the general fund is designated for the electron ion collider project from amounts appropriated under Item 106 A.1. of this act."



**Explanation:**

(This amendment redirects funding of \$2.4 million for the electron ion collider project at Jefferson Lab. An amount of \$2.4 million from the general fund in the first year will be provided under Economic Development Incentive payments for the site studies associated with the project.)

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Item 255 #1h

**Higher Education Research (HB 1343)**

**Education**

Higher Education Research Initiative

Language

**Language:**

Page 202, strike lines 17 through 54 and insert:

"A. 1. Out of this appropriation, \$20,000,000 the first year and \$20,000,000 the second year from the general fund is designated for the Virginia Research, Development and Commercialization Fund. These funds shall be allocated in accordance with provisions established in House Bill 1343 and used to promote research and development excellence in the Commonwealth, to foster innovative and collaborative research, development, commercialization projects and programs with a high potential for economic development and job creation opportunities, to attract and acquire eminent researchers that enhance research superiority at public institutions of higher education, and to position the Commonwealth as a national leader in science-based and technology-based research, development, and commercialization.

2. In addition to the funding in this item, \$20,000,000 the first year authorized in Item C-52.10 shall be made available to support research lab renovations and/or the acquisition of research equipment subject to the provisions established in House Bill 1343.

B. All proposals must include matching funds from non-state funded sources that meet a minimum 1:1 ratio but priority shall be given to those applications that also propose projects that (i) are collaborative between institutions of higher education; institutions of higher education and private and nonprofit entities, public or private agencies; (ii) project a short time to commercialization, although transformative projects with a longer projected time to commercialization shall not be discounted; (iii) working in collaboration with initiatives currently underway after receiving approval from the Virginia Growth and Opportunity Fund, or those proposals to be considered by the Virginia Growth and Opportunity for review.

C. Funds may be utilized for recruiting eminent researchers to acquire and enhance research superiority at public qualifying institutions. In order to qualify for an award, the applicant

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shall demonstrate that the researcher being recruited would create research superiority at the institution; demonstrate that the institution making the application has sufficient technology transfer processes and other research capabilities in place to meet the needs of the researcher being recruited; involve a private sector partner with business operations in the Commonwealth; demonstrate that the research conducted by the researcher is in a qualifying technology; and match the award, on at least a one-to-one basis, with 50 percent of the match from the applicant and 50 percent of the match from the private sector partner.

D. 1. SCHEV shall develop procedures, criteria and guidelines for the management of the application and review processes of this Fund, subject to the approval of the Virginia Growth and Opportunity Board, as well as assist the Board with administration of the Fund.

2. Accordingly, SCHEV shall develop a schedule of solicitation for applications, preview applications and establish a review process that includes a recommendation of prioritization of proposals and initiatives that reflect the areas identified in the Commonwealth Research and Technology Strategic Roadmap and consider the contemporary research and economic needs of the Commonwealth of Virginia.

3. SCHEV shall seek input on each pre-approved proposal from specialty review panels that may include, but not be limited to the following: VBHRC, CIT, R&T Advisory Council, Virginia Academy of Science, Engineering and Medicine. Each review panel shall include a representative of the appropriate private sector industry, or a representative from an active commercialization or venture capital firm to assist in assessing the commercial viability of proposals.

E. The appropriation for this item is contingent on the passage of House Bill 834 and House Bill 1343 of the 2016 Session. If either bill should fail, the amounts appropriated in this item shall be transferred to Item 475 as part of the Revenue Reserve."

Page 203, strike lines 1 through 14.

**Explanation:**

(This amendment provides funding for the Virginia Research, Development and Commercialization Fund established under House Bill 1343.)

---

Item 256 #1h

**VCBA - HEETF Allocations**

**Education**

Virginia College Building Authority

Language

**Language:**

Page 203, line 44, strike the first "\$80,000,000" and insert "\$82,470,000".

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Page 203, line 50, strike the first "\$3,947,024" and insert "\$4,347,024".

Page 204, line 2, strike the first "\$5,016,192" and insert "\$5,416,092".

Page 204, line 9, strike the first "\$5,240,458" and insert "\$6,190,458".

Page 204, line 16, strike the first "\$250,861" and insert "\$770,861".

Page 204, line 32, strike the first "\$160,149" and insert "\$360,149".

Page 204, line 36, strike the first "\$175,306" and insert "\$175,307".

Page 204, line 36, strike the second "\$175,306" and insert "\$175,307".

Page 204, line 51, strike the first "\$524,529" and insert "\$524,429".

Page 204, line 53, strike the first "\$65,000,000" and insert "\$66,520,000".

Page 204, line 53, strike the first "\$15,000,000" and insert "\$15,950,000".

Page 205, line 1, after "activities", insert:

"related to the New Economy Industry Credential Assistance Training Grant Program".

Page 205, after line 1, insert:

"E. 1. Out of the research allocations for Virginia Tech, \$950,000 the first year is designated for radar equipment to enhance the unmanned aircraft test range.

2. Out of the allocations for the University of Virginia at Wise, \$520,000 the first year is designated for the acquisition of a Nuclear Magnetic Resonance Spectrometer.

3. Out of the allocations for Richard Bland College, \$200,000 the first year is designated for the acquisition and installation of information technology security devices.

4. Out of the allocations for George Mason University, \$400,000 the first year is designated for the acquisition and installation of equipment for the development and delivery of online courses and programs.

5. Out of the allocations for Old Dominion University, \$400,000 the first year is designated for the acquisition and installation of equipment for the development and delivery of online courses and programs."

**Explanation:**

(This amendment provides additional allocations for five institutions, clarifies legislative intent for workforce equipment and makes technical corrections to the equipment trust fund table.)

---

Item 269 #1h

**Line of Duty Election - Exception for RSW Regional Jail**

**Finance**

Department of Accounts Transfer Payments

Language

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 213, line 37, after "2012" insert:

"or for the RSW Regional Jail Authority on or before July 1, 2016,".

**Explanation:**

(This amendment give RSW Regional Jail the option of electing to provide Line of Duty benefits to their employees outside of the state run plan as it was not in existence when the original opt-out period took place.)

---

Item 273 #1h

**Population Forecasting**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Planning and Budget	\$150,000	\$150,000 GF

**Language:**

Page 216, line 23, strike "\$7,760,632" and insert "\$7,910,632".

Page 216, line 23, strike "\$7,760,857" and insert "\$7,910,857".

Page 217, after line 26, insert:

"E. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from the general fund is provided to contract for population projections, notwithstanding the provisions of § 60.2-113, Code of Virginia."

**Explanation:**

(This amendment provides \$150,000 each year from the general fund for the Department of Planning and Budget to contract for completion of population projections for the Commonwealth. These were were included in the introduced budget within the proposed standalone Council on Virginia's Future.)

---

Item 273 #2h

**Restore Council on Virginia's Future Funding**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Planning and Budget	\$410,453	\$410,453 GF

**Language:**

Page 216, line 23, strike "\$7,760,632" and insert "\$8,171,085".

Page 216, line 23, strike "\$7,760,857" and insert "\$8,171,310".

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment restores \$410,453 from the general fund each year for the Council on Virginia's Future to continue to operate as part of the Department of Planning and Budget. A companion amendment strikes language, funding, and positions that would have established the Council on Virginia's Future as a standalone agency within the Office of Finance.)

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Item 273 #3h

**Centralized Grants Office**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Planning and Budget	(\$554,045) -2.00	(\$554,045) -2.00	GF FTE

**Language:**

Page 216, line 23, strike "\$7,760,632" and insert "\$7,206,587".  
Page 216, line 23, strike "\$7,760,857" and insert "\$7,206,812".

**Explanation:**

(This amendment removes \$554,045 from the general fund each year included in the introduced budget for the Department of Planning and Budget to establish a new centralized grants office within the Department.)

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Item 275 #1h

**Market Based Sourcing**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Taxation	(\$2,500,000)	\$0	GF

**Language:**

Page 217, line 51, strike "\$61,920,243" and insert "\$59,420,243".  
Page 221, strike lines 5 through 28.

**Explanation:**

(This amendment removes one-time funding in fiscal year 2017 and associated language providing \$2,500 to each company providing data to the Department of Taxation in order to conduct a study of Market-Based Sourcing. The associated house bill was tabled in committee.)

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Item 277 #1h

**Front-End Tax Filer Authentication**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Taxation	(\$377,000)	(\$419,000)	GF

**Language:**

Page 221, line 52, strike "\$44,106,350" and insert "\$43,729,350".  
Page 221, line 52, strike "\$43,554,285" and insert "\$43,135,285".

**Explanation:**

(This amendment removes new funding provided to the Department of Taxation to procure a front-end tax filer authentication system that would be optional for filers to use.)

---

Item 278 #1h

**Correct Appropriation for Relief of Michael Kenneth McAlister**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of the Treasury	\$136,841	\$0	GF

**Language:**

Page 222, line 32, strike "\$9,306,466" and insert "\$9,443,307".  
Page 223, line 30, strike "\$1,131,853" and insert "\$1,268,694".

**Explanation:**

(This amendment corrects a technical error in the appropriation for relief of Michael Kenneth McAlister, provided for by House Bill 700, included in the introduced budget.)

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Item 283 #1h

**Council on Virginia's Future**

<b>Finance</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Council on Virginia's Future	(\$938,014) -7.00	(\$938,015) -7.00	GF FTE

**Language:**

Page 230, line 27, strike "\$938,014" and insert "\$0".  
Page 230, line 27, strike "\$938,015" and insert "\$0".

Page 230, strike lines 26 through 46.

Page 231, strike lines 1 through 9.

**Explanation:**

(This amendment removes the item, associated funding, positions, and language establishing the Council on Virginia's Future as a standalone agency within the Office of Finance. Currently, the Council and staff are located within the Department of Planning and Budget. A companion amendment restores DPB funding for the Council on Virginia's Future within DPB itself.)

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Item 284 #1h

**Secretary Review of Agency Costs to Purchase of High Cost Medications**

**Health and Human Resources**

Secretary of Health and Human Resources

Language

**Language:**

Page 232, at the beginning of line 8, insert "A."

Page 232, after line 32, insert:

"B. The Secretary of Health and Human Resources, in consultation with the Secretary of Public Safety and the Secretary of Administration, shall convene a work group including, but not limited to, the Department of Medical Assistance Services, Department of Social Services, Department of Health, Department of Behavioral Health and Developmental Services, Department of Corrections, Department of Juvenile Justice, the Compensation Board, the Department of Human Resource Management and other relevant state agencies to examine the current costs of and protocols for purchasing high-cost medications for the populations served by these agencies. After conducting the review, the workgroup shall develop recommendations to improve the cost efficiency and effectiveness of purchasing high-cost medications in order to improve the care and treatment of individuals served by these agencies. The workgroup shall prepare a final report for consideration by the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 15, 2016."

**Explanation:**

(This amendment adds language for the Secretary of Health and Human Resources, working with the Secretaries of Public Safety and Administration, to convene a work group comprised of agencies across Secretariats to examine the current ways to improve the cost effectiveness of purchasing high cost medications. The work group is required to make recommendations and develop a report by October 15, 2016 for consideration by the Governor and the Chairmen of the House Appropriations and Senate Finance Committees.)

**Health & Human Services Secretariat Data Governance**

**Health and Human Resources**

Secretary of Health and Human Resources

Language

**Language:**

Page 232, at the beginning of line 8, insert "A."

Page 232, after line 32, insert:

"B. The Secretary shall develop a plan to address the data governance structure across all agencies in the Health and Human Resources Secretariat in order to streamline business processes, increase operational efficiency and effectiveness, and minimize duplication and overlap of current and future systems development. The plan shall consider how agencies can participate in such a structure while adhering to privacy provisions set forth in state and federal law and regulations. The Secretary shall report on the plan, including challenges impacting the plan, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2016."

**Explanation:**

(This amendment adds language requiring the Secretary of Health and Human Resources to develop a plan to address the data governance structure across all agencies in the Health and Human Resources Secretariat. Language requires the Secretary to report on the plan to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2016. )

**Secretary Transition Plan**

**Health and Human Resources**

Secretary of Health and Human Resources

Language

**Language:**

Page 232, at the beginning of line 8, insert "A."

Page 232, after line 32, insert:

"B. The Secretary of Health and Human Resource shall report on transition planning for the Health and Human Resources Secretariat, including the achievement of performance metrics by agencies in the Secretariat, current and emerging challenges facing these agencies, the



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value of services provided by the agencies, and each agency's strategic plan and executive progress report, as well as cross-agency policy issues. The Secretary shall provide this report to the Chairmen of the House Appropriations and Senate Finance Committees, as well as the Chairmen and members of the Health and Human Resources Subcommittees of each respective committee by September 1, 2016 and semi-annually thereafter until a new Governor is elected and sworn into office."

**Explanation:**

(This amendment adds language to begin transition planning in the Health and Human Resources Secretariat. The Secretary of Health and Human Resources is directed to report on specific items related to the operation of the agencies within the Secretariat to the Chairmen of the House Appropriations and Senate Finance Committees, as well as the Chairmen and members Health and Human Resources Subcommittees of the respective committees by September 1, 2016 and semi-annually thereafter until a new Governor is elected and sworn into office.)

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Item 285 #1h

**Increase Funds for CSA Local Administration**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Children's Services Act	\$500,000	\$500,000 GF

**Language:**

Page 232, line 39, strike "\$288,022,851" and insert "\$288,522,851".  
Page 232, line 39, strike "\$287,078,273" and insert "\$287,578,273".

**Explanation:**

(This amendment provides \$500,000 each year from the general fund for local administrative costs of providing oversight, accountability and administration for the Children's Services Act (CSA). Local administrative duties include implementing the mandatory assessment tool and process, developing service plans for children, managing expenditures, collecting input and outcome data by child, negotiating rates and contracts with vendors, and maximizing the use of federal fund.)

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Item 285 #2h

**Restore Funding to CSA from Eliminating Foster Care to 21**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
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Children's Services Act \$511,678 \$1,456,256 GF

**Language:**

Page 232, line 39, strike "\$288,022,851" and insert "\$288,534,529".  
Page 232, line 39, strike "\$287,078,273" and insert "\$288,534,529".

**Explanation:**

(This amendment restores \$511,678 the first year and \$1.5 million from the general fund in the second year to the Children's Services Act which had been reduced in the introduced budget, based on a plan to expand foster care and adoption subsidies to children ages 19 to 21. A companion amendment in Item 346 eliminates this new initiative.)

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Item 288 #1h

**State Loan Repayment Program for Health Care Professionals**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Health	\$150,000	\$150,000 GF

**Language:**

Page 237, line 44, strike "\$474,000" and insert "\$624,000".  
Page 237, line 44, strike "\$474,000" and insert "\$624,000".

**Explanation:**

(This amendment appropriates \$150,000 from the general fund each year for the Virginia State Loan Repayment Program. The introduced budget provided \$150,000 from the general fund in fiscal year 2017 only for this program. Funding is added in the second year to sustain the program. The introduced budget inadvertently provided funding for the first year in Item 296, therefore funding from that item is transferred to this item. A companion amendment in Item 296 reduces the spending that was contained in the incorrect item.)

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Item 288 #2h

**Collaborative Plan for Loan Repayment for Behavioral Health Practitioners**

<b>Health and Human Resources</b>	
Department of Health	Language

**Language:**

Page 238, at the beginning of line 2, insert: "A."

Page 246, after line 42, insert:

"7. The Virginia Department of Health shall collaborate with the Virginia Health Care Foundation and the Department of Behavioral Health and Developmental Services, the state teaching hospitals, and other relevant stakeholders on a plan to increase the number of Virginia behavioral health practitioners practicing in Virginia's community services boards, behavioral health authorities, state mental health facilities, free clinics, federally qualified health centers and other similar health safety net organizations through the use of a student loan repayment program. The program design shall address the need for behavioral health professionals in behavioral health shortage areas; the types of behavioral health practitioners needed across communities; the results of community health needs assessments that have been completed by hospitals, localities or other organizations; and shortages that may exist in high cost of living areas which may preclude individuals from choosing employment in public and non-profit community behavioral health and safety net organizations and state mental health facilities. The program design shall include a preference for applicants who choose employment in underserved areas of the Commonwealth and contain conditions for recipients to practice in these areas for at least two years. The program shall be implemented by the Virginia Department of Health. The plan shall identify opportunities to leverage state funding for the program with funds from other sources in order to maximize the total funding for such a program. The plan shall determine how the program can complement and coordinate with existing efforts to recruit and retain Virginia behavioral health practitioners. The Virginia Department of Health shall report back on the plan, including projected utilization of such a program and estimated costs to implement such as program to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Subcommittee to Study Mental Health Services in the Twenty-First Century by November 1, 2016."

**Explanation:**

(This amendment requires the Virginia Department of Health to collaborate with the Virginia Health Care Foundation, the Department of Behavioral Health and Developmental Services, the state's teaching hospitals and other relevant stakeholders to develop a plan to increase the number of behavioral health practitioners practicing in state and local behavioral health agencies, and health safety net organizations through the use of a student loan repayment program. Language sets out provisions that the program design to include a preference for applicants to practice in underserved areas for at least two years. The plan shall be reported to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Subcommittee to Study Mental Health Services in the Twenty-First Century by November 1, 2016.)

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Item 289 #1h

**Rescue Squad Assistance Fund for Ambulance Stretcher Retention Systems**

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 238, line 21, after "B." insert "1."

Page 238, after line 22, insert:

"2. Out of the distribution made from paragraph B.1. from the special emergency medical services fund for the Virginia Rescue Squad Assistance Fund, \$840,000 the first year and \$840,000 the second year shall be used for the purchase of new ambulance stretcher retention systems as required by the federal General Services Administration."

**Explanation:**

(This amendment allocates \$840,000 each year from the Virginia Rescue Squad Assistance Fund (RSAF) for the purchase of federally required ambulance stretcher retention systems. Language allows only non-profit Emergency Medical Services agencies to receive the funds. The costs to meet the new federal standards is \$40,000 per unit.)

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Item 291 #1h

**Report on Electronic Death Registry System**

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 239, at the beginning of line 17, insert: "A."

Page 239, after line 18, insert:

"B. The Department of Health shall report on efforts to address changes to the Electronic Death Registry System that would improve the system to make it easier for filing death certificates, address interoperability concerns by users, and provide technical assistance to system users, and other improvements. The department shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2016."

**Explanation:**

(This amendment requires a report by the Department of Health on efforts to address changes to improve the electronic system for filing death certificates. The report is due October 1, 2016 to the Chairmen of the House Appropriations and Senate Finance Committees.)

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Item 293 #1h

**Eliminate New COPN Positions**

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**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Health

(\$191,656)

(\$182,656) GF

**Language:**

Page 240, line 14, strike "\$17,382,563" and insert "\$17,190,907".

Page 240, line 14, strike "\$17,373,563" and insert "\$17,190,907".

**Explanation:**

(This amendment eliminates funding for two additional auditor positions for the regulation of health care facilities. Legislation passed during the 2016 Session to sunset certificate of public need requirements for many categories of medical care facilities and projects will lessen the need for additional staff for this purpose.)

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Item 294 #1h

**Eliminate Transfer of Summer Feeding Programs**

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 241, strike lines 31 through 41.

**Explanation:**

(This amendment eliminates language in the introduced budget to develop a plan to transfer the Summer Food Services Program and the Child and Adult Care Feeding Programs from the Virginia Department of Health along with other food programs administered by the Department of Education to the Department of Agriculture and Consumer Services.)

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Item 294 #2h

**Technical-Reflect Appropriation for Sickle Cell Program**

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 241, line 23, strike "200,000" and "200,000"and insert:

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"305,000" and "305,000".

**Explanation:**

(This is a technical amendment to modify language in the introduced budget to reflect the actual amounts appropriated for the Pediatric Sickle Cell Program in the Department of Health.)

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Item 295 #1h

**Eliminate TANF for LARC Pilot Project**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Health	(\$3,000,000)	(\$6,000,000)	NGF

**Language:**

Page 241, line 42, strike "\$255,828,388" and insert "\$252,828,388".  
Page 241, line 42, strike "\$258,828,388" and insert "\$252,828,388".  
Page 243, strike lines 22 through 30.

**Explanation:**

(This amendment eliminates \$3.0 million the first year and \$6.0 million the second year from the federal Temporary Assistance to Needy Families (TANF) block grant for a pilot program to provide long-acting reversible contraceptives through the Virginia Department of Health, that was contained in the introduced budget.)

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Item 296 #1h

**Mission of Mercy (M.O.M.) Dental Project**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Health	\$0	\$100,000	GF

**Language:**

Page 243, line 31, strike "\$20,754,761" and insert "\$20,854,761".  
Page 247, line 8, strike "16,280" and insert "116,280".

**Explanation:**

(This amendment adds \$100,000 from the general fund the second year for the Virginia Dental Health Foundation's Mission of Mercy (M.O.M.) dental project. The introduced budget provided \$100,000 from the general fund the first year, however, did not provide the

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second year amount for the project. The M.O.M. dental project provides no cost dental services in underserved areas of the Commonwealth through the use of volunteer dentists and hygienists. The project has treated more than 59,000 patients with dental care valued at \$38.3 million since 2000.)

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Item 296 #2h

**Technical-Move State Loan Repayment Program Funds to Correct Program**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Health	(\$150,000)	\$0 GF

**Language:**

Page 243, line 31, strike "\$21,004,761" and insert "\$20,854,761".

**Explanation:**

(This technical amendment moves the appropriation for the Virginia State Loan Repayment Program for health care professionals to the correct item. A companion amendment in Item 288 increases the appropriation in the correct item.)

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Item 302 #1h

**Technical-Adds Second Year Positions**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Health Professions	0.00	6.00 FTE

**Language:**

**Explanation:**

(This amendment continues an increase in the position level at the Department of Health Professions into the second year. The introduced budget intended the position level to carry into the second year, however due to oversight, it was not implemented as such.)

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Item 305 #1h

**Technical-Adjust Appropriation for Applied Behavioral Analysis (ABA) Services**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
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Department of Medical Assistance	(\$47,216)	\$0	GF
Services	\$47,216	\$0	NGF

**Language:**

Page 250, after line 33, insert:

"G. The Department of Medical Assistance Services shall amend the state plan for the Children's Health Insurance Program to add coverage for applied behavior analysis (ABA) services. The department shall have the authority to implement this change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change."

**Explanation:**

(This amendment accounts for a slightly higher federal match rate for Applied Behavioral Analysis (ABA) services in fiscal year 2017. The introduced budget adds coverage for ABA and other behavioral therapy services for children in FAMIS. The federal match rate for fiscal year 2017 was assumed to be approximately 82 percent; however, the federal government will cover 88 percent of costs. In addition, authorizing language included in Item 306 LLLL of the budget bill is moved to this item.)

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Item 306 #1h

**Eliminate Medicaid Expansion-Restore Medicaid Funding**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance	\$38,564,934	\$46,001,617	GF
Services	(\$707,219,664)	(\$2,297,021,490)	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,071,750,968".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$9,301,235,127".

**Explanation:**

(This amendment restores \$38.6 million the first year and \$46.0 million the second year from the general fund for the Medicaid program and reduces \$707.2 million the first year and \$2.3 billion the second year from nongeneral funds to eliminate a proposal to expand Medicaid pursuant to the Patient Protection and Affordable Care Act contained in the introduced budget.)

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Item 306 #2h

**Restore Inflation Calculation Affecting Future Nursing Facility Rebasing**



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<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$0	\$5,578,840	GF
	\$0	\$5,578,840	NGF

**Language:**

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,563,412,680".

Page 271, line 3, after "rates", insert:

"in the first year, but shall not be substituted for published inflation factors in any subsequent scheduled rebasing of nursing facility rates."

**Explanation:**

(This amendment modifies languages in the introduced budget to clarify that the deferral of an inflation adjustment for nursing facility rates in fiscal year 2016 was not intended to affect any future rebasing of nursing facility rates. The Department of Medical Assistance Services has interpreted the language as a perpetual deferral and this language corrects that interpretation. The deferral of the fiscal year 2016 inflation adjustment continues to affect the first year, but the second year, under a scheduled rebasing, rates would not be affected by the 2016 deferral.)

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Item 306 #3h

**Expand Eligibility to 80% for Waiver Svs. for Seriously Mentally Ill**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$1,629,813	\$3,782,618	GF
	\$1,629,813	\$3,782,618	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,743,665,324".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,559,820,236".

Page 271, after line 6, after "XXX.1." insert "a."

Page 271, line 26, after "Administrator." insert:

"b. The Department of Medical Assistance Services shall amend the Medicaid demonstration project described in paragraph a. to increase the income eligibility for adults with serious mental illness from 60 to 80 percent of the federal poverty level effective July 1, 2017."

**Explanation:**

(This amendment adds \$1.6 million the first year and \$3.8 million the second year from the general fund and a like amount of federal matching Medicaid funds to modify the income eligibility criteria for the Medicaid demonstration waiver program for adults with serious

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mental illness Medicaid from 60 to 80 percent of the federal poverty level. The waiver provides primary care, outpatient medical services, and prescription drugs, along with a robust set of behavioral health services to adults with serious mental illness.)

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Item 306 #4h

**Add 150 Individual & Family Support Waivers**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$1,540,450	\$2,310,675	GF
	\$1,540,450	\$2,310,675	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,743,486,598".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,556,876,350".

Page 274, after line 33, insert:

"SSSS. Out of this appropriation, \$1,540,450 the first year and \$2,310,675 the second year from the general fund and \$1,540,450 the first year and \$2,310,675 the second year from nongeneral funds shall be provided to add 100 slots in fiscal year 2017 to the newly configured Individual and Family Support Waiver to provide waiver services to the top 100 individuals on the chronological waiting list for the current Individual and Family Developmental Disabilities Support (DD) Waiver program as of June 30, 2016, and an additional 50 Individual and Family Support Waiver slots in fiscal year 2018."

**Explanation:**

(This amendment provides \$1.5 million the first year and \$2.3 million the second year from the general fund and a like amount of federal Medicaid matching funds to add 100 slots to the newly developed Individual and Family Support (IFS) Waiver to individuals at the top of the DD Waiver chronological waiting list as of June 30, 2015 and an additional 50 IFS Waiver slots in fiscal year 2018. The current DD waiver waiting list is a chronological waiting list which will be combined with the Intellectual Disability waiver waiting list and changed to a needs based list beginning with the implementation of the new IFS waiver in fiscal year 2017.)

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Item 306 #5h

**Increase Rates for Private Duty Nursing-Technology Assisted Waiver & EPSDT Program**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
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Department of Medical Assistance Services	\$1,126,532	\$1,312,980	GF
	\$1,126,532	\$1,312,980	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,742,658,762".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,554,880,960".

Page 273, line 22, strike "two percent" and insert "six percent".

**Explanation:**

(This amendment provides \$1.1 million from the general fund and \$1.1 million from federal matching Medicaid funds the first year and \$1.3 million from the general fund and \$1.3 million from federal matching Medicaid funds the second year to provide an additional 4% increase in Medicaid rates for private duty nursing in the Assisted Technology Waiver and the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) program to cover a larger percentage of provider expenses. The introduced budget provided funding to increase these rates by two percent over the 2016-18 biennium. Together these actions would increase rates by six percent.)

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Item 306 #6h

**Increase Payment Rate by 15% for Nursing Homes with Special Populations**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$619,511	\$619,511	GF
	\$619,511	\$619,511	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,741,644,720".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,553,494,022".

Page 265, after line 15, insert:

"7. The department shall amend the State Plan for Medical Assistance to increase the direct operating rate under the nursing facility price based reimbursement methodology by 15% for nursing facilities where at least 80% of the resident population have one or more of the following diagnoses: quadriplegia, traumatic brain injury, multiple sclerosis, paraplegia, or cerebral palsy. In addition, a qualifying facility must have at least 90% Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2014. The department shall have the authority to implement this reimbursement methodology change for rates on or after July 1, 2016, and prior to completion of any regulatory process in order to effect such change."

**Explanation:**

(This amendment adds funding and language to change the reimbursement methodology for nursing facilities that provide services to a resident population in which at least 80 percent of

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the residents have specific chronic and disabling conditions and the facility has at least a 90% Medicaid utilization and a case mix index of 1.15 or higher in fiscal year 2017. These conditions tend to occur in a younger population who consequently have a significant longer stay in a nursing facility than many nursing home residents. Consequently, the costs to serve these individuals is much higher. Currently, only one nursing facility, the Virginia Home, would meet the criteria to qualify for additional funding pursuant to the reimbursement methodology change.)

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Item 306 #7h

**Capture Savings from Moratorium on ACA Health Insurance Tax**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	\$0	(\$25,956,371)	GF
	\$0	(\$25,956,370)	NGF

**Language:**

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,500,342,259".

**Explanation:**

(This amendment eliminates \$25.7 million from the general fund and \$25.7 million in matching federal Medicaid funds the second year contained in the Medicaid forecast that was included to pay the health insurance tax on managed care contracts as required by the Patient Protection and Affordable Care Act. The Consolidated Appropriations Act of 2016 placed a moratorium on this tax for 2017, which results in a savings in the amount paid by the Department of Medical Assistance Services in fiscal year 2018.)

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Item 306 #8h

**Eliminate Overtime for Consumer-directed Personal Assistance**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	(\$8,143,666)	(\$10,231,856)	GF
	(\$8,143,666)	(\$10,231,856)	NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,724,118,366".

Page 250, line 34, strike "\$11,552,255,000" and insert "\$11,531,791,288".

Page 274, strike lines 23 through 33 and insert:

"RRRR. The Department of Medical Assistance Services shall amend the State Plan under Title XIX of the Social Security Act, and any necessary waivers, to reflect that no authority

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is provided for the payment of overtime for Medicaid-reimbursed consumer-directed personal assistance, respite and companion services. The Department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate state plan and/or waiver changes, and prior to the completion of any regulatory process undertaken in order to effect such change."

**Explanation:**

(This amendment eliminates funding and language contained in the introduced budget to authorize the payment of overtime for Medicaid-reimbursed consumer-directed (CD) personal assistance, respite and companion services for a single attendant who works more than 40 hours per week. Language is added to require the Department of Medical Assistance Services to amend the State Plan for Medical Assistance to reflect that no authority is provided to authorize overtime for Medicaid-reimbursed CD personal assistance, respite and companion services and to allow the agency to implement emergency regulations to effect the change.)

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Item 306 #9h

**Defer Selected New Waiver Services to FY 2018**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Medical Assistance	(\$2,137,662)	\$0 GF
Services	(\$2,137,662)	\$0 NGF

**Language:**

Page 250, line 34, strike "\$9,740,405,698" and insert "\$9,736,130,374".

Page 272, strike lines 20 through 24.

Page 272, line 25, strike "Home Supports" and insert:

"(2) initiate the following new waiver services in fiscal year 2017: Supported Living Residential, Independent Living Residential, Private Duty Nursing Services, Crisis Support Services, Community-based Crisis Supports, Center-based Crisis Supports, and Electronic-based Home Supports; and (3) initiate the following new waiver services in fiscal year 2018: Community Engagement, Community Coaching, Community Guide and Peer Support Services, Workplace Assistance Services, Benefits Planning and Non-medical Transportation."

**Explanation:**

(This amendment reduces funding by \$2.1 million from the general fund and \$2.1 million in nongeneral funds in the first year to defer some of the proposed new services for the intellectual and developmental disability (I/DD) waiver redesign until the second year. This deferral will ensure that the agencies are able to implement three new I/DD waiver programs efficiently and effectively, providing the most critical new services first while continuing to

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increase the number of waiver slots required pursuant to the U.S. Department of Justice Settlement Agreement. This amendment is not intended to disrupt existing services or rates for supported employment or community-based day support services in the first year.)

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Item 306 #10h

**Adjust Revenue for the Virginia Health Care Fund**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Medical Assistance Services	(\$361,659) \$361,659	(\$361,659) \$361,659	GF NGF

**Language:**

Page 251, line 33, strike " \$364,723,293" and insert "\$365,084,952".  
Page 251, line 34, strike "\$348,084,880" and insert "\$348,446,539".

**Explanation:**

(This amendment reduces the general fund appropriation for Medicaid by \$361,659 the first year and \$361,659 the second year and increases a like amount of nongeneral funds each year, reflecting increased revenues to the Virginia Health Care Fund (VHCF). Because revenues to the fund have historically been used as the state share of Medicaid, additional revenue results in an equal amount of general fund savings. Current estimates of cigarette tax collections indicate that Virginia will receive slightly more revenue than was assumed in the introduced budget. This additional revenue, which is deposited into the Virginia Health Care Fund, allows for a reduction in general fund appropriations for the state's share of Medicaid funding.)

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Item 306 #11h

**Restore Medicaid Reform Language**

**Health and Human Resources**

Department of Medical Assistance Services Language

**Language:**

Page 266, strike lines 24 through 56.  
Page 267, strike lines 1 through 9 and insert:  
"JJJ.1. The Department of Medical Assistance Services shall seek federal authority through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to implement a comprehensive value-driven, market-based reform of the Virginia Medicaid/FAMIS programs. This reform shall be implemented in three phases as

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outlined in paragraphs 2, 3 and 4. The department shall have authority to implement necessary changes when feasible after federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

2. In the first phase of reform, the Department of Medical Assistance Services shall continue currently authorized reforms of the Virginia Medicaid/FAMIS service delivery model that shall, at a minimum, include (i) implementation of a Medicare-Medicaid Enrollee (dual eligible) Financial Alignment demonstration as evidenced by a Memorandum of Understanding with the Centers for Medicare and Medicaid Services (CMS), signing of a three-way contract with CMS and participating plans, and approval of the necessary amendments to the State Plan for Medical Assistance and any waivers thereof; (ii) enhanced program integrity and fraud prevention efforts to include at a minimum: recovery audit contracting (RAC), data mining, service authorization, enhanced coordination with the Medicaid Fraud Control Unit (MFCU), and Payment Error Rate Measurement (PERM); (iii) inclusion of children enrolled in foster care in managed care; (iv) implementation of a new eligibility and enrollment information system for Medicaid and other social services; (v) improved access to Veterans services through creation of the Veterans Benefit Enhancement Program; and (vi) expedite the tightening of standards, services limits, provider qualifications, and licensure requirements for community behavioral health services.

3. In the second phase of reform, the Department of Medical Assistance Services shall implement value-based purchasing reforms for all recipients subject to a Modified Adjusted Gross Income (MAGI) methodology for program eligibility and any other recipient categories not excluded from the Medallion II managed care program. Such reforms shall, at a minimum, include the following: (i) the services and benefits provided are the types of services and benefits provided by commercial insurers and may include appropriate and reasonable limits on services such as occupational, physical, and speech therapy, and home care with the exception of non-traditional behavioral health and substance use disorder services; (ii) reasonable limitations on non-essential benefits such as non-emergency transportation are implemented; and (iii) patient responsibility is required including reasonable cost-sharing and active patient participation in health and wellness activities to improve health and control costs.

To administer this reformed delivery model, the department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. Any coordination of non-traditional behavioral health services covered under contract with qualified health plans or through other means shall adhere to the principles outlined in paragraph OO. c. This reformed service delivery model shall be mandatory, to the extent allowed under the relevant authority granted by the federal government and shall, at a minimum, include (i) limited high-performing provider networks and medical/health homes; (ii) financial incentives for high quality outcomes and alternative payment methods; (iii) improvements to encounter data submission, reporting, and oversight; (iv) standardization of administrative and other processes for providers; and (v) support of the health information exchange.

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The second phase of reform shall also include administrative simplification of the Medicaid program through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act and outline agreed upon parameters and metrics to provide maximum flexibility and expedited ability to develop and implement pilot programs to test innovative models that (i) leverage innovations and variations in regional delivery systems; (ii) link payment and reimbursement to quality and cost containment outcomes; or (iii) encourage innovations that improve service quality and yield cost savings to the Commonwealth. Upon federal approval, the department shall have authority to implement such pilot programs prior to the completion of the regulatory process.

4. In the third phase of reform, the Department of Medical Assistance Services shall seek reforms to include all remaining Medicaid populations and services, including long-term care and home- and community-based waiver services into cost-effective, managed and coordinated delivery systems. The department shall begin designing the process and obtaining federal authority to transition all remaining Medicaid beneficiaries into a coordinated delivery system.

5. The Department of Medical Assistance Services shall provide a report to the Medicaid Innovation and Reform Commission on the specific waiver and/or State Plan changes that have been approved and status of implementing such changes, and associated cost savings or cost avoidance to Medicaid/FAMIS expenditures.

6.a. The Department shall seek the approval of the Medicaid Innovation and Reform Commission to amend the State Plan for Medicaid Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act. If the Medicaid Innovation and Reform Commission determines that the conditions in paragraphs 2, 3, 4, and 5 have been met, then the Commission shall approve implementation of coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.

b. Upon approval by the Medicaid Innovation and Reform Commission, the department shall implement the provisions in paragraph 6.a. of this item by July 1, 2014, or as soon as feasible thereafter.

7.a. Contingent upon the expansion of eligibility in paragraph 6.a., there is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Reform and Innovation Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. For purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

b. The Director of the Department of Medical Assistance Services, in consultation with the



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Director of the Department of Planning and Budget, shall annually identify projected general fund savings attributable to enrollment of newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA, including behavioral health services, inmate health care, and indigent care. Beginning with development of the fiscal year 2015 budget, these projected savings shall be reflected in reduced appropriations to the affected agencies and the amounts deposited into the Fund net of any appropriation increases necessary to meet resulting programmatic requirements of the Department of Medical Assistance Services. Beginning in fiscal year 2015, funding to support health innovations described in Paragraph 3 shall be appropriated from the Fund not to exceed \$3.5 million annually. Funding shall be distributed through health innovation grants to private and public entities in order to reduce the annual rate of growth in health care spending or improve the delivery of health care in the Commonwealth. When the department, in consultation with the Department of Planning and Budget, determines that the general fund expenses incurred from coverage of newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA exceed any associated savings, a percentage of the principle of the Fund as determined necessary by the department and the Department of Planning and Budget to cover the cost of the newly eligible population shall be reallocated to the general fund and appropriated to the department to offset the cost of this population. Principle shall be allocated on an annual basis for as long as funding is available.

8. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA is modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law from the date the department is notified of a reduction in Federal Medical Assistance Percentage.

9. That notwithstanding any other provision of this act, or any other law, no general or nongeneral funds shall be appropriated or expended for such costs as may be incurred to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, unless included in an appropriation bill adopted by the General Assembly on or after July 1, 2014."

**Explanation:**

(This amendment eliminates language in the introduced budget which would have allowed for the expansion of the Medicaid program pursuant to the Patient Protection and Affordable Care Act and restores language that was contained in Chapter 665, 2015 Virginia Acts of Assembly prohibiting Medicaid expansion unless funding is included in an appropriation bill adopted by the General Assembly. It also restores language guiding efforts to reform the Medicaid program.)

**Report on Implementation of Waiver Redesign**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 272, after line 33, insert:

"4. The Department of Medical Assistance Services, in cooperation with the Department of Behavioral Health and Developmental Services, shall report on the progress in implementing the redesign of Medicaid waivers serving individuals with intellectual and developmental disability, and recommend metrics that can be quickly and easily implemented to track the utilization and cost of the waivers, along with effectiveness of the new waiver services in maintaining individuals in the least restrictive environment, avoiding more costly institutional services, and providing high quality, cost effective care that meets the needs of individuals on the amended waivers by August 1, 2016 to the Chairmen of the House Appropriations and Senate Finance Committees".

**Explanation:**

(This amendment adds language requiring the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to report on the progress in implementing the redesign of the Medicaid waivers for individuals with intellectual and developmental disabilities and recommend metrics to examine the use, cost and effectiveness of the new services in providing high quality, cost effective, appropriate care. The report is due by August 1, 2016.)

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**DMAS GAP Outreach to DOC & Local Jails**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 271, line 6, after "1." insert "a."

Page 271, after line 28, insert:

"b. The Department of Medical Assistance Services, in cooperation with the Department of Social Services and the League of Social Service Executives, shall provide information and

conduct outreach activities with the Department of Corrections and local and regional jails to increase access to the Medicaid demonstration waiver for individuals with serious mental illness who are preparing to be released from custody, or are under the supervision of state or local community corrections programs."

**Explanation:**

(This amendment adds language to require the Department of Medical Assistance Services to provide information and conduct outreach activities with the Department of Corrections and local and regional jails on the GAP program to provide Medicaid primary care, outpatient services, medications and mental health services to low-income individuals with serious mental illness who are released from custody.)

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Item 306 #14h

**Medicaid Physician & Managed Care Liaison Comm. - ER Care Coordination Workgroup**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 265, line 57, after the first "committee.", insert:

"The Committee shall establish an Emergency Department Care Coordination work group comprised of representatives from the Committee, including the Virginia College of Emergency Physicians, the Medical Society of Virginia, the Virginia Hospital and Healthcare Association, the Virginia Academy of Family Physicians and the Virginia Association of Health Plans to review the following issues: (i) how to improve coordination of care across provider types of Medicaid "super utilizers"; (ii) the impact of primary care provider incentive-funding on improved interoperability between hospital and provider systems; and (iii) methods for formalizing a statewide emergency department collaboration to improve care and treatment of Medicaid recipients and increase cost efficiency in the Medicaid program, including recognized best practices for emergency departments."

**Explanation:**

(This amendment adds language directing the Medicaid Physician and Managed Care Liaison Committee to review certain issues affecting the provision of Medicaid services, including how to improve care of "super utilizers", the impact of primary care provider incentive funding on improved interoperability between hospital and provider systems, and the use of best practices for Emergency Departments to improve care and treatment of Medicaid clients and improve cost efficiency.)

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Item 306 #15h

**Workgroup on the Alzheimer's Assisted Living Waiver**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 274, after line 33, insert:

"SSSS. The Department of Medical Assistance Services shall convene a work group of stakeholders, which shall include the Department for Aging and Rehabilitative Services, dementia service providers and dementia advocacy organizations to review the Alzheimer's Assisted Living (AAL) Waiver to determine if it can be modified to meet the 2014 Centers for Medicare and Medicaid Services Home and Community Based Services final rule requirements. If the waiver cannot be modified to meet the federal requirements, then the department shall create a plan that: (i) ensures current waiver recipients continue to receive services and (ii) addresses the service needs of the persons with dementia that are currently eligible for the AAL Waiver. The department shall report its plan and implementation recommendations to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2016."

**Explanation:**

(This amendment adds language to require the Department of Medical Assistance Services to convene a work group to review the Alzheimer's Assisted Living Waiver to determine if it can be modified to comply with federal rule changes. The agency is required to create a plan if the waiver cannot be modified to ensure continuity of services for individuals currently on the waiver and make recommendations to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2016.)

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Item 306 #16h

**Medicaid Resource Eligibility Change**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 274, after line 33, insert:

"SSSS. The Department of Medical Assistance Services shall seek federal authority through a State Plan Amendment under Title XIX of the Social Security Act to permit individuals to use certified appraisals conducted by appraisers licensed by the Virginia Real Estate Appraiser Board as an alternative to the use of the tax assessed value to establish the value of

any non-commercial real property for purposes of Medicaid resource eligibility. The cost of the appraisal shall be borne by the applicant or his designee."

**Explanation:**

(This amendment requires the Department of Medical Assistance Services to seek federal authority to use an alternative methodology for valuing real property for the purpose of determining resources of a Medicaid applicant.)

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Item 306 #17h

**Technical-Move Applied Behavioral Analysis Language to Correct Item**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 273, strike lines 24 through 28.

Page 273, line 29, strike "MMMM." and insert "LLLL."

Page 273, line 37, strike "NNNN." and insert "MMMM."

Page 273, line 54, strike "OOOO." and insert "NNNN."

Page 274, line 6, strike "PPPP." and insert "OOOO."

Page 274, line 18, strike "QQQQ" and insert "PPPP."

Page 274, line 23, strike "RRRR." and insert "QQQQ."

**Explanation:**

(This technical amendment removes language authorizing Applied Behavioral Analysis (ABA) coverage for FAMIS children. A separate amendment adds the language back in the item where the associated funding is appropriated.)

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Item 310 #1h

**Improve Medicaid Eligibility Policy and Procedures**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 276, after line 54, insert:

"K.1. The Department of Medical Assistance Services shall require eligibility workers to

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apply the same protocols when verifying income for all individuals, including those who report no earned or unearned income at the earliest date feasible but no later than October 1, 2017.

2. The Department shall require eligibility workers to use available electronic data sources, including data from the Virginia Case Management System, to search for unreported assets of deceased Medicaid recipients and to initiate recovery from estates for which the value of the assets is likely to exceed the cost of recovery.

3. The Department shall amend the Virginia Medicaid application, upon federal approval, to require Medicaid applicants to opt out if such applicant does not want to grant permission to the state to use his federal tax returns for the purposes of renewing eligibility. The Department shall implement the necessary regulatory changes and other necessary measures to be consistent with federal approval of any appropriate state plan changes, and prior to the completion of any regulatory process undertaken in order to effect such change. "

**Explanation:**

(This amendment requires Medicaid eligibility workers to implement several provisions to improve the current Medicaid eligibility policy and procedures based on a recent Joint Legislative Audit and Review Commission report on Medicaid eligibility determination. The Department of Medical Assistance Services (DMAS) shall require all Medicaid eligibility workers to apply the same protocols when verifying income for all applicants and recipients, including those who report no earned or unearned income, and use available electronic data sources to search for unreported assets of deceased Medicaid recipients and initiate recovery from estates for which the value is likely to exceed the cost of recovery. In addition, the bill requires DMAS to amend the Virginia Medicaid application, after obtaining approval from the federal Centers for Medicare and Medicaid Services, to allow a Medicaid applicant to opt out if such applicant does not want to grant permission to the state to use his federal tax returns for the purposes of renewing eligibility. Language allows the agency to implement emergency regulations to effect the changes.)

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Item 310 #2h

**Medicaid Forecasting Process**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 275, strike lines 34 through 42 and insert:

"A.1. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Medical Assistance Services, shall prepare and submit a forecast of

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Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

2. The forecast shall be based upon current state and federal laws and regulations. Rebasing and inflation estimates that are required by existing law or regulation for any Medicaid provider shall be included in the forecast. The forecast shall also include an estimate of projected increases or decreases in managed care costs, including estimates regarding changes in managed care rates for the three-year period.

3. The Department of Planning and Budget and the Department of Medical Assistance Services shall convene a meeting on or before October 15 of each year with the staff from the House Appropriations and Senate Finance Committees, and the Joint Legislative Audit and Review Commission to review the estimates and obtain consensus on the assumptions used in the Medicaid forecast prior to finalizing the forecast on November 1.

B. The Department of Medical Assistance Services shall submit monthly expenditure reports of the Medicaid program by service as compared to the official Medicaid forecast, adjusted to reflect budget actions from each General Assembly Session. The report shall be submitted to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees, and the Chairman of the Joint Legislative Audit and Review Commission on the 15th of each month."

**Explanation:**

(This amendment modifies language in the introduced budget pertaining to the preparation of the Medicaid forecast. Language requires the forecast to be complete by November 1 instead of November 15 and requires that it be based on existing state and federal laws and regulations. It specifically requires rebasing and inflation adjustments that are required by law and regulation be included in the forecast, as well as changes in managed care costs including any estimates related to managed care reimbursement rates. The Departments of Planning and Budget (DPB) and the Department of Medical Assistance Services (DMAS) are required to convene a meeting by October 15 each year with legislative money committee staff and staff of the Joint Legislative Audit and Review Commission to review the estimates and obtain consensus on the assumptions used prior to finalizing the forecast. Language is also modified to require DMAS to submit monthly expenditure reports of the Medicaid program to DPB and the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Legislative Audit and Review Commission.)

---

Item 310 #3h

**DMAS Report on Eligible but Unenrolled**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 276, after line 54, insert:

"The Department of Medical Assistance Services shall report on the estimated number of Virginians who are eligible but not enrolled in the Virginia Medicaid program as of September 1 of each year."

**Explanation:**

(This amendment is self-explanatory.)

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Item 310 #4h

**DMAS Analysis of Pharmacy Claims**

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 276, after line 54, insert:

"K. The Director of the Department of Medical Assistance Services shall analyze pharmacy claims data from the past biennium in order to assess the value of payments made to the Medicaid Program's contracted managed care plans' network pharmacies and payments made to the Medicaid program's contracted managed care plans. The Director shall identify and report any difference in value of payments made to network pharmacies and to the contracted managed care plans and shall make recommendations to improve the cost effectiveness of Medicaid managed care expenditures for contracted network pharmacy payments to the Chairmen of the House Appropriations Committee and Senate Finance Committees by October 1, 2016."

**Explanation:**

(This amendment adds language requiring the Department of Medical Assistance Services shall analyze pharmacy claims data to identify the difference in the value of payments made to contracted Medicaid managed care plans and their payments to contracted network pharmacies. The agency is directed to make recommendations to improve the cost effectiveness of Medicaid managed care expenditures for pharmacy payments to the Chairmen of the House Appropriations Committee and Senate Finance Committees by October 1, 2016.)

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Item 312 #1h



**Expenditure from Behavioral Health & Developmental Svs. Trust Fund**

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 278, line 1, after "C." insert "1."

Page 278, after line 8, insert:

2. Expenditures from the Behavioral Health and Developmental Services Trust Fund shall be subject to appropriation through an appropriations bill passed by the General Assembly.
3. Any remaining balances in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year."

**Explanation:**

(This amendment requires that expenditures from the Behavioral Health and Developmental Services Trust Fund are appropriated through an appropriations bill passed General Assembly. Further, remaining balances in the fund are required to be carried forward to the subsequent fiscal year.)

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Item 313 #1h

**Appropriate Funds-Behavioral Health & Developmental Svs. Trust Fund**

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Behavioral Health and  
Developmental Services

\$4,625,000

\$0 NGF

**Language:**

Page 278, line 14, strike "\$79,468,375" and insert "\$84,093,375".

Page 278, strike lines 34 through 40, and insert:

"C.1. Out of this appropriation, up to \$4,625,000 the first year shall be provided from the Behavioral Health and Developmental Services Trust Fund for one-time expenses related to developing housing options, specialized services and making capital improvements to enhance and expand services for individuals with intellectual and developmental disabilities. The first priority for funding shall be for projects that address the needs of individuals who are transitioning to the community from the Southwestern Virginia Training Center. Projects shall be located in Virginia within 100 miles of the Southwestern Virginia Training Center. The second priority shall be for funding projects that address the needs of individuals who are transitioning to the community from the Central Virginia Training Center. Any remaining funding may be used to build additional capacity in Northern Virginia for Virginia citizens

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with intensive behavioral and/or medical needs who currently are not able to access needed services or residential supports. The Department of Behavioral Health and Developmental Services shall give preference to projects involving existing Virginia providers to expand service capacity.

2. The Department of Behavioral Health and Developmental Services shall report on the use of the funds from the Trust Fund by December 1, 2016 to the Chairmen of the House Appropriations and Senate Finance Committees.

3. Pursuant to language contained in Item 312, paragraph C., any unexpended funds in the Trust Fund shall remain in the Trust Fund and are subject to an appropriation in an appropriation bill passed by the General Assembly."

**Explanation:**

(This amendment adds language and appropriates up to \$4.6 million the first year from the Behavioral Health and Developmental Services Trust Fund for one-time expenses related to developing housing options, specialized services and making capital improvements to enhance and expand services for individuals with intellectual and developmental disabilities who are transitioning to the community from either Southwestern Virginia Training Center (SWVTC) or Central Virginia Training Center, or to build additional needed capacity in Northern Virginia for Virginia citizens with intensive behavioral and/or medical needs. Language specifies the priority order for funding projects in each of these areas and requires projects addressing SWVTC to be located in Virginia within 100 miles of the facility. Also, the agency is required to give preference to projects involving existing Virginia providers to expand capacity. Language also requires the agency to report on expenditures from the Trust Fund by December 1, 2016 to the Chairmen of the House Appropriations and Senate Finance Committees. Language also references Item 312 which requires that Trust Fund dollars are subject to appropriation by the General Assembly. Duplicative language setting out the broad parameters of the Trust Fund is eliminated, as this language is contained in Item 312.)

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Item 313 #2h

**Eliminates Brain Injury Report**

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 280, strike lines 44 through 50.

Page 280, line 51, strike "P." and insert "O."

Page 280, line 54, strike "Q." and insert "P."

Page 281, line 4, strike "R." and insert "Q."

Page 281, line 22, strike "S." and insert "R."

**Explanation:**

(This amendment eliminates budget language requiring a report on the number of individuals with acquired brain injury accessing state mental health services and the associated costs. Since there is insufficient data available, the report cannot be completed.)

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Item 313 #3h

**Eliminate Acquired Brain Injury Stakeholders in Quarterly Meetings on Waiver Redesign**

**Health and Human Resources**

Department of Behavioral Health and Developmental Services

Language

**Language:**

Page 280, line 4, after "disability." strike the remainder of the line.  
Page 280, strike lines 5 through 8.

**Explanation:**

(This amendment removes language that requires, as part of the Medicaid waiver redesign, the inclusion of individuals with acquired brain injury as stakeholders or participants. Including individuals with brain injury in these waivers is not consistent with federal rules and therefore the language should be removed.)

---

Item 313 #4h

**Move FY 2018 Compensation for Victims of Sterilization to HB 29**

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Behavioral Health and  
Developmental Services

\$0

(\$400,000) GF

**Language:**

Page 278, line 14, strike "\$79,458,942" and insert "\$79,058,942".  
Page 281, line 4, strike "and \$400,000 the second year from".  
Page 281, line 7, after "2015.", insert:

"In addition, any funds carried over from House Bill 29 passed by the 2016 General Assembly from Item 307 T shall also be used for this purpose".

**Explanation:**

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(This amendment eliminates \$400,000 from the general fund the second year for compensation of victims of sterilization. This funding is transferred to House Bill 29 for compensation in fiscal year 2016. Language is added in House Bill 29 to allow for any unspent funding to be carried forward to a subsequent fiscal year. Language is added in this item to allow for the use of any funding carried over for this purpose to be used for such compensation.)

---

Item 313 #5h

**Reduce New Staffing from 38 to 34 Positions**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Behavioral Health and Developmental Services	(\$290,821) (\$93,363) -4.00	(\$295,148) (\$97,670) -4.00	GF NGF FTE

**Language:**

Page 278, line 14, strike "\$79,468,375" and insert "\$79,084,191".  
Page 278, line 14, strike "\$79,458,942" and insert "\$79,066,124".

**Explanation:**

(This amendment reduces funding and four positions in the Department of Behavioral Health and Developmental Services which were added in the introduced budget. New positions are reduced from 38 to 34. )

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Item 314 #1h

**Transition Services for Individuals in Training Centers**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Behavioral Health and Developmental Services	(\$636,000) \$636,000	(\$480,000) \$480,000	GF NGF

**Language:**

Page 281, line 40, strike "general fund" and insert:  
"Behavioral Health and Developmental Services Trust Fund".

**Explanation:**

(This amendment changes the fund source from the general fund to the Behavioral Health and Developmental Services Trust Fund for transition services for individuals who are being

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discharged from state training centers into community settings who are not eligible for Medicaid waiver services. One of the purposes of the Trust Fund pursuant to § 32.2-319 of the Code of Virginia and language set out in this act is to cover services for individuals who are transitioning from state training centers as these facilities are restructured.)

---

Item 315 #1h

**Restore Funding for Community Services Boards**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Grants to Localities	\$12,143,442	\$29,144,262	GF

**Language:**

Page 282, line 4, strike "\$377,140,261" and insert "\$389,283,703".

Page 282, line 4, strike "\$365,130,854" and insert "\$394,275,116".

**Explanation:**

(This amendment restores \$12.1 million the first year and \$29.1 million the second year from the general fund for services provided through Community Services Boards that was reduced in the introduced budget as part of the proposal to expand Medicaid pursuant to the Patient Protection and Affordable Care Act contained in the introduced budget. A companion amendment in Item 306 eliminates Medicaid expansion.)

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Item 315 #2h

**Expand Programs of Assertive Community Treatment**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Grants to Localities	\$2,000,000	\$2,000,000	GF

**Language:**

Page 282, line 4, strike "\$377,140,261" and insert "\$379,140,261".

Page 282, line 4, strike "\$365,130,854" and insert "\$367,130,854".

Page 284, line 39, strike the first "\$6,800,000" and insert "8,800,000".

Page 284, line 39, strike the second "\$6,800,000" and insert "8,800,000".

Page 284, line 40, strike "seven" and insert "nine".

**Explanation:**

(This amendment provides \$8.8 million from the general fund each year to fund two additional Programs for Assertive Community Treatment (PACT). These programs focus on

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individuals with serious mental illness at-risk of being frequent utilizers of hospitals, homeless shelters and jails. PACT teams are self-contained interdisciplinary teams of clinical staff that provide intensive treatment in the community to promote stability for individuals that typically do not access the mental health system.)

---

Item 315 #3h

**Child Psychiatry and Children's Crisis Response Services**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Grants to Localities	\$1,000,000	\$1,000,000	GF

**Language:**

Page 282, line 4, strike "\$377,140,261" and insert "\$378,140,261".  
Page 282, line 4, strike "\$365,130,854" and insert "\$366,130,854".  
Page 284, line 8, strike "\$6,650,000" and "\$6,650,000" and insert:  
"\$7,650,000" and "\$7,650,000" .

**Explanation:**

(This amendment increases funding by \$1.0 million from the general fund each year for child psychiatry and children's crisis response services. The need for these services exceeds current funding levels and these funds will be used to create new or expand existing community-based services.)

---

Item 315 #4h

**Permanent Supportive Housing**

**Health and Human Resources**

Grants to Localities

Language

**Language:**

Page 284, line 50, strike the first "\$2,127,600" and insert "\$3,527,600" .  
Page 284, line 50, strike the second "\$2,127,600" and insert "\$4,327,600".  
Page 284, line 53, after "illness", insert:  
Of the amounts contained in this paragraph, \$1,400,000 the first year and \$2,200,000 the second year from the general fund shall be prioritized to assist individuals in state facilities who are facing barriers to discharge or individuals at risk of institutionalization."  
Page 284, strike line 54.  
Page 285, strike lines 1 through 2.

**Explanation:**

(This amendment eliminates funding and language for new initiatives to fund one intensive community residential treatment home, one transitional group home and three post-booking pilot programs. Funding of \$1.4 million the first year and \$2.2 million the second year from the general fund is reprogrammed to build on existing efforts to provide permanent supportive housing. Language directs that the funding be prioritized for individuals who are ready for discharge from state mental health hospitals or at risk of institutionalization. Permanent supportive housing provides rental assistance and in-home clinical services and support staff to assist individuals with mental illness in maintaining stability in the community. This funding will provide permanent supportive housing to 100 additional individuals in fiscal year 2017 and 157 individuals in fiscal year 2018.

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Item 315 #7h

**Report on Outpatient Mental Health Services for Youth**

**Health and Human Resources**

Grants to Localities

Language

**Language:**

Page 284, line 44, after "adults.", insert:

"The Department of Behavioral Health and Developmental Services shall report on the use and impact of this funding to the Chairmen of the House Appropriations and Senate Finance Committees beginning October 1, 2016 and each year thereafter."

**Explanation:**

(This amendment adds an annual reporting requirement to existing funding for mental health outpatient services for youth and young adults. The report shall include information on the use and impact of these funds by October 1 of each year.)

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Item 315 #10h

**Technical - Discharge Assistance Plan Funding**

**Health and Human Resources**

Grants to Localities

Language

**Language:**

Page 284, line 34, strike "\$2,402,500" and insert "2,652,500".

**Explanation:**

(This technical amendment modifies language in the introduced budget to accurately reflect the first year general fund amount for discharge assistance funding for individuals residing in state hospitals who have been determined clinically ready for discharge.)

---

Item 319 #1h

**Eliminate Language and Funding Related to Closing Catawaba Hospital**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Mental Health Treatment Centers	(\$1,000,000)	\$0 GF

**Language:**

Page 285, line 44, strike "\$234,305,479" and insert "\$233,305,479".  
Page 286, strike lines 14 through 29.

**Explanation:**

(This amendment eliminates language and associated funding in the introduced budget directing the Department of Behavioral Health and Developmental Services to begin the detailed planning process to close Catawba Hospital.)

---

Item 319 #2h

**Plan for Geropsychiatric Services**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Mental Health Treatment Centers	\$450,000	\$0 GF

**Language:**

Page 285, line 44, strike "\$234,305,479" and insert "\$234,755,479".  
Page 286, after line 29, insert:

"D. Out of this appropriation \$450,000 the first year from the general fund shall be provided to develop a comprehensive plan for the publicly funded geropsychiatric system of care in Virginia. The plan shall address the appropriate array of community services and state geropsychiatric facility services upon which Virginia's behavioral health system should be modeled. The plan shall address national best practices, relevant requirements of the Centers for Medicare and Medicaid Services, the Americans with Disabilities Act, and the Olmstead Decision, and the need for the state to serve as the provider of last resort and forensic services. The plan shall include an assessment of: (i) individuals residing in or utilizing state facility geropsychiatric programs, in order to determine ongoing treatment and support



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needs, as well as the ability of treatment options to meet those treatment needs in less restrictive, more integrated community settings; (ii) current and historical admission and discharge trends by locality; (iii) current provider networks in each region, including nursing homes, assisted living facilities, dementia units, and other residential options; and (iv) community based services provided by Community Services Boards and private providers, and Programs for the All-inclusive Care of the Elderly (PACE); and (v) models of care in other states that demonstrate best practices, integrated service delivery, and appropriate hospital services. The plan shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Joint Subcommittee to Study Mental Health Services in the Twenty-First Century by November 10, 2016."

**Explanation:**

(This amendment adds \$450,000 the first year from the general fund and language directing the Department of Behavioral Health and Developmental Services to develop a comprehensive plan for the publicly funded geropsychiatric system of care in Virginia and sets out requirements for the plan, including an assessment of the needs of individuals residing in state geropsychiatric facilities, as well as community capacity to meet their treatment needs. The plan shall be presented to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees as well as the Chairman of the Joint Subcommittee to Study Mental Health Services in the Twenty-First Century by November 10, 2016. A companion amendment eliminates funding and development of a plan to close Catawba Hospital.)

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Item 319 #3h

**Recertification of Hancock Geriatric Treatment Center**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Mental Health Treatment Centers	\$250,000	\$0 GF

**Language:**

Page 285, line 44, strike "\$234,305,479" and insert "\$234,555,479".

Page 286, after line 29, insert:

"D.1. Out of this appropriation \$250,000 the first year from the general fund shall be provided for the Department of Behavioral Health and Developmental Services to procure services from an independent consultant to determine the necessary requirements and to assist staff at Eastern State Hospital in implementing such requirements to seek Medicaid certification of up to 40 beds at the Hancock Geriatric Treatment Center as an intermediate care facility.

2. Upon completion of the necessary requirements for certification, the Department of Behavioral Health and Developmental Services shall seek Medicaid certification from the

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federal Centers for Medicare and Medicaid Services of up to 40 beds at the Hancock Geriatric Treatment Center as an intermediate care facility facility.

3. The Commissioner shall report on the contract and the progress to certify the Center to the Chairmen of the House Appropriation and Senate Finance Committee by November 15, 2016 and provide a final report upon determination of the certification decision from the federal Centers for Medicare and Medicaid Services."

**Explanation:**

(This amendment adds \$250,000 the first year from the general fund and language directing the Department of Behavioral Health and Developmental Services (DBHDS) to procure independent consultant services to begin the process to seek Medicaid certification of up to 40 beds at the Hancock Geriatric Treatment Center as an intermediate care facility. Hancock recently lost its Medicaid intermediate care facility certification and has not sought recertification. Recertification will allow the Commonwealth to obtain matching federal Medicaid dollars to offset the cost of care for some of the geriatric individuals cared for at the Center. Language directs the Department to seek certification from the federal Centers for Medicare and Medicaid Services and the Commissioner of DBHDS is required to report on these efforts by November 15, 2016 and when a determination of the certification decision is made.)

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Item 319 #4h

**Technical-Transfer Funds for Mental Health Backfill to Proper Agency Code**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Mental Health Treatment Centers	\$1,300,000	\$1,900,000	GF

**Language:**

Page 285, line 44, strike "\$234,305,479" and insert "\$235,605,479".

Page 285, line 44, strike "\$233,563,146" and insert "\$235,463,146".

Page 285, line 47, strike "166,865,755" and insert "\$168,165,755".

Page 285, line 47, strike "\$166,123,422" and insert "\$168,023,422".

**Explanation:**

(This technical amendment transfers funds appropriated to support mental health facilities due to the loss of special fund revenues between items to improve transparency.)

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Item 324 #1h

**Technical-Transfer funds for Mental Health Backfill to Proper Agency Code**

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Intellectual Disabilities Training Centers	(\$1,300,000)	(\$1,900,000)	GF

**Language:**

Page 287, line 28, strike "\$114,211,518" and insert "\$112,911,518".  
Page 287, line 28, strike "\$108,864,635" and insert "\$106,964,635".  
Page 287, line 31, strike "\$73,758,152" and insert "\$72,458,152".  
Page 287, line 31, strike "\$69,111,269" and insert "\$67,211,269".

**Explanation:**

(This technical amendment transfers funds appropriated to support mental health facilities due to the loss of special fund revenues between items to improve transparency.)

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Item 332 #1h

**Expand Funding for Brain Injury Services**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department for Aging and Rehabilitative Services	\$250,000	\$250,000	GF

**Language:**

Page 289, line 23, strike "\$105,863,335" and insert "\$106,113,335".  
Page 289, line 23, strike "\$105,863,335" and insert "\$106,113,335".  
Page 290, line 32, strike "\$5,058,981" and "\$5,058,981" and insert: "\$5,308,981" and "\$5,308,981".

**Explanation:**

(This amendment adds \$250,000 each year from the general fund to expand funding for programs providing brain injury services through the Department for Aging and Rehabilitative Services. Funding would address existing wait lists, expand core safety net services (case management and transitional day programs) and provide funds for critical long-term supports and services (telehealth, supported living, peer support) in unserved and underserved areas of the Commonwealth.)

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Item 332 #2h

**Increase Funding for LTESS**

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department for Aging and Rehabilitative Services	\$250,000	\$250,000	GF

**Language:**

Page 289, line 23, strike "\$105,863,335" and insert "\$106,113,335".  
Page 289, line 23, strike "\$105,863,335" and insert "\$106,113,335".  
Page 290, line 11, strike "\$5,680,229" and "\$5,680,229" and insert:  
"\$5,930,229" and "\$5,930,229".

**Explanation:**

(This amendment provides \$250,000 from the general fund each year for the Long Term Employment Support Services (LTESS) program to support individuals with disabilities in competitive employment. LTESS provides a full array of employment support services to help individuals with significant disabilities maintain employment.)

---

Item 333 #1h

**Eliminate New Initiative Funding for Nonstate Agency**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department for Aging and Rehabilitative Services	(\$100,000)	(\$100,000)	GF

**Language:**

Page 291, line 19, strike "\$33,758,218" and insert "\$33,658,218".  
Page 291, line 19, strike "\$34,819,218" and insert "\$34,719,218".  
Page 292, strike lines 31 through 33.

**Explanation:**

(This amendment eliminates funding for a new nonstate agency, the Jewish Social Services Agency, funded in the introduced budget.)

---

Item 342 #1h

**Provide TANF Child Support Supplemental Payment**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Social Services	\$4,800,000	\$4,800,000	NGF

**Language:**

Page 296, line 31, strike "\$270,568,621" and insert "\$275,368,621".

Page 296, line 31, strike "\$270,510,009" and insert "\$275,310,009".

Page 298, after line 27, insert:

"M. Out of this appropriation, the Department of Social Services shall use \$4,800,000 the first year and \$4,800,000 the second year from the federal Temporary Assistance to Needy Families (TANF) block grant to provide to each TANF recipient with two or more children in the assistance unit a monthly TANF supplement equal to the amount the Division of Child Support Enforcement collects up to \$200, less the \$100 disregard passed through to such recipient. The TANF child support supplement shall be paid within two months following collection of the child support payment or payments used to determine the amount of such supplement. For purposes of determining eligibility for medical assistance services, the TANF supplement described in this paragraph shall be disregarded. In the event there are sufficient federal TANF funds to provide all other assistance required by the TANF State Plan, the Commissioner may use unobligated federal TANF block grant funds in excess of this appropriation to provide the TANF supplement described in this paragraph."

**Explanation:**

(This amendment adds \$4.8 million each year from the Temporary Assistance to Needy Families (TANF) block grant and language to require the Department of Social Services to provide TANF recipients with two or more children a monthly TANF supplemental payment equal to any child support payments received on their behalf up to \$200. This amount would not be counted in determining eligibility for Medicaid.)

---

Item 342 #2h

**Provide TANF for Local Domestic Violence Grants**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Social Services	\$1,000,000	\$1,000,000 NGF

**Language:**

Page 296, line 31, strike "\$270,568,621" and insert "\$271,568,621".

Page 296, line 31, strike "\$270,510,009" and insert "\$271,510,009".

Page 298, after line 27, insert:

"M. Out of this appropriation \$1,000,000 the first year and \$1,000,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided as a grant to local domestic violence programs for services."

**Explanation:**

(This amendment provides an additional \$1.0 million each year from federal Temporary

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Assistance to Needy Families (TANF) funds to expand services for victims of domestic violence. This brings the total annual amount budgeted for these services to \$1.3 million from the general fund and \$3.3 million in TANF funds. )

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Item 342 #3h

**Revise Expenditures for Unemployed Parent Program**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Social Services	(\$500,000)	(\$500,000) GF

**Language:**

Page 296, line 31, strike "\$270,568,621" and insert "\$270,068,621".  
Page 296, line 31, strike "\$270,510,009" and insert "\$270,010,009".

**Explanation:**

(This amendment revises expenditures for the Unemployed Parent Program in the Department of Social Services. Caseloads are declining, consequently funding is reduced by \$500,000 from the general fund each year.)

---

Item 342 #4h

**Reflect TANF Spending and Balances**

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 296, line 41, strike the first "64,062,303" and insert "59,062,303".  
Page 296, line 41, strike the second "64,062,303" and insert "59,062,303".  
Page 296, line 55, strike "63,378,572" and insert "68,699,045".  
Page 296, line 55, strike "44,367,502" and insert "42,911,562".  
Page 296, line 55, strike "22,356,442" and insert "17,124,079".

**Explanation:**

(This amendment makes changes to the service areas for the Temporary Assistance to Needy Families (TANF) program to accurately reflect the amount projected for TANF child care subsidies. In addition, language is modified to reflect the balance in the TANF program at the end of fiscal year 2016, 2017 and 2017 based on actions taken in companion amendments in Items 295, 242 and 248.)

Item 343 #6h

**Eliminate Local DSS Funding for Medicaid Expansion**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Social Services	(\$1,402,388)	(\$2,179,438)	GF
	(\$4,097,172)	(\$6,367,376)	NGF

**Language:**

Page 298, line 28, strike "\$432,787,665" and insert "\$427,288,105".

Page 298, line 28, strike "\$435,848,095" and insert "\$427,301,281".

**Explanation:**

(This amendment eliminates \$1.4 million the first year and \$2.2 million the second year from the general fund and \$4.1 million the first year and \$6.4 million the second year from nongeneral funds for an expected increased in Medicaid eligibility processing by local departments of social services. A proposal to expand Medicaid pursuant to the Patient Protection and Affordable Care Act contained in the introduced budget would have required additional eligibility processing of Medicaid applications. A companion amendment in Item 306 eliminates Medicaid expansion.)

Item 343 #7h

**Formula for Administrative Allocations to Local DSS**

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 299, after line 10, insert:

"G. The Department of Social Services shall develop an objective and data-driven formula for the allocation of state administrative funding to local departments of social services that reflects workload, ability to pay and other factors that affect performance of core responsibilities The Department shall report on such changes to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2016."

**Explanation:**

(This amendment adds language requiring the Department of Social Services (DSS) to develop an administrative funding formula for local DSS that better reflects workload and

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local needs to ensure better performance of core responsibilities. This is a recommendation of the Joint Legislative Audit and Review Commission report on "Eligibility Determination in Virginia's Medicaid Program.")

---

Item 343 #8h

**Local DSS Administrative Funding**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Social Services	\$1,000,000	\$1,000,000	GF
	\$3,000,000	\$3,000,000	NGF

**Language:**

Page 298, line 28, strike "\$432,787,665" and insert "\$436,787,665".

Page 298, line 28, strike "\$435,848,095" and insert "\$439,848,095".

**Explanation:**

(This amendment provides \$1.0 million each year from the general fund and \$3.0 million each year from nongeneral funds for local departments of social services administrative operations for Medicaid application and renewal processing. Local departments have experienced an increased volume of applications for Medicaid as a result of open enrollment on the federally facility exchange and a subsequent increase in Medicaid applications. Consequently, local departments are struggling to complete Medicaid renewal applications.)

---

Item 346 #1h

**Pilot Project-Temporary Placement of Children in Crisis**

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 302, after line 35, insert:

"N.1. The Department of Social Services shall establish a pilot program to partner with Patrick Henry Family Services in Planning District 11 for the temporary placements of children in families in crisis. This pilot program would allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person, by a properly executed power of attorney, any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. This program would allow for an option of a one-time 90 day extension. Prior to the expiration of the 180 day period, if the child is unable to return to his home, then Patrick Henry Family



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Services shall contact the local department of social services and request an assessment of the child and an evaluation of services needed and to determine if a petition to assess the care and custody of the child should be filed in the local juvenile and domestic relations court. DSS shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in Virginia Administrative Code § 22 VAC 40-131 and § 22 VAC 40-191.

2. The Department of Social Services shall ensure that the pilot program organization shall meet the background check requirements described in Virginia Administrative Code § 22 VAC 40-191. The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint pursuant to Virginia Administrative Code § 22 VAC 40-131-90. In addition, the pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff pursuant to Virginia Administrative Code § 22 VAC 40-131-210 and § 22 VAC 40-131-150.

3. The Department of Social Services shall evaluate the pilot program and determine if this model of prevention is effective. A report of the evaluation findings and recommendations shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, and Commission on Youth by December 1, 2017."

**Explanation:**

(This amendment directs the Department of Social Service to establish a pilot program in Planning District 11 (Counties of Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children in families in crisis. It will allow the Department of Social Services to examine the use of a power of attorney to delegate parental authority. Virginia statute already allows for limited use of a power of attorney for kinship care cases. However, many other states go further and follow the Uniform Guardianship and Protective Proceedings Act which allows a parent to delegate to another person, for a period (usually between six months and one year), any power regarding care, custody, or property of their child. The pilot program will take a similar approach. The department is required to evaluate the effectiveness of the program and report on it to the Governor and Chairmen of the House Appropriations and Senate Finance Committees and the Commission on Youth.)

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Item 346 #2h

**Eliminate New Initiative to Expand Foster Care to 21**

*Floor Approved Requests to House Bill 30, as Introduced*

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Social Services

(\$1,015,451)  
(\$999,050)

(\$2,925,954) GF  
(\$2,886,611) NGF

**Language:**

Page 300, line 52, strike "\$203,423,579" and insert "\$201,409,078".  
Page 300, line 52, strike "\$207,930,566" and insert "\$202,118,001".  
Page 302 strike lines 28 through 32.  
Page 302, line 33, strike "M" and insert "L".

**Explanation:**

(This amendment eliminates funding and language for the Department of Social Services to implement a new initiative to expand foster care and adoption assistance to children between the ages of 19 and 21 that was contained in the introduced budget. A companion amendment in Item 285 restores funding to the Children's Services Act program which was reduced in the introduced budget as part of this initiative.)

---

Item 348 #1h

**TANF for Boys and Girls Clubs**

**Health and Human Resources**

**FY16-17**

**FY17-18**

Department of Social Services

\$1,000,000

\$1,000,000 NGF

**Language:**

Page 302, line 45, strike "\$33,175,789" and insert "\$34,175,789".  
Page 302, line 45, strike "\$33,175,789" and insert "\$34,175,789".  
Page 304, after line 50, insert:

"K. Out of this appropriation \$1,000,000 the first year and \$1,000,000 the second year from the Temporary Assistance to Needy Families (TANF) block grant shall be provided to the Virginia Alliance of Boys and Girls Clubs to expand community-based prevention and mentoring programs."

**Explanation:**

(This amendment provides \$1.0 million each year from the Temporary Assistance to Needy Families (TANF) block grant for the Virginia Alliance of Boys and Girls Clubs for prevention and mentoring programs for at-risk children who are eligible for TANF.)

---

Item 348 #2h

**Community Action Agencies**

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Social Services	\$3,000,000	\$3,000,000 NGF

**Language:**

Page 302, line 45, strike "\$33,175,789" and insert "\$36,175,789".  
Page 302, line 45, strike "\$33,175,789" and insert "\$36,175,789".  
Page 303, line 21, strike "\$2,000,000" and "\$2,000,000" and insert:  
"\$5,000,000" and "\$5,000,000".

**Explanation:**

(This amendment provides \$3.0 million per year in Temporary Assistance for Needy Families (TANF) funding for Community Action Agencies. This additional funding will assist the agencies in meeting the needs of low-income individuals and families and allow them to use Community Services Block Grant funding to comply with new federal organizational standards. These standards include critical financial and administrative requirements related to modernizing the agencies to provider higher quality programs and services to low-income individuals.)

---

Item 348 #3h

**Children's Advocacy Centers of Virginia**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Social Services	\$250,000	\$250,000 GF

**Language:**

Page 302, line 45, strike "\$33,175,789" and insert "\$33,425,789".  
Page 302, line 45, strike "\$33,175,789" and insert "\$33,425,789".  
Page 304, line 4, strike "\$931,000" and "\$931,000" and insert:  
"\$1,181,000" and "\$1,181,000".

**Explanation:**

(This amendment increases funding for Children's Advocacy Centers of Virginia by \$250,000 each year from the general fund. This funding is necessary to handle the increase in caseloads and coverage areas.)

---

Item 348 #4h

**Funding for Birmingham Green**

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Social Services	\$150,000	\$150,000 GF

**Language:**

Page 302, line 45, strike "\$33,175,789" and insert "\$33,325,789".

Page 302, line 45, strike "\$33,175,789" and insert "\$33,325,789".

Page 304, after line 50, insert:

"K. Out of this appropriation, \$150,000 the first year and \$150,000 the second year shall be provided to Birmingham Green to provide services to provide residential services to low-income, disabled individuals."

**Explanation:**

(This amendment provides funding to Birmingham Green which provides residential services a disproportionate number of low-income individuals with mental illness or an intellectual disability.)

---

Item 350 #1h

**Report on Asset Verification Service**

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 307, line 1, strike "E." and insert "E.1."

Page 307, after line 3, insert:

"2. The Department of Social Services shall provide to the Chairmen of the House Appropriations and Senate Finance Committees a report on the implementation of the Asset Verification Service that is part of the Eligibility Modernization Project on or before September 1, 2016. It is the intent of the General Assembly to encourage financial institutions with branches in Virginia to work collaboratively with the department and their vendor in order to maximize participation in the Asset Verification Service program.

3. The Department shall also develop a plan and submit it to the Chairmen of the House Appropriations and Senate Finance Committees on or before December 1, 2016 to incorporate searchable national real estate records as part of the Asset Verification Service program. The plan shall include components that will allow for national real property asset searches, motor vehicle registration/title searches and aircraft/watercraft registration searches in order to combat fraudulent applications."

**Explanation:**

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(This amendment adds language directing the Department of Social Services to provide a report on the asset verification service on September 1, 2016 and develop a plan to incorporate searchable national real estate records as part of the service by December 1, 2016.)

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Item 362 #1h

**Provide Funding for Independent Living Services**

<b>Health and Human Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Virginia Rehabilitation Center for the Blind and Vision Impaired	\$200,000	\$200,000	GF

**Language:**

Page 310, line 48, strike "\$1,312,535" and insert "\$1,512,535".  
Page 310, line 48, strike "\$1,312,636" and insert "\$1,512,636".  
Page 311, line 8, strike "the unexpended balances in this Act" and insert: "this appropriation".

**Explanation:**

(This amendment provide \$200,000 from the general fund each year to support independent living services for 25 vision impaired individuals at the Virginia Center for the Blind and Vision Impaired. The center is primarily supported through federal vocational rehabilitation funding that requires a work outcome for eligibility . This funding would allow individuals that do not meet the federal criteria access to services through the center.)

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Item 364 #1h

**Increase SEAS Funding**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Conservation and Recreation	\$50,000	\$50,000	GF

**Language:**

Page 312, line 34, strike "\$96,847,683" and insert "\$96,897,683".  
Page 312, line 34, strike "\$35,138,883" and insert "\$35,188,883".  
Page 315, line 17, strike "\$150,000" and "\$150,000" and insert: "\$200,000" and \$200,000".

**Explanation:**

(This amendment increases by \$50,000 general fund each year the amounts provided for DCR shoreline erosion advisory services, increasing totaling funding to \$200,000 each year. This amount mirrors the funding provided in the House Budget for such activities during the 2015 Session. The amounts will be used to support additional financial resources for stream bank and shoreline erosion control to reduce harmful impacts to the waters of the Chesapeake Bay, to aid in meeting mandated nutrient and sediment reduction goals for the Bay TMDL, and to provide citizens of the Commonwealth with science-based stream bank and shoreline erosion reduction techniques. Funding for the Department of Conservation and Recreation's Shoreline Erosion Advisory Service (SEAS) program requires the increased amount to fund the second full-time DCR SEAS employee.)

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Item 364 #2h

**Small Dam Repairs**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Conservation and Recreation	\$375,000	\$375,000	GF

**Language:**

- Page 312, line 34, strike "\$96,847,683" and insert "\$97,222,683".
- Page 312, line 34, strike "\$35,138,883" and insert "\$35,513,883".
- Page 313, line 14, strike "\$150,000" and insert "\$525,000".
- Page 313, line 15, strike "\$150,000" and insert "\$525,000".

**Explanation:**

(This amendment increases the funding provided to the Soil and Water Conservation Districts for small dam repairs from \$150,000 to \$525,000 in each year of the biennium. Twelve of the 47 soil and water conservation districts operate and maintain 104 flood control dams in Virginia. Dams require continuous maintenance and periodic small repairs including spillway gate valve replacements, repair of wave berms on dams, access road repairs, slope erosion repairs, filter drain replacements and trash rack repairs and maintenance. After allocating the \$150,000 available for these repairs in fiscal year 2016, DCR identified a backlog of approximately \$1.3 million in small dam repairs based on owner annual inspections of each dam. An appropriation of \$525,000 each year of the biennium will allow for substantial progress towards addressing these documented needs.)

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Item 364 #3h

**Rappahannock River Basin Commission**

*Floor Approved Requests to House Bill 30, as Introduced*

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Conservation and Recreation	\$6,500	\$6,500 GF

**Language:**

Page 312, line 34, strike "\$96,847,683" and insert "\$96,854,183".  
Page 312, line 34, strike "\$35,138,883" and insert "\$35,145,383".  
Page 314, line 32, strike "\$8,500" and "\$8,500" and insert:  
"\$15,000" and "\$15,000".

**Explanation:**

(This amendment returns the state share of funding for the Rappahannock River Basin Commission to \$15,000 per year to match the local contribution on a dollar-for-dollar basis as required by § 62.1-69.33, Code of Virginia.)

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Item 364 #4h

**Hearthstone Dam Repairs**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Conservation and Recreation	\$633,100	\$0 GF

**Language:**

Page 312, line 34, strike "\$96,847,683" and insert "\$97,480,783".  
Page 314, line 45, strike the first "\$464,294" and insert "\$1,097,394".  
Page 314, line 47, after "Virginia." insert:  
"Out of these amounts, \$633,100 in the first year from the general fund shall be provided to match federal and local funding for the rehabilitation of the Hearthstone Lake dam in Augusta County."

**Explanation:**

(This amendment provides \$633,100 in the first year from the general fund to rehabilitate the Upper North River Watershed Dam Number 77 on Hearthstone Lake in Augusta County to meet current NRCS safety performance standards for a high hazard dam. The proposed project would provide sediment storage for another 68 years after construction and maintain the current level of flood protection downstream. The plan provides for raising the dam embankment by 2.6 feet with earthfill, widening the auxiliary spillway by 92 feet, constructing a splitter dike, and installing turn reinforcement mat for stability. It is anticipated that federal funds will be provided for the remaining \$2.1 million of costs

associated with the rehabilitation.)

---

Item 364 #5h

**NRCS to Provide Engineering Services to SWCDs**

**Natural Resources**

Department of Conservation and Recreation

Language

**Language:**

Page 315, after line 24, insert:

"O. Notwithstanding § 54.1, Chapter 4, the U.S. Department of Agriculture's Natural Resources Conservation Service and Department of Conservation and Recreation Central Office staff may provide engineering services to the Department of Conservation and Recreation and the local Soil and Water Conservation Districts for design and construction of agriculture best management practices."

**Explanation:**

(This amendment authorizes USDA's NRCS to provide engineering services to DCR and the local soil and water conservation districts.)

---

Item 365 #1h

**Eliminate Funding for Natural Bridge**

**Natural Resources**

**FY16-17**

**FY17-18**

Department of Conservation and Recreation

(\$120,000)

(\$120,000)

GF

**Language:**

Page 315, line 25, strike "\$67,564,642" and insert "\$67,444,642".

Page 315, line 25, strike "\$66,998,477" and insert "\$66,878,477".

**Explanation:**

(This amendment eliminates a proposed appropriation of \$120,000 each year from the general fund to support two positions in the DCR Division of Parks intended to support the transition of Natural Bridge to a state park facility.)

---

Item 365 #2h



**No Funds for Natural Bridge**

**Natural Resources**

Department of Conservation and Recreation

Language

**Language:**

Page 316, after line 36, insert:

"H. Notwithstanding any other provision of the Code of Virginia, no funds appropriated to the Department of Conservation and Recreation may be utilized to hire park rangers or other employees, either full-time or part-time, to work at any Natural Bridge lands or facilities until such time as the General Assembly has approved bringing those lands and any related facilities into the state park system as evidenced by language authorizing such transfer in the Appropriation Act."

**Explanation:**

(This amendment states that no funds appropriated for the Department of Conservation and Recreation may be spent to hire rangers or other state employees at Natural Bridge lands or facilities until such time as the General Assembly has approved bringing those lands and any related facilities into the state park system.)

---

Item 365 #3h

**Breaks Interstate Park Funding**

**Natural Resources**

**FY16-17**

**FY17-18**

Department of Conservation and Recreation

\$93,313

\$93,313 GF

**Language:**

Page 315, line 25, strike "\$67,564,642" and insert "\$67,657,955".

Page 315, line 25, strike "\$66,998,477" and insert "\$67,091,790".

Page 315, line 42, strike "\$181,687" and insert "\$275,000".

Page 315, line 43, strike "\$181,687" and insert "\$275,000".

**Explanation:**

(This amendment provides an additional \$93,313 each year from the general fund to increase Virginia's support for the Breaks Interstate Park. The requested funds would be used for maintenance and operation of the park. Virginia currently contributes \$181,687, which represents a 34% reduction in funding from the 2006 funding level. This reduction has forced frequent withdrawals of funds from the park's savings accounts in order to maintain critical

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facilities and services. The requested additional amount will restore the Virginia allocation to its previous level and help provide the critical maintenance and operations functions without further decreasing the park's savings accounts. The park's savings accounts have declined by 66% despite intensive cost cutting and restructuring measures which have shaved nearly \$200,000 in personnel, utilities, insurance and supplies expenses from the park's annual budget.)

---

Item 365 #4h

**Remove Parks WiFi Funding**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Conservation and Recreation	(\$665,800) (\$250,000)	(\$48,000) \$0	GF NGF

**Language:**

Page 315, line 25, strike "\$67,564,642" and insert "\$66,648,842".  
Page 315, line 25, strike "\$66,998,477" and insert "\$66,950,477".  
Page 316, strike lines 27 through 36.

**Explanation:**

(This amendment removes funding and language relating to the feasibility study and installation of wireless WiFi capability in state parks.)

---

Item 365 #5h

**DCR Review of P3 Options for State Parks**

**Natural Resources**

Department of Conservation and Recreation Language

**Language:**

Page 316, after line 36, insert:  
"H. The Board of Conservation and Recreation shall consider whether public-private partnerships would (i) result in greater operational efficiencies in the planning, development, construction, and operation of new state parks and in the management of existing state parks and (ii) generate cost savings, allow for additional state park amenities, and increase operational revenues for state parks. Technical assistance shall be provided to the Board by the Department of Conservation and Recreation. The Board shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15, 2016."

**Explanation:**

(This amendment directs DCR to evaluate whether cost reductions and other efficiencies could be generated by increasing public-private partnerships for the development and operation of state parks.)

---

Item 368 #1h

**Appomattox River Water Authority**

**Natural Resources**

Department of Environmental Quality

Language

**Language:**

Page 318, after line 13, insert:

"F. If the Board of the Appomattox River Water Authority does not approve an action to move forward with the raising of the Brasfield Dam prior to June 30, 2017, the authorization for \$5.0 million in Virginia Public Building Authority bonds for such project included in Chapter 806, 2013 Acts of Assembly shall expire."

**Explanation:**

(This amendment provides an expiration date for \$5.0 million in bond proceeds authorized for the Appomattox River Water Authority authorized by the 2013 General Assembly.)

---

Item 368 #2h

**DEQ Review of Nutrient Offset Methods**

**Natural Resources**

Department of Environmental Quality

Language

**Language:**

Page 318, after line 13, insert:

"F. The Department shall work in conjunction with the Virginia Economic Development Partnership to facilitate the development of a long-term offsetting methods within the Virginia Nutrient Credit Exchange as set out in Item 125 of this act."

**Explanation:**

(This amendment directs DEQ to work with the VEDP to develop a long-term offsetting methods within the Virginia Nutrient Credit Exchange.)

Item 369 #1h

## **Prohibition on Implementation Clean Power Plan Until Supreme Court Stay is Lifted**

### **Natural Resources**

Department of Environmental Quality

Language

#### **Language:**

Page 318, after line 49, insert:

"C. Funding provided in this item is contingent upon no amount contained herein being used to prepare or submit to the Environmental Protection Agency (EPA) a state implementation plan, or other document with respect to the Environmental Protection Agency's "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," 80 Fed. Reg. 64,662 (October 23, 2015), unless the stay issued by the United States Supreme Court is released pending disposition of the applicants' petitions for review in the United States Court of Appeals for the District of Columbia Circuit and disposition of the applicants' petition for a writ of certiorari, if such writ is sought."

#### **Explanation:**

(This amendment prohibits DEQ from expending any funds provided for air protection to develop or implement EPA's Clean Power Plan until the Supreme Court's stay of such Plan is released.)

---

Item 370 #1h

## **Local Stormwater Charge Reporting**

### **Natural Resources**

Department of Environmental Quality

Language

#### **Language:**

Page 320, line 26, strike "Department of Environmental Quality" and insert:  
"Auditor of Public Accounts".

Page 320, line 27, strike "Department" and insert "Auditor".

Page 320, line 28, after "programs." insert:

"The Department of Environmental Quality shall, at the request of the Auditor of Public Accounts, offer assistance to the Auditor's office in the review of the submitted reports."

#### **Explanation:**

(This amendment removes the requirement that each locality with a stormwater service

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charge file a report with DEQ as to the programs funded by these fees and the expected nutrient and sediment reductions for each of these programs and instead requires that this report be filed by October 1 of each year with the Auditor of Public Accounts. Upon request, the DEQ would continue to offer assistance to the APA in their review of the reports. The requirement to ensure compliance with the Code of Virginia shall remain in place.)

---

Item 376 #1h

**DHR Easement Coordinator**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Historic Resources	(\$94,311)	(\$94,311)	GF

**Language:**

Page 322, line 27, strike "\$6,984,154" and insert "\$6,889,843".  
Page 322, line 27, strike "\$6,984,901" and insert "\$6,890,590".

**Explanation:**

(This amendment removes funding for a new easement coordinator position that had been included in House Bill 30 as introduced.)

---

Item 376 #2h

**Confederate Graves - HB 1066**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Historic Resources	\$985	\$985	GF

**Language:**

Page 322, line 27, strike "\$6,984,154" and insert "\$6,985,139".  
Page 322, line 27, strike "\$6,984,901" and insert "\$6,985,886".  
Page 322, line 47, strike "\$82,585" and "\$82,585" and insert:  
"\$83,570" and "\$83,570".

**Explanation:**

(This amendment provides \$985 each year from the general fund for the care of confederate graves pursuant to the provisions of House Bill 1066.)

---

Item 378 #1h

**Eliminate Funding for Fisheries Chief**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Marine Resources Commission	(\$140,000)	(\$135,000)	GF
	-1.00	-1.00	FTE

**Language:**

Page 324, line 11, strike "\$20,004,079" and insert "\$19,864,079".  
Page 324, line 11, strike "\$19,946,753" and insert "\$19,811,753".

**Explanation:**

(This amendment eliminates funding and a position included in House Bill 30 as introduced to hire a deputy chief in the Fisheries Division of the Virginia Marine Resources Commission.)

---

Item 387 #1h

**Increased Cost of Purchasing Goods Sold in ABC Stores**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Alcoholic Beverage Control	\$15,000,000	\$30,000,000	NGF

**Language:**

Page 328, line 22, strike "\$643,469,809" and insert "\$658,469,809".  
Page 328, line 22, strike "\$644,924,228" and insert "\$674,924,228".

**Explanation:**

(This amendment increases the non-general appropriation for the Department of Alcoholic Beverage Control each year to reflect the estimated increase in costs of acquiring goods sold in agency stores. This is a technical amendment that was not included in the Governor's introduced budget.)

---

Item 387 #2h

**ABC Hours**

**Public Safety and Homeland Security**

Department of Alcoholic Beverage Control

Language

**Language:**

Page 328, after line 41, insert:

"D. Notwithstanding § 4.2-102, Code of Virginia, the Virginia Alcoholic Beverage Control Board may open certain government stores, as determined by the Board, for the sale of alcoholic beverages on New Year's Day, and on Sunday after 12:00 p.m."

**Explanation:**

(This amendment authorizes the Alcoholic Beverage Control Board to open state-run stores of its choosing on New Year's Day, and to open stores for an additional hour on Sundays.)

---

Item 388 #1h

**MH Specialists in Community Corrections**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Corrections	(\$2,200,000)	(\$2,200,000)	GF
	-11.00	-11.00	FTE

**Language:**

Page 328, line 48, strike "\$31,016,944" and insert "\$28,816,944".

Page 328, line 48, strike "\$31,189,332" and insert "\$28,989,332".

**Explanation:**

(This amendment removes new funding totaling \$2.2 million from the general fund each year and 11 positions for mental health services in probation and parole offices.)

---

Item 393 #1h

**Delay Culpeper Women's Correctional Center Opening**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Corrections	(\$10,285,427)	(\$583,409)	GF

**Language:**

Page 331, line 45, strike "\$954,262,420" and insert "\$943,976,993".

Page 331, line 45, strike "\$951,894,843" and insert "\$951,311,434".

**Explanation:**

(This amendment reduces the general fund appropriation to the Department of Corrections by \$10.3 million the first year and \$583,409 the second year to reflect the delay in opening

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the Culpeper Correctional Center for Women from January 1, 2017 to July 1, 2017.)

---

Item 393 #2h

**Additional Correctional Officer Funding and Positions**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Corrections	\$3,000,000	\$3,000,000	GF
	53.00	53.00	FTE

**Language:**

Page 331, line 45, strike "\$954,262,420" and insert "\$957,262,420".  
Page 331, line 45, strike "\$951,894,843" and insert "\$954,894,843".

**Explanation:**

(This amendment provides \$3.0 million from general funds each year and 53 positions to reduce the vacancy savings the Department of Corrections is required to generate to pay for required operating costs by holding correctional officer positions vacant.)

---

Item 393 #3h

**Remove New Pilot Program Funds**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Corrections	(\$1,600,000)	(\$1,600,000)	GF
	-19.00	-19.00	FTE

**Language:**

Page 331, line 45, strike "\$954,262,420" and insert "\$952,662,420".  
Page 331, line 45, strike "\$951,894,843" and insert "\$950,294,843".  
Page 333, strike lines 54 through 56.

**Explanation:**

(This amendment removes new funding and positions included in the introduced budget to create a pilot program in six local and regional jails for re-entry programs for state-responsible inmates held and directly-released from those facilities.)

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Item 393 #4h

**Restore Inmate Medical Appropriation**



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<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Corrections	\$9,865,826	\$24,719,813 GF

**Language:**

Page 331, line 45, strike "\$954,262,420" and insert "\$964,128,246".  
Page 331, line 45, strike "\$951,894,843" and insert "\$976,614,656".

**Explanation:**

(This amendment restores funding for inpatient hospital services for inmates removed from the Department of Corrections in the introduced budgets related to the assumed savings of Medicaid expansion.)

---

Item 394 #1h

**Deposit in Corrections Special Reserve Fund**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Corrections	\$3,585,171	\$0 GF

**Language:**

Page 334, line 28, strike "\$99,727,076" and insert "\$103,312,247".  
Page 336, line 17, strike "\$300,000" and insert "\$3,885,171".  
Page 336, line 19, after "below." strike rest of line and insert:  
"The Department of Corrections is hereby authorized to use the amounts paid into the Corrections Special Reserve Fund established in accordance with § 30-19.1:4, Code of Virginia, for one-time costs in either the first or second year."  
Page 336, strike line 20.  
Page 336, after line 20, insert:  
"1. House Bill 102 -- \$50,000.  
2. House Bill 177 -- \$50,000.  
3. House Bill 510 -- \$76,852.  
4. House Bill 602 -- \$50,000.  
5. House Bill 610 -- \$2,783,958.  
6. House Bill 625 -- \$50,000.  
7. House Bill 752 -- \$50,000.  
8. House Bill 754 -- \$50,000.  
9. House Bill 765 -- \$50,000.  
10. House Bill 809 -- \$50,000.  
11. House Bill 886 -- \$81,914.  
12. House Bill 922 -- \$50,000."

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- 13. House Bill 1087 -- \$242,447.
  - 14. House Bill 1189 -- \$50,000.
  - 15. House Bill 1292 -- \$50,000.
  - 16. House Bill 1317 -- \$50,000.
  - 17. House Bill 1386 -- \$50,000.
  - 18. House Bill 1391 -- \$50,000."
- Page 336, strike lines 21 through 29.

**Explanation:**

(This amendment provides a total of \$3,885,171 from the general fund the first year for deposit in the Corrections Special Reserve Fund in order to reflect the estimated impact on incarceration resulting from the criminal sentencing bills set out in the amendment.)

---

Item 398 #1h

**Authorize Establishment of Rappahannock Regional Criminal Justice Academy**

**Public Safety and Homeland Security**

Department of Criminal Justice Services

Language

**Language:**

Page 337, after line 48, insert:

"c. Notwithstanding B.1.b. of this item, the Board of Criminal Justice Services may approve a new criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; the Rappahannock Shenandoah Warren Regional Jail; and, the Frederick County Emergency Communications Center, to be supported with local funds, consistent with written agreement which shall be provided to the Board between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. No additional state funds are provided from this item for the new academy serving the aforementioned jurisdictions."

**Explanation:**

(This amendment authorizes the Board of Criminal Justice Services to approve a new criminal justice training academy supported with local funds and comprised of the entities listed in the amendment. The language conditions this approval on the transmission to the Board of Criminal Justice Services an written agreement approving creation of the new academy endorsed by the local governing bodies, and chief executive and law enforcement officials of the jurisdictions served by the academy. These jurisdictions are currently served by a satellite campus of the Rappahannock Regional Criminal Justice Academy in Middletown. No additional state funds are to be provided for the new academy.)

**MH Pilot Program Review**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Criminal Justice Services	(\$2,500,000)	(\$2,500,000)	GF

**Language:**

Page 337, line 9, strike "\$80,006,361" and insert "\$77,506,361".

Page 337, line 9, strike "\$80,006,361" and insert "\$77,506,361".

Page 340, after line 4, insert:

“J. 1. The Department of Criminal Justice Services shall solicit proposals from local or regional jails to establish pilot programs to provide services to mentally ill inmates, or to provide pre-incarceration crisis intervention services to prevent mentally ill citizens from entering jails. The Department of Criminal Justice Services shall evaluate the proposals in consultation with the Department of Behavioral Health and Developmental Services, and shall report a list of up to three recommended pilot sites to the Secretary of Public Safety and Homeland Security, and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2016.

2. In its solicitation for proposals, the Department of Criminal Justice Services shall require submissions to include proposed actions to address the following minimum conditions and criteria:

- a. Use of mental health screening and assessment instruments designated by the Department of Behavioral Health and Developmental Services;
- b. Provision of services to all mentally ill inmates in the designated pilot program, whether state or local responsible;
- c. Use of a collaborative partnership among local agencies and officials, such as community services board, community corrections agency, local law enforcement agencies, Commonwealth's attorneys, courts, and non-profit organizations;
- d. Establishment of a crisis intervention team or plans to establish such a team;
- e. Training for jail staff in dealing with mentally ill inmates;
- f. Provision of a continuum of services; and
- g. Use of evidence-based programs and services.
- h. Funding necessary to provide services including, but not limited to: mental health treatment services, behavioral health services, case managers to provide discharge planning for individuals, re-entry services, and transportation services.

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3. In evaluating proposals and recommending pilot sites, the Department of Criminal Justice Services in consultation with the Department of Behavioral Health and Developmental Services, shall at minimum give consideration to following factors:

- a. The readiness of the local or regional jail to undertake the proposed pilot program;
- b. The proposed shares of cost to be funded by the Commonwealth, localities, or other sources, respectively;
- c. The need for such a program demonstrated by the local or regional jail;
- d. The demonstrated collaborative relationship between the jail and community mental health treatment providers; and
- e. To the extent feasible, ensuring the recommendation of pilot sites representing a mix of both rural and urban setting.”

Page 340, strike lines 5 through 36.

**Explanation:**

(This amendment removes language and associated funds included in the introduced budget for mental health programs in local and regional jails, and directs DCJS to solicit proposals for jails to establish pilot programs, review those solicitations in conjunction DBHDS, and report their recommended pilot sites to the Secretary of Public Safety and Homeland Security and Chairmen of the House Appropriations and Senate Finance Committees no later than July 15, 2016.)

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Item 398 #3h

**Certain Prohibition on Establishing Insurance Requirements for Special Conservators of the Peace**

**Public Safety and Homeland Security**

Department of Criminal Justice Services

Language

**Language:**

Page 340, after line 36, insert:

"K. Notwithstanding the provisions of § 19.2-13(D), Code of Virginia, or any other provision of law, neither the Criminal Justice Services Board nor any other state agency shall expend any funds or resources in developing or promulgating regulations, forms or other mandates establishing insurance requirements for special conservators of the peace in excess of those established and existing as of June 30, 2015."

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment allows additional time to consider the economic impact of potentially significant increases in insurance requirements on special conservators of the peace.)

---

Item 400 #1h

**Adjust HB599 Funding to Reflect Assumed Revenue Growth**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Criminal Justice Services	(\$1,551,716)	(\$1,551,716)	GF

**Language:**

Page 340, line 43, strike "\$179,136,938" and insert "\$177,585,222".

Page 340, line 43, strike "\$179,136,938" and insert "\$177,585,222".

Page 341, line 7, strike "\$179,136,938" and "\$179,136,938" and insert: "\$177,585,222" and "\$177,585,222".

Page 341, line 9, strike "3.9" and insert "3.0".

**Explanation:**

(This amendment revises House Bill 599 aid to localities to police departments to reflect assumed growth in general fund revenues of 3.0 percent in fiscal year 2017. As introduced, the language included an assumed general fund growth rate of 3.9 percent.)

---

Item 415 #1h

**Evaluation of DJJ Capital Needs**

**Public Safety and Homeland Security**

Department of Juvenile Justice

Language

**Language:**

Page 350, after line 25, insert:

"C.1. The Department of Juvenile Justice shall evaluate and develop alternative recommendations regarding the future capital needs for secure juvenile correction centers for state-responsible juvenile offenders. The Department shall present its findings and recommendations to the Governor and Chairmen of the House Appropriations and Senate Finance Committees no later than November 1, 2016.

2.a. In conducting its evaluation and developing recommendations, the Department shall consider various alternatives relating to juvenile correctional centers and present related analysis in its final report, including (i) the number of juveniles held in each facility; (ii) the amount and type of mental health, educational or other services provided and the design

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and size of spaces needed to accommodate such services within juvenile correctional centers; (iii) the appropriateness of alternative housing models such as double-bunking, dormitories, or others models for the juvenile population held in state facilities; and , (iv) the number and geographical location of facilities.

b. In its evaluation, the Department shall identify existing juvenile correctional centers and other property currently or previously operated by the Department as secure housing for juvenile offenders, the extent to which the recommendations developed pursuant to Paragraph C.2.a. of this item may be accommodated within said properties, and the costs of construction or renovation of existing facilities to accommodate the recommendations of Paragraph C.2.a. of this item. The Department shall also identify that potential revenues realized from the sale of existing real property of the Department.

c. In evaluating these alternatives, the Department shall give consideration and report on the estimated costs of construction, operation, and maintenance of facilities, and the potential impact of these alternatives to the outcomes for juveniles identified in Paragraphs B.1 and B.3 of this item.

3. The Department of Corrections, the Department of Behavioral Health and Developmental Services, and all other agencies of the Commonwealth shall provide technical assistance upon request of the Director, Department of Juvenile Justice or the Secretary of Public Safety and Homeland Security.

4. The Director, Department of Juvenile Justices, is authorized to procure such consultant or other services as are necessary to conduct and complete its review. The Director is authorized to use funds identified in Paragraph A of this item for such purposes."

**Explanation:**

(This amendment establishes an inter-agency working group comprised of the Departments of Juvenile Justice, Behavioral Health and Developmental Services, and Corrections to study the future capital needs of the Commonwealth with relation to secure juvenile correctional centers, and to report their findings to the Governor and General Assembly no later than November 1, 2016.)

---

Item 419 #1h

**Priority List of Needs**

**Public Safety and Homeland Security**

Department of Military Affairs

Language

**Language:**

Page 351, after line 38, insert:

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"C. The Department of Military Affairs shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees a prioritized list of operating and capital needs related to its duties to the Commonwealth that are not funded by the federal government, including, but not limited to, training and preparedness for state active duty, armory operations and maintenance, and vehicles. The Department shall provide its report no later than August 15, 2016."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 422 #1h

**Gun Law Violation Tip Line**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of State Police	(\$50,000)	(\$50,000)	GF

**Language:**

Page 352, line 25, strike "\$55,546,684" and insert "\$55,496,684".  
Page 352, line 25, strike "\$53,486,484" and insert "\$53,436,484".

**Explanation:**

(This amendment removes new general funds equaling \$50,000 each year included in the introduced budget for the State Police to establish a gun law violation tip line.)

---

Item 423 #1h

**Establish Area Office in New River Valley**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of State Police	\$295,699	\$234,680	GF
	2.00	2.00	FTE

**Language:**

Page 353, line 41, strike "\$259,530,675" and insert "\$259,826,374".  
Page 353, line 41, strike "\$259,525,668" and insert "\$259,760,348".  
Page 355, after line 41, insert:

"P. The Superintendent of Virginia State Police shall establish a new area office in the New River Valley. Out of the amounts appropriated for this item are \$295,699 the first year and \$234,680 the second year from the general fund to establish the new area office."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 424 #1h

**Remove Restoration of Rights Funding**

<b>Public Safety and Homeland Security</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of State Police	(\$180,801) -3.00	(\$197,237) -3.00	GF FTE

**Language:**

Page 355, line 42, strike "\$22,887,845" and insert "\$22,707,044".  
Page 355, line 42, strike "\$24,787,961" and insert "\$24,590,724".

**Explanation:**

(This amendment removes new funding and positions each year included in the introduced budget for the State Police to handle increased workload related to the restoration of rights process.)

---

Item 426 #1h

**Eliminate Automatic Annual Review for Geriatric Conditional Release**

**Public Safety and Homeland Security**

Virginia Parole Board

Language

**Language:**

Page 356, strike lines 46 through 51.

**Explanation:**

(This amendment eliminates language directing the Virginia Parole Board to annually review the cases of eligible inmates for geriatric conditional release pursuant to § 53.1-40.01, Code of Virginia.)

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Item 428 #1h

**Funding for the MACH37 Cyber Accelerator**



*Floor Approved Requests to House Bill 30, as Introduced*

<b>Technology</b>	<b>FY16-17</b>	<b>FY17-18</b>
Innovation and Entrepreneurship Investment Authority	\$500,000	\$0 GF

**Language:**

Page 358, line 12, strike "\$8,388,090" and insert "\$8,888,090".

Page 361, after line 19, insert:

"R. Out of the amounts appropriated in this item, \$500,000 from the general fund the first year is provided for the continued support of the MACH 37 Cyber Accelerator program. Use of these funds to support the program is contingent on the operating plan report required in paragraph D of this item clearly demonstrating that Authority has developed a financial plan to ensure that the appropriation included in the item in the 2016 Appropriation Act is sufficient to support the authority's operations."

**Explanation:**

(This amendment provides \$0.5 million from the general fund in the first year for continued support of the MACH37 Cyber Accelerator program. The program, created in 2013, is designed to bring cyber security entrepreneurs to the Commonwealth and assist in the launch of start up companies. 29 new companies have been started thus far.)

---

Item 431 #1h

**Adjust ISF Pass Through Appropriations**

<b>Technology</b>	<b>FY16-17</b>	<b>FY17-18</b>
Virginia Information Technologies Agency	\$0	\$1,236,422 NGF

**Language:**

Page 362, line 41, strike "\$312,755,567" and insert "\$313,991,989".

**Explanation:**

(This amendment adjusts VITA's internal service fund appropriation in year two to reflect expected costs of ongoing transition of information technology services.)

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Item 434 #1h

**Adjust Internal Service Fund Rate**

**Technology**

Virginia Information Technologies Agency

Language

**Language:**

Page 365, line 8, strike "9.08%" and insert "9.05%".

**Explanation:**

(This amendment adjusts VITA's internal service fund rate in the second year to reflect anticipated costs of transitioning certain information technology services.)

---

Item 434 #2h

**Adjust IFA Appropriation for Technology Costs**

<b>Technology</b>	<b>FY16-17</b>	<b>FY17-18</b>
Virginia Information Technologies Agency	\$0	\$1,063,255 NGF

**Language:**

Page 364, line 49, strike "\$37,291,309" and insert "\$38,354,564".

**Explanation:**

(This amendment increases the non-general fund appropriation for the Virginia Information Technologies Agencies to reflect a portion of costs of transitioning certain information technology services.)

---

Item 436 #1h

**Return of Federal Toll Pilot Project Slot**

**Transportation**

Secretary of Transportation

Language

**Language:**

Page 372, after line 12, insert:

"M. As a condition on the funding included in this item, and consistent with the intent of House Bill 1069, 2016 Session of the General Assembly which establishes limits on the Commonwealth's ability to impose tolls on Interstate system and other roadways, the Secretary of Transportation is directed to relinquish the Commonwealth's slot in the federal Interstate System Reconstruction and Rehabilitation Pilot Program to ensure that no tolling occurs on Interstate 95 South of Fredericksburg under the auspices of that pilot program."

**Explanation:**

(This amendment directs the Secretary of Transportation to relinquish Virginia's slot in the Federal Interstate System Reconstruction and Rehabilitation Pilot Program to ensure that no tolling of existing lanes on Interstate 95 South of Fredericksburg occurs. The Secretary has indicated his intention to return the slot, but specific language relating to that program is not included in House Bill 1069.)

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Item 436 #2h

**Funding for Dulles Stabilization**

**Transportation**

Secretary of Transportation

Language

**Language:**

Page 372, after line 12, insert:

"M. 1. Notwithstanding § 33.2-1527 B., Code of Virginia, out of the funds made available in Item 453, \$25,000,000 the first year and \$25,000,000 the second year may be provided to the Metropolitan Washington Airports Authority for the sole purpose of reducing the airline cost per enplanement at Washington Dulles International Airport to help attract new domestic and international airlines and retain existing air carriers. Such funding shall be utilized to reduce the debt service requirements and total operating costs of the Authority. The first year amount shall not be provided before December 31, 2016.

2. Provided however, that prior to the release of funds to the Authority the Secretary of Transportation shall certify in writing to the Governor and the General Assembly that provision of the funds authorized under this item are in the public interest, that the funds will be used to supplement not supplant funds otherwise available to the Authority, and that the Authority has set-forth an attainable plan for long-term cost reductions. Funding shall further be conditioned upon the following requirements:

a. No payments shall occur unless and until the Airports Authority has entered into an agreement with the Virginia Department of Transportation that (i) identifies and applies future efforts of the Airports Authority to reduce airline cost per enplanement at Washington Dulles International Airport using financing efficiency savings, available funds, and future revenues in an amount that meets or exceeds the amount of the appropriation provided in this section over the course of the agreement through calendar year 2024, (ii) provides full access to the financial records of the Airports Authority recognizing such financial information will be considered confidential and proprietary and will only be used to verify targets for cost per enplanement reductions, and (iii) sets forth a long-range plan for financial viability of the airport and continued lower levels of cost per enplanement beyond the fiscal year 2016-2018 biennium without additional state support beyond the amounts provided pursuant to § 58.1-

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538, Code of Virginia; and (iv) sets out a plan to seek approval for the development of portions of property owned by the Airports Authority adjacent to and in the vicinity of the Silver Line Metro Rail station.

b. No payment shall occur in the second year unless and until the Airports Authority has entered into an agreement with one or more airlines operating at Washington Dulles International Airport which ensures the retention of a domestic airline hub service at the airport at least through calendar year 2024; and has provided to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees an estimate of revenues that could be generated by development or disposal of airport property as a means to further reduce long term cost per enplanement.

3. By December 1, 2016 and December 1, 2017, the Airports Authority shall report to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees on the actual and forecasted changes to the cost per enplanement at the Washington Dulles International Airport over the prior year, what portion of the reduction is attributable to state support, what portion attributable to cost reduction measures implemented by the Authority and what portion is attributable to increased passenger traffic at the Airports. Such report shall also include an outline of measures to be taken by the Airports Authority to further reduce cost per enplanement through calendar year 2024."

**Explanation:**

(This amendment moves the appropriation for the Metropolitan Washington Airports Authority included in House Bill 30 as introduced from the Department of Aviation to the Office of the Secretary of Transportation and includes a number of requirements governing receipt of these funds to ensure that the amounts are used to effectuate the long-term viability of the airport and do not serve simply as a short-term solution. The state funding shall be premised on the Secretary of Transportation certifying to the Governor and the General Assembly that such expenditures are in the public interest and shall be matched by equal savings generated by the Authority. The amounts provided will be used to reduce outstanding debt service and offset operating costs. Second year funding is contingent upon the Authority entering into a long-term agreement with a hub airline to continue operating as a hub at Dulles airport through at least calendar year 2024. A companion amendment removes the language from the Department of Aviation.)

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Item 436 #3h

**Air Rights on Interstate 66**

**Transportation**

Secretary of Transportation

Language

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 372, after line 12, insert:

"M. The Commonwealth Transportation Board is hereby directed to enter into discussions with Arlington and Fairfax Counties regarding use of air rights over Interstate 66 in their respective jurisdictions no later than October 1, 2016. A report on the progress and outcome of such discussions shall be submitted to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees no later than July 15, 2017."

**Explanation:**

(This amendment directs the CTB to begin discussions with Arlington and Fairfax counties regarding air rights over Interstate 66 as it moves forward with the development of the Interstate 66 improvements, with a report due to the General Assembly by July 15, 2017.)

---

Item 436 #4h

**Technical Corrections**

**Transportation**

Secretary of Transportation

Language

**Language:**

Page 369, line 46, strike "Intermediary" and insert "Intermodal".

Page 371, line 2, strike "Item 443" and insert "Item 452."

**Explanation:**

(This amendment corrects two minor technical errors included in House Bill 30 as introduced.)

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Item 438 #1h

**Limitations on Dulles/MWAA Funding**

**Transportation**

Department of Aviation

Language

**Language:**

Page 373, strike line 7 through line 14.

Page 373, line 15, strike "E." and insert "D."

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment removes language regarding the provision of \$25.0 million each year from the Priority Transportation Fund to help reduce enplanement costs at Dulles Airport. A companion amendment to Item 436 moves the authority to provide such an allocation to the Metropolitan Washington Airports Authority provided a series of conditions are met.)

---

Item 438 #2h

**Review of Dept of Aviation Programs and Funding**

**Transportation**

Department of Aviation

Language

**Language:**

Page 373, after line 15, insert:

"F. The Department of Aviation is directed to undertake a review of the programs and funding supported by the share of revenues from the Transportation Trust Fund dedicated to the Department of Aviation and provide a report to the Chairmen of the House Appropriations, Senate Finance and House and Senate Transportation Committees by November 15, 2016. Such report shall include (i) the allocation of funds by airport, annually and cumulatively over the preceding five fiscal years, (ii) a review of revenues, expenditures and balances by program for each of the preceding five fiscal years; (iii) a description of the goals, objectives and outcomes for each program funded by the Department; and, (iv) gaps in funding requested and allocated by program and by airport."

**Explanation:**

(This amendment directs the Department to provide a review of its programs and fund usage to the General Assembly by November 15, 2016. )

---

Item 442 #1h

**Temporary Authority Intrastate Transport**

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 375, after line 29, insert:

"K. Notwithstanding the provisions of Chapter 21 of Title 46.2, Code of Virginia, the Commissioner of the Department of Motor Vehicles shall be authorized to grant temporary authority to a motor carrier to transport property for compensation on an intrastate basis

*Floor Approved Requests to House Bill 30, as Introduced*

utilizing a digital platform that connects persons seeking a property transportation service with persons authorized by the motor carrier to transport property. Such temporary authority shall be subject to such reasonable conditions as the Commissioner may impose, and shall be valid only for passenger cars and pickup or panel trucks, as those terms are defined in § 46.2-100, Code of Virginia, which vehicles shall not be required to be issued for-hire license plates under the provisions of § 46.2-711, Code of Virginia. Such temporary authority, unless suspended or revoked, shall be valid for such time as the Department shall specify, but such authority shall not extend beyond 130 days following the adjournment of the next regular session of the General Assembly and shall create no presumption that corresponding permanent authority will be granted thereafter."

**Explanation:**

(This amendment authorizes the DMV Commissioner to grant temporary authority to intrastate motor carriers transporting property utilizing a digital platform to connect the servicer with the customer. This authorization is similar to the process used to temporarily authorize intrastate passenger carriers prior to the adoption of the Transportation Network Companies legislation adopted by the 2015 Session of the General Assembly.)

---

Item 442 #2h

**Database on Nonsalvageable Vehicles**

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 375, after line 29, insert:

"K. The Virginia Department of Motor Vehicles shall convene a stakeholder work group, to include representatives from DMV, the insurance industry, the salvage/rebuilding industry, auto auction houses, law enforcement and the recycling and scrap metal industry to assess the necessity, feasibility, and cost of the Commonwealth contracting with a third party data consolidator to the National Motor Vehicle Title Information System (NMVTIS) for the development of a statewide database for the submission of data related to the sale and transfer of salvage, nonrepairable, junk, flood or similarly branded vehicles. The work group shall submit a report the Chairmen of the House and Senate Transportation Committees no later than November 1, 2016."

**Explanation:**

(This amendment directs DMV to convene a stakeholder work group to assess the feasibility of contractor with a data consolidator to develop a database related to the sale of salvage and other nonrepairable vehicles. The group would report the the House and Senate Transportation Committees by November 1, 2016.)

**DMV Provision of Records**

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 375, after line 29, insert:

"K. Notwithstanding the provisions of § 46.2-208 and § 46.2-214, Code of Virginia, the Commission shall be authorized to provide a discounted rate for the provision of records to the operator, authorized agent or employee of a toll facility not acting on behalf of a government entity if such reduced rate shall be offered to effectuate a toll-rate reduction to benefit the general driving public on such facility. Effective July 1, 2016 the Department shall set such rate at \$1.25 per record, provided the affected facility imposes a concurrent reduction to its toll rate equal to \$0.10 per trip. No later than July 1, 2017 the Department shall evaluate the revenues generated from the removal of vehicle registration holds associated with said facility to determine if the revenues generated are sufficient to merit further reduction of the record fees charged to the toll facility operator. The Commissioner shall report on the revenues generated from records fees and vehicle registration hold removals to the Chairmen of the House and Senate Transportation Committees and the House Appropriations and Senate Finance Committees no later than August 15, 2017, along with an explanation of any proposed changes to the vehicle record fees."

**Explanation:**

(This amendment directs the Commissioner of Motor Vehicles to provide records to non-government operated toll facilities at a reduced rate of \$1.25 per record provided the affected toll facility reduces its toll rate by \$0.10.)

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**Technical Correction**

**Transportation**

Department of Rail and Public Transportation

Language

**Language:**

Page 377, line 25, strike "446" and insert "455".

Page 377, line 43, strike "A.3. of Item 462" and insert "B.5. of Item 436".



**Explanation:**

(This amendment corrects a minor technical error in House Bill 30 as introduced.)

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Item 448 #2h

**Transit Capital Prioritization Review**

**Transportation**

Department of Rail and Public Transportation

Language

**Language:**

Page 378, after line 23, insert:

"E.1. The Department of Rail and Public Transportation shall develop a proposal to be submitted to the Commonwealth Transportation Board and the General Assembly for a statewide prioritization process for the use of funds allocated pursuant to § 33.2-365, or allocated to the Commonwealth Mass Transit Fund established pursuant to subdivision A 4 of § 58.1-638. Such prioritization process shall be used for the development of a Six-Year Improvement Program for transit capital expenditures to be included in the Program adopted annually by the Commonwealth Transportation Board pursuant to § 33.2-214. The Department shall solicit input from localities, metropolitan planning organizations, transit authorities, transportation authorities, and other stakeholders in its development of the prioritization process pursuant to this paragraph.

2. The prioritization process shall be based on an objective and quantifiable analysis that considers, at a minimum, the following factors relative to the cost of the project or strategy: congestion mitigation, economic development, accessibility, safety, and environmental quality. Such a process for the allocation and distribution of funding shall be in addition to the tiered approach established by the Commonwealth Transportation Board for capital purposes based on asset need and anticipated state participation level and revenues and is intended to foster project-specific prioritization within the asset tiers.

3. The Department shall submit its report on the feasibility and proposed content of such a prioritization scheme to the Chairmen of the House and Senate Transportation Committees, the House Appropriations Committee and the Senate Finance Committee not later than November 15, 2016."

**Explanation:**

(This amendment directs the Department of Rail and Public Transportation to examine how it could better evaluate and prioritize transit capital projects to ensure limited state funds are spent in the most cost-effective manner. The intent would be to replicate a bifurcated process like utilized for VDOT projects under House Bill 2.)

Item 449 #1h

**Rail Service Enhancement Norfolk and Roanoke**

**Transportation**

Department of Rail and Public Transportation

Language

**Language:**

Page 379, after line 1, insert:

"D. Because of the overwhelming need for the delivery of services provided by the investment in a balanced transportation system in the Commonwealth, and in an effort to deliver intercity passenger trains utilizing the Commonwealth's investments and to increase passenger train frequencies to Norfolk and Roanoke, notwithstanding the provisions of § 33.2-1601 and § 33.2-1603, Code of Virginia, the Commonwealth Transportation Board may only make further investment in intercity passenger rail capacity to serve new markets in North Carolina if the Six-Year Improvement Program adopted pursuant to § 33.2-214 includes sufficient funding to deliver train capacity improvements and provides the funding for service for additional passenger rail frequency to Norfolk and an extension of passenger rail to Roanoke. Any Rail Enhancement Funds utilized for the purposes of the service delivery outlined in this paragraph shall be administered according to the guidelines governing the use of Intercity Passenger Rail Operating and Capital funds."

**Explanation:**

(This amendment prohibits the Department of Rail and Public Transportation from utilizing funds to expand intercity passenger rail service to new markets in North Carolina until it has completed capacity improvements for rail service to Norfolk and Roanoke.)

---

Item 452 #1h

**VRE Review**

**Transportation**

Department of Transportation

Language

**Language:**

Page 380, after line 15, insert:

"E. At the request of the Virginia Railway Express, the department, with the assistance of the Department of Rail and Public Transportation, shall review the recent Virginia Railway Express long range plan and financial analysis and assess the conclusions of that analysis

*Floor Approved Requests to House Bill 30, as Introduced*

with respect to the long-term financial viability of the service, their ability to maintain appropriately costed-services to maintain and expand market share, and the Virginia Railway Express's impact on traffic volumes on the Interstate 66 and Interstate 95/395 corridors of statewide significance. The Department shall report its findings to the Secretary of Transportation, the Chairmen of the Senate Finance Committee and the House Appropriations Committee no later than November 15, 2016."

**Explanation:**

(This amendment directs VDOT, with the assistance of DRPT, to review the long range plan and financial analysis of the Virginia Railway Express and evaluate the impact of its services on the I-66, 95 and 395 corridors.)

---

Item 453 #1h

**Access to West Falls Church Metro**

**Transportation**

Department of Transportation

Language

**Language:**

Page 381, after line 39, insert:

"I. The Department of Transportation shall work with affected parties to develop a plan to accommodate toll-free access from Interstate 66 to the West Falls Church Metro Station or to develop a mechanism to refund tolls to drivers traveling on Interstate 66 inside the Beltway solely for the purpose of accessing the Metro station. Such plan shall not impact toll amounts paid for travel on Interstate 66 outside the Beltway. The Department shall report to the Chairmen of the House Appropriations, Senate Finance and House and Senate Transportation Committees on the feasibility of such a process, which would be implemented coinciding with the imposition of rush-hour tolling of HOT lanes in Interstate 66 inside the Capitol Beltway, by November 15, 2016."

**Explanation:**

(This amendment directs VDOT to develop a plan to allow for toll-free access on Interstate 66 inside the Beltway for those driving only to reach the West Falls Church Metro Station.)

---

Item 453 #2h

**Provide Funding for I-66 Inside the Beltway**

**Transportation**

**FY16-17**

**FY17-18**

*Floor Approved Requests to House Bill 30, as Introduced*

Department of Transportation

\$184,985,477

\$105,923,202

NGF

**Language:**

Page 380, line 16, strike "\$2,077,235,226" and insert "\$2,262,220,703".

Page 380, line 16, strike "\$1,706,699,198" and insert "\$1,812,622,400".

Page 380, line 19, strike "\$9,900,000" and insert "\$164,835,012".

Page 380, line 19, strike "\$10,325,000" and insert "\$103,997,402".

Page 380, line 20, strike "\$94,495,331" and insert "\$95,776,727".

Page 380, line 20, strike "\$56,433,224" and insert "\$45,444,527".

Page 380, line 21, strike "\$94,495,331" and insert "\$95,776,727".

Page 380, line 21, strike "\$56,433,224" and insert "\$45,444,527".

Page 380, line 22, strike "\$1,198,948,560" and insert "\$1,226,436,233".

Page 380, line 22, strike "\$899,110,113" and insert "\$933,338,306".

Page 380, line 30, strike "\$90,311,123" and insert "\$99,958,646".

Page 380, line 30, strike "\$90,311,123" and insert "\$105,299,506".

Page 380, line 33, strike "\$53,122,502" and insert "\$53,871,340".

Page 380, line 33, strike "\$53,122,502" and insert "\$55,272,403".

Page 380, line 36, strike "\$65,836,270" and insert "\$70,981,544".

Page 380, line 36, strike "\$65,836,270" and insert "\$69,805,236".

Page 380, line 41, strike "\$18,857,369" and insert "\$20,481,315".

Page 380, line 41, strike "\$18,857,369" and insert "\$20,104,007".

Page 380, line 41, strike "and state matching".

Page 380, line 42, strike "Transportation Alternatives Program" and insert:

"Surface Transportation Block Grant Program Set-Aside".

Page 380, line 42, after "USC", strike "213" and insert "133(h)".

Page 381, line 28 strike "§ 33.2-358 and".

Page 381, after line 39, insert:

"I. Notwithstanding the provisions of § 33.2-358, Code of Virginia, the unanticipated amounts available for construction from the December 2015 revenue forecast and from the increased federal funding from the passage of the Fixing America's Surface Transportation (FAST) Act shall be distributed following the new construction formula defined by § 33.2-358, Code of Virginia, advancing the distribution of funds under this formula and provide 45 percent of the additional funding to the State of Good Repair Program, 27.5 percent to the High Priority Projects Program, and 27.5 percent to the District Grant Program.

J.1. Notwithstanding any other provision of the Code of Virginia, as a condition on the expenditure of all amounts included in this item, the Commonwealth Transportation Board shall include all amounts needed, not to exceed \$140,000,000, in the fiscal year 2017 through fiscal year 2022 Six-Year Improvement Program adopted pursuant to § 33.2-214, for improvements to the Interstate 66 corridor inside the Capitol Beltway, including but not limited to the addition of a third eastbound travel lane on Interstate 66 from the Dulles Connector Road to State Route 237, North Fairfax Drive/N. Glebe Road exit of Interstate 66.

2. Environmental work pursuant to the National Environmental Policy Act for the project

*Floor Approved Requests to House Bill 30, as Introduced*

outlined in paragraph J.1. shall commence no later than July 15, 2016, and the Department shall complete a minimum of 30 percent of the design work for such capacity expansion by November 1, 2017. Amounts dedicated to such project shall not reduce amounts made available to the High Priority Projects Program or the District Grant Program.

3. It is the intent of the General Assembly that tolling on Interstate 66 inside the Capitol Beltway shall not extend beyond four hours during the morning rush hour and four hours during the evening rush hour on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, exclusive of national holidays, and tolling shall not apply on weekends."

**Explanation:**

(This amendment appropriates additional transportation funding available for construction based on the December 2015 revisions to revenue forecast and from the increased federal funding available from the passage of the Fixing America's Surface Transportation (FAST) Act. It stipulates that these amounts will be distributed following the new construction formula adopted pursuant to House Bill 1887, 2015 Session of the General Assembly and set out in § 33.2-358, Code of Virginia, providing 45% of the funds to the State of Good Repair Program, and 27.5% each to the High Priority Projects and District Grant Programs.

It further requires that as a condition on expenditures of the amounts allocated for highway construction, the Commonwealth Transportation Board must include adequate funding in the fiscal year 2017-2022 Six Year Improvement Program to add a third eastbound travel lane on Interstate 66 from the Dulles Connector Road to the Glebe Road/Fairfax Drive exit, and begin environmental work on such project by July 15, 2016 and complete a minimum of 30% of the design work by November 1, 2017.)

---

Item 457 #1h

**Technical Correction**

**Transportation**

Department of Transportation

Language

**Language:**

Page 386, line 19, strike "of this Act" and insert:  
"of Chapter 665, 2015 Acts of Assembly."

Page 386, line 19, strike "444" and insert "453".

**Explanation:**

(This amendment makes a minor technical correction to House Bill 30 as introduced.)

---

Item 463 #1h

**Craney Island Study to Include Rail Along I-664**

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 390, after line 51, insert:

"E. The Virginia Port Authority shall include the Commonwealth Railway Mainline Safety Relocation Project Phase 2 - I-664 Pughsville Road to Bowers Hill - Feasibility Study as part of its long-range plan for the development of the Craney Island Marine Terminal and creating road and rail access to such terminal."

**Explanation:**

(This amendment directs the VPA to include phase 2 of the feasibility study for Phase 2 of the Commonwealth Railway Mainline Safety Relocation Project as part of its long-range plan for the development of Craney Island. The terminal will be designed to serve super post-Panamax class vessels via a 50-foot navigation channel, direct interchange to the interstate highway system, and double-stack intermodal rail service. The terminal will be planned as a semi-automated operation, with a mix of manual and automated container handling equipment. The construction of Craney Island will increase container throughput on the west side of the Elizabeth River, away from the region's most congested tunnels and bridges, and in close proximity to rail facilities and distribution locations.)

---

Item 464 #1h

**Port Economic Development Zone Grant Fund**

**Transportation**

**FY16-17**

**FY17-18**

Virginia Port Authority

(\$2,000,000)

(\$2,000,000)

GF

**Language:**

Page 390, line 52, strike "\$5,372,625" and insert "\$3,372,625".

Page 390, line 52, strike "\$5,437,625" and insert "\$3,437,625".

Page 391, line 16, strike "this Item" and insert:

"Item 106 A. 1."

**Explanation:**

(This amendment removes the direct deposit of general fund revenues into the Port Infrastructure Development Zone Grant Fund and instead redirects a portion of the Commonwealth Opportunity Fund for such purpose. This mirrors the action taken in the

current budget, Chapter 665 of the 2015 Session of the General Assembly.)

---

Item 464 #2h

**Port Opportunity Fund**

**Transportation**

Virginia Port Authority

Language

**Language:**

Page 391, after line 21, insert:

"C. 1. Notwithstanding the provisions of § 62.1-132.3:1, Code of Virginia, the Treasurer shall not transfer to the Port Opportunity Fund an amount equal to five percent of that year's revenues from terminal operations unless the Secretary of Transportation determines that such a transfer is in the long-term interest of the Authority. Such determination shall be made in writing by the Secretary of Transportation to the Executive Director of the Authority and the Treasurer no later than August 30 of the ensuing fiscal year.

2. The Secretary, in conjunction with the Port Authority Board of Commissioners, shall evaluate whether the forecasted revenue and the planned operational and capital needs of the Virginia Ports Authority for the next ten years support the mandatory deposit of funding into, and continuation of, the Port Opportunity Fund as required by § 62.1-132.3:1, Code of Virginia, and report to the General Assembly its recommendations regarding modifications to or the elimination of such requirements no later than November 15, 2016."

**Explanation:**

(This amendment directs the VPA Board of Commissioners and the Secretary of Transportation to evaluate whether the current structure of the Port Opportunity Fund is in the best long-term interest of the Port Authority and report its findings to the General Assembly by November 15, 2016. It also eliminates the automatic transfer of excess terminal revenues to the Fund and instead stipulates such a deposit will occur only upon request.)

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Item 466 #1h

**Working Group to Review JLARC Findings**

**Veterans and Defense Affairs**

**FY16-17**

**FY17-18**

Secretary of Veterans and Defense Affairs

\$393,494

\$0 GF

**Language:**

Page 393, line 3, strike "\$1,083,052" and insert "\$1,476,546".

*Floor Approved Requests to House Bill 30, as Introduced*

Page 393, line 8, before "Included" insert "A. "

Page 393, after line 10, insert:

"B.1. There is hereby established a working group comprised of the Secretary of Veterans and Defense Affairs, the Secretary of Health and Human Resources, and the Director, Joint Legislative Audit and Review Commission, or their designees. The working group shall be chaired by the Secretary of Veterans and Defense Affairs.

2. The working group shall conduct a review of mental health and rehabilitative services for veterans, and make recommendations for efficient and effective coordination and monitoring of services for veterans in Virginia, as set forth in § 2.2- 2001.1. This review fulfills the requirements of recommendations 13 and 14 of the 2015 JLARC report "Operation and Performance of the Department of Veterans Services.

3. The working group shall conduct a rigorous and objective review to (i) determine the nature of monitoring and coordination needed by veterans in order to receive adequate and timely mental health and rehabilitative services, (ii) measure the current and projected need for coordination and monitoring of mental health and rehabilitative services for veterans; (iii) measure the current and projected capacity of private, federal, state, regional, and local entities to provide monitoring and coordination of mental health and rehabilitative services to veterans, by geographic region of the state; (iv) assess the extent of any gap between need and capacity; and (v) review and report how other states coordinate and monitor mental health and rehabilitative services for veterans. The review of other states shall include an assessment of the advantages and disadvantages of models used by other states.

4. After thoroughly considering alternatives approaches, the working group shall recommend how the state can best monitor and coordinate mental health and rehabilitative services to ensure that veterans receive adequate and timely mental health and rehabilitative services as required by statute. The recommendations should include (i) organizational structures, programs, partnerships, staff responsibilities, staff qualifications, and licensure; (ii) statutory or regulatory changes, as necessary; and (iii) estimates of the cost to the state and local governments of implementing these recommendations.

5. All agencies of the Commonwealth shall provide technical or other assistance to the working group, upon request.

6. The working group shall direct the appropriate agency staff to develop a detailed implementation plan for the Virginia Veteran and Families Support program, and present the plan to the Joint Legislative Audit and Review Commission no later than November 15, 2016.

7. Upon unanimous request from the members of the working group, the Director, Department of Planning and Budget, shall transfer \$393,494 from the general fund amounts included within this item to the Department of Veterans Services for the purpose of implementing the recommendations of the working group for the Virginia Veteran and Families Support program."



**Explanation:**

(This amendment creates a working group within the Secretary of Veterans and Defense Affairs to study JLARC findings related to the Virginia Veteran and Family Support program, to develop a detailed implementation plan based upon its work, and to present its plan to the Joint Legislative Audit and Review Commission no later than November 15, 2016.)

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Item 467 #1h

**U.S. Navy Master Jet Base**

**Veterans and Defense Affairs**

Secretary of Veterans and Defense Affairs

Language

**Language:**

Page 393, line 15, after "A." insert "1."

Page 393, after line 19, insert:

"2. In the event that dedicated special revenues generated pursuant to the provisions of the 2014-16 Appropriations Act exceed the amounts needed to fund the requirements set out in that Act, any excess dedicated special fund revenue up to \$2,500,000 is hereby appropriated to the provide additional assistance to the locality in which the United States Navy Master Jet Base auxiliary landing field is located for the purpose of purchasing property or development rights and otherwise converting such property to an appropriate compatible use and prohibiting new uses or development which is deemed incompatible with air operations arising from such Master Jet Base."

**Explanation:**

(This amendment ensures that the recurring, dedicated special component of the U.S. Navy Master Jet Base and Auxiliary Landing Field encroachment mitigation program is continued through the biennium. This does not require any additional state funds.)

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Item 470 #1h

**Additional Support for Benefit Services Field Offices**

**Veterans and Defense Affairs**

**FY16-17**

**FY17-18**

Department of Veterans Services

\$177,906

\$177,906 GF

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 394, line 7, strike "\$14,458,083" and insert "\$14,635,989".

Page 394, line 7, strike "\$15,314,180" and insert "\$15,492,086".

**Explanation:**

(This amendment provides \$177,906 each year from general funds to cover increased operating expenses at existing Benefit Services Field Offices that were not included in the Governor's introduced budget.)

---

Item 470 #2h

**New VVFS Funding**

<b>Veterans and Defense Affairs</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Veterans Services	(\$786,988)	\$0 GF

**Language:**

Page 394, line 7, strike "\$14,458,083" and insert "\$13,671,095".

**Explanation:**

(This amendment reduces funding for the Virginia Veteran and Family Support program by \$786,988 from the general fund the first year to reflect implementation of their program restructuring plan for only the second-half of the fiscal year. A companion amendment directs the Secretary of Veterans and Defense Affairs to chair a work group assessing the findings of JLARC's review of the Department of Veterans Services VVFS program, and authorizes the Department of Planning and Budget to release one-half year's funding after completion of the working group's review.)

---

Item 470 #3h

**Redirect Funding for DVS Pay Actions**

<b>Veterans and Defense Affairs</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Veterans Services	(\$200,000)	(\$700,000) GF

**Language:**

Page 394, line 7, strike "\$14,458,083" and insert "\$14,258,083".

Page 394, line 7, strike "\$15,314,180" and insert "\$14,614,180".

**Explanation:**

*Floor Approved Requests to House Bill 30, as Introduced*

(This amendment redirects funding in the introduced budget of \$200,000 from the general fund the first year and \$700,000 from the general fund the second year for compensation adjustments for employees of the Department of Veteran Services to an amendment within Item 475 to provide a 3% salary adjustment the first year to all state employees and state supported local employees and 1% the second year.)

---

Item 471 #1h

**Funding for Virginia War Memorial Expansion**

<b>Veterans and Defense Affairs</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Department of Veterans Services	\$166,269 2.00	\$309,554 3.00	GF FTE

**Language:**

Page 394, line 39, strike "\$3,016,895" and insert "\$3,183,164".  
Page 394, line 39, strike "\$3,016,895" and insert "\$3,326,449".

**Explanation:**

(This amendment provides additional funding for Virginia War Memorial operations, and funds costs necessary to prepare for the opening of the Memorial's new 26,000 square foot addition. Two additional positions the first year and three additional positions the second year and two wage positions are required to both meet current service demand and to prepare for the additional demands resulting from the opening of the addition in fiscal year 2018.)

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Item 475 #1h

**Correction for Group Life Rate**

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 400, line 52, strike "0.47%" and insert "0.52%".

**Explanation:**

(This language amendment corrects the group life rate for school divisions in the first year from 0.47 percent to 0.52 percent. There is a companion amendment in Item 139 that provides \$1.4 million in fiscal year 2017 to pay for the increased rate.)

**Pilot Program for Treatment of Musculoskeletal Injuries**

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 399, after line 6, insert:

"7. The Department of Human Resources Management shall develop and implement a pilot program beginning on July 1, 2016 for a single payment per episode for all services and costs spanning multiple providers across multiple settings for musculoskeletal injury claims. The results of this pilot program, to include changes in return-to-work following injury times and costs of single payment per episode versus traditional payment per visit claim payments, shall be reported to the Governor, the Chairmen of the House Appropriations Committee and the Senate Finance Committee by August 1, 2018."

**Explanation:**

(This amendment establishes a pilot program under the state employee health insurance program which sets a single payment per episode for all services and costs spanning multiple providers across multiple settings for musculoskeletal injury claims. This pilot program is consistent with recommendations of a report completed by the Department in June of 2014.)

**Adjust VRS Rates and Funding to Reflect Expedited Repayment**

**Central Appropriations**

**FY16-17**

**FY17-18**

Central Appropriations

(\$21,530,922)

(\$22,467,024)

GF

**Language:**

Page 397, line 18, strike "\$70,184,979" and insert "\$48,654,057".

Page 397, line 18, strike "\$187,384,742" and insert "\$164,917,718".

Page 399, line 13, after "rate and" insert "for the public school teacher plan"

Page 399, line 18, strike "14.46% " and "14.46%" and insert:  
"13.49%" and "13.49%".

Page 399, line 19, strike "28.99% " and "28.99%" and insert:  
"28.54%" and "28.54%".

Page 399, line 21, strike "22.21% " and "22.21%" and insert:  
"21.05%" and "21.05%".

*Floor Approved Requests to House Bill 30, as Introduced*

Page 399, line 23, strike "45.15% " and "45.15%" and insert:  
"41.97%" and "41.97%".

Page 399, strike lines 26 through 34, and insert:

4. The Director of Department of Planning and Budget shall withhold and transfer to this item, amounts estimated at \$10,022,276 the first year and \$10,458,009 the second year, from the general fund appropriations of state agencies and institutions of higher education, representing the net savings resulting from the changes in employer contributions for state employee retirement as provided for in this paragraph."

**Explanation:**

(This amendment adjusts funding included in the introduced budget pursuant to contribution payments to the VRS for the state employee retirement systems. An amendment in House Bill 29 provides for a lump sum payment to the VRS to repay in full the retirement contributions that were deferred during the 2010-12 biennium. Based on the lump sum payment the rates have been reduced to reflect that the deferred contributions have been repayed in full.)

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Item 475 #4h

**Eliminate Proposal to Pick-up Employee Health Ins. Premium Increase**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Appropriations	(\$5,884,370)	\$0 GF

**Language:**

Page 397, line 18, strike "\$70,184,979" and insert "\$64,300,609".  
Page 398, line 38, strike "\$51,460,094" and insert "\$45,575,724".

**Explanation:**

(This amendment eliminates funding, of \$5.9 million from the general fund in the first year, included in the introduced budget to pay the employee share of the health insurance premium increase taking effect for fiscal year 2017. The funding has been redirected to an companion amendment which provides a 3% salary adjustment to employees in fiscal year 2017.)

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Item 475 #5h

**Provide 3% Salary Increase in FY 2017 & 1% Increase in FY 2018**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Appropriations	\$71,477,151	\$78,451,631 GF

*Floor Approved Requests to House Bill 30, as Introduced*

**Language:**

Page 397, line 18, strike "\$70,184,979" and insert "\$141,662,130".

Page 397, line 18, strike "\$187,384,742" and insert "\$265,836,373".

Page 403, strike lines 26 through 51 and insert:

"P.1. The Governor is hereby authorized to allocate a sum of up to \$ 71,477,151 the first year and \$126,458,196 the second year from this appropriation to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2017 and 2018 after the enactment by the General Assembly of the 2016 Appropriation Act. If within 5 days of the preliminary close of the fiscal year ending on June 30, 2016, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs Q. and R., below.

2. Furthermore, the \$83,326,300 the second year allocated to support the state share of a two percent salary adjustment for SOQ funded positions authorized in Item 139 of this act shall be unallotted if the provisions of paragraph P.1. are not met and the actions authorized in paragraphs T. and U. of this item are not effectuated.

Q.1. Contingent on the provisions of paragraph P.1. above, the base salary of the following employees shall be increased by three percent on November 10, 2016:

- a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;
- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
- c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;
- d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;
- e. Heads of agencies in the Legislative Department;
- f. Full-time employees in the Legislative Department, other than officials elected by popular vote;
- g. Legislative Assistants as provided for in Item 1 of this act;
- h. Judges and Justices in the Judicial Department;
- i. Heads of agencies in the Judicial Department;
- j. Full-time employees in the Judicial Department;
- k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings

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Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and

1. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by three percent on November 10, 2016. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. Out of the amounts for Supplements to Employee Compensation is included \$57,427,676 the first year and \$98,447,339 the second year from the general fund to support the general fund portion of costs associated with the salary increase provided in this paragraph.

5. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

a. The heads of agencies in the Legislative and Judicial Departments;

b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

c. The Attorney General;

d. The Director of the Virginia Retirement System;

e. The Director of the Virginia Lottery;

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- f. The Director of the University of Virginia Medical Center;
- g. The Chief Executive Officer of the Virginia College Savings Plan; and
- h. The Executive Director of the Virginia Port Authority.

6. The base rates of pay, and related employee benefits, for wage employees may be increased by up to one percent no earlier than July 10, 2016. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

7. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the one percent increase on average.

R.1. Contingent on the provisions of paragraph P.1. above, the appropriations in this item include funds to increase the base salary of the following employees by three percent on December 1, 2016, provided that the governing authority of such employees certifies that the listed employees will receive the stated pay increase.

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$14,049,475 the first year and \$28,010,857 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

S. The Governor is hereby authorized to allocate a sum of up to \$28,158,567 the second year from this appropriation to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal year 2018 after the enactment by the General Assembly of the 2017 Appropriation Act. If within 5 days of the preliminary close of the fiscal year ending on June 30, 2017, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs T. and U., below.

T.1. Contingent on the provisions of paragraph S.1. above, the base salary of the following employees shall be increased by one percent on December 10, 2017:

- a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;



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- b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;
  - c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c;
  - d. Full-time staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries' Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office;
  - e. Heads of agencies in the Legislative Department;
  - f. Full-time employees in the Legislative Department, other than officials elected by popular vote;
  - g. Legislative Assistants as provided for in Item 1 of this act;
  - h. Judges and Justices in the Judicial Department;
  - i. Heads of agencies in the Judicial Department;
  - j. Full-time employees in the Judicial Department;
  - k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Chief Executive Officer of the Virginia College Savings Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System; and
  - l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia Retirement System.
- 2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.
- b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.
3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan

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by one percent on December 10, 2017. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances when employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. Out of the amounts for Supplements to Employee Compensation is included \$22,533,494 the second year from the general fund to support the general fund portion of costs associated with the salary increase provided in this paragraph.

5. The following agency heads, at their discretion, may utilize agency funds or the funds provided pursuant to this paragraph to implement the provisions of new or existing performance-based pay plans:

- a. The heads of agencies in the Legislative and Judicial Departments;
- b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;
- c. The Attorney General;
- d. The Director of the Virginia Retirement System;
- e. The Director of the Virginia Lottery;
- f. The Director of the University of Virginia Medical Center;
- g. The Chief Executive Officer of the Virginia College Savings Plan; and
- h. The Executive Director of the Virginia Port Authority.

6. The base rates of pay, and related employee benefits, for wage employees may be increased by up to one percent no earlier than July 10, 2017. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

7. The governing authorities of those state institutions of higher education with employees may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed the one percent increase on average.

U.1. Contingent on the provisions of paragraph S.1. above, the appropriations in this Item include funds to increase the base salary of the following employees by one percent on August 1, 2017, provided that the governing authority of such employees certifies that the listed employees will receive the stated pay increase.

- a. Locally-elected constitutional officers;
- b. General Registrars and members of local electoral boards;
- c. Full-time employees of locally-elected constitutional officers and,
- d. Full-time employees of Community Services Boards, Centers for Independent Living,

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secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included \$5,625,073 the second year from the general fund to support the costs associated with the salary increase provided in this paragraph."

Page 404, strike lines 1 through 47.

Page 405, strike lines 1 through 20.

Page 405, line 21, strike "S.1." and insert "V.1".

Page 405 line 29, after "paragraph" strike "S.1." and insert "V.1".

**Explanation:**

(This amendment includes an additional \$71.5 million from the general fund the first year and \$78.5 million from the general fund the second year to expedite and increase the salary adjustment proposed in the introduced budget for state employees and state supported local employees. The introduced budget proposed a 2% salary adjustment in the second year. The amendment provides a 3% adjustment the first year and an additional 1% the second year.)

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Item 475 #6h

**Fund 2nd Phase of State Police Compression Adjustment**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Appropriations	\$3,683,877	\$8,502,849	GF

**Language:**

Page 397, line 18, strike "\$70,184,979" and insert "\$73,868,856".

Page 397, line 18, strike "\$187,384,742" and insert "\$195,887,591".

Page 405, after line 31, insert:

"T. Out of the appropriation for this item, \$3,683,877 the first year and \$8,502,849 the second year from the general fund shall be transferred to the Department of State Police for salary supplements to sworn officers of the Virginia State Police effective November 10, 2016 with a second adjustment authorized on October 10, 2017, subject to the approval by the Secretary of Public Safety and Homeland Security of the second phase of the State Police salary compression plan. Prior to the implementation of this plan, copies of the approved plan shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees."

**Explanation:**

(This amendment is self-explanatory.)

**State Police IT Needs**

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 408, line 1, after "I.", insert "1."

Page 408, line 7, after "Agency." insert:

"These funds may not be transferred until the requirements of Paragraph I.2. of this item have been fulfilled.

2.The Superintendent of State Police shall develop a prioritized list of information technology projects for the Department of State Police, justify the need for the projects, and identify costs associated with such projects. The Superintendent shall also identify the potential or expected projects to be addressed using the appropriation provided in Paragraph I.1. of this item. The Superintendent shall report the list of projects to the Chairmen of the House Appropriations and Senate Finance Committees no later than August 15, 2016."

**Explanation:**

(This amendment requires the State Police to report on a priority list of information technology projects, a justification for such projects, and the costs of implementing such projects to the Chairmen of the House Appropriations and Senate Finance Committees.)

**Remove Duplicative Funding for Slavery and Freedom Heritage Site**

**Central Appropriations**

**FY16-17**

**FY17-18**

Central Appropriations

(\$2,000,000)

\$0 GF

**Language:**

Page 405, line 32, strike "\$17,596,330" and insert "\$15,596,330".

Page 407, after line 19, insert:

"H.1. Any unexpended general fund balances, as of June 30, 2016, that were appropriated for the purpose of supporting the City of Richmond in the development of the Slavery and Freedom Heritage Site in Richmond shall not revert to the general fund but shall instead be reappropriated for its original purpose. Out of the \$2,000,000 originally appropriated, \$1,000,000 shall be used for improvements to the Slave Trail, and \$1,000,000 for costs associated with Lumpkin's Pavilion."

Page 407, strike lines 20 through 24.

**Explanation:**

(This amendment eliminates duplicative funding included in the introduced budget of \$2.0 million from the general fund in fiscal year 2017 for development of the Slavery and Freedom Heritage Site in Richmond. Funding of \$2.0 million for the project is included in the fiscal year 2016 appropriation and the funds have not yet been accessed. The amendment in the introduced budget was intended to ensure the original funding would remain available.)

---

Item 476 #3h

**Fund Agency Information Technology Costs**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Appropriations	\$0	\$631,326	GF

**Language:**

Page 405, line 32, strike "\$8,399,916" and insert "\$9,031,242".  
Page 407, line 16, strike "\$2,935,960" and insert "\$3,567,286".

**Explanation:**

(This amendment provides \$631,326 the second year from general funds to reflect the general fund cost share of VITA's anticipated costs of transitioning certain information technology services.)

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Item 477 #6h

**Eliminate Medicaid Expansion, Related Spending and Hospital Assessment**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Appropriations	(\$28,071,815)	(\$23,068,254)	GF

**Language:**

Page 408, line 13, strike "\$60,223,426" and insert "\$32,151,611".  
Page 408, line 13, strike "\$185,877,014" and insert "\$162,808,760".  
Page 408, strike lines 17 through 53.  
Page 409, strike lines 1 through 56.  
Page 410, strike lines 1 through 5.

**Explanation:**

(This amendment eliminates \$28.1 million the first year and \$23.1 million the second year from the general fund for a number of economic development and research projects, and tax policy changes set out in Central Accounts. Funding for these items was to be generated from savings to the Medicaid program based on a proposal to expand Medicaid pursuant to the Patient Protection and Affordable Care Act contained in the introduced budget. Language is also eliminated earmarking the funding for these projects and authorizing an assessment on hospitals as a mechanism to pay for future Medicaid expansion costs. A companion amendment in Item 306 eliminates Medicaid expansion.)

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Item 478.10 #1h

**Global Genomics and Bioinformatics Research Institute**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Appropriations		

**Language:**

Page 410, after line 43, insert:

"478.10 Global Genomics and Bioinformatics Research Institute	\$0	\$0
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Page 410, after line 43, insert:

"A. 1. Out of the amounts authorized in Item C-52.10, \$30,000,000 the first year shall be made available for lab renovations and enhancements and / or research equipment at the Global Genomics and Bioinformatics Research Institute for George Mason University, Old Dominion University, the University of Virginia, Virginia Commonwealth University, Virginia Tech and the College of William and Mary subject to the following conditions being met:

(a) For a project to be eligible at least two institutions or one institution and one private sector company must partner with INOVA at Global Genomics and Bioinformatics Research Institute;

(b) Projects are required to have undergone the vetting process from the Global Genomics and Bioinformatics Research Institute which would include a peer review board based on scientific expertise;

(c) Amounts requested from this item by the partnering institutions in A. 1. (a) shall be matched by two dollars from the INOVA Global Genomics and Bioinformatics Research Institute;

(d) In addition, amounts requested by the partnering institutions in A. 1. (a) shall be matched

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by one dollar from any combination of the partnering entities provided that at least one-half of the one-dollar match is from new resources.

2. Upon meeting the conditions of A.1., the institutions shall submit their funding request application directly to the Research Proposal Review Committee established in § 2.2-2488 for review and evaluation. After completing its review, the Research Proposal Review Committee, pursuant to § 2.2-2488 C. shall forward recommendations to the Virginia Growth and Opportunity Board for its action.

3. The Virginia Growth and Opportunity Board shall review the applications, taking into account the recommendations of the Research Proposal Review Committee. A decision by the Board to allocate funds from this item shall require an affirmative vote of (i) a majority of the members of the Board who are present and voting, (ii) a majority of the legislative members of the Board from the House of Delegates who are present and voting, (iii) a majority of the legislative members of the Board from the Senate who are present and voting, and (iv) a majority of the members of the Board who are gubernatorial Secretaries who are present and voting. Decisions of the Board shall be final and not subject to review or appeal.

4. The Virginia Growth and Opportunity Board may condition the receipt of any funds from this item on any performance metrics, goals, or criteria as it deems appropriate. Any applicant awarded funds from this item shall be required to report to the Virginia Growth and Opportunity Board on the progress and results of the program or project on a schedule set in accordance with the procedures, criteria, and guidelines developed pursuant to this item and the individual terms of the award."

**Explanation:**

(This amendment provides for renovations to research labs and the acquisition of research equipment in partnership with INOVA, other institutions and private sector companies.)

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Item 479 #1h

**Restore Insurance Fee and Assessment Appropriation**

<b>Independent Agencies</b>	<b>FY16-17</b>	<b>FY17-18</b>
State Corporation Commission	\$1,000,000	\$1,000,000 NGF

**Language:**

- Page 412, line 3, strike "\$62,405,897" and insert "\$63,405,897".
- Page 412, line 3, strike "\$62,409,235" and insert "\$63,409,235".
- Page 412, line 8, strike "\$27,657,807" and insert "\$28,657,807".
- Page 412, line 8, strike "\$27,659,422" and insert "\$28,659,422".
- Page 412, line 9, strike "\$62,405,897" and insert "\$63,405,897".
- Page 412, line 9, strike "\$62,409,235" and insert "\$63,409,235".

**Explanation:**

(This amendment restores appropriation for the Insurance Fee and Assessment Appropriation.)

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Item 480 #1h

**Restore Public Service Company Fees and Taxes Appropriation**

<b>Independent Agencies</b>	<b>FY16-17</b>	<b>FY17-18</b>
State Corporation Commission	\$3,000,000	\$3,000,000 NGF

**Language:**

Page 412, line 19, strike "\$25,927,754" and insert "\$28,927,754".  
Page 412, line 19, strike "\$25,929,566" and insert "\$28,929,566".  
Page 412, line 20, strike "\$25,927,754" and insert "\$28,927,754".  
Page 412, line 20, strike "\$25,929,566" and insert "\$28,929,566".  
Page 412, line 21, strike "\$20,716,317" and insert "\$23,716,317".  
Page 412, line 21, strike "\$20,717,179" and insert "\$23,717,179".

**Explanation:**

(This amendment restores appropriation for Public Service Company Fees and Taxes.)

---

Item 482 #1h

**Remove New Corporate Filing Fee Language**

**Independent Agencies**

State Corporation Commission

Language

**Language:**

Page 412, line 42, after "less.", strike rest of line.  
Page 412, strike line 43.  
Page 412, line 44, strike "shall be waived".

**Explanation:**

(This amendment removes new language included in the introduced budget waiving the \$100 registration fee paid by all corporations for those businesses that have been started by a matriculated student at an authorized public Virginia institution of higher education.)

---



Item 489 #1h

**Notification of Political Subdivisions in Arrears**

**Independent Agencies**

Virginia Retirement System

Language

**Language:**

Page 415, after line 39, insert:

"E. The Board of Trustees of the Virginia Retirement System shall provide notification to the Chairmen of the House Appropriations Committee and Senate Finance Committee when a political subdivision becomes more than 60 days in arrears in their contributions to the Virginia Retirement System. Such notification shall occur within 15 days of when the 60 day period has occurred."

**Explanation:**

(This amendment is self-explanatory.)

---

Item 491 #1h

**Eiminate New Funding for A Change Management Expert**

**Independent Agencies**

**FY16-17**

**FY17-18**

Virginia Retirement System

(\$113,570)

(\$113,570) NGF

**Language:**

Page 416, line 2, strike "\$38,432,875" and insert "\$38,319,305".

Page 416, line 2, strike "\$33,989,177" and insert "\$33,875,607".

**Explanation:**

(This amendment eliminates new funding included in the introduced budget for A Change Management Expert.)

---

Item 493 #1h

**HB 378 - Workers Compensation Fee Schedule**

**Independent Agencies**

**FY16-17**

**FY17-18**

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Virginia Workers' Compensation  
Commission

\$1,000,000

\$0 GF

**Language:**

Page 416, line 23, strike "\$37,822,874" and insert "\$38,822,874".

**Explanation:**

(This amendment provides \$1.0 million from the general fund for the Workers Compensation Commission to support actuarial costs which will be incurred pursuant to the passage of House Bill 378 of the 2016 General Assembly session.)

---

Item C-0 #1h

**JMU - Property Conveyance**

**General Conditions**

**FY16-17**

**FY17-18**

General Conditions

**Language:**

Page 421, after line 7, insert:

"d. The General Assembly further authorizes James Madison University to convey ownership of certain portions of real property to the James Madison University Foundation (JMUF), to be held by the JMUF and used solely for the purpose of the construction and operation of facilities which directly support the University. Any such conveyance shall be pursuant to a written agreement and deed approved by the Attorney General and any agreement or deed executed hereunder shall stipulate that the JMUF may not further transfer ownership of such real property to any person or public or private entity unless such transfer of such real property or any portion thereof is to James Madison University."

**Explanation:**

(This amendment is self-explanatory.)

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Item C-0 #2h

**DGS - Property Conveyance**

**General Conditions**

General Conditions

Language

**Language:**

*Floor Approved Requests to House Bill 30, as Introduced*

Page 423, after line 26, insert:

"O. The Department of General Services, with the cooperation and support of the Workers' Compensation Commission, is hereby directed to manage acquisition or to construct a new headquarters facility for the commission out of such funds appropriated for such purposes by Item C-38.10, Chapter 806, 2013 Session Acts of Assembly . Upon completion of the new facility, the department shall transfer the existing headquarters facility located at 1000 DMV Drive in Richmond, Virginia to the Science Museum of Virginia."

**Explanation:**

(This amendment clarifies legislative intent with regard to a project approved in the 2013 Session.)

---

Item C-1 #1h

**VDAC - Defer New Funding**

<b>Agriculture and Forestry</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Agriculture and Consumer Services	(\$750,000)	\$0 GF

**Language:**

Page 423, line 30, strike "\$750,000" and insert "\$0".

Page 423, strike lines 30 through 38 and insert "Omitted."

**Explanation:**

(This amendment defers proposed new funding and places project within the maintenance reserve program.)

---

Item C-2.50 #1h

**CNU - Property Conveyance**

<b>Capital Projects</b>	<b>FY16-17</b>	<b>FY17-18</b>
Christopher Newport University		

**Language:**

Page 424, after line 5, insert:

"§ 2-2.50 CHRISTOPHER NEWPORT UNIVERSITY (242)".

Page 424, after line 5, insert:

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"C-2.50 Improvements: Property Disposal \$0 \$0

Page 424, after line 5, insert:

"Christopher Newport University is authorized to sell the Yoder Barn Property in Newport News, Virginia. One-hundred percent of the proceeds from the sale of said property shall be retained by Christopher Newport University. Said property was a gift to Christopher Newport University in 2007, comprises approximately 3.1853 acres and is situated at 660 Hamilton Drive, bordered by Criston Drive and Oyster Point Road."

**Explanation:**

(This amendment allows for the sale of property at Christopher Newport University.)

Item C-10.10 #1h

**JMU - New Dining Facility**

**Education: Higher Education**

**FY16-17**

**FY17-18**

James Madison University

\$35,000,000

\$0 NGF

**Language:**

Page 424, after line 39, insert:

"C-10.10 New Dining Facility		\$35,000,000		\$0
Fund Sources:	Higher Education			
	Operating	\$8,400,000		\$0
	Bond Proceeds	\$26,600,000		\$0 "

**Explanation:**

(This amendment requests additional nongeneral revenue bonds and use of auxiliary reserve nongeneral funds to construct a new dining hall to replace the existing Phillips Hall facility through new construction and renovation.)

Item C-13 #1h

**LU - Eliminate Athletics Projects**

**Education**

**FY16-17**

**FY17-18**

Longwood University

(\$35,878,000)

\$0 NGF

**Language:**

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Page 425, line 10, strike "\$35,878,000" and insert "\$0".  
Page 425, strike lines 10 through 12 and insert "Omitted."

**Explanation:**

(This amendment eliminates the proposed new athletics facilities projects.)

---

Item C-23 #1h

**VSU Ext - Defer New Project**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Cooperative Extension and Agricultural Research Services	(\$950,000)	\$0 GF

**Language:**

Page 426, line 28, strike "\$950,000" and insert "\$0".  
Page 426, strike lines 28 through 31 and insert "Omitted."

**Explanation:**

(This amendment defers proposed new funding and places project within the maintenance reserve program.)

---

Item C-24 #1h

**Gunston - Defer New Project**

<b>Education</b>	<b>FY16-17</b>	<b>FY17-18</b>
Gunston Hall	(\$200,000)	\$0 GF

**Language:**

Page 426, line 36, strike "\$200,000" and insert "\$0".  
Page 426, strike lines 36 through 38 and insert "Omitted."  
Page 427, strike line 1.

**Explanation:**

(This amendment defers proposed new funding and places project within the maintenance reserve program.)

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Item C-25 #1h

**DCR - Eliminate Acquisition Project**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Conservation and Recreation	(\$1,000,000)	\$0 NGF

**Language:**

Page 427, line 8, strike "\$1,000,000" and insert "\$0".  
Page 427, strike lines 8 through 11 and insert "Omitted."

**Explanation:**

(This amendment removes proposed new nongeneral fund authority for the acquisition of new land.)

---

Item C-26 #1h

**DCR - Eliminate New Project**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Conservation and Recreation	(\$1,000,000)	\$0 NGF

**Language:**

Page 427, line 12, strike "\$1,000,000" and insert "\$0".  
Page 427, strike lines 12 through 14 and insert "Omitted."

**Explanation:**

(This amendment removes proposed new nongeneral fund authority for the acquisition of new land.)

---

Item C-29 #1h

**DGIF - Eliminate acquisition project**

<b>Natural Resources</b>	<b>FY16-17</b>	<b>FY17-18</b>
Department of Game and Inland Fisheries	(\$2,000,000)	(\$2,000,000) NGF

**Language:**

Page 427, line 27, strike "\$2,000,000" and insert "\$0".

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Page 427, line 27, strike "\$2,000,000" and insert "\$0".

Page 427, strike lines 27 through 29 and insert "Omitted."

**Explanation:**

(This amendment removes proposed new nongeneral fund authority for the acquisition of new land.)

---

Item C-44 #1h

**Central Capital - Maintenance Reserve**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Capital Outlay	(\$31,000,000)	(\$98,400,000)	GF
	\$34,400,000	\$99,900,000	NGF

**Language:**

Page 430, line 18, strike "\$91,000,000" and insert "\$94,400,000".

Page 430, line 18, strike "\$98,400,000" and insert "\$99,900,000".

Page 430, line 21, strike "1."

Page 430, line 21, strike "\$60,000,000" and insert "\$94,400,000".

Page 430, line 21, after "year", insert:

"and \$99,900,000 the second year".

Page 430, strike lines 25 and 26.

Page 430, line 27, strike "A.1. and the general fund" and insert "A."

Page 430, line 28, strike "amounts provided from paragraph A.2."

Page 430, line 38, strike "\$7,865,823" and insert "\$9,365,823".

Page 430, line 38, strike "\$8,253,440" and insert "\$9,753,439".

Page 431, line 5, strike "\$3,119,015" and insert "\$4,069,015".

Page 431, line 33, strike "\$377,322" and insert "\$1,127,322".

Page 431, line 40, strike "\$170,186" and insert "\$370,186".

Page 432, after line 15, insert:

"D.1. In order to reduce building operation costs and repay capital investments, agencies and institutions of higher education shall give priority to maintenance reserve projects which result in guaranteed savings to the agency or institution pursuant to § 11-34.3."

Page 432, line 16, strike "D." and insert "2."

Page 432, after line 32, insert:

"2. Notwithstanding the provisions of § 2.2-1130, the Department of General Services shall resume custody, control and supervision of the Virginia War Memorial Carillon. Out of the amounts provided for the Department of General Services (Project Code 14260), the Department shall provide for maintenance and repair of the Virginia War Memorial Carillon. In addition, notwithstanding the provisions of § 2.2-1130, any revenues generated under the provisions of § 2.2-1130 shall be paid to the Department of General Services by the

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Comptroller and shall be retained by the Department of General Services for the upkeep, maintenance, and improvement of the Virginia War Memorial Carillon. No expenses from this item shall be made until the conditions of this paragraph are met."

Page 433, after line 4, insert:

"L. Out of the amounts provided for Virginia State University (Project Code 12733), \$950,000 the first year is designated to replace heating, ventilation, air-conditioning and controls in the M.T. Carter Building.

M. Out of the amounts provided for the Department of Agriculture and Consumer Services (Project Code 12253), \$750,000 the first year is designated to install generators in regional laboratories.

N. Out of the amounts provided for Gunston Hall (Project Code 12382), \$200,000 the first year is designated for new water lines."

**Explanation:**

(This amendment provides for increases in the maintenance reserve program,.)

---

Item C-45 #1h

**Central Capital - Shift Projects to Bond Bill (Equipment)**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay	(\$13,049,000)	\$0 NGF

**Language:**

Page 433, line 5, strike "\$13,049,000" and insert "\$0".

Page 433, strike lines 5 through 45 and insert "Omitted."

**Explanation:**

(This amendment removes proposed new bond funding which is included as part of House Bill 1344.)

---

Item C-46 #1h

**Central Capital - Remove Planning**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay	(\$20,000,000)	\$0 GF

**Language:**



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Page 433, line 46, strike "\$20,000,000" and insert "\$0".  
Page 433, strike lines 46 through 50 and insert "Omitted."  
Page 434, strike lines 1 through 55.  
Page 435, strike lines 1 through 7.

**Explanation:**

(This amendment removes proposed new planning which is included as part of House Bill 1344.)

---

Item C-47 #1h

**Central Capital - Shift Projects to Bond Bill**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Capital Outlay	(\$1,852,698,000)	(\$50,000,000)	NGF

**Language:**

Page 435, line 8, strike "\$1,852,698,000" and insert "\$0".  
Page 435, line 8, strike "\$50,000,000" and insert "\$0".  
Page 435, strike lines 8 through 50 and insert "Omitted."  
Page 436, strike lines 1 through 51.  
Page 437, strike lines 1 through 51.  
Page 438, strike lines 1 through 11.

**Explanation:**

(This amendment removes proposed new bond funding which is included as part of House Bill 1344.)

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Item C-48 #1h

**Central Capital - Shift Projects to Bond Bill (Supplements)**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>	
Central Capital Outlay	(\$7,700,000)	\$0	NGF

**Language:**

Page 438, line 12, strike "\$7,700,000" and insert "\$0".  
Page 438, strike lines 12 through 22 and insert "Omitted."

**Explanation:**

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(This amendment removes proposed new bond funding which is included as part of House Bill 1344.)

---

Item C-49 #1h

**Central Capital - Shift Veterans Center Project to Bond Bill**

<b>Central Appropriations</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay	(\$29,300,000)	\$0 NGF

**Language:**

Page 438, line 23, strike "\$29,300,000" and insert "\$0".  
Page 438, strike lines 23 through 32 and insert "Omitted."

**Explanation:**

(This amendment removes proposed new bond funding which is included as part of House Bill 477.)

---

Item C-52.10 #1h

**Fort Monroe Visitor Center**

<b>Capital Projects</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay		

**Language:**

Page 439, after line 27, insert:

"C-52.10 Improvements: Fort Monroe Visitor Center	\$0	\$0
---------------------------------------------------	-----	-----

Page 439, after line 27, insert:

"Out of the amounts authorized in Item C-43, D. 1., Chapter 665, 2015 Acts of Assembly, \$5,250,000 are designated to renovate the Post Library as a visitor center for Fort Monroe."

**Explanation:**

(This amendment directs the use of previously authorized funding for Fort Monroe improvements in Chapter 665 to renovate the Post Library as a visitor center.)

---

Item C-52.10 #2h

**Debt Reduction**

<b>Capital Projects</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay		

**Language:**

Page 439, after line 27, insert:

"C-52.10 Improvements: Debt Reduction	\$0	\$0
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Page 439, after line 27, insert:

"Any general fund revenue collected during fiscal year 2016, fiscal year 2017, and fiscal year 2018 that is in excess of the official revenue estimate for that respective year as set out in amendments to Chapter 665 adopted by the 2016 Session of the General Assembly or contained in this Act that are not required to meet (i) any Constitutionally-mandated deposit to the Revenue Stabilization Fund or (ii) any deposit to the Water Quality Improvement Fund based on revenues in excess of the official estimate as required pursuant to § 10.2-2128 A., Code of Virginia, shall be reserved by the Comptroller in the Restricted Fund Balance. These amounts not be subject to the provisions of § 2.2-1514, Code of Virginia, but shall instead be designated to reduce the amount of tax-supported bonds authorized by the 2016 Session."

**Explanation:**

(This amendment directs the use of all revenues that exceed the Official Revenue Forecast contained in this Act to reduce tax-supported debt after satisfying the Revenue Stabilization Fund and Water Quality Improvement Fund (Part A) deposit requirements.)

---

Item C-52.10 #3h

**Research Labs and Equipment**

<b>Capital Projects</b>	<b>FY16-17</b>	<b>FY17-18</b>
Central Capital Outlay	\$50,000,000	\$0 NGF

**Language:**

Page 439, after line 27, insert:

"C-52.10 Improvements: Research Labs and Equipment	\$50,000,000	\$0
Fund Sources:                      Bond Proceeds	\$50,000,000	\$0     "

Page 439, after line 27, insert:

"Contingent on the passage of House Bill 834 and House Bill 1343, the Virginia College

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Building Authority is authorized to issue, pursuant to § 23.30-24 et seq., Code of Virginia, bonds in the amount of \$50,000,000 the first year, plus amounts to fund related issuance costs and other financing expenses for lab renovations and enhancements and / or research equipment related to higher education research."

**Explanation:**

(This amendment provides for renovations to research labs and the acquisition of research equipment as part of higher education research. These bonds are contingent on the passage of House Bill 834 and House Bill 1343.)

---

Item 3-1.01 #1h

**ABC Net Profit Transfer**

**Transfers**

Interfund Transfers

Language

**Language:**

Page 442, line 39, strike "78,900,000" and insert "83,600,000".  
Page 442, line 40, strike "79,500,000" and insert "89,100,000".

**Explanation:**

(This amendment increases the transfer of net profits from the Department of Alcoholic Beverage Control to the general fund by \$4,700,000 the first year and \$9,600,000 the second year. A companion amendment to House Bill 29 increases the transfer of net profits by \$3,800,000 in fiscal year 2016.)

---

Item 3-1.01 #2h

**Technical Update for Revised Lottery Proceeds Reforecast**

**Transfers**

Interfund Transfers

Language

**Language:**

Page 444, line 26, strike the first "\$541,231,250" and insert "\$561,527,170".

**Explanation:**

(This technical amendment updates the language that references the amount of Lottery Proceeds revenues that will be referred to the Direct Aid to Public Education budget in Item

139 in the first year.)

---

Item 3-5.03 #1h

**Technical Update for Revised Sales Tax Reforecast**

**Adjustments and Modifications to Tax Collections**

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I

Language

**Language:**

Page 449, line 15, strike "\$388,200,000" and "\$401,700,000" and insert: "\$384,900,000" and "\$398,500,000".

**Explanation:**

(This amendment updates the estimated amount to be transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund. These funds are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia, and are used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The revised estimate is based on the Department of Taxation's Mid-session 2016 Standard Forecast.)

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Item 3-6.04 #1h

**Eliminate Angel Investor Language**

**Adjustments and Modifications to Fees**

Qualified Equity and Subordinated Debt Investment Tax Credit

Language

**Language:**

Page 451, strike lines 41 through 50.

**Explanation:**

(This amendment eliminates language included in House Bill 30 as introduced that proposes to earmark \$2.0 million of the amounts available under the Qualified Equity and Subordinate Debt Investment Tax Credit (Angel Investor) for investments in biotechnology companies. By statute, this tax credit is available to qualified investors in qualified technology, biotechnology and energy start-ups across the Commonwealth. Legislation increasing the available amount of credit was not adopted by the House in the 2016 Session.)

**Specifications Related to OAG Negotiated Settlements**

**Revenues**

General Fund Revenue

Language

**Language:**

Page 463, after line 18, insert:

"d. SETTLEMENTS NEGOTIATED BY THE OFFICE OF THE ATTORNEY GENERAL

1. As a condition of the appropriation for Item 59 of this Act, there is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; the Chairman of the House Committee on Appropriations and one Delegate appointed by him, or their designees; the Chairman of the Senate Committee on Finance and one Senator appointed by him, or their designees; and two individuals appointed by the Governor. Whenever the Attorney General reasonably expects that there will be money or any real, tangible, or intangible property ("money or property"), or both, other than criminal fines (which would go to the Literary Fund) or attorney's fees (i) due or available to the Commonwealth as a result of any civil or criminal dispute or (ii) available to the Commonwealth or to any state or local governmental entity in the Commonwealth from any federal entity pursuant to an asset forfeiture equitable sharing agreement or other legal action, including a compromise, settlement, or agreement in a multistate action in which the Attorney General has participated on behalf of the Commonwealth or an agency of the Commonwealth, he shall forthwith notify all members of the Committee of the pertinent facts, and may convene a meeting of the Committee, but shall convene a meeting of the Committee at the request of any member.

2. For a compromise, settlement, or agreement under subdivision 1(i) above, the Attorney General shall prepare and recommend to the Committee a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both, to be received by the Commonwealth as a result of any such compromise, settlement, or agreement. The Committee may propose the same or a modified Plan to the General Assembly for the distribution or use, or both, of such money or property, or both.

3. For a compromise, settlement, or agreement under subdivision 1(ii) above, if the distribution or use, or both, of any money or property, or both, to be received by the Commonwealth is determined by a court order, federal law, or by a federal entity pursuant to federal law (such as a federal asset forfeiture sharing agreement), the Attorney General shall prepare and provide to the Committee a proposed Plan for the distribution and use of any such money or property, or both, that is consistent with such court order, federal law, or regulations or policies of such federal agency. If the permissible purpose(s) for the distribution or use, or both, of such money or property, or both, is described in general terms

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(for example, it must be used for "law enforcement purposes" or for "consumer education"), the Committee may propose a modified Plan with a more particular distribution or use, or both, that falls within such general permissible purpose(s). If a federal entity must approve the final Plan for such distribution or use, or both, and does not approve the Plan submitted to it by the Attorney General, he shall so inform the Committee, and the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall so inform the Committee, and the Committee shall recommend to the General Assembly distribution or use, or both, of such money or property, or both, that is consistent with the Plan approved by the federal entity.

4. The Attorney General shall not enter into any compromise, settlement, or agreement for the distribution of money or property, or both, to be received by the Commonwealth under subdivision 1(i) or 1(ii) unless the compromise, settlement, or agreement provides that such money or property, or both, is to be deposited into the state treasury. No such distribution shall occur without a specific appropriation by the General Assembly that is consistent with the permissible purpose(s) set forth in the court order or federal law or by the federal entity. If a federal entity must approve the final Plan for such distribution or use, or both, and the General Assembly's appropriation in an appropriation act differs from the Plan approved by the federal entity, the appropriation shall be submitted to the federal entity for approval. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller in order to ensure proper accounting on the books of the Commonwealth.

5. The provisions of subdivisions 1 through 4 shall not apply to any negotiation, compromise, settlement, or agreement involving money or property, or both (a) where the distribution and use of such money or property, or both, is governed specifically by this act or by other law of the Commonwealth, (b) in which the total value of such moneys or property does not exceed \$250,000, or (c) in which the entire amount of the settlement is for services provided, or for property sold or provided, under a contract with a governmental entity. The General Assembly hereby appropriates a sum sufficient amount for any settlement or agreement authorized solely by virtue of this subdivision 5."

**Explanation:**

(This amendment clarifies the role of the General Assembly and the office of the Attorney General in future cases involving the OAG in cases which result in funds being returned to the Commonwealth.)

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Item 4-3.01 #1h

**Part 4 - Technical Language Change**

**Deficit Authorization and Treasury Loans**

Deficits

Language

**Language:**

Page 464, line 13, after "mandate", strike "or other legal action".

**Explanation:**

(This amendment eliminates a proposed language change and makes paragraph identical to prior years.)

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Item 4-4.01 #1h

**Part 4 - Capital Procurement Process**

**Capital Projects**

General

Language

**Language:**

Page 472, after line 27, insert:

“z. While the competitive sealed bid process is the preferred method of construction procurement for public bodies, institutions of higher education and state agencies considering the use of Design Build or Construction Management procurement methods for capital projects shall for each project proceed as follows:

1. Institutions of higher education governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, operating under a memorandum of understanding pursuant to § 23-38.90, and those operating under a pilot program under §4-9.02 shall:

- a) Develop a process for determining the selected procurement method which, at a minimum, must consider cost, schedule, complexity, and building use;
- b) Submit the proposed process to the Department of General Services for review and recommendations;
- c) Submit for approval, the project procurement method selected with the Department of General Services recommendations, to the Board of Visitors.

2. All other institutions of higher education and state agencies shall submit procurement method requests to the Director, Department of General Services for review and approval.

3. Processes for considering Construction Management procurement method shall include, among other processes as determined by the owning institution of higher education or state agency, the following requirements:

- a) Cost and project timeline are critical components of the selection process;



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b) Construction Management contract will be initiated no later than the Schematic Phase of design; and,

c) A written justification that sealed bidding is not practicable and/or fiscally advantageous and such written justification shall be stated in the Request for Qualifications used to procure the Construction Management services.

4. All state entities, including institutions of higher education governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, operating under a memorandum of understanding pursuant to § 23-38.90, and those operating under a pilot program under §4-9.02 shall report annually, on November 1<sup>st</sup> of each year, to the Director, Department of General Services on completed capital projects, beginning with those authorized for construction under Chapter 665 of the 2015 Virginia Acts of Assembly, to include at a minimum procurement method, project budget, actual project costs, expected timeline, actual completion time and any post-project issues. The Department of General Services shall consolidate received report data and submit the consolidated data to the Governor and Chairmen of the House Appropriations and Senate Finance Committees no later than December 1<sup>st</sup> of each year.

5. The Auditor of Public Accounts shall, as part of its annual audit plan, determine that institutions of higher education governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, operating under a memorandum of understanding pursuant to § 23-38.90 and those operating under a pilot program under §4-9.02 complied with their internal review process in the selection of procurement method.

6. All state entities, including institutions of higher education governed under Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 675 and 685 of the 2009 Acts of Assembly, operating under a memorandum of understanding pursuant to § 23-38.90 and those operating under a pilot program under §4-9.02 shall post publicly on the Commonwealth's statewide electronic procurement system and program, eVA, the approved projects and approved procurement method at least 30 days prior to advertising for design services."

**Explanation:**

(This amendment provides for improvements to the capital procurement process and selection of procurement methods for capital projects.)

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Item 4-5.01 #1h

**Part 4 - Technical Language Change**

**Special Conditions and Restrictions on Expenditures**

Transactions with Individuals

Language

**Language:**

Page 474, strike lines 1 through 13.

**Explanation:**

(This amendment eliminates a proposed language change and makes paragraph identical to prior years. The proposed language is a companion to House Bill 1022 which was not reported.)

---

Item 4-5.03 #1h

**VT / Carilion Partnership**

**Special Conditions and Restrictions on Expenditures**

Services and Clients

Language

**Language:**

Page 476, after line 41, insert:

4. The General Assembly recognizes the development and achievements of the Virginia Tech/Carilion School of Medicine and the Virginia Tech/Carilion Research Institute over the last several years, with regard to both instructional and research performance. The General Assembly is supportive of the increasing commitment by both Virginia Tech and the Carilion Clinic to the success of these programs, and encourages these two institutions to pursue further developments in their partnership. Therefore, notwithstanding § 4-5.03 c. of the Appropriation Act, if through the efforts of these institutions to further strengthen the partnership, Virginia Tech acquires the Virginia Tech Carilion School of Medicine during the current biennium, the General Assembly approves the creation and establishment of the Virginia Tech/Carilion School of Medicine within the institution pursuant to §23-9.6:1 Code of Virginia. No additional funds are required to implement establishment of the Virginia Tech/Carilion School of Medicine within the institution unless approved by the General Assembly.”

**Explanation:**

(This amendment provides the approval for the establishment of Virginia Tech/Carilion School of Medicine within the Virginia Tech.)

---

Item 4-5.04 #1h

**Participation in All-Payer Claims Database**

**Special Conditions and Restrictions on Expenditures**

Goods and Services

Language

**Language:**

Page 480, after line 24, insert:

"1. MEDICAL SERVICES: Any entity that contracts with the Commonwealth or any department, agency or subdivision thereof to provide individual or group accident and sickness insurance policies or third party administration services to adjust or settle healthcare claims shall execute a standard data submission and use agreement with the nonprofit organization and shall participate in the All-Payer Claims Database on the same basis as the other entities electing to participate as data suppliers to the All-Payer Claims Database."

**Explanation:**

(This amendment requires any health insurance providers that contract with the Commonwealth to participate in the All-Payer Claims Database.)

---

Item 4-5.04 #2h

**Restriction on Funding for Abortion Services**

**Special Conditions and Restrictions on Expenditures**

Goods and Services

Language

**Language:**

Page 480, after line 24, insert:

"1. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except otherwise required by federal law or state statute."

**Explanation:**

(This amendment restores language contained in Chapter 665, 2015 Virginia Acts of Assembly related to funding for abortion services. This language was omitted in the introduced budget.)

---

Item 4-6.01 #1h

**Technical Amendment Adjusting Pay Day for July 1**

**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 491, line 26, after “k.1.” insert “a.”

Page 491, after line 35, insert:

“b. Notwithstanding any other provision of law, state employees will be paid on the first workday of July for the work period June 10 to June 24 in any calendar year in which July 1 falls on a weekend.”

**Explanation:**

(This amendment makes a technical adjustment to ensure that the payroll that would normally be paid on July 1, 2017, the first day of fiscal year 2018, is paid in and charged to fiscal year 2018 as would normally be the case. This amendment is needed because July 1, 2017 is a Saturday.)

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Item 4-6.03 #1h

**Delete Obsolete Language Regarding Employee Benefits**

**Positions and Employment**

Employee Benefits

Language

**Language:**

Page 493, strike lines 46 through 52.

**Explanation:**

(This amendment deletes language included in the budget in 2014 making an exception to VRS retirement return to work provisions if an individual is appointed as an interim president of a higher education institution as a result of there being significant management deficiencies. This language is no longer needed as the issue has been addressed.)

---

Item 4-8.01 #1h

**Part 4 - Technical Language Change**

**Reporting Requirements**

Governor

Language

**Language:**

Page 497, strike lines 11 through 12.

**Explanation:**

(This amendment eliminates proposed new language. A companion amendment provides for additional decentralization which includes this authority.)

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Item 4-9.02 #1h

**Higher Education Autonomy**

**Higher Education Restructuring**

Level II Authority

Language

**Language:**

Page 502, after line 18, insert:

" c. 1. As part of a five-year pilot program, George Mason University and James Madison University are authorized, for a period of five years, to exercise additional financial and administrative authority as set out in each of the three functional areas of information technology, procurement and capital projects as set forth and subject to all the conditions in §§ 2.0, 3.0 and 4.0 of the second enactment of Chapter 824 and 829 of the Acts of Assembly of 2008 except that (i) any effective dates contained in Chapter 824 and 829 of the Acts of Assembly of 2008 are superseded by the provisions of this item, and (ii) the institution is not required to have a signed memorandum of understanding with the Secretary of Administration regarding participation in the nongeneral fund decentralization program as provided in subsection C of § 2.2-1132 in order to be eligible for the additional capital project authority.

2. In addition, each institution shall exercise additional financial and administrative authority over financial operations as follows:

a). **BOARD OF VISITORS ACCOUNTABILITY AND DELEGATION OF AUTHORITY.**  
The Board of Visitors of the University shall at all times be fully and ultimately accountable for the proper fulfillment of the duties and responsibilities set forth in, and for the appropriate implementation of, this Policy. Consistent with this full and ultimate accountability, however, the Board may, pursuant to its legally permissible procedures, specifically delegate either herein or by separate Board resolution the duties and responsibilities set forth in this Policy to a person or persons within the University, who, while continuing to be fully accountable for such duties and responsibilities, may further delegate the implementation of those duties and responsibilities pursuant to the University's usual delegation policies and procedures.

b) **FINANCIAL MANAGEMENT AND REPORTING SYSTEM.**

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized by the Board to maintain existing and implement new policies governing the management of University financial resources. These

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policies shall continue to (i) ensure compliance with Generally Accepted Accounting Principles, (ii) ensure consistency with the current accounting principles employed by the Commonwealth, including the use of fund accounting principles, with regard to the establishment of the underlying accounting records of the University and the allocation and utilization of resources within the accounting system, including the relevant guidance provided by the State Council of Higher Education for Virginia chart of accounts with regard to the allocation and proper use of funds from specific types of fund sources, (iii) provide adequate risk management and internal controls to protect and safeguard all financial resources, including moneys transferred to the University pursuant to a general fund appropriation, and ensure compliance with the requirements of the Appropriation Act.

The financial management system shall continue to include a financial reporting system to satisfy both the requirements for inclusion into the Commonwealth's Comprehensive Annual Financial Report, as specified in the related State Comptroller's Directives, and the University's separately audited financial statements. To ensure observance of limitations and restrictions placed on the use of the resources available to the University, the accounting and bookkeeping system of the University shall continue to be maintained in accordance with the principles prescribed for governmental organizations by the Governmental Accounting Standards Board.

In addition, the financial management system shall continue to provide financial reporting for the President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, and the Board of Visitors to enable them to provide adequate oversight of the financial operations of the University.

**c) FINANCIAL MANAGEMENT POLICIES.**

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall create and implement any and all financial management policies necessary to establish a financial management system with adequate risk management and internal control processes and procedures for the effective protection and management of all University financial resources. Such policies will not address the underlying accounting principles and policies employed by the Commonwealth and the University, but rather will focus on the internal operations of the University's financial management. These policies shall include, but need not be limited to, the development of a tailored set of finance and accounting practices that seek to support the University's specific business and administrative operating environment in order to improve the efficiency and effectiveness of its business and administrative functions. In general, the system of independent financial management policies shall be guided by the general principles contained in the Commonwealth's Accounting Policies and Procedures such as establishing strong risk management and internal accounting controls to ensure University financial resources are properly safeguarded and that appropriate stewardship of public funds is obtained through management's oversight of the effective and efficient use of such funds in the performance of University programs.

The University shall continue to follow the Commonwealth's accounting policies until such

time as specific alternate policies can be developed, approved and implemented. Such alternate policies shall include applicable accountability measures and shall be submitted to the State Comptroller for review and comment before they are implemented by the University.

**d) FINANCIAL RESOURCE RETENTION AND MANAGEMENT.**

The Board of Visitors shall retain the authority to establish tuition, fee, room, board, and other charges, with appropriate commitment provided to need-based grant aid for middle- and lower-income undergraduate Virginians. Except as provided otherwise in the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be exempt from the revenue restrictions in the general provisions of the Appropriation Act related to non-general funds. In addition, unless prohibited by the Appropriation Act, it is the intent of the Commonwealth and the University that the University shall be entitled to retain non-general fund savings generated from changes in Commonwealth rates and charges, including but not limited to health, life, and disability insurance rates, retirement contribution rates, telecommunications charges, and utility rates, rather than reverting such savings back to the Commonwealth. This financial resource policy assists the University by providing the framework for retaining and managing non-general funds, for the receipt of general funds, and for the use and stewardship of all these funds.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to provide oversight of the University's cash management system which is the framework for the retention of non-general funds. The Internal Audit Department of the University shall periodically audit the University's cash management system in accordance with appropriate risk assessment models and make reports to the Audit and Compliance Committee of the Board of Visitors. Additional oversight shall continue to be provided through the annual audit and assessment of internal controls performed by the Auditor of Public Accounts. For the receipt of general and non-general funds, the University shall conform to the Security for Public Deposits Act, Chapter 44 (§ 2.2-4400 et seq.) of Title 2.2 of the Code of Virginia as it currently exists and from time to time may be amended.

**e) ACCOUNTS RECEIVABLE MANAGEMENT AND COLLECTION.**

The President, through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized to create and implement any and all Accounts Receivable Management and Collection policies as part of a system for the management of University financial resources. The policies shall be guided by the requirements of the Virginia Debt Collection Act, Chapter 48 (§ 2.2-4800 et seq.) of the Code of Virginia, such that the University shall take all appropriate and cost effective actions to aggressively collect accounts receivable in a timely manner.

These shall include, but not be limited to, establishing the criteria for granting credit to University customers; establishing the nature and timing of collection procedures within the above general principles; and the independent authority to select and contract with collection agencies and, after consultation with the Office of the Attorney General, private attorneys as

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needed to perform any and all collection activities for all University accounts receivable such as reporting delinquent accounts to credit bureaus, obtaining judgments, garnishments, and liens against such debtors, and other actions. In accordance with sound collection activities, the University shall continue to utilize the Commonwealth's Debt Set-Off Collection Programs, shall develop procedures acceptable to the Tax Commissioner and the State Comptroller to implement such Programs, and shall provide a quarterly summary report of receivables to the Department of Accounts in accordance with the reporting procedures established pursuant to the Virginia Debt Collection Act.

f) DISBURSEMENT MANAGEMENT.

The President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, shall continue to be authorized to create and implement any and all disbursement policies as part of a system for the management of University financial resources. The disbursement management policies shall continue to define the appropriate and reasonable uses of all funds, from whatever source derived, in the execution of the University's operations. These policies also shall continue to address the timing of appropriate and reasonable disbursements consistent with the Prompt Payment Act, and the appropriateness of certain goods or services relative to the University's mission, including travel-related disbursements. Further, the University's disbursement policy shall continue to provide for the mechanisms by which payments are made including the use of charge cards, warrants, and electronic payments.

These disbursement policies shall authorize the President, acting through the Executive Vice President, Chief Operating Officer, or Chief Financial Officer, to independently select, engage, and contract for such consultants, accountants, and financial experts, and other such providers of expert advice and consultation, and, after consultation with the Office of the Attorney General, private attorneys, as may be necessary or desirable in his or her discretion. The policies also shall continue to include the ability to locally manage and administer the Commonwealth's credit card and cost recovery programs related to disbursements, subject to any restrictions contained in the Commonwealth's contracts governing those programs, provided that the University shall submit the credit card and cost recovery aspects of its financial and operations policies to the State Comptroller for review and comment prior to implementing those aspects of those policies. The disbursement policies shall ensure that adequate risk management and internal control procedures shall be maintained over previously decentralized processes for public records, payroll, and non-payroll disbursements. The University shall continue to provide summary quarterly prompt payment reports to the Department of Accounts in accordance with the reporting procedures established pursuant to the Prompt Payment Act.

The University's disbursement policies shall be guided by the principles of the Commonwealth's policies as included in the Commonwealth's Accounting Policy and Procedures Manual. The University shall continue to follow the Commonwealth's disbursement policies until such time as specific alternative policies can be developed, approved and implemented. Such alternate policies shall be submitted to the State



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Comptroller for review and comment prior to their implementation by the University.

**g) INVESTMENT POLICY.**

It is the policy of the University to invest its operating and reserve funds solely in the interest of the University and in a manner that will provide the highest investment return with the maximum security while meeting daily cash flow demands and conforming to the Investment of Public Funds Act (§ 2.2-4500 et seq.) of the Code of Virginia). Investments shall be made with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

Endowment investments shall be invested and managed in accordance with the Uniform Management of Institutional Funds Act, §§ 55-268.1 through 55-268.10, and § 23-76.1 of the Code of Virginia.

The Board of Visitors shall periodically review and approve the investment guidelines governing the University's operating and reserve funds.

3. The Auditor of Public Accounts or his legally authorized representatives shall audit annually the accounts of each institution and shall distribute copies of each annual audit to the Governor and to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance. Pursuant to § 30-133, the Auditor of Public Accounts and his legally authorized representatives shall examine annually the accounts and books of each such institution, but the institution shall not be deemed to be a state or governmental agency, advisory agency, public body, or agency or instrumentality for purposes of Chapter 14 (§ 30-130 et seq.) of Title 30 except for those provisions in such chapter that relate to requirements for financial recordkeeping and bookkeeping. Each such institution shall be subject to periodic external review by the Joint Legislative and Audit Review Commission and such other reviews and audits as shall be required by law."

**Explanation:**

(This amendment provides for a pilot program for George Mason University and James Madison University for additional higher education autonomy opportunity.)

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Item 4-9.04 #1h

**Implement JLARC Recommendations**

**Higher Education Restructuring**

Implement JLARC Recommendations

Language

**Language:**

Page 502, line 45, strike "." and insert ";".

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Page 502, after line 45, insert:

"8. participate in national faculty teaching load assessments by discipline and faculty type.

Page 503, line 10, strike "." and insert ";".

Page 503, after line 10, insert:

"5. include factors such as discipline, faculty rank, cost of living, and regional comparisons in developing faculty salary goals;

6. identify instructional technology best practices that directly or indirectly lower student cost while maintaining or enhancing learning."

**Explanation:**

(This amendment implements recommendations by JLARC to improve higher education productivity.)

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Item 4-14 #1h

**Statewide Tolling Policy**

**Effective Date**

Effective Date

Language

**Language:**

Page 503, after line 48, insert:

**"2. That §§ 33.2-309, 33.2-500, 33.2-503, 46.2-208, 46.2-819.1, 46.2-819.3, 46.2-819.3:1, and 46.2-819.6 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 1 of Title 33.2 a section numbered 33.2-118, by adding in Article 3 of Chapter 2 of Title 33.2 a section numbered 33.2-255.1, and by adding in Article 1 of Chapter 8 of Title 46.2 a section numbered 46.2-819.8 as follows:**

*§ 33.2-118. Limitation on tolling.*

*A. For purposes of this section, "auxiliary lane" means the portion of the roadway adjoining the traveled way for speed change, turning, weaving, truck climbing, or maneuvering of entering and leaving traffic.*

*B. Notwithstanding any other provision of this title, no toll may be imposed or collected on un-tolled lanes or components of a highway, bridge, or tunnel without approval from the General Assembly. However, such prohibition shall not apply to (i) reconstruction with additional lanes of a highway, provided that the number of un-tolled, non-high-occupancy vehicle lanes, excluding auxiliary lanes, after the reconstruction is not less than the number of un-tolled, non-high-occupancy vehicle lanes, excluding auxiliary lanes, prior to such reconstruction; (ii) new construction that is opened to the public as a tolled facility; (iii) new construction that is opened to the public as high-occupancy vehicle lanes or existing high-*

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*occupancy vehicle lanes; (iv) auxiliary lanes; or (v) an existing lane of traffic on a segment of highway between an interchange and an interchange or an interchange and a bridge where the highway has or will have toll lanes on the portions of the highway adjacent to such segment, provided that (a) the number of general purpose lanes after such conversion on the segment is equal to the number of general purpose lanes on the highway adjacent to such segment and (b) the length of such segment does not exceed 10 miles.*

*C. Notwithstanding the provisions of subsection B, prior approval of the General Assembly shall be required prior to the imposition and collection of any toll for use of all or any portion of (i) a non-limited access highway except for a bridge, tunnel, or the approaches to a bridge or tunnel or (ii) Interstate 81.*

*§ 33.2-255.1. Electronic notification of toll violations.*

*For the purpose of electronic notification of unpaid tolls, the Department shall request email addresses and personal cell phone numbers from all holders of an account for an electronic toll collection device that is property of the Commonwealth.*

*The Department shall electronically notify within 108 hours of an unpaid toll a holder of an account for an electronic toll collection device that is property of the Commonwealth of each unpaid toll associated with the account and each unpaid toll for a vehicle whose license plate is associated with an account. The Department shall provide a second electronic notification on the eighth day after the unpaid toll. Such notification requirements shall only apply to accounts where the account holder has provided the Department with an email address or cell phone number. Such notification shall be for informational purposes only and the notice, or lack thereof, shall not alter or amend the requirement that an owner or operator pay all required tolls, fines, penalties, and fees.*

*All toll operators in the Commonwealth shall notify the Department of an unpaid toll on a facility it operates related to an account for an electronic toll collection device that is the property of the Commonwealth within 96 hours of such violation.*

*§ 33.2-309. Tolls for use of Interstate System components.*

~~*A. Notwithstanding any contrary provision of this title Subject to the limitations provided in § 33.2-118 and in accordance with all applicable federal and state statutes and requirements, the Board may impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of any component of the Interstate System within the Commonwealth. However, prior approval of the General Assembly shall be required prior to the imposition and collection of any toll for use of all or any portion of Interstate 81. Prior approval of the General Assembly shall also be required prior to the imposition or collection of any toll for use of Interstate 95 south of Fredericksburg pursuant to the Interstate System Reconstruction or Rehabilitation Pilot Program. Such funds so collected shall be deposited into the Transportation Trust Fund established pursuant to § 33.2-1524, subject to allocation by the Board as provided in this section.*~~

*B. The toll facilities authorized by this section shall be subject to the provisions of federal*

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law for the purpose of tolling motor vehicles to finance interstate construction and reconstruction, promote efficiency in the use of highways, reduce traffic congestion, and improve air quality and for such other purposes as may be permitted by federal law.

C. In order to mitigate traffic congestion in the vicinity of the toll facilities, no toll facility shall be operated without high-speed automated toll collection technology designed to allow motorists to travel through the toll facilities without stopping to make payments. Nothing in this subsection shall be construed to prohibit a toll facility from retaining means of nonautomated toll collection in some lanes of the facility. The Board shall also consider traffic congestion and mitigation thereof and the impact on local traffic movement as factors in determining the location of the toll facilities authorized pursuant to this section.

D. The revenues collected from each toll facility established pursuant to this section shall be deposited into segregated subaccounts in the Transportation Trust Fund and may be allocated by the Board as the Board deems appropriate to:

1. Pay or finance all or part of the costs of programs or projects, including the costs of planning, operation, maintenance, and improvements incurred in connection with the toll facility, provided that such allocations shall be limited to programs and projects that are reasonably related to or benefit the users of the toll facility. The priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Board in making project allocations from such revenues deposited into the Transportation Trust Fund.
2. Repay funds from the Toll Facilities Revolving Account or the Transportation Partnership Opportunity Fund.
3. Pay the Board's reasonable costs and expenses incurred in the administration and management of the toll facility.

§ 33.2-500. Definitions.

As used in this chapter, unless the context requires a different meaning:

"High-occupancy requirement" means the number of persons required to be traveling in a vehicle for the vehicle to use HOT lanes without the payment of a toll. Emergency vehicles, law-enforcement vehicles being used in HOT lanes in the performance of law-enforcement duties, which shall not include the use of such vehicles for commuting to and from the workplace or for any purpose other than responding to an emergency incident, patrolling HOT lanes pursuant to an agreement by a state agency with the HOT lanes operator, or the time-sensitive investigation, active surveillance, or actual pursuit of persons known or suspected to be engaged in or with knowledge of criminal activity, and mass transit vehicles and commuter buses shall meet the high-occupancy requirement for HOT lanes, regardless of the number of occupants in the vehicle.

"High-occupancy toll lanes" or "HOT lanes" means a *highway or* portion of a highway containing one or more travel lanes separated from other lanes that has an electronic toll collection system, provides for free passage by vehicles that meet the high-occupancy requirement, *including mass transit vehicles and commuter buses*, and contains a photo-

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enforcement system for use in such electronic toll collection. HOT lanes shall not be a "toll facility" or "HOV lanes" for the purposes of any other provision of law or regulation.

"High-occupancy vehicle lanes" or "HOV lanes" means a *highway or* portion of a highway containing one or more travel lanes for the travel of high-occupancy vehicles or buses as designated pursuant to § 33.2-501.

"HOT lanes operator" means the operator of the facility containing HOT lanes, which may include the Department of Transportation or some other entity.

"Mass transit vehicles" and "commuter buses" means vehicles providing a scheduled transportation service to the general public. Such vehicles shall comprise nonprofit, publicly or privately owned or operated transportation services, programs, or systems that may be funded pursuant to § 58.1-638.

"Owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles or with the equivalent agency in another state. "Owner" does not mean a vehicle rental or vehicle leasing company.

"Photo-enforcement system" means a sensor installed in conjunction with a toll collection device to detect the presence of a vehicle that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle's license plate at the time it is detected by the toll collection device.

"Unauthorized vehicle" means a motor vehicle that is restricted from use of the HOT lanes pursuant to subdivision 4 a of § 33.2-503 *or does not meet the high-occupancy requirement and indicates with its electronic toll collection device that it meets the applicable high-occupancy requirements.*

§ 33.2-503. HOT lanes enforcement.

Any person operating a motor vehicle on designated HOT lanes shall make arrangements with the HOT lanes operator for payment of the required toll prior to entering such HOT lanes. The driver of a vehicle who enters the HOT lanes in an unauthorized vehicle, in violation of the conditions for use of such HOT lanes established pursuant to § 33.2-502, without payment of the required toll or without having made arrangements with the HOT lanes operator for payment of the required toll shall have committed a violation of this section, which may be enforced in the following manner:

1. On a form prescribed by the Supreme Court, a summons for civil violation of this section may be executed by a law-enforcement officer, when such violation is observed by such officer. The form shall contain the option for the driver of the vehicle to prepay the unpaid toll and all penalties, administrative fees, and costs.

2. a. A HOT lanes operator shall install and operate, or cause to be installed or operated, a photo-enforcement system at locations where tolls are collected for the use of such HOT lanes.

b. A summons for civil violation of this section may be executed pursuant to this subdivision, when such violation is evidenced by information obtained from a photo-enforcement system as defined in this chapter. A certificate, sworn to or affirmed by a technician employed or authorized by the HOT lanes operator, or a facsimile of such a certificate, based on inspection of photographs, microphotographs, videotapes, or other recorded images produced

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by a photo-enforcement system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation under this subdivision. Any vehicle rental or vehicle leasing company, if named in a summons, shall be released as a party to the action if it provides to the HOT lanes operator a copy of the vehicle rental agreement or lease or an affidavit identifying the renter or lessee prior to the date of hearing set forth in the summons. Upon receipt of such rental agreement, lease, or affidavit, a summons shall be issued for the renter or lessee identified therein. Release of this information shall not be deemed a violation of any provision of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) or the Insurance Information and Privacy Protection Act (§ 38.2-600 et seq.).

c. On a form prescribed by the Supreme Court, a summons issued under this subdivision may be executed ~~pursuant to~~ *as provided in* § 19.2-76.2. Such form shall contain the option for the driver or registered owner to prepay the unpaid toll and all penalties, administrative fees, and costs. HOT lanes operator personnel or their agents mailing such summons shall be considered conservators of the peace for the sole and limited purpose of mailing such summons. Notwithstanding the provisions of § 19.2-76, a summons for a violation of this section may be executed by mailing by first-class mail a copy thereof to the address of the owner of the vehicle as shown on the records of the Department of Motor Vehicles or, if the registered owner has named and provided a valid address for the operator of the vehicle at the time of the violation in an affidavit executed pursuant to this subdivision, such named operator of the vehicle. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3.

d. The registered owner of such vehicle shall be given reasonable notice by way of a summons as provided in this subdivision that his vehicle had been used in violation of this section, and such owner shall be given notice of the time and place of the hearing and notice of the civil penalty and costs for such offense.

Upon the filing of an affidavit with the court at least 14 days prior to the hearing date by the registered owner of the vehicle stating that he was not the driver of the vehicle on the date of the violation and providing the legal name and address of the driver of the vehicle at the time of the violation, a summons will also be issued to the alleged driver of the vehicle at the time of the offense. The affidavit shall constitute prima facie evidence that the person named in the affidavit was driving the vehicle at all the relevant times relating to the matter named in the affidavit.

If the registered owner of the vehicle produces a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged offense and remained stolen at the time of the alleged offense, then the court shall dismiss the summons issued to the registered owner of the vehicle.

3. a. The HOT lanes operator may impose and collect an administrative fee in addition to the unpaid toll so as to recover the expenses of collecting the unpaid toll, which administrative fee shall be reasonably related to the actual cost of collecting the unpaid toll and not exceed \$100 per violation. The operator of the vehicle shall pay the unpaid tolls and any

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administrative fee detailed in a notice or invoice issued by a HOT lanes operator. If paid within ~~30~~ 60 days of notification, the administrative fee shall not exceed \$25.

b. Upon a finding by a court of competent jurisdiction that the driver of the vehicle observed by a law-enforcement officer under subdivision 1 or the vehicle described in the summons for civil violation issued pursuant to evidence obtained by a photo-enforcement system under subdivision 2 was in violation of this section, the court shall impose a civil penalty upon the driver of such vehicle issued a summons under subdivision 1, or upon the driver or registered owner of such vehicle issued a summons under subdivision 2, payable to the HOT lanes operator as follows: for a first offense, \$50; for a second offense, ~~\$250~~ \$100; for a third offense within a period of two years of the second offense, ~~\$500~~ \$250; and for a fourth and subsequent offense within a period of three years of the second offense, ~~\$1,000~~ \$500, together with, in each case, the unpaid toll, all accrued administrative fees imposed by the HOT lanes operator as authorized by this section, and applicable court costs. The court shall remand penalties, the unpaid toll, and administrative fees assessed for violation of this section to the treasurer or director of finance of the county or city in which the violation occurred for payment to the HOT lanes operator for expenses associated with operation of the HOT lanes and payments against any bonds or other liens issued as a result of the construction of the HOT lanes. No person shall be subject to prosecution under both subdivisions 1 and 2 for actions arising out of the same transaction or occurrence.

c. *Notwithstanding subdivisions a and b, for a first conviction of a driver or registered owner of a vehicle under this section the total amount for the first conviction shall not exceed \$2,200, including civil penalties and administrative fees regardless of the total number of offenses the driver or registered owner of a vehicle is convicted of on that date.*

d. Upon a finding by a court that a person has violated this section, in the event such person fails to pay the required penalties, fees, and costs, the court shall notify the Commissioner of the Department of Motor Vehicles, who shall suspend all of the registration certificates and license plates issued for any motor vehicles registered solely in the name of such person and shall not issue any registration certificate or license plate for any other vehicle that such person seeks to register solely in his name until the court has notified the Commissioner of the Department of Motor Vehicles that such penalties, fees, and costs have been paid. The HOT lanes operator and the Commissioner of the Department of Motor Vehicles may enter into an agreement whereby the HOT lanes operator may reimburse the Department of Motor Vehicles for its reasonable costs to develop, implement, and maintain this enforcement mechanism, and that specifies that the Commissioner of the Department of Motor Vehicles shall have an obligation to suspend such registration certificates so long as the HOT lanes operator makes the required reimbursements in a timely manner in accordance with the agreement.

~~d.~~e. Except as provided in subdivisions 4 and 5, imposition of a civil penalty pursuant to this section shall not be deemed a conviction as an operator of a motor vehicle under Title 46.2 and shall not be made part of the driving record of the person upon whom such civil penalty is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

4. a. The HOT lanes operator may restrict the usage of the HOT lanes to designated vehicle

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classifications pursuant to an interim or final comprehensive agreement executed pursuant to § 33.2-1808 or 33.2-1809. Notice of any such vehicle classification restrictions shall be provided through the placement of signs or other markers prior to and at all HOT lanes entrances.

b. Any person driving an unauthorized vehicle on the designated HOT lanes is guilty of a traffic infraction, which shall not be a moving violation, and shall be punishable as follows: for a first offense, by a fine of \$125; for a second offense within a period of five years from a first offense, by a fine of \$250; for a third offense within a period of five years from a first offense, by a fine of \$500; and for a fourth and subsequent offense within a period of five years from a first offense, by a fine of \$1,000. *No person shall be subject to prosecution under both this subdivision and subdivision 1 or 2 for actions arising out of the same transaction or occurrence.*

Upon a conviction under this subdivision, the court shall furnish to the Commissioner of the Department of Motor Vehicles, in accordance with § 46.2-383, an abstract of the record of such conviction, which shall become a part of the person's driving record. Notwithstanding the provisions of § 46.2-492, no driver demerit points shall be assessed for any violation of this subdivision, except that persons convicted of a second, third, fourth, or subsequent violation within five years of a first offense shall be assessed three demerit points for each such violation.

5. The driver of a vehicle who enters the HOT lanes by crossing through any barrier, buffer, or other area separating the HOT lanes from other lanes of travel is guilty of a violation of § 46.2-852, unless the vehicle is a state or local law-enforcement vehicle, firefighting truck, or emergency medical services vehicle used in the performance of its official duties. No person shall be subject to prosecution both under this subdivision and under subdivision 1, 2, or 4 for actions arising out of the same transaction or occurrence.

Upon a conviction under this subdivision, the court shall furnish to the Commissioner of the Department of Motor Vehicles in accordance with § 46.2-383 an abstract of the record of such conviction, which shall become a part of the convicted person's driving record.

6. No person shall be subject to prosecution both under this section and under § 33.2-501, 46.2-819, or 46.2-819.1 for actions arising out of the same transaction or occurrence.

7. Any action under this section shall be brought in the general district court of the county or city in which the violation occurred.

§ 46.2-208. Records of Department; when open for inspection; release of privileged information.

A. All records in the office of the Department containing the specific classes of information outlined below shall be considered privileged records:

1. Personal information, including all data defined as "personal information" in § 2.2-3801;
2. Driver information, including all data that relates to driver's license status and driver activity; and
3. Vehicle information, including all descriptive vehicle data and title, registration, and vehicle activity data.



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- B. The Commissioner shall release such information only under the following conditions:
1. Notwithstanding other provisions of this section, medical data included in personal data shall be released only to a physician, physician assistant, or nurse practitioner as provided in § 46.2-322.
  2. Insurance data may be released as specified in §§ 46.2-372, 46.2-380, and 46.2-706.
  3. Notwithstanding other provisions of this section, information disclosed or furnished shall be assessed a fee as specified in § 46.2-214.
  4. When the person requesting the information is (i) the subject of the information, (ii) the parent or guardian of the subject of the information, (iii) the authorized representative of the subject of the information, or (iv) the owner of the vehicle that is the subject of the information, the Commissioner shall provide him with the requested information and a complete explanation of it. Requests for such information need not be made in writing or in person and may be made orally or by telephone, provided that the Department is satisfied that there is adequate verification of the requester's identity. When so requested in writing by (a) the subject of the information, (b) the parent or guardian of the subject of the information, (c) the authorized representative of the subject of the information, or (d) the owner of the vehicle that is the subject of the information, the Commissioner shall verify and, if necessary, correct the personal information provided and furnish driver and vehicle information in the form of an abstract of the record.
  5. On the written request of any insurance carrier, surety, or representative of an insurance carrier or surety, the Commissioner shall furnish such insurance carrier, surety, or representative an abstract of the record of any person subject to the provisions of this title. The abstract shall include any record of any conviction of a violation of any provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in which he was involved and a report of which is required by § 46.2-372. No such report of any conviction or accident shall be made after 60 months from the date of the conviction or accident unless the Commissioner or court used the conviction or accident as a reason for the suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension and any conviction or accident pertaining thereto shall not be reported after 60 months from the date that the driver's license or driving privilege has been reinstated. This abstract shall not be admissible in evidence in any court proceedings.
  6. On the written request of any business organization or its agent, in the conduct of its business, the Commissioner shall compare personal information supplied by the business organization or agent with that contained in the Department's records and, when the information supplied by the business organization or agent is different from that contained in the Department's records, provide the business organization or agent with correct information as contained in the Department's records. Personal information provided under this subdivision shall be used solely for the purpose of pursuing remedies that require locating an individual.
  7. The Commissioner shall provide vehicle information to any business organization or agent on such business' or agent's written request. Disclosures made under this subdivision shall not include any personal information and shall not be subject to the limitations contained in subdivision 6.

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8. On the written request of any motor vehicle rental or leasing company or its designated agent, the Commissioner shall (i) compare personal information supplied by the company or agent with that contained in the Department's records and, when the information supplied by the company or agent is different from that contained in the Department's records, provide the company or agent with correct information as contained in the Department's records and (ii) provide the company or agent with driver information in the form of an abstract of any person subject to the provisions of this title. Such abstract shall include any record of any conviction of a violation of any provision of any statute or ordinance relating to the operation or ownership of a motor vehicle or of any injury or damage in which the subject of the abstract was involved and a report of which is required by § 46.2-372. No such abstract shall include any record of any conviction or accident more than 60 months after the date of such conviction or accident unless the Commissioner or court used the conviction or accident as a reason for the suspension or revocation of a driver's license or driving privilege, in which case the revocation or suspension and any conviction or accident pertaining thereto shall cease to be included in such abstract after 60 months from the date on which the driver's license or driving privilege was reinstated. No abstract released under this subdivision shall be admissible in evidence in any court proceedings.

9. On the request of any federal, state, or local governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, the Commissioner shall (i) compare personal information supplied by the governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, with that contained in the Department's records and, when the information supplied by the governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, is different from that contained in the Department's records, provide the governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, with correct information as contained in the Department's records and (ii) provide driver and vehicle information in the form of an abstract of the record showing all convictions, accidents, driver's license suspensions or revocations, and other appropriate information as the governmental entity, local government group self-insurance pool, law-enforcement officer, attorney for the Commonwealth, court, or the authorized agent of any of the foregoing, may require in order to carry out its official functions. The abstract shall be provided free of charge.

10. On request of the driver licensing authority in any other state or foreign country, the Commissioner shall provide whatever classes of information the requesting authority shall require in order to carry out its official functions. The information shall be provided free of charge.

11. On the written request of any employer, prospective employer, or authorized agent of either, and with the written consent of the individual concerned, the Commissioner shall (i) compare personal information supplied by the employer, prospective employer, or agent with that contained in the Department's records and, when the information supplied by the

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employer, prospective employer, or agent is different from that contained in the Department's records, provide the employer, prospective employer, or agent with correct information as contained in the Department's records and (ii) provide the employer, prospective employer, or agent with driver information in the form of an abstract of an individual's record showing all convictions, accidents, driver's license suspensions or revocations, and any type of driver's license that the individual currently possesses, provided that the individual's position or the position that the individual is being considered for involves the operation of a motor vehicle.

12. On the written request of any member of or applicant for membership in a volunteer fire company or any volunteer emergency medical services personnel or applicant to serve as volunteer emergency medical services personnel, the Commissioner shall (i) compare personal information supplied by the volunteer fire company or volunteer emergency medical services agency with that contained in the Department's records and, when the information supplied by the volunteer fire company or volunteer emergency medical services agency is different from that contained in the Department's records, provide the volunteer fire company or volunteer emergency medical services agency with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the member's, personnel, or applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided free of charge if the request is accompanied by appropriate written evidence that the person is a member of or applicant for membership in a volunteer fire company or a volunteer emergency medical services agency to serve as a member of a volunteer emergency medical services agency and the abstract is needed by a volunteer fire company or volunteer emergency medical services agency to establish the qualifications of the member, volunteer, or applicant to operate equipment owned by the volunteer fire company or volunteer emergency medical services agency.

13. On the written request of any person who has applied to be a volunteer with a Virginia affiliate of Big Brothers/Big Sisters of America, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of Big Brothers/Big Sisters of America with that contained in the Department's records and, when the information supplied by a Virginia affiliate of Big Brothers/Big Sisters of America is different from that contained in the Department's records, provide the Virginia affiliate of Big Brothers/Big Sisters of America with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with a Virginia affiliate of Big Brothers/Big Sisters of America.

14. On the written request of any person who has applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153, the Commissioner shall provide an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such

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abstract shall be provided free of charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with a court-appointed special advocate program pursuant to § 9.1-153.

15. Upon the request of any employer, prospective employer, or authorized representative of either, the Commissioner shall (i) compare personal information supplied by the employer, prospective employer, or agent with that contained in the Department's records and, when the information supplied by the employer, prospective employer, or agent is different from that contained in the Department's records, provide the employer, prospective employer, or agent with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the driving record of any individual who has been issued a commercial driver's license, provided that the individual's position or the position that the individual is being considered for involves the operation of a commercial motor vehicle. Such abstract shall show all convictions, accidents, license suspensions, revocations, or disqualifications, and any type of driver's license that the individual currently possesses.

16. Upon the receipt of a completed application and payment of applicable processing fees, the Commissioner may enter into an agreement with any governmental authority or business to exchange information specified in this section by electronic or other means.

17. Upon the request of an attorney representing a person in a motor vehicle accident, the Commissioner shall provide vehicle information, including the owner's name and address, to the attorney.

18. Upon the request, in the course of business, of any authorized representative of an insurance company or of any not-for-profit entity organized to prevent and detect insurance fraud, or perform rating and underwriting activities, the Commissioner shall provide to such person (i) all vehicle information, including the owner's name and address, descriptive data and title, registration, and vehicle activity data as requested or (ii) all driver information including name, license number and classification, date of birth, and address information for each driver under the age of 22 licensed in the Commonwealth of Virginia meeting the request criteria designated by such person, with such request criteria consisting of driver's license number or address information. No such information shall be used for solicitation of sales, marketing, or other commercial purposes.

19. Upon the request of an officer authorized to issue criminal warrants, for the purpose of issuing a warrant for arrest for unlawful disposal of trash or refuse in violation of § 33.2-802 the Commissioner shall provide vehicle information, including the owner's name and address.

20. Upon written request of the compliance agent of a private security services business, as defined in § 9.1-138, which is licensed by the Department of Criminal Justice Services, the Commissioner shall provide the name and address of the owner of the vehicle under procedures determined by the Commissioner.

21. Upon the request of the operator of a toll facility or traffic light photo-monitoring system acting on behalf of a government entity, or of the Dulles Access Highway, or an authorized agent or employee of a toll facility operator or traffic light photo-monitoring system operator acting on behalf of a government entity or the Dulles Access Highway, for the purpose of obtaining vehicle owner data under subsection ~~E~~ M of § 46.2-819.1 or subsection H of §15.2-

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968.1 or subsection N of § 46.2-819.5. Information released pursuant to this subdivision shall be limited to the name and address of the registered owner of the vehicle having failed to pay a toll or having failed to comply with a traffic light signal or having improperly used the Dulles Access Highway and the vehicle information, including all descriptive vehicle data and title and registration data of the same vehicle.

22. On the written request of any person who has applied to be a volunteer with a Virginia affiliate of Compeer, the Commissioner shall (i) compare personal information supplied by a Virginia affiliate of Compeer with that contained in the Department's records and, when the information supplied by a Virginia affiliate of Compeer is different from that contained in the Department's records, provide the Virginia affiliate of Compeer with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with a Virginia affiliate of Compeer.

23. Upon the request of the Department of Environmental Quality for the purpose of obtaining vehicle owner data in connection with enforcement actions involving on-road testing of motor vehicles, pursuant to § 46.2-1178.1.

24. On the written request of any person who has applied to be a volunteer vehicle operator with a Virginia chapter of the American Red Cross, the Commissioner shall (i) compare personal information supplied by a Virginia chapter of the American Red Cross with that contained in the Department's records and, when the information supplied by a Virginia chapter of the American Red Cross is different from that contained in the Department's records, provide the Virginia chapter of the American Red Cross with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of the American Red Cross.

25. On the written request of any person who has applied to be a volunteer vehicle operator with a Virginia chapter of the Civil Air Patrol, the Commissioner shall (i) compare personal information supplied by a Virginia chapter of the Civil Air Patrol with that contained in the Department's records and, when the information supplied by a Virginia chapter of the Civil Air Patrol is different from that contained in the Department's records, provide the Virginia chapter of the Civil Air Patrol with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with a Virginia chapter of the Civil Air Patrol.

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26. On the written request of any person who has applied to be a volunteer vehicle operator with Faith in Action, the Commissioner shall (i) compare personal information supplied by Faith in Action with that contained in the Department's records and, when the information supplied by Faith in Action is different from that contained in the Department's records, provide Faith in Action with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer vehicle operator with Faith in Action.

27. On the written request of the surviving spouse or child of a deceased person or the executor or administrator of a deceased person's estate, the Department shall, if the deceased person had been issued a driver's license or special identification card by the Department, supply the requestor with a hard copy image of any photograph of the deceased person kept in the Department's records.

28. On the written request of any person who has applied to be a volunteer with a Virginia Council of the Girl Scouts of the USA, the Commissioner shall (i) compare personal information supplied by a Virginia Council of the Girl Scouts of the USA with that contained in the Department's records and, when the information supplied by a Virginia Council of the Girl Scouts of the USA is different from that contained in the Department's records, provide a Virginia Council of the Girl Scouts of the USA with correct information as contained in the Department's records and (ii) provide driver information in the form of an abstract of the applicant's record showing all convictions, accidents, license suspensions or revocations, and any type of driver's license that the individual currently possesses. Such abstract shall be provided at a fee that is one-half the normal charge if the request is accompanied by appropriate written evidence that the person has applied to be a volunteer with the Virginia Council of the Girl Scouts of the USA.

C. Whenever the Commissioner issues an order to suspend or revoke the driver's license or driving privilege of any individual, he may notify the National Driver Register Service operated by the ~~United States~~ U.S. Department of Transportation and any similar national driver information system and provide whatever classes of information the authority may require.

D. Accident reports may be inspected under the provisions of §§ 46.2-379 and 46.2-380.

E. Whenever the Commissioner takes any licensing action pursuant to the provisions of the Virginia Commercial Driver's License Act (§ 46.2-341.1 et seq.), he may provide information to the Commercial Driver License Information System, or any similar national commercial driver information system, regarding such action.

F. In addition to the foregoing provisions of this section, vehicle information may also be inspected under the provisions of §§ 46.2-633, 46.2-644.02, 46.2-644.03, and §§ 46.2-1200.1

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through 46.2-1237.

G. The Department may promulgate regulations to govern the means by which personal, vehicle, and driver information is requested and disseminated.

H. Driving records of any person accused of an offense involving the operation of a motor vehicle shall be provided by the Commissioner upon request to any person acting as counsel for the accused. If such counsel is from the public defender's office or has been appointed by the court, such records shall be provided free of charge.

I. The Department shall maintain the records of persons convicted of violations of § 18.2-36.2, subsection B of §29.1-738, and §§ 29.1-738.02, 29.1-738.2, and 29.1-738.4 which shall be forwarded by every general district court or circuit court or the clerk thereof, pursuant to § 46.2-383. Such records shall be electronically available to any law-enforcement officer as provided for under clause (ii) of subdivision B 9.

J. Whenever the Commissioner issues a certificate of title for a motor vehicle, he may notify the National Motor Vehicle Title Information System, or any other nationally recognized system providing similar information, or any entity contracted to collect information for such system, and may provide whatever classes of information are required by such system.

§ 46.2-819.1. Installation and use of photo-monitoring system or automatic vehicle identification system in conjunction with electronic or manual toll facilities; penalty.

A. *For purposes of this section:*

*"Automatic vehicle identification device" means an electronic device that communicates by wireless transmission with an automatic vehicle identification system.*

*"Automatic vehicle identification system" means an electronic vehicle identification system installed to work in conjunction with a toll collection device that automatically produces an electronic record of each vehicle equipped with an automatic vehicle identification device that uses a toll facility.*

*"Operator of a toll facility other than the Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility.*

*"Owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles. For purposes of this section, "owner" does not mean a vehicle rental or vehicle leasing company.*

*"Photo-monitoring system" means a vehicle sensor installed to work in conjunction with a toll collection device that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle at the time it is used or operated in violation of this section.*

B. The operator of any toll facility or the locality within which such toll facility is located may install and operate or cause to be installed and operated a photo-monitoring system or automatic vehicle identification system, or both, at locations where tolls are collected for the

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use of such toll facility. The operator of a toll facility shall send an invoice or bill for unpaid tolls to the registered owner of a vehicle as part of an electronic or manual toll collection process, prior to seeking remedies under this section.

~~B.~~C. Information collected by a photo-monitoring system or automatic vehicle identification system installed and operated pursuant to subsection ~~A~~ B shall be limited exclusively to that information that is necessary for the collection of unpaid tolls. Notwithstanding any other provision of law, all photographs, microphotographs, electronic images, or other data collected by a photo-monitoring system or automatic vehicle identification system shall be used exclusively for the collection of unpaid tolls and shall not (i) be open to the public; (ii) be sold and/or used for sales, solicitation, or marketing purposes; (iii) be disclosed to any other entity except as may be necessary for the collection of unpaid tolls or to a vehicle owner or operator as part of a challenge to the imposition of a toll; and (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of this section or upon order from a court of competent jurisdiction. Information collected under this section shall be purged and not retained later than 30 days after the collection and reconciliation of any unpaid tolls, administrative fees, and/or civil penalties. Any entity operating a photo-monitoring system or automatic vehicle identification system shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or their designee. Any violation of this subsection shall constitute a Class 1 misdemeanor. In addition to any fines or other penalties provided for by law, any money or other thing of value obtained as a result of a violation of this section shall be forfeited to the Commonwealth.

The toll facility operator may impose and collect an administrative fee in addition to the unpaid toll so as to recover the expenses of collecting the unpaid toll, which administrative fee shall be reasonably related to the actual cost of collecting the unpaid toll and not exceed \$100 per violation. Such fee may be levied upon the operator of the vehicle after the first unpaid toll has been documented. The operator of the vehicle shall pay the unpaid toll and any administrative fee detailed in an invoice for the unpaid toll issued by a toll facility operator. If paid within ~~30~~ 60 days of notification, the administrative fee shall not exceed \$25.

~~C.~~D. If the matter proceeds to court, the registered owner or operator of a vehicle shall be liable for a civil penalty as follows: for a first offense, \$50; for a second offense within one year from the first offense, \$100; for a third offense within two years from the second offense, \$250; and for a fourth and any subsequent offense within three years from the second offense, \$500 plus, in each case, the unpaid toll, all accrued administrative fees imposed by the toll facility operator, and applicable court costs if the vehicle is found, as evidenced by information obtained from a photo-monitoring system or automatic vehicle identification system as provided in this section, to have used such a toll facility without payment of the required toll.

*E. Notwithstanding subsections C and D, for a first conviction of a driver or registered*



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*owner of a vehicle under this section the total amount for the first conviction shall not exceed \$2,200, including civil penalties and administrative fees regardless of the total number of offenses the driver or registered owner of a vehicle is convicted of on that date.*

~~D-F.~~ Any action under this section shall be brought in the ~~General District Court~~ *general district court* of the ~~city or county or city~~ *city or county or city* in which the toll facility is located. Such action shall be considered a traffic infraction but shall be tried as a civil case. The attorney for the Commonwealth may represent the interests of the toll facility operator. Any authorized agent or employee of a toll facility operator acting on behalf of a governmental entity shall be allowed the privileges accorded by § 16.1-88.03 in such cases.

~~E-G.~~ Proof of a violation of this section shall be evidenced by information obtained from a photo-monitoring system or automatic vehicle identification system as provided in this section. A certificate, sworn to or affirmed by a technician employed or authorized by the operator of a toll facility or by the locality wherein the toll facility is located, or a facsimile of such a certificate, based on inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo-monitoring system, or of electronic data collected by an automatic vehicle identification system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images or electronic data evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation under this section. A record of communication by an automatic vehicle identification device with the automatic vehicle identification system at the time of a violation of this section shall be prima facie evidence that the automatic vehicle identification device was located in the vehicle registered to use such device in the records of the ~~Virginia~~ Department of Transportation.

~~F-H.~~ It shall be prima facie evidence that the vehicle described in the summons issued pursuant to subsection ~~K L~~ was operated in violation of this section.

Upon a finding by a court of competent jurisdiction that the vehicle described in the summons issued pursuant to subsection ~~K L~~ was in violation of this section, the court shall impose a civil penalty upon the registered owner or operator of such vehicle in accordance with the amounts specified in subsection ~~C D~~, together with applicable court costs, the operator's administrative fee and the toll due. Penalties assessed as the result of action initiated by the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court which adjudicated the action to the ~~Virginia~~ Department of Transportation's Toll Facilities Revolving Account. Penalties assessed as the result of action initiated by an operator of a toll facility other than the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court which adjudicated the action to the treasurer or director of finance of the county or city in which the violation occurred for payment to the toll facility operator.

The registered owner of such vehicle shall be given reasonable notice by way of a summons as provided in subsection ~~K L~~ that his vehicle had been used in violation of this section and such owner shall be given notice of the time and place of the hearing as well as the civil

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penalty and costs for such offense. The toll facility operator may offer to the owner an option to pay the unpaid toll and fees plus a reduced civil penalty of \$25 for a first or second offense or \$50 for a third, fourth, or subsequent offense, as specified on the summons, provided the owner actually pays to the toll facility operator the entire amount so calculated at least 14 days prior to the hearing date specified on the summons. If the owner accepts such offer and such amount is actually received by the toll facility operator at least 14 days prior to the hearing date specified on the summons, the toll facility operator shall move the court at least five business days prior to the date set for trial to dismiss the summons issued to the registered owner of the vehicle, and the court shall dismiss upon such motion.

Upon either (i) the filing of an affidavit with the toll facility operator within 14 days of receipt of an invoice for an unpaid toll from the toll facility operator or (ii) the filing of an affidavit with the court at least 14 days prior to the hearing date by the registered owner of the vehicle stating that he was not the ~~driver~~ operator of the vehicle on the date of the violation and providing the legal name and address of the operator of the vehicle at the time of the violation, an invoice and/or summons, as appropriate, will also be issued to the alleged operator of the vehicle at the time of the offense.

In any action against a vehicle operator, an affidavit made by the registered owner providing the name and address of the vehicle operator at the time of the violation shall constitute prima facie evidence that the person named in the affidavit was operating the vehicle at all the relevant times relating to the matter named in the affidavit.

If the registered owner of the vehicle produces for the toll facility operator or the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged offense and remained stolen at the time of the alleged offense, then the toll facility operator shall not pursue the owner for the unpaid toll and, if a summons has been issued, the court shall dismiss the summons issued to the registered owner of the vehicle.

~~G-I.~~ Upon a finding by a court that a person has two or more unpaid tolls and such person fails to pay the required penalties, fees, and unpaid tolls, the court shall notify the Commissioner of the Department of Motor Vehicles, who shall refuse to issue or renew any vehicle registration certificate of any applicant or the license plate issued for the vehicle driven in the commission of the offense until the court has notified the Commissioner that such penalties, fees, and unpaid tolls have been paid. If it is proven that the vehicle owner was not the operator at the time of the offense and upon a finding by a court that the person identified in an affidavit pursuant to subsection ~~F H~~ as the operator violated this section and such person fails to pay the required penalties, fees, and unpaid tolls, the court shall notify the Commissioner, who shall refuse to issue or renew any vehicle registration certificate of any applicant or the license plate issued for any vehicle owned or co-owned by such person until the court has notified the Commissioner that such penalties, fees, and unpaid tolls have been paid. Such funds representing payment of unpaid tolls and all administrative fees of the toll facility operator shall be transferred from the court to the ~~Virginia~~ Department of Transportation's Toll Facilities Revolving Account or, in the case of an action initiated by an operator of a toll facility other than the ~~Virginia~~ Department of Transportation, to the

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treasurer or director of finance of the county or city in which the violation occurred for payment to the toll facility operator. The Commissioner shall collect a \$40 administrative fee from the registered owner or operator of the vehicle to defray the cost of processing and removing an order to deny registration or registration renewal.

~~H. For purposes of this section, "operator of a toll facility other than the Virginia Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility; "owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles. For purposes of this section, "owner" does not mean a vehicle rental or vehicle leasing company; "photo-monitoring system" means a vehicle sensor installed to work in conjunction with a toll collection device that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle at the time it is used or operated in violation of this section; "automatic vehicle identification system" means an electronic vehicle identification system installed to work in conjunction with a toll collection device that automatically produces an electronic record of each vehicle equipped with an automatic vehicle identification device that uses a toll facility; and "automatic vehicle identification device" means an electronic device that communicates by wireless transmission with an automatic vehicle identification system.~~

~~I. J. Any vehicle rental or vehicle leasing company, if it receives an invoice or is named in a summons, shall be released as a party to the action if it provides the operator of the toll facility a copy of the vehicle rental agreement or lease or an affidavit identifying the renter or lessee within 30 days of receipt of the invoice or at least 14 days prior to the date of hearing set forth in the summons. Upon receipt of such rental agreement, lease, or affidavit, a notice shall be mailed to the renter or lessee identified therein. Release of this information shall not be deemed a violation of any provision of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) or the Insurance Information and Privacy Protection Act (§ 38.2-600 et seq.). The toll facility operator shall allow at least 30 days from the date of such mailing before pursuing other remedies under this section. In any action against the vehicle operator, a copy of the vehicle rental agreement, lease, or affidavit identifying the renter or lessee of the vehicle at the time of the violation is prima facie evidence that the person named in the rental agreement, lease, or affidavit was operating the vehicle at all the relevant times relating to the matter named in the summons.~~

~~J. K. Imposition of a civil penalty pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the driving record of the person upon whom such civil penalty is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. The provisions of § 46.2-395 shall not be applicable to any civil penalty, fee, unpaid toll, fine or cost imposed or ordered paid under this section for a violation of this section.~~

~~K. L. On a form prescribed by the Supreme Court, a summons for a violation of this section~~

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may be executed pursuant to *as provided in § 19.2-76.2*. Toll facility personnel or their agents mailing such summons shall be considered conservators of the peace for the sole and limited purpose of mailing such summons. Notwithstanding the provisions of § 19.2-76, a summons for a violation of this section may be executed by mailing by first-class mail a copy thereof to the address of the owner of the vehicle as shown on the records of the Department of Motor Vehicles or, if the registered owner has named and provided a valid address for the operator of the vehicle at the time of the violation in an affidavit executed pursuant to subsection ~~F~~ *H*, such named operator of the vehicle. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3.

~~L-M~~. The operator of a toll facility may enter into an agreement with the Department of Motor Vehicles, in accordance with the provisions of subdivision *B 21* of subsection ~~B~~ of § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that fail to pay tolls required for the use of toll facilities and with the Virginia Department of Transportation to obtain any information that is necessary to conduct electronic toll collection. Information provided to the operator of a toll facility shall only be used for the collection of unpaid tolls and the operator of the toll facility shall be subject to the same conditions and penalties regarding release of the information as contained in subsection ~~B~~ *C*.

~~M-N~~. No person shall be subject to both the provisions of this section and to prosecution under § 46.2-819 for actions arising out of the same transaction or occurrence.

§ 46.2-819.3. Use of toll facility without payment of toll; enforcement; penalty.

*A. For purposes of this section:*

*"Operator of a toll facility other than the Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility.*

*"Owner" means the registered owner of a vehicle on record with the Department of Motor Vehicles. For purposes of this section, "owner" does not mean a vehicle rental or vehicle leasing company.*

*B.* The toll facility operator may impose and collect an administrative fee in addition to the unpaid toll so as to recover the expenses of collecting the unpaid toll, which administrative fee shall be reasonably related to the actual cost of collecting the unpaid toll and not exceed \$100 per violation. Such fee shall not be levied on a first unpaid toll unless the written promise to pay executed pursuant to subsection ~~C~~ *E* remains unpaid after 30 days. The person who executed the written promise to pay pursuant to subsection ~~C~~ *E* shall pay the unpaid toll and any administrative fee detailed in an invoice or bill issued by a toll facility operator. If paid within ~~30~~ *60* days of notification, the administrative fee shall not exceed \$25.

~~B-C~~. If the matter proceeds to court, the owner or operator of the vehicle shall be liable for a civil penalty as follows: for a first offense, \$50; for a second offense within one year from

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the first offense, \$100; for a third offense within two years from the second offense, \$250; and for a fourth and any subsequent offense within three years from the second offense, \$500 plus, in each case, the unpaid toll, all accrued administrative fees imposed by the toll facility operator and applicable court costs if the vehicle operator is found, as evidenced by information obtained from the toll facility operator, to have used such a toll facility without payment of the required toll.

*D. Notwithstanding subsections B and C, for a first conviction of a driver or registered owner of a vehicle under this section the total amount for the first conviction shall not exceed \$2,200, including civil penalties and administrative fees regardless of the total number of offenses the driver or registered owner of a vehicle is convicted of on that date.*

~~E.~~ A written promise to pay an unpaid toll within a specified period of time executed by the driver of a motor vehicle, accompanied by a certificate sworn to or affirmed by an authorized agent of the toll facility that the unpaid toll was not paid within such specified period, shall be prima facie evidence of the facts contained therein.

~~F.~~ The operator of a toll facility may send an invoice or bill to the driver of a motor vehicle using a toll facility without payment of the specified toll as part of an electronic or manual toll collection process prior to seeking remedies under this section. Any action under this section shall be brought in the general district court of the ~~city or county~~ *or city* in which the toll facility is located. Such an action shall be considered a traffic infraction but shall be tried as a civil case. The attorney for the Commonwealth may represent the interests of the toll facility operator. Any authorized agent or employee of a toll facility operator acting on behalf of a governmental entity shall be allowed the privileges accorded by § 16.1-88.03 in such cases.

~~G.~~ Upon a finding by a court of competent jurisdiction that the driver of a motor vehicle identified in the summons issued pursuant to subsection ~~I~~ *K* was in violation of this section, the court shall impose a civil penalty upon the driver of a motor vehicle in accordance with the amounts specified in subsection ~~B~~ *C*, together with applicable court costs, the operator's administrative fee, and the toll due. Penalties assessed as the result of action initiated by the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court which adjudicated the action to the ~~Virginia~~ Department of Transportation's Toll Facilities Revolving Account. Penalties assessed as the result of action initiated by an operator of a toll facility other than the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court which adjudicated the action to the treasurer or director of finance of the county or city in which the violation occurred for payment to the toll facility operator.

~~H.~~ The toll facility operator may offer to the owner an option to pay the unpaid toll and fees plus a reduced civil penalty of \$25 for a first or second offense or \$50 for a third, fourth, or subsequent offense, as specified on the summons, provided the owner actually pays to the toll facility operator the entire amount so calculated at least 14 days prior to the hearing date

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specified on the summons. If the owner accepts such offer and such amount is actually received by the toll facility operator at least 14 days prior to the hearing date specified on the summons, the toll facility operator shall move the court at least five business days prior to the date set for trial to dismiss the summons issued to the registered owner of the vehicle, and the court shall dismiss upon such motion.

~~G-I.~~ Upon a finding by a court that a person has three or more unpaid tolls and such person fails to pay the required penalties, fees, and unpaid tolls, the court shall notify the Commissioner of the Department of Motor Vehicles, who shall refuse to issue or renew any vehicle registration certificate of any applicant or the license plate issued for any vehicle owned or co-owned by the offender. The Commissioner shall collect a \$40 administrative fee from the owner or operator of the vehicle to defray the cost of processing and removing an order to deny registration or registration renewal.

~~H.~~ For purposes of this section, "operator of a toll facility other than the Virginia Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility.

~~I-J.~~ Imposition of a civil penalty pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the driving record of the person upon whom such civil penalty is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. The provisions of § 46.2-395 shall not be applicable to any civil penalty, fee, unpaid toll, fine, or cost imposed or ordered paid under this section for a violation of this section.

~~J-K.~~ A summons for a violation of this section may be executed ~~pursuant to~~ *as provided in* § 19.2-76.2. Toll facility personnel or their agents mailing such summons shall be considered conservators of the peace for the sole and limited purpose of mailing such summons. Notwithstanding the provisions of § 19.2-76, a summons for a violation of this section may be executed by mailing by first-class mail a copy thereof to the address of the driver of a motor vehicle as shown on the written promise to pay executed pursuant to subsection ~~C~~ *E* or records of the Department of Motor Vehicles. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3.

~~K-L.~~ No person shall be subject to both the provisions of this section and to prosecution under § 46.2-819 for actions arising out of the same transaction or occurrence.

§ 46.2-819.3:1. Installation and use of video-monitoring system and automatic vehicle identification system in conjunction with all-electronic toll facilities; penalty.

*A. For purposes of this section:*

*"Automatic vehicle identification device" means an electronic device that communicates by wireless transmission with an automatic vehicle identification system.*

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*"Automatic vehicle identification system" means an electronic vehicle identification system installed to work in conjunction with a toll collection device that automatically produces an electronic record of each vehicle equipped with an automatic vehicle identification device that uses a toll facility.*

*"Operator" means a person who was driving a vehicle that was the subject of a toll violation but who is not the owner of the vehicle.*

*"Operator of a toll facility other than the Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility.*

*"Owner" means the registered owner of a vehicle on record with the Department or, in the case of a vehicle where the owner of the vehicle is a vehicle leasing entity, the lessee. For purposes of this section, "owner" does not mean a vehicle rental or vehicle leasing company.*

*"Video-monitoring system" means a vehicle sensor installed to work in conjunction with a toll collection device that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle at the time it is used or operated in violation of this section.*

B. The operator of any toll facility or the locality within which such toll facility is located may install and operate or cause to be installed and operated a video-monitoring system in conjunction with an automatic vehicle identification system on facilities for which tolls are collected for the use of such toll facility and that do not offer manual toll collection. A video-monitoring system shall include, but not be limited to, electronic systems that monitor and capture images of vehicles using a toll facility to enable toll collection for vehicles that do not pay using a toll collection device. The operator of a toll facility shall send an invoice for unpaid tolls in accordance with the requirements of § 46.2-819.6 to the registered owner of a vehicle as part of a video-monitoring toll collection process, prior to seeking remedies under this section.

~~B.~~C. Information collected by a video-monitoring system in conjunction with an automatic vehicle identification system installed and operated pursuant to subsection ~~A~~ B shall be limited exclusively to that information that is necessary for the collection of unpaid tolls and establishing when violations occur, including use in any proceeding to determine whether a violation occurred. Notwithstanding any other provision of law, all images or other data collected by a video-monitoring system in conjunction with an automatic vehicle identification system shall be protected in a database with security comparable to that of the Department of Motor Vehicles' system and used exclusively for the collection of unpaid tolls and for efforts to pursue violators of this section and shall not (i) be open to the public; (ii) be sold and/or used for sales, solicitation, or marketing purposes other than those of the toll facility operator to facilitate toll payment; (iii) be disclosed to any other entity except as may be necessary for the collection of unpaid tolls or to a vehicle owner or operator as part of a challenge to the imposition of a toll; and/or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of this section or upon order from a court of competent jurisdiction. Except as provided above, information collected under this section shall be purged and not retained later than 30 days after the collection and

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reconciliation of any unpaid tolls, administrative fees, and/or civil penalties. Any entity operating a video-monitoring system in conjunction with an automatic vehicle identification system shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the Commissioner of Highways or the Commissioner of the Department of Motor Vehicles or their designee. Any violation of this subsection shall constitute a Class 1 misdemeanor. In addition to any fines or other penalties provided for by law, any money or other thing of value obtained as a result of a violation of this section shall be forfeited to the Commonwealth.

If a vehicle uses a toll facility without paying the toll, the owner or operator shall be in violation of this section if he refuses to pay the toll within 30 days of notification. The toll facility operator may impose and collect an administrative fee in addition to the unpaid toll so as to recover the expenses of collecting the unpaid toll, which administrative fee shall be reasonably related to the actual cost of collecting the unpaid toll and not exceed \$100 per violation. Such fee shall not be levied upon the owner or operator of the vehicle unless the toll has not been paid by the owner or operator within 30 days after receipt of the invoice for the unpaid toll, which nonpayment for 30 days shall constitute the violation of this section. Once such a violation has occurred, the owner or operator of the vehicle shall pay the unpaid tolls and any administrative fee detailed in the invoice for the unpaid toll issued by a toll facility operator. If paid within ~~30~~ 60 days of the toll violation, the administrative fee shall not exceed \$25.

The toll facility operator may levy charges for the direct cost of use of and processing for a video-monitoring system and to cover the cost of the invoice, which are in addition to the toll and may not exceed double the amount of the base toll, provided that potential toll facility users are provided notice before entering the facility by conspicuous signs that clearly indicate that the toll for use of the facility could be tripled for any vehicle that does not have an active, functioning automatic vehicle identification device registered for and in use in the vehicle using the toll facility, and such signs are posted at a location where the driver can still choose to avoid the use of the toll facility if he chooses not to pay the toll.

A person receiving an invoice for an unpaid toll under this section may (a) pay the toll and administrative fees directly to the toll facility operator or (b) file with the toll facility operator a notice, on a form provided by the toll facility operator as required under subsection B of § 46.2-819.6, to contest liability for a toll violation. The notice to contest liability for a toll violation may be filed by any person receiving an invoice for an unpaid toll by mailing or delivering the notice to the toll facility operator within 60 days of receiving such invoice for unpaid toll. Upon receipt of such notice, the toll facility operator may issue a summons pursuant to subsection ~~K~~ L and may not seek withholding of registration or renewal thereof under subsection ~~G~~ I until a court of competent jurisdiction has found the alleged violator liable for tolls under this section.

~~E-D~~. If the matter proceeds to court, the registered owner or operator of a vehicle shall be liable for a civil penalty as follows: for a first offense, \$50; for a second offense within one year from the first offense, \$100; for a third offense within two years from the second offense, \$250; and for a fourth and any subsequent offense within three years from the



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second offense, \$500; plus, in each case, the unpaid toll, all accrued administrative fees imposed by the toll facility operator, and applicable court costs if the vehicle is found, as evidenced by information obtained from a video-monitoring system in conjunction with an automatic vehicle identification system as provided in this section, to have used such a toll facility without payment of the required toll within 30 days of receipt of the invoice for the toll.

*E. Notwithstanding subsections C and D, for a first conviction of a driver or registered owner of a vehicle under this section the total amount for the first conviction shall not exceed \$2,200, including civil penalties and administrative fees regardless of the total number of offenses the driver or registered owner of a vehicle is convicted of on that date.*

~~D-F.~~ Any action under this section shall be brought in the general district court of the ~~city or~~ county *or city* in which the toll facility is located. Such action shall be considered a traffic infraction but shall be tried as a civil case. The attorney for the Commonwealth may represent the interests of the toll facility operator. Any authorized agent or employee of a toll facility operator acting on behalf of a governmental entity shall be allowed the privileges accorded by § 16.1-88.03 in such cases.

~~E-G.~~ Proof of a violation of this section shall be evidenced by information obtained from a video-monitoring system or automatic vehicle identification system as provided in this section. A certificate, sworn to or affirmed by a technician employed or authorized by the operator of a toll facility or by the locality wherein the toll facility is located, or a facsimile of such a certificate, based on inspection of photographs, microphotographs, videotapes, or other recorded images produced by a video-monitoring system or of electronic data collected by an automatic vehicle identification system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images or electronic data evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation under this section. A record of communication by an automatic vehicle identification device with the automatic vehicle identification system at the time of a violation of this section shall be prima facie evidence that the automatic vehicle identification device was located in the vehicle registered to use such device in the records of the ~~Virginia~~ Department of Transportation.

~~F-H.~~ It shall be prima facie evidence that the vehicle described in the summons issued pursuant to subsection ~~K L~~ was operated in violation of this section.

Upon a finding by a court of competent jurisdiction that the vehicle described in the summons issued pursuant to subsection ~~K L~~ was in violation of this section, the court shall impose a civil penalty upon the registered owner or operator of such vehicle in accordance with the amounts specified in subsection ~~C D~~, together with applicable court costs, the operator's administrative fee, and the toll due. Penalties assessed as the result of action initiated by the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court that adjudicated the action to the ~~Virginia~~ Department of Transportation's Toll Facilities

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Revolving Account. Penalties assessed as the result of action initiated by an operator of a toll facility other than the ~~Virginia~~ Department of Transportation shall be remanded by the clerk of the court that adjudicated the action to the treasurer or director of finance of the county or city in which the violation occurred for payment to the toll facility operator.

The registered owner of such vehicle shall be given reasonable notice by way of a summons as provided in subsection ~~K~~ L that his vehicle had been used in violation of this section, and such owner shall be given notice of the time and place of the hearing as well as the civil penalty and costs for such offense.

Upon the filing of an affidavit by the registered owner of the vehicle with the toll facility operator within 14 days of receipt of an invoice for unpaid toll or a summons stating that such owner was not the driver of the vehicle on the date of the violation and providing the legal name and address of the operator of the vehicle at the time of the violation, an invoice for unpaid toll or summons, whichever the case may be, will also be issued to the alleged operator of the vehicle at the time of the offense.

In any action against a vehicle operator, an affidavit made by the registered owner providing the name and address of the vehicle operator at the time of the violation shall constitute prima facie evidence that the person named in the affidavit was operating the vehicle at all the relevant times relating to the matter named in the affidavit.

If the registered owner of the vehicle produces for the toll facility operator or the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged offense and remained stolen at the time of the alleged offense, then the toll facility operator shall not pursue the owner for the unpaid toll contained in the invoice for unpaid toll or the court shall dismiss the summons issued to the registered owner of the vehicle.

~~G-I~~ 1. Upon a finding by a court that a person has two or more unpaid tolls and such person fails to pay the required penalties, fees, and unpaid tolls, then the court or toll facility operator shall notify the Commissioner of the Department of Motor Vehicles, who shall refuse to issue or renew any vehicle registration certificate of any applicant or the license plate issued for the vehicle driven in the commission of the offense until the court has notified the Commissioner that such penalties, fees, and unpaid tolls have been paid. If it is proven that the vehicle owner was not the operator at the time of the offense and upon a finding by a court that the person identified in an affidavit pursuant to subsection ~~F~~ H as the operator violated this section and such person fails to pay the required penalties, fees, and unpaid tolls, the court shall notify the Commissioner, who shall refuse to issue or renew any vehicle registration certificate of any applicant or the license plate issued for any vehicle owned or co-owned by such person until the court has notified the Commissioner that such penalties, fees, and unpaid tolls have been paid. Such funds representing payment of unpaid tolls and all administrative fees of the toll facility operator shall be transferred from the court to the ~~Virginia~~ Department of Transportation's Toll Facilities Revolving Account or, in the case of an action initiated by an operator of a toll facility other than the ~~Virginia~~ Department of Transportation, to the treasurer or director of finance of the county or city in which the violation occurred for payment to the toll facility operator. The Commissioner shall collect a

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\$40 administrative fee from the registered owner or operator of the vehicle to defray the cost of processing and removing an order to deny registration or registration renewal.

2. If an owner of a vehicle has received at least one invoice for two or more unpaid tolls in accordance with § 46.2-819.6 by certified mail and has (i) failed to pay the unpaid tolls and administrative fees and (ii) failed to file a notice to contest liability for a toll violation, then the toll facility operator may notify the Commissioner, who shall, if no form contesting liability has been timely filed with the toll facility operator pursuant to this section, refuse to issue or renew the vehicle registration certificate of any applicant therefor or the license plate issued for any vehicle driven in the commission of the offense until the toll facility operator has notified the Commissioner that such fees and unpaid tolls have been paid.

If the vehicle owner was not the operator at the time of the offense and the person identified in an affidavit pursuant to subsection F H as the operator has received at least one invoice for two or more unpaid tolls in accordance with §46.2-819.6 by certified mail and such person has (i) failed to pay the unpaid tolls and administrative fees and (ii) failed to file a notice to contest liability for a toll violation, then the toll facility operator may notify the Commissioner, who shall, if no form contesting liability has been timely filed with the toll facility operator pursuant to this section, refuse to issue or renew any vehicle registration certificate of any applicant therefor or the license plate issued for any vehicle owned or co-owned by such person until the toll facility operator has notified the Commissioner that such fees and unpaid tolls have been paid.

The Commissioner may only refuse to issue or renew any vehicle registration pursuant to this subsection upon the request of a toll facility operator if such toll facility operator has entered into an agreement with the Commissioner whereby the Commissioner will refuse to issue or renew any vehicle registration of any applicant therefor who owes unpaid tolls and administrative fees to the toll facility operator. The toll facility operator seeking to collect unpaid tolls and administrative fees through the withholding of registration or renewal thereof by the Commissioner as provided for in this subsection shall notify the Commissioner in the manner provided for in his agreement with the Commissioner and supply to the Commissioner information necessary to identify the violator whose registration or renewal is to be denied. The Commissioner shall charge a \$40 fee to defray the cost of processing and withholding the registration or registration renewal, and the toll facility operator may add this fee to the amount of the unpaid tolls and administrative fees. Any agreement entered into pursuant to the provisions of this subsection shall provide for the Department to send the violator notice of the intent to deny renewal of registration at least 30 days prior to the expiration date of a current vehicle registration and such notice shall include a form, as required under subsection B of § 46.2-819.6, to contest liability of the underlying toll violation. The notice provided by the Commissioner shall include instructions for filing the form to contest liability with the toll facility operator within 21 days after the date of mailing of the Commissioner's notice. Upon timely receipt of the form, the toll facility operator shall notify the Commissioner, who shall refrain from withholding the registration or renewal thereof, after which the toll facility operator may proceed to issue a summons for unpaid toll. For the purposes of this subsection, notice by first-class mail to the registrant's address as maintained in the records of the Department shall be deemed sufficient.

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~~H. For purposes of this section, "operator" means a person who was driving a vehicle that was the subject of a toll violation but who is not the owner of the vehicle; "operator of a toll facility other than the Virginia Department of Transportation" means any agency, political subdivision, authority, or other entity that operates a toll facility; "owner" means the registered owner of a vehicle on record with the Department or, in the case of a vehicle where the owner of the vehicle is a vehicle leasing entity, the lessee. For purposes of this section, "owner" does not mean a vehicle rental or vehicle leasing company; "video-monitoring system" means a vehicle sensor installed to work in conjunction with a toll collection device that automatically produces one or more photographs, one or more microphotographs, a videotape, or other recorded images of each vehicle at the time it is used or operated in violation of this section; "automatic vehicle identification system" means an electronic vehicle identification system installed to work in conjunction with a toll collection device that automatically produces an electronic record of each vehicle equipped with an automatic vehicle identification device that uses a toll facility; and "automatic vehicle identification device" means an electronic device that communicates by wireless transmission with an automatic vehicle identification system.~~

~~I-J. Any vehicle rental or vehicle leasing company, if it receives an invoice for unpaid toll or is named in a summons, shall be released as a party to the action if it provides the operator of the toll facility a copy of the vehicle rental agreement or lease or an affidavit identifying the renter or lessee within 30 days of receipt of the invoice or summons. Upon receipt of such rental agreement, lease, or affidavit, an invoice for unpaid toll shall be mailed to the renter or lessee identified therein. Release of this information shall not be deemed a violation of any provision of the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) or the Insurance Information and Privacy Protection Act (§ 38.2-600 et seq.). The toll facility operator shall allow at least 30 days from the date of such mailing before pursuing other remedies under this section. In any action against the vehicle operator, a copy of the vehicle rental agreement, lease, or affidavit identifying the renter or lessee of the vehicle at the time of the violation is prima facie evidence that the person named in the rental agreement, lease, or affidavit was operating the vehicle at all the relevant times relating to the matter named in the summons.~~

~~J-K. Imposition of a civil penalty pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the driving record of the person upon whom such civil penalty is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. The provisions of § 46.2-395 shall not be applicable to any civil penalty, fee, unpaid toll, fine, or cost imposed or ordered paid under this section for a violation of this section.~~

~~K-L. On a form prescribed by the Supreme Court, a summons for a violation of this section may be executed pursuant to as provided in § 19.2-76.2. Toll facility personnel or their agents mailing such summons shall be considered conservators of the peace for the sole and limited~~

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purpose of mailing such summons. Notwithstanding the provisions of § 19.2-76, a summons or summonses for a violation of unpaid tolls may be executed by mailing by first-class mail a copy thereof to the address of the owner of the vehicle as shown on the records of the Department or, if the registered owner has named and provided a valid address for the operator of the vehicle at the time of the violation in an affidavit executed pursuant to subsection ~~F~~ H, such named operator of the vehicle. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in § 19.2-76.3.

~~L~~-M. The toll facility operator may offer to the owner an option to pay the unpaid toll and fees plus a reduced civil penalty of \$25 for a first or second offense or \$50 for a third, fourth, or subsequent offense, as specified on the summons, provided the owner actually pays to the toll facility operator the entire amount so calculated at least 14 days prior to the hearing date specified on the summons. If the owner accepts such offer and such amount is actually received by the toll facility operator at least 14 days prior to the hearing date specified on the summons, the toll facility operator shall move the court at least five business days prior to the date set for trial to dismiss the summons issued to the registered owner of the vehicle, and the court shall dismiss upon such motion.

~~M~~-N. The operator of a toll facility may enter into an agreement with the Department, in accordance with the provisions of subdivision B 21 of § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that fail to pay tolls required for the use of toll facilities and with the ~~Virginia~~ Department of Transportation to obtain any information that is necessary to conduct electronic toll collection. Information provided to the operator of a toll facility shall be used only for the collection of unpaid tolls, and the operator of the toll facility shall be subject to the same conditions and penalties regarding release of the information as contained in subsection ~~B~~ C.

~~N~~-O. No person shall be subject to both the provisions of this section and to prosecution under § 46.2-819 for actions arising out of the same transaction or occurrence.

§ 46.2-819.6. Invoice for unpaid toll.

A. The operator of a toll facility shall send an invoice for the unpaid toll pursuant to ~~§ 46.2-819.7 subsection C~~ to the registered owner of the vehicle. An invoice for the unpaid toll shall contain the following:

1. The name and address of the registered owner alleged to be liable under this section;
2. The registration number of the motor vehicle involved in such violation or information obtained from an automatic vehicle identification system if the vehicle is identified by an automatic vehicle identification system for the purpose of violation detection;
3. The location where such violation took place;
4. The date and time of such violation;
5. The amount of the toll not paid;
6. The amount of the administrative fee;

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7. The date by which the toll and administrative fee must be paid;
8. The statutory defenses available under this chapter;
9. A warning describing the penalties for nonpayment of the invoice for the unpaid toll or failure to file a notice to contest liability for the toll violation; and
10. The procedures and time limits for filing a notice to contest liability for a toll violation as provided in subsection ~~B~~ C of § 46.2-819.3:1.

B. The toll facility operator shall include with the invoice a form to be used by the registered owner or operator of the vehicle to contest liability for a toll violation. This form shall include the mailing address to which it should be sent.

*C. Whenever an invoice for an unpaid toll is to be provided to any person by the toll facility operator, it may be executed by mailing by first-class mail a copy of the invoice to the address of the owner of the vehicle as shown on the records of the Department.*

*§ 46.2-819.8. Toll grace period.*

*No registered owner or operator of a vehicle that has an electronic toll collection device that is property of the Commonwealth whose vehicle is associated with such device has been used in violation of § 33.2-503, 46.2-819.1, 46.2-819.3, or 46.2-819.3:1 shall owe any penalties, fees, or costs in addition to the unpaid toll unless the toll operator or HOT lanes operator has attempted to process the collection of the toll through the Commonwealth's electronic toll account system at least twice. A toll operator shall make an attempt to process and collect an unpaid toll on the sixth day after the unpaid toll and shall make an additional attempt on the tenth day after the unpaid toll if earlier attempts to process and collect the unpaid toll were unsuccessful.*

2. That the provisions of § 33.2-255.1 of the Code of Virginia, as created by this act, shall become effective on January 1, 2017.
3. That § 46.2-819.7 of the Code of Virginia is repealed.
4. That the eleventh enactment of Chapter 766 of the Acts of Assembly of 2013 is repealed.
5. That the provisions of this act shall apply to violations that occur on or after July 1, 2016."

Page 503, line 47, strike "on its passage as provided in § 1-214, Code of Virginia" and insert "July 1, 2016."

Page 503, line 49, strike "2." and insert "3."

Page 503, line 49, after "2018" insert: "The provisions of the second enactment of this act shall have no expiration date."

**Explanation:**

(This amendment adds a statewide tolling policy to Part 5 of the budget.)

**Correct Effective Date of Bill**

**Effective Date**

Effective Date

Language

**Language:**

Page 503, line 47, strike "on its passage as provided in § 1-214, Code of Virginia" and insert: "July 1, 2016".

**Explanation:**

(This amendment is a technical change to correct the effective date of the appropriation act.)

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