

Revenues

Revenues

Language

Language:

Page 1, line 52, strike "(526,006,597)" and "676,766" and "(525,329,831)" and insert: "(518,770,366)" and "2,104,252" and "(516,666,114)".

Page 2, line 1, strike "15,015,276,144" and "15,622,022,377" and "30,637,298,521" and insert: "14,613,939,287" and "15,259,577,435" and "29,873,516,722".

Page 2, line 4, strike "403,873,844" and "428,316,286" and "832,190,130" and insert: "404,373,844" and "438,206,286" and "842,580,130".

Page 2, line 7, strike "16,475,025,391" and "16,051,015,429" and "32,526,040,820" and insert: "16,081,424,765" and "15,699,887,973" and "31,781,312,738".

Explanation:

(This amendment reflects general fund resource changes in Senate amendments to HB 1600. Changes to nongeneral fund resources will be included in enrolling.)

Legislative Department

General Assembly Of Virginia

FY 08-09

\$0

FY 09-10

\$10,400

GF

Language:

Page 4, line 5, strike "\$32,545,351" and insert "\$32,555,751".

Explanation:

(This amendment provides \$10,400 the second year from the general fund to support the Joint Subcommittee on Early Reading Proficiency and Comprehension. This amendment is contingent upon final passage of Senate Joint Resolution 313 by the 2009 General Assembly.)

Legislative Department	FY 08-09	FY 09-10	
Division Of Capitol Police	(\$726,050)	(\$726,050)	GF
	-9.00	-9.00	FTE

Language:

Page 10, line 49, strike "\$8,140,971" and insert "\$7,414,921".

Page 10, line 49, strike "\$8,154,626" and insert "\$7,428,576".

Explanation:

(This amendment eliminates \$726,050 and nine positions from the general fund each year for the Division of Capitol Police. These positions are not currently filled.)

Item 6 #1s

Legislative Department	FY 08-09	FY 09-10	
Division Of Legislative Services	\$0	\$180,600	GF

Language:

Page 11, line 45, strike "\$5,815,489" and insert "\$5,996,089".

Explanation:

(This amendment provides \$180,600 the second year from the general fund to acquire hardware, software and training to be used by the General Assembly for the 2011 redistricting, including separate mapping space and work stations for the Senate and the House of Delegates, work stations for staff of the Division of Legislative Services, an internet server for making redistricting data and plans available to the public, and redistricting software applications.)

Item 11 #2s

Legislative Department	
Joint Commission On Health Care	Language

Language:

Page 13, after line 15, insert:

"The Joint Commission on Health Care shall review the Commonwealth's poison control system, including services provided, costs of and funding for the system, and the number of poison control centers required to best meet the needs of Virginians.

The commission shall report its findings and recommendations by November 15, 2009. The Department of Health shall provide such information and assistance as may be required for this report."

Explanation:

(This amendment directs the Joint Commission on Health Care to report on the Commonwealth's poison control system by November 15, 2009.)

Item 28.20 #1s

Legislative Department	FY 08-09	FY 09-10	
Commission On Energy and Environment	\$0	\$20,975	GF

Language:

Page 18, following line 20, insert:

"Virginia Commission on Energy and Environment"

"28.20. Resource Management Research, Planning and Coordination (50700)	\$0	\$20,975
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Fund Sources: General	\$0	\$20,975."
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Explanation:

(This amendment provides \$20,975 the second year from the general fund to support the Virginia Commission on Energy and Environment, which was established by the 2008 General Assembly pursuant to §30-301 of the Code of Virginia.)

Item 29 #1s

Legislative Department	
Joint Legislative Audit And Review Commission	Language

Language:

Page 19, following line 30 insert:

"F. The Joint Legislative Audit and Review Commission (JLARC) shall study the funding of the District and Circuit Courts in Virginia and report its findings by November 1, 2009."

Explanation:

(This amendment directs JLARC to study the funding of District and Circuit Courts in Virginia.)

Item 29 #2s

Legislative Department

Joint Legislative Audit And
Review Commission

Language

Language:

Page 19, following line 30 insert:

"F. The Joint Legislative Audit and Review Commission (JLARC) shall study the funding of courthouse construction, operation, and maintenance in Virginia, including the extent to which the current fee structure provides an equitable, efficient and sufficient source of revenues for this purpose across the Commonwealth."

Explanation:

(This amendment directs JLARC to study the funding of courthouse construction, operation, and maintenance in Virginia.)

Item 31 #1s

Legislative Department

Legislative Department Reversion
Clearing Account

Language

Language:

Page 20, line 5, following "of" strike "\$1,000,000" and insert "\$4,420,233".

Page 20, line 5, following "\$1,000,000" insert "and on or before June 30, 2010 shall authorize the reversion of \$1,427,486".

Explanation:

(This amendment provides for additional budget reversions of \$3,420,233 GF the first year and \$1,427,486 GF the second year from the Senate of Virginia and other agencies within the Legislative Department.)

Item 33 #1s

Judicial Department

Language:

Page 21, following line 38, insert:

"In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:7 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the state treasury to the credit of the Courts Technology Fund established pursuant to Section 17.1-132 of the Code of Virginia, to be used to support the costs of statewide electronic filing systems."

Explanation:

(This amendment authorizes the Supreme Court of Virginia to establish an electronic access fee to generate additional funds to develop and maintain a statewide electronic case filing system.)

Item 33 #2s

Judicial Department**FY 08-09****FY 09-10**

Supreme Court

\$0

(\$2,000,000) GF

Language:

Page 21, line 3, strike "\$14,158,723" and insert "\$12,158,723".

Page 21, line 35, strike "6,200,000" and insert "4,200,000".

Explanation:

(This amendment caps the funding for waivers for increased reimbursement for court-appointed counsel at \$4,200,000 from the general fund the second year. This amount is equal to the funding level provided in the first year.)

Item 38 #2s

Judicial Department**FY 08-09****FY 09-10**

Supreme Court

\$0

\$50,000 GF

Language:

Page 22, line 14, strike "\$29,337,566" and insert "\$29,387,566".

Explanation:

(This amendment provides \$50,000 from the general fund the second year for additional expenses for special justices, retired judges, or district court substitute judges presiding over involuntary mental commitment hearings, pursuant to Senate Bill 1078 of the 2009 Session. This amendment is contingent upon final passage of Senate Bill 1078.)

Item 40 #1s

Judicial Department

Circuit Courts

Language

Language:

Page 25, following line 52, insert:

"4. Notwithstanding the provisions of Section 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia."

Explanation:

(This amendment authorizes the Supreme Court of Virginia to set the hourly rates for compensation of court appointed counsel in cases involving felonies that may be punishable by death. Current language in the Code authorizes the Circuit Court judge to set the fee. It is the intention of the Supreme Court to cap these fees at \$200 per hour in-court and \$150 per hour out-of-court.)

Item 41 #1s

Judicial Department

General District Courts

Language

Language:

Page 27, following line 6, insert:

"G. Any locality may provide assistance to the District Court either through direct funding of locally supported district court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the District Courts.)

Item 42 #1s

Judicial Department

Juvenile And Domestic Relations
District Courts

Language

Language:

Page 28, following line 32, insert:

"G. Any locality may provide assistance to the Juvenile and Domestic Relations District Court either through direct funding of locally supported Juvenile and Domestic Relations District Court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the Juvenile and Domestic Relations District Courts.)

Item 43 #1s

Judicial Department

Combined District Courts

Language

Language:

Page 29, following line 21, insert:

"F. Any locality may provide assistance to the Combined District Court either through direct funding of locally supported Combined District Court staff positions, or through the provision of support services. Any such assistance shall be subject to approval of the chief judge."

Explanation:

(This amendment allows localities to provide assistance to the Combined District Courts.)

Item 48 #1s

Judicial Department

Virginia Criminal Sentencing
Commission

Language

Language:

Page 31, at the beginning of line 22, insert "A."

Page 31, following line 31, insert:

"B. The Virginia Criminal Sentencing Commission shall review the status of all offenders housed in state facilities operated by the Virginia Department of Corrections who are subject to consideration for parole. The purpose of the review is to determine the numbers of such offenders who have already, or will within the next six years, serve an amount of time in prison, which would be equal to or more than the amount of time for which they would have been sentenced for the same offense, and under the same circumstances, under the current sentencing guidelines system. The review shall include consideration of the numbers and types of older offenders who may be eligible for geriatric release. The Department of Corrections and the Virginia Parole Board shall provide all necessary information and assistance in carrying out this review. This review shall be presented to the Secretary of Public Safety, the Chairmen of the Senate and House Courts of Justice Committees, the Chairman of the Virginia State Crime Commission, and the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2009.

Explanation:

(This amendment directs the Virginia Criminal Sentencing Commission to review the extent to which inmates who are eligible for parole may have already served as much time as they would have served had they been sentenced for the same offense under the current sentencing guidelines.)

Item 67 #2s

Administration	FY 08-09	FY 09-10	
Secretary Of Administration	\$0	(\$228,283)	GF

Language:

Page 46, line 9, strike "\$3,457,686" and insert "\$3,229,403".

Explanation:

(This amendment reduces funding for public television and radio by \$228,283 GF the second year .)

Item 69 #4s

Administration

Compensation Board

Language

Language:

Page 51, line 52, following "Program" insert ", where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1."

Page 51, line 53, following "accreditation" insert "by March 1."

Explanation:

(This amendment makes a technical correction in the qualification date for participation in the Sheriffs' Career Development Program.)

Item 69 #8s

Administration

FY 08-09

FY 09-10

Compensation Board

\$0

\$2,877,953 NGF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$402,142,747".

Page 52, following line 36, insert:

"P. The Governor shall restore \$2,877,953 the second year for the subprogram Financial Assistance for Regional Jail Operations in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$2.9 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to regional jails that were contained in the budget as introduced. The final reduction for FY 2010 is \$4.7 million or 4.36 percent.)

Item 69 #9s

Administration

FY 08-09

FY 09-10

Compensation Board

\$0

\$4,558,132 NGF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$403,822,926".

Page 52, following line 36, insert:

"P. The Governor shall restore \$4,558,132 the second year for the subprogram

Financial Assistance for Local Jail Operations in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$4.6 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to regional jails that were contained in the budget as introduced. The final reduction for FY 2010 is \$7.5 million or 4.36 percent.)

Item 69 #10s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$2,747,471	NGF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$402,012,265".

Page 52, following line 36, insert:

"P. The Governor shall restore \$2,747,471 the second year for the subprogram Financial Assistance for Local Law Enforcement in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$2.7 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to sheriffs' law enforcement operations that were contained in the budget as introduced. The final reduction for FY 2010 is \$3.2 million or 3.79 percent.)

Item 69 #11s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,476,224	NGF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$400,741,018".

Page 52, following line 36, insert:

"P. The Governor shall restore \$1,476,224 the second year for the subprogram Financial Assistance for Local Court Services in this Item from funds received by the

Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$1.5 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to sheriffs' court services operations that were contained in the budget as introduced. The final reduction for FY 2010 is \$1.7 million or 3.79 percent.)

Item 69 #12s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	(\$965,875)	GF

Language:

Page 48, line 4, strike "\$399,264,794" and insert "\$398,298,919".

Explanation:

(This amendment captures savings of \$965,875 the second year from the general fund that result from the delayed opening of the Loudoun County jail expansion to November 15, 2009.)

Item 70 #2s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,412,284	NGF

Language:

Page 52, line 39, strike "\$74,191,798" and insert "\$75,604,082".

Page 57, following line 18, insert:

"N. The Governor shall restore \$1,412,284 the second year for the subprogram Financial Assistance for Local Jail Per Diem in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$1.4 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the

restoration of reductions to local jail per diem payments that were contained in the budget as introduced. The final reduction for FY 2010 is \$2.3 million or 4.36 percent.)

Item 70 #3s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$697,712	NGF

Language:

Page 52, line 39, strike "\$74,191,798" and insert "\$74,889,510".

Page 57, following line 18, insert:

"N. The Governor shall restore \$697,712 the second year for the subprogram Financial Assistance for Local Jail Per Diem in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$697,712 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to local jail per diem payments that were contained in the budget as introduced. The final reduction for FY 2010 is \$1.1 million or 4.36 percent.)

Item 73 #1s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,620,366	NGF

Language:

Page 60, line 29, strike "\$62,671,350" and insert "\$64,291,716".

Page 57, following line 18, insert:

"N. The Governor shall restore \$1,620,366 the second year for the subprogram Financial Assistance for Operations of Local Attorneys for the Commonwealth in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$1.6 million the second year from federal stimulus

funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to local Commonwealth's Attorneys that were contained in the budget as introduced. The final reduction for FY 2010 is \$1.9 million or 3.79 percent.)

Item 73 #2s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	\$1,376,209	NGF

Language:

Page 60, line 29, strike "\$62,671,350" and insert "\$64,047,559".

Page 57, following line 18, insert:

"N. The Governor shall restore \$1,376,209 the second year for the subprogram Financial Assistance for Operations of Local Circuit Court Clerks in this Item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$1.4 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for the restoration of reductions to local Circuit Court Clerks that were contained in the budget as introduced. The final reduction for FY 2010 is \$281,874 or 1.70 percent.)

Item 74 #7s

Administration		Language
Compensation Board		

Language:

Page 66, after line 15 insert:

"O. If the Clerk determines that sufficient funds for staff support are not available to meet the deadlines imposed upon his office by the Code of Virginia, the Clerk may petition the chief judge of the Circuit Court for relief from such deadlines. The Court, after reviewing such petition, may grant such relief as it finds necessary, not withstanding any provision of the Code of Virginia. In granting such petition, the Court shall ensure that deadlines affecting public safety and the operation of the

criminal justice system are not compromised. This action constitutes an emergency authorization to insure that Clerk's offices are able to meet those requirements of office critical to protecting public safety and the operation of the criminal justice system when sufficient funds are **not** available to meet all the requirements of office. It is the intent of the General Assembly that the budget proposal submitted by the Governor for the 2010-1012 biennium provide sufficient general funds to reverse this action."

Explanation:

(This amendment allows the Clerk of the Circuit Court to petition the chief judge for relief from statutory deadlines in cases where insufficient staff are available due to budget reductions.)

Item 74 #8s

Administration	FY 08-09	FY 09-10	
Compensation Board	\$0	(\$914,000)	GF

Language:

Page 62, line 41, strike "\$50,440,377" and insert "\$49,526,377".

Explanation:

(This amendment captures budget savings of \$914,000 GF the second year that result from the change to the Chesterfield County charter provided for in SB 942.)

Item 86 #1s

Administration

Administration Of Health Insurance

Language

Language:

Page 82, following line 46, insert:

"E.1. The Department of Human Resource Management, with the assistance of the Department of Education, shall develop, implement, and administer a statewide health insurance program for employees of Virginia public school divisions and local governments that shall be similar in plan design, premium structure, and administration to the state employee health insurance program. Coverage under the Public Schools and Local Government Health Insurance Program shall be effective

beginning July 1, 2010. Except as provided for in paragraph, E.3 of this item, the Public Schools and Local Government Health Insurance Program administered by the Department of Human Resource Management shall be the sole health insurance plan for public school divisions and local governments.

2. Notwithstanding any contrary provision of law, each public school division and local government within the Commonwealth shall be required to enroll in the Public Schools and Local Government Health Insurance Program created in paragraph E.1, unless such school division or local government elects to exercise its rights as provided in paragraph E.3 of this item.

3. Subject to policies, procedures and schedules to be promulgated by the Department of Human Resource Management, public school divisions and local government may make an irrevocable election to opt-out of participation in the Public Schools and Local Government Health Insurance Program authorized in this paragraph. public school divisions must exercise this option in conjunction with the local governing body.

4. The Department of Human Resource Management shall develop policies and procedures for the enrollment of school divisions and their employees in the Public Schools Health Insurance Program authorized in this paragraph and the one-time election to opt-out of the program authorized in paragraph E.3 of this item.”

Explanation:

(This amendment authorizes the Department of Human Resource Management to create a statewide health insurance program for employees of Virginia public school divisions and local governments.)

Item 87 #1s

Administration	FY 08-09	FY 09-10	
Human Rights Council	\$0	\$463,125	GF
	\$0	\$26,200	NGF
	0.00	5.00	FTE

Language:

Page 83, line 19, strike "\$0" and insert "\$489,325".

Explanation:

(This amendment reverses the proposed transfer of the Human Rights Council to the Department of Labor and Industry.)

Item 87.05 #1s

Administration	FY 08-09	FY 09-10	
Human Rights Council	\$0	(\$51,637)	GF

Language:

Page 83, line 33, strike "\$0" and insert "(\$51,637)".

Explanation:

(This amendment reverses the proposed transfer of the Human Rights Council to the Department of Labor and Industry.)

Item 88 #1s

Administration	FY 08-09	FY 09-10	
Department Of Minority Business Enterprise	\$30,000	\$0	GF

Language:

Page 84, line 2, strike "\$2,260,281" and insert "\$2,290,281".

Explanation:

(This amendment provides \$30,000 GF the first year for the procurement disparity study that is being conducted by the Department of Minority Business Enterprise.)

Item 89 #1s

Administration	FY 08-09	FY 09-10	
State Board Of Elections	\$0	(\$100,160)	GF

Language:

Page 85, line 2, strike "\$13,777,928" and insert "\$13,677,768".

Explanation:

(This amendment captures savings of \$100,160 GF the second year from the utilization of electronic systems as provided for in SB 1320.)

Item 94 #1s

Agriculture And Forestry	FY 08-09	FY 09-10	
Department Of Agriculture And	\$0	(\$250,000)	GF
Consumer Services	\$0	\$250,000	NGF

Language:

Page 93, after line 51, insert:

"I. The Governor shall restore \$250,000 the second year to the Purchase of Development Rights Matching Grants Program for Farmland Preservation from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces funding for the purchase of development rights matching grants program by \$250,000 GF in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 98 #1s

Agriculture And Forestry	FY 08-09	FY 09-10	
Department Of Agriculture And	\$0	(\$2,564,047)	GF
Consumer Services	\$0	\$2,564,047	NGF

Language:

Page 94, after line 37, insert:

"A. The Commissioner of Agriculture and Consumer Services shall collect a registration fee of \$22.00 beginning July 1, 2009, and continuing through June 30, 2010, for each weights and measures device used by all entities that are subject to weights and measures regulation pursuant to Chapter 56 of Title 3.2 of the Code of Virginia. All such fees collected shall be used solely for the administration of the weights and measures program.

B.1. The Board of Agriculture and Consumer Services shall promulgate a regulation

that will be effective July 1, 2010, establishing a schedule of fees to fund the state weights and measures program administered by the Department of Agriculture and Consumer Services and to fund the motor fuels and lubricating oils program. In developing the regulation, the Board shall seek input from representatives from local government, private sector organizations and the public. The regulation adopted by the Board shall provide the Department sufficient resources to support the program and protect the public without placing an undue regulatory burden on the private sector. In establishing an inspection fee for each type of device, the Board shall consider such factors to include, but not limited to, projected workloads such as total number of devices subject to regulation, the types and complexity of devices inspected, the frequency of inspection, sampling and testing costs, and cost containment strategies. The Board shall also consider the size and annual sales volume of businesses as a factor in establishing the fees.

2. The provisions of the Administrative Process Act (§ 2.2-4000, et seq.) shall not apply to the adoption of any regulation pursuant to subsection B.1. Notwithstanding any exemption to the contrary, a regulation adopted pursuant to subsection B.1 shall be subject to the requirements set out in §§ 2.2-4007.03, 2.2-4007.04, and 2.2-4007.05, and shall be published in the Virginia Register of Regulations. After the close of the 60-day comment period, the Board may adopt a final regulation. Such regulation shall become effective 15 days after the publication in The Virginia Register, unless the Board has withdrawn or suspended the regulation, or a later date has been set by the Board. The Board shall also hold at least one public hearing on a proposed regulation during the 60-day comment period. The notice of such public hearing shall include the date, time and place of the hearing.

3. Effective July 1, 2010, fees for the inspection of all weights and measures devices shall be collected by the Department of Agriculture and Consumer Services in accordance with the regulation established pursuant to subsection B.1.

4. Should the Board's regulation be suspended for any reason, the Commissioner of Agriculture and Consumer Services shall collect an annual registration fee of \$22.00, continuing until the Board's regulation becomes effective or is reinstated, for each weights and measures device used by all entities that are subject to weights and measures regulation pursuant to Chapter 56 of Title 3.2 of the Code of Virginia.

C. The Board shall also conduct an analysis of the cost and benefits of privatization of the weights and measures program. This review shall include an analysis of private sector interest and capacity, as well as the ability to ensure adequate consumer

protection through a privatized weights and measures inspection program. The analysis shall also consider the ability of the Board to license and certify private sector weights and measures inspectors. The Board shall provide a report on this review to the Governor and the Chairman of the House Appropriations Committee, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Finance Committee, and the Senate Committee on Agriculture, Conservation and Natural Resources by November 1, 2009."

Explanation:

(This amendment eliminates general funds in the second year and establishes a user fee to fund the weights and measures program and the motor fuels and lubricating oils program administered by the Department of Agriculture and Consumer Services. An initial annual fee of \$22.00 per device will be enacted beginning July 1, 2009 to level fund the program in the second year. The Board of Agriculture and Consumer Services will develop a fee schedule to replace this initial fee beginning July 1, 2010, based on public input and consideration of such factors as the cost to perform inspections, as well as the size and annual sales levels of various business in establishing a reasonable user-fee. The amendment also requires the Board to evaluate the potential to privatize the program and report the results of their analysis to the Governor and the General Assembly prior to the 2010 Session.)

Item 105 #4s

Commerce And Trade

Secretary Of Commerce And Trade

Language

Language:

Page 101, after line 23, insert:

"6. Out of the amounts in this item, up to \$1,500,000 the second year from the general fund may be provided to offset training expenses for a major automotive employer operating a diesel assembly and test facility in the City of Newport News, contingent upon such employer entering into a performance agreement with the Virginia Economic Development Partnership describing the employer's commitments regarding job creation and retention. The funds shall be administered in a manner similar to existing training grant programs such as those permitted by § 2.2-902, Code of Virginia. The major automotive employer shall certify to the Secretary of Commerce and Trade that it has retained at least 500 jobs in the Commonwealth and has taken actions to increase employment by at least 250 new full-time jobs in the

Commonwealth."

Explanation:

(This amendment would allow up to \$1.5 million from the Governor's Development Opportunity Fund to be used for training funding as an incentive for the location of an automotive supplier, Continental AG, to the Commonwealth. On December 15, 2008, Governor Kaine announced that Continental AG, a global automotive supplier, will consolidate its diesel and gasoline fuel injector manufacturing operations at its Newport News facility. As part of the relocation of its diesel fuel injector manufacturing operations to the Commonwealth and the expansion of the existing gasoline fuel injector business line, Continental AG will create 318 new jobs and invest \$194 million.)

Item 105 #5s

Commerce And Trade	FY 08-09	FY 09-10	
Secretary Of Commerce And Trade	\$0	(\$6,225,000)	GF
	\$0	\$4,060,000	NGF

Language:

Page 100, line 4, strike "\$14,262,756" and insert "\$12,097,756".

Page 100, line 20, strike "\$12,500,000" and insert "\$6,275,000".

Page 100, line 23, after "Virginia." insert:

"The Governor shall provide \$4,060,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for the Governor's Development Opportunity Fund by \$6,225,000 in the second year and restores \$4,060,000 of this reduction from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009. With this amendment, a total of \$10,335,000 will be available for economic development projects in the second year.)

Item 105 #6s

Commerce And Trade	FY 08-09	FY 09-10	
Secretary Of Commerce And Trade	\$0	(\$200,000)	GF

\$0 \$375,000 NGF

Language:

Page 100, line 4, strike "\$14,262,756" and insert "\$14,437,756".

Page 101, line 55, strike "\$200,000" and insert "\$375,000".

Page 101, line 56, strike "general fund" and insert "digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia."

Explanation:

(This amendment replaces \$200,000 in the second year from the general fund with \$375,000 in nongeneral funds from the digital media fee created by SB 1421.)

Item 108 #4s

Commerce And Trade

FY 08-09

FY 09-10

Department Of Business Assistance

\$0

(\$250,000) GF

\$0

\$250,000 NGF

Language:

Page 105, after line 24, insert:

"E. The Governor shall provide \$250,000 the second year for the Virginia Jobs Investment Program from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for the Virginia Jobs Investment Program by \$250,000 in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 110 #1s

Commerce And Trade

FY 08-09

FY 09-10

Department Of Housing And
Community Development

\$0

(\$356,934) GF

Language:

Page 107, line 11, strike "\$59,771,885" and insert "\$59,414,951".

Page 110, line 37, strike "\$1,556,934" and insert "\$1,200,000".

Explanation:

(This amendment reduces funding for the Fort Monroe Federal Area Development Authority. With this amendment, there will still be \$1,200,000 for the Authority's operating expenses in the second year. This reduction was required to offset the loss of revenues assumed in the budget as introduced.)

Item 110 #2s

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Housing And Community Development	\$0	(\$295,426)	GF

Language:

- Page 107, line 11, strike "\$59,771,885" and insert "\$59,476,459".
- Page 112, line 6, strike "and \$86,810 in the second year".
- Page 112, line 10, strike "and \$27,270 in the second year".
- Page 112, line 14, strike "and \$27,270 in the second year".
- Page 112, line 18, strike "and \$154,076 in the second year".

Explanation:

(This amendment eliminates all second year earmarks for Planning District Commissions. This reduction was required to offset the loss of revenues assumed in the budget as introduced.)

Item 118.05 #1s

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Labor And Industry	\$0	(\$463,125)	GF
	\$0	(\$26,200)	NGF
	0.00	-5.00	FTE

Language:

- Page 114, line 25, strike "\$489,325" and insert "\$0".

Explanation:

(This amendment reverses the proposed transfer of the Human Rights Council to the Department of Labor and Industry.)

Item 119.05 #1s

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Labor And Industry	\$0	\$51,637	GF

Language:

Page 114, line 38, strike "\$81,738" and insert "\$30,101".

Explanation:

(This amendment reverses the proposed transfer of the Human Rights Council to the Department of Labor and Industry.)

Item 121 #1s

Commerce And Trade	FY 08-09	FY 09-10	
Department Of Mines, Minerals And Energy	\$0	(\$1,500,000)	GF

Language:

Page 116, line 3, strike "\$4,641,840" and insert "\$3,141,840".

Page 116, line 15, strike "\$2,000,000" and insert "\$500,000".

Explanation:

(This amendment reduces funding for Clean Energy Manufacturing Grants. With this amendment, there will still be \$500,000 in the second year available for this purpose. This reduction was required to offset the loss of revenues assumed in the budget as introduced.)

Item 124 #1s

Commerce And Trade	FY 08-09	FY 09-10	
Virginia Economic Development Partnership	\$0	(\$650,000)	GF
	\$0	\$650,000	NGF

Language:

Page 120, after line 3, insert:

"P. The Governor shall restore \$650,000 in the second year for Economic Development Services from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for VEDP by \$650,000 in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 130 #1s

Commerce And Trade	FY 08-09	FY 09-10	
Virginia Tourism Authority	\$0	(\$500,000)	GF
	\$0	\$500,000	NGF

Language:

Page 124, after line 41, insert:

"L. The Governor shall restore \$500,000 in the second year for Tourist Promotion Services from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for VTA by \$500,000 in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 133 #1s

Education: Elementary & Secondary

Department Of Education, Central Office Operations

Language

Language:

Page 129, strike lines 16-22

Page 129, after line 15 insert:

"The Board of Education shall submit a plan to the General Assembly indicating the methods and time-lines for including instructional positions needed for blind and visually impaired students enrolled in public schools. The plan shall be submitted to the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2009."

Explanation:

(This amendment modifies existing language to mandate a plan for instructional positions for blind and visually impaired students enrolled in public schools.)

Item 139 #1s

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Direct Aid To Public Education

\$0

\$1,176,750 GF

Language:

Page 132, line 43, strike "\$6,204,120" and insert "\$7,380,870".

Page 134, line 7, strike "\$3,457,500" and insert "\$4,634,250".

Explanation:

(This amendment provides almost \$1.2 million GF the second year to account for expected growth in the number of teachers eligible for bonuses due to certification from the National Board of Professional Teaching Standards.)

Item 140 #2s

**Education: Elementary &
Secondary**

Direct Aid To Public Education

Language

Language:

Page 152, strike lines 51 through 60.

Page 153, strike lines 1-12 and insert:

“k. The Board of Education shall review the current Standards of Quality to evaluate the appropriateness of the existing staffing standards for instructional positions and the appropriateness of establishing standards for support positions, with the objective of maximizing resources devoted to the instructional program. The findings from this review shall be submitted to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.

l. The Department of Education shall review state laws, regulations, and procedures that could be modified, reduced, or eliminated in an effort to minimize the administrative burden on local school divisions and the Department of Education.

The findings from this review shall be submitted to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009.

m. The Department of Education shall not calculate the cost of technical rebenchmarking for the 2010-2012 biennium using the "support position funding cap" methodology change proposed in SB 850 as introduced. For the purpose of making required spending reductions in the second year only, the appropriation and distribution of Basic Aid reflect the proposed methodology. Local school divisions shall have discretion as to where the reductions may be made, consistent with the Standards of Quality funded in this act."

Page 176, line 5, after "from" strike the remainder of the line.

Page 176 line 5, after "from" insert "the reductions from policy decisions originally contained in the introduced budget".

Page 176, strike lines 6-8.

Page 176, line 9 strike "Construction Grants Program funding".

Explanation:

(This amendment eliminates in the second year the proposed mandate of a cap on certain support positions included in Basic Aid. Local school divisions will have discretion on where the funding reduction may be taken. The amendment further calls for the Board of Education to review reporting requirements, evaluate current staffing standards for instructional positions, and review the appropriateness of establishing staffing standards for support positions.)

Item 140 #3s

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	\$0	\$1,240,143	GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,898,149,394".

Explanation:

(This amendment restores savings that would have resulted from the proposed closure of Commonwealth Center for Children and Adolescents in Staunton.)

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	\$0	\$679,000	GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,897,588,251".

Explanation:

(This amendment restores savings that would have resulted from the proposed closure of Southwestern Virginia Mental Health Institute's Adolescent Unit in Smyth County.)

Education: Elementary & Secondary		Language
Direct Aid To Public Education		

Language:

Page 155, line 44, unstrike "and local".

Explanation:

(This amendment removes an incorrect strike-through included in the introduced budget for a required local match for the Remedial Education Payments.)

Education: Elementary & Secondary	FY 08-09	FY 09-10	
Direct Aid To Public Education	\$0	(\$39,657,117)	GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,857,252,134".
 Page 135, line 28, strike "\$5,384,873,208" and insert "\$5,345,216,091".
 Page 136, line 27, strike "\$79,314,230" and insert "\$39,657,113".
 Page 151, line 41, strike "79,314,230" and insert "\$39,657,113".

Page 151, line 44, after "and" strike "\$118.52" and insert "\$59.26".

Page 151, line 45, after "year." insert:

"The locality in which the school division is located shall appropriate these funds solely for textbooks or any other public education expenditure by the school division in the second year. No local match is required to receive these state funds in the second year and such local match shall be excluded from the determination of required local effort in the second year pursuant to Item 140 B.8a. through h. and Section 22.1-97, Code of Virginia."

Page 151, after line 56 insert:

"5). The Department of Education shall calculate textbook funding based on 100 percent of the statewide prevailing per pupil cost for rebenchmarking the cost of the Standards of Quality for the 2010-2012 biennium.

6) For purposes of calculating rebenchmarking costs for textbooks for the 2012-2014 biennium, the Department of Education shall include the higher of the fiscal year 2009 or fiscal year 2010 division-level textbook per pupil amount in calculating the base year statewide prevailing per pupil amount. For this calculation, the Department of Education shall adjust, with one additional year of inflation, any fiscal year 2009 division-level per pupil textbook expenditure data used in calculating the base year statewide prevailing per pupil amount."

Explanation:

(This amendment reduces funding for textbooks in FY 2010 by 50 percent. In addition, localities are not required to provide a local required match. This is a one-time action and will not be continued in the 2010-12 biennium rebenchmarking nor will it adversely affect funding for the 2012-14 biennium.)

Item 140 #7s

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Direct Aid To Public Education

\$0

(\$9,391,155) GF

Language:

Page 135, line 25, strike "\$5,896,909,251" and insert "\$5,887,518,096".

Page 135, line 28, strike "\$5,384,873,208" and insert "5,375,482,053".

Explanation:

(This amendment reflects the net effect to Direct Aid to Public Education of revising the sales tax estimate due to reversing the proposed elimination of the "dealer discount". This elimination was assumed in the budget as introduced.)

Item 141 #1s

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Direct Aid To Public Education

\$0

\$27,499,994 NGF

Language:

Page 176, line 23, strike "\$834,092,100" and insert "\$861,592,094".

Page 176, line 29, before "The" insert "A".

Page 176, after line 31, insert:

"B1. Out of this appropriation, \$27,499,994 the second year from federal funds made available under the American Recovery and Reinvestment Act of 2009 is designated for the School Construction Grants Program.

2. This appropriation includes an amount estimated at \$27,499,994 the second year from federal funds to provide grants to school divisions for modernization, renovation, or repair of public school facilities pursuant to the American Recovery and Reinvestment Act of 2009.

3. School divisions are encouraged to utilize value engineering in school facility projects funded with these grant proceeds.

4. For FY 2010 only, school divisions may use the school construction grants funding to pay for recurring operational expenses incurred by the school division in compliance with the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment restores \$27.5 million from additional funding in the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

**Education: Elementary &
Secondary**

FY 08-09

FY 09-10

Direct Aid To Public Education \$0 \$429,833,942 NGF

Language:

Page 176, line 23, strike "\$834,092,100" and insert "\$1,263,926,042".

Page 176, line 29, before "The" insert "A".

Page 176, after line 31, insert:

"B1. From such funds as may be appropriated and sufficient for this purpose from the American Recovery and Reinvestment Act of 2009 and notwithstanding the requirements of this Act, the Department of Education shall restore reductions in Item 140 in the following order of priority.

a. Restore allocations reduced in the Additional Support for School Construction and Operating Costs account from the movement of programs in and out of the Lottery from the general fund as provided in HB 1600/SB 850 as introduced and as amended.

b. Restore reductions in Basic Aid based on the Support Cap methodology as provided in HB 1600/SB 850 as introduced and as amended. This restoration would eliminate the need for the Funding Loss Cap account, allowing those funds to be allocated to the Additional Support for School Construction and Operating Costs account.

c. Restore reductions to textbook funding."

Explanation:

(This amendment allocates \$429.8 million from the Education area specific funding under the American Recovery and Reinvestment Act of 2009. The amendment restores reductions related to actions in Item 140 including savings from moving programs in and out of the Lottery, a reduction amount originally based on the Support Cap methodology, and a reduction to textbook funding. It is the intent of the General Assembly that the changes necessary to other items in this act to accomplish the purposes of this amendment shall be made during enrolling.)

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$0	\$133,656	NGF

Language:

Page 178, line 36, strike "\$65,791,295" and insert "\$65,924,951".

Page 181, line 26 following "\$1,000,000" strike "the second year" and insert "from the general fund and \$133,656 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 the second year".

Explanation:

(This amendment provides \$133,656 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to increase student financial assistance under the Virginia Military Survivors and Dependents Program (VMSDEP), which is budgeted to State Council of Higher education for Virginia. This increases the total FY 2010 appropriation for VMSDEP to \$1,133,656.)

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$0	\$4,017,644	GF

Language:

Page 182, line 6, strike "\$75,000" and insert "\$4,092,644".

Page 182, line 8, strike "\$0" and insert "\$4,017,644".

Page 182, line 23, before "from" insert "and \$4,017,644 the second year".

Explanation:

(This amendment restores \$4.0 million GF the second year for the eminent scholars program or two-thirds of the amount appropriated for FY 2010 during the 2008 Session. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 148 and §4-1.08 during the enrollment of HB 1600/ SB 850, as adopted by the 2009 General Assembly.)

Item 149 #3s

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$400,699	\$150,000	NGF

Language:

Page 183, line 5, strike "\$11,779,318" and insert "\$12,180,017".

Page 183, line 6, strike "\$11,904,318" and insert "\$12,054,318".

Page 186, after line 39, insert:

"M. Out of this appropriation, \$400,699 from nongeneral funds the first year and \$150,000 from nongeneral funds the second year is designated to cover the costs of federal education support programs. These funds shall be expended out of fund 0280."

Explanation:

(This amendment is a technical adjustment to the GEAR-UP program.)

Item 151 #1s

Education: Higher Education	FY 08-09	FY 09-10	
State Council Of Higher Education For Virginia	\$376,365	\$376,365	NGF

Language:

Page 186, line 51, strike "\$2,623,635" and insert "\$3,000,000".

Page 186, line 51, strike "\$2,623,635" and insert "\$3,000,000".

Explanation:

(This amendment is a technical adjustment to reflect the amount of the actual GEAR-UP grant.)

Item 152 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$153,217	NGF

Language:

Page 187, line 32, strike "\$53,867,420" and insert "\$54,020,637".

Explanation:

(This amendment provides \$153,217 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 153 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Christopher Newport University	\$0	\$226,439	GF
	\$0	\$18,870	NGF

Language:

Page 188, line 19, strike "\$3,773,990" and insert "\$4,019,299".

Explanation:

(This amendment provides \$226,439 GF and \$18,870 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 156 #2s

Education: Higher Education	FY 08-09	FY 09-10	
The College Of William And Mary In Virginia	\$0	\$353,741	NGF

Language:

Page 189, line 22, strike "\$140,588,878" and insert "\$140,942,619".

Explanation:

(This amendment provides \$353,741 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 157 #2s

Education: Higher Education	FY 08-09	FY 09-10	
The College Of William And Mary	\$0	\$164,003	GF
In Virginia	\$0	\$13,667	NGF

Language:

Page 190, line 28, strike "\$8,845,451" and insert "\$9,023,121".

Explanation:

(This amendment provides \$164,003 GF and \$13,667 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 160 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Richard Bland College	\$0	\$28,563	NGF

Language:

Page 192, line 18, strike "\$9,258,482" and insert "\$9,287,045".

Explanation:

(This amendment provides \$28,563 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 161 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Richard Bland College	\$0	\$8,539	GF
	\$0	\$2,966	NGF

Language:

Page 193, line 5, strike "\$332,363" and insert "\$343,868".

Explanation:

(This amendment provides \$8,539 GF and \$2,966 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 167 #3s

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$25,000	\$50,000	GF

Language:

Page 196, line 11, strike "\$342,684,030" and insert "\$342,709,030".

Page 196, line 12, strike "\$358,084,030" and insert "\$358,134,030".

Page 197, following line 3, insert:

"Out of this appropriation, \$25,000 the first year and \$50,000 the second year from the General Fund shall be provided to support the Belmont Bay Science Center."

Explanation:

(This amendment provides \$25,000 GF the first year and \$50,000 GF the second year to support the Belmont Bay Science Center. A companion amendment moves these funds from the Science Museum of Virginia.)

Item 167 #4s

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$0	\$927,635	NGF

Language:

Page 196, line 12, strike "\$358,084,030" and insert "\$359,011,665".

Explanation:

(This amendment provides \$927,635 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the

American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 168 #1s

Education: Higher Education	FY 08-09	FY 09-10	
George Mason University	\$0	\$371,629	GF
	\$0	\$129,069	NGF

Language:

Page 197, line 5, strike "\$17,285,327" and insert "\$17,786,025".

Explanation:

(This amendment provides \$371,629 GF and \$129,069 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 171 #3s

Education: Higher Education	FY 08-09	FY 09-10	
James Madison University	\$0	\$600,387	NGF

Language:

Page 198, line 30, strike "\$224,347,013" and insert "\$224,947,400".

Explanation:

(This amendment provides \$600,387 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 172 #1s

Education: Higher Education	FY 08-09	FY 09-10	
James Madison University	\$0	\$172,368	GF
	\$0	\$59,864	NGF

Language:

Page 199, line 29, strike "\$9,940,614" and insert "\$10,172,846".

Explanation:

(This amendment provides \$172,368 GF and \$59,864 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 175 #1s

Education: Higher Education

FY 08-09

FY 09-10

Longwood University

\$0

\$154,184 NGF

Language:

Page 200, line 29, strike "\$54,107,936" and insert "\$54,262,120".

Explanation:

(This amendment provides \$154,184 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 176 #1s

Education: Higher Education

FY 08-09

FY 09-10

Longwood University

\$0

\$101,275 GF

\$0

\$33,242 NGF

Language:

Page 201, line 24, strike "\$3,725,438" and insert "\$3,859,955".

Explanation:

(This amendment provides \$101,275 GF and \$33,242 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will

receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 179 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Norfolk State University	\$0	\$500,000	GF
	\$0	\$1,000,000	NGF
	0.00	10.00	FTE

Language:

Page 202, line 27, strike "\$80,514,158" and insert "\$82,014,158".

Explanation:

(This amendment provides \$500,000 GF and three positions the second year for the existing PhD program in materials science at Norfolk State University. This amendment provides an additional \$1.0 million the second year and seven positions from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 179 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Norfolk State University	\$0	\$177,198	NGF

Language:

Page 202, line 27, strike "\$80,514,158" and insert "\$80,691,356".

Explanation:

(This amendment provides \$177,198 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 180 #1s

Education: Higher Education	FY 08-09	FY 09-10	
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Norfolk State University	\$0	\$517,131	GF
	\$0	\$61,266	NGF

Language:

Page 204, line 11, strike "\$11,766,055" and insert "\$12,344,452".

Explanation:

(This amendment provides \$517,131 GF and \$61,266 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 183 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Old Dominion University	\$0	\$653,685	NGF

Language:

Page 205, line 7, strike "\$218,417,768" and insert "\$219,071,453".

Explanation:

(This amendment provides \$653,685 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 184 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Old Dominion University	\$0	\$390,111	GF
	\$0	\$135,488	NGF

Language:

Page 207, line 19, strike "\$17,205,505" and insert "\$17,731,104".

Explanation:

(This amendment provides \$390,111 GF and \$135,488 from federal stimulus

funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 185 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Old Dominion University	\$0	(\$599,838)	GF
	\$0	\$599,838	NGF

Language:

Page 207, line 38, strike "2,099,838" and insert "\$1,500,000".

Explanation:

(This amendment reduces the general fund modeling and simulation funding included in the introduced budget in the second year by \$599,838 GF. This amendment restores \$599,838 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 187 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Radford University	\$0	\$305,602	NGF

Language:

Page 209, line 22, strike "\$103,526,684" and insert "\$103,832,286".

Explanation:

(This amendment provides \$305,602 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 188 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Radford University	\$0	\$171,368	GF

\$0 \$59,378 NGF

Language:

Page 210, line 29, strike "\$8,324,411" and insert "\$8,555,157".

Explanation:

(This amendment provides \$171,368 GF and \$59,378 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 191 #2s

Education: Higher Education	FY 08-09	FY 09-10	
University Of Mary Washington	\$0	\$160,232	NGF

Language:

Page 211, line 25, strike "\$60,672,179" and insert "\$60,832,411".

Explanation:

(This amendment provides \$160,232 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 192 #1s

Education: Higher Education	FY 08-09	FY 09-10	
University Of Mary Washington	\$0	\$45,726	GF
	\$0	\$7,021	NGF

Language:

Page 212, line 17, strike "\$1,451,262" and insert "\$1,504,009".

Explanation:

(This amendment provides \$45,726 GF and \$7,021 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second

year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 197 #2s

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia	\$0	\$1,297,686	NGF

Language:

Page 213, line 45, strike "\$499,355,479" and insert "\$500,653,165".

Explanation:

(This amendment provides \$1.3 million NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 198 #2s

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia	\$0	\$294,141	GF
	\$0	\$24,512	NGF

Language:

Page 216, line 42, strike "\$58,548,572" and insert "\$58,867,225".

Explanation:

(This amendment provides \$294,141 GF and \$24,512 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 204 #2s

Education: Higher Education	FY 08-09	FY 09-10	
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University Of Virginia's College At Wise \$0 \$60,283 NGF

Language:

Page 219, line 32, strike "\$22,802,357" and insert "\$22,862,640".

Explanation:

(This amendment provides \$60,283 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 205 #1s

Education: Higher Education	FY 08-09	FY 09-10	
University Of Virginia's College At Wise	\$0	\$82,410	GF
	\$0	\$8,474	NGF

Language:

Page 220, line 34, strike "\$1,713,956" and insert "\$1,804,840".

Explanation:

(This amendment provides \$82,410 GF and \$8,474 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 208 #4s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Commonwealth University	\$0	\$1,325,232	NGF

Language:

Page 221, line 40, strike "\$495,208,670" and insert "\$496,533,902".

Explanation:

(This amendment provides \$1.3 million NGF the second year for base adequacy.

Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 209 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Commonwealth University	\$0	\$516,847	GF
	\$0	\$179,504	NGF

Language:

Page 225, line 47, strike "\$26,502,039" and insert "\$27,198,390".

Explanation:

(This amendment provides \$516,847 GF and \$179,504 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 213 #5s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Community College System	\$0	\$2,178,336	NGF

Language:

Page 227, line 34, strike "\$762,968,843" and insert "\$765,147,179".

Explanation:

(This amendment provides \$2.2 million NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 214 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Community College	\$0	\$25,000	GF
System	\$0	\$10,000	NGF

Language:

Page 232, line 19, strike "\$223,755,598" and insert "\$223,790,598".

Explanation:

(This amendment provides \$25,000 GF and \$10,000 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 216 #1s

Education: Higher Education

Virginia Community College
System

Language

Language:

Page 233, line 3, following "for" delete "the master equipment lease program for the purchase of equipment" and insert "training costs."

Explanation:

(This amendment changes the use of funds included in SB 850 for the Virginia Community College System's workforce development program from equipment to training.)

Item 219 #3s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Military Institute	\$0	\$63,028	NGF

Language:

Page 233, line 50, strike "\$32,218,095" and insert "\$32,281,123".

Explanation:

(This amendment provides \$63,028 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 220 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Military Institute	\$0	\$43,306	GF
	\$0	\$3,609	NGF

Language:

Page 234, line 35, strike "\$1,271,762" and insert "\$1,318,677".

Explanation:

(This amendment provides \$43,306 GF and \$3,609 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 224 #3s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Polytechnic Institute And State University	\$0	\$1,407,413	NGF

Language:

Page 236, line 2, strike "\$501,853,133" and insert "\$503,260,546".

Explanation:

(This amendment provides \$1.4 million NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 225 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia Polytechnic Institute And State University	\$0	\$765,440	GF
	\$0	\$63,787	NGF

Language:

Page 237, line 32, strike "\$17,150,905" and insert "\$17,980,132".

Explanation:

(This amendment provides \$765,440 GF and \$63,787 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 230 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia State University	\$0	(\$1,000,000)	GF
	\$0	\$1,000,000	NGF

Language:

Explanation:

(This amendment reduces the \$1.5 million GF in increased funding included in the introduced budget for FY 2010 for the Manufacturing and Logistics Program at Virginia State University to \$500,000 GF, a reduction of \$1.0 million. This amendment restores \$1.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 230 #3s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia State University	\$0	\$153,578	NGF

Language:

Page 241, line 29, strike "\$68,808,796" and insert "\$68,962,374".

Explanation:

(This amendment provides \$153,578 NGF the second year for base adequacy. Higher education institutions as a whole receive funding for base adequacy totaling \$10.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to help restore reductions.)

Item 231 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Virginia State University	\$0	\$120,166	GF
	\$0	\$55,627	NGF

Language:

Page 243, line 12, strike "\$7,740,310" and insert "\$7,916,103".

Explanation:

(This amendment provides \$120,166 GF and \$55,627 from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 in the second year to increase student financial assistance in FY 2010 so that institutions will receive a minimum 6.5 percent increase over FY 2009 or funding of 65 percent under the partnership model.)

Item 242 #1s

Education: Other	FY 08-09	FY 09-10	
The Science Museum Of Virginia	(\$25,000)	(\$50,000)	GF
	0.00	-1.00	FTE

Language:

Page 249, line 45, strike "\$10,916,886" and insert "\$10,891,886".

Page 249, line 45, strike "\$10,872,686" and insert "\$10,822,686".

Page 250, strike lines 17 to 21.

Explanation:

(This amendment reduces the appropriation of the Science Museum of Virginia for support of the Belmont Bay Science Center by \$25,000 GF the first year and \$50,000 GF and one position the second year. A companion amendment transfers these funds to George Mason University.)

Item 254 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Higher Education Research Initiative	\$0	(\$900,000)	GF

Language:

Page 258, line 3, strike "\$7,500,000" and insert "\$6,600,000".

Page 258, line 40, strike "\$6,000,000" and insert "\$5,100,000".

Explanation:

(This amendment reduces funding for a project at the Jefferson Lab by 15 percent in the second year from the Higher Education Research Initiative.)

Item 254 #2s

Education: Higher Education	FY 08-09	FY 09-10	
Higher Education Research Initiative	\$0	(\$75,000)	GF

Language:

Page 258, line 3, strike "\$7,500,000" and insert "\$7,425,000".

Page 258, line 47, strike "\$500,000" and insert "\$425,000".

Explanation:

(This amendment reduces funding designated for Hampton University Foundation by 15 percent in the second year from the Higher Education Research Initiative.)

Item 254 #3s

Education: Higher Education	FY 08-09	FY 09-10	
Higher Education Research Initiative	\$0	(\$500,000)	GF
	\$0	\$500,000	NGF

Language:

Page 258, line 8, strike "\$1,000,000" and insert "\$500,000".

Explanation:

(This amendment reduces GF funding designated for the Commonwealth

Technology Research Fund by 50 percent in the second year from the Higher Education Research Initiative. This amendment provides \$500,000 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 254.20 #1s

Education: Higher Education	FY 08-09	FY 09-10	
Federal Education Assistance Programs	\$0	\$210,048,392	NGF

Language:

Page 261, after line 25, insert:

"Higher Education Funding: American Recovery and Reinvestment Act of 2009"

"A. From such funds as may be appropriated and sufficient for this purpose from the American Recovery and Reinvestment Act of 2009 and notwithstanding the requirements of this Act, the Department of Planning and Budget shall restore reductions to the state colleges and universities in the amounts that were provided in HB 1600/SB 850 as introduced for FY 2010."

"254.20.	\$210,048,392
Fund Sources: Federal Trust	\$210,048,392."

Explanation:

(This amendment allocates \$210.0 million from the Education area specific funding under the American Recovery and Reinvestment Act of 2009. The amendment would restore the across-the-board reductions that the higher education institutions received in the introduced budget in FY 2010. It is the intent of the General Assembly that the changes necessary to other items in this act to accomplish the purposes of this amendment shall be made during enrolling.)

Item 264 #1s

Finance	FY 08-09	FY 09-10	
Department Of Accounts Transfer	\$403,143	\$404,651	GF

Payments

Language:

Page 268, line 4, strike "\$118,086,997" and insert "\$118,490,140".

Page 268, line 4, strike "\$117,655,843" and insert "\$118,060,494".

Explanation:

(This amendment adjusts the FY 2009 and FY 2010 transfer payments to localities to reflect actual distributions for Rolling Stock Taxes and Tennessee Valley Authority Payments in Lieu of Taxes. A companion amendment to revenues provides the same amount of additional revenue.)

Item 267 #1s

Finance	FY 08-09	FY 09-10	
Department Of Accounts Transfer Payments	\$0	\$225,000	GF

Language:

Page 271, line 2, strike "\$10,058,131" and insert "\$10,283,131".

Explanation:

(This amendment provides \$225,000 GF the second year pursuant to the passage of SB 943, which amends the definition of "deceased person" under the Line of Duty Act.)

Item 267 #2s

Finance	FY 08-09	FY 09-10	
Department Of Accounts Transfer Payments	\$0	(\$9,233,131)	GF
	\$0	\$22,000,000	NGF

Language:

Page 271, line 2, strike "\$10,058,131" and insert "\$22,825,000".

Explanation:

(This amendment replaces \$9.2 million GF the second year with \$22.0 million NGF each year. The nongeneral funds are derived from fees provided in SB 1006).

Finance

Department Of Taxation

Language

Language:

Page 276, line 13, before “The” insert “A.”.

Page 276, after line 24, insert:

“B. The Department of Taxation shall convene a working group to review and make recommendations, on or before November 30, 2009, to the Senate Finance Committee and to the House Finance Committee with respect to the basis on which recordation and grantor taxes are calculated on the transfer of real estate to the actual consideration for the real estate. The working group shall be comprised of representatives of interested parties identified by the Tax Commissioner, and shall include, without limitation, representatives of associations representing real estate businesses in Virginia, the Virginia Association of Realtors, the Virginia Court Clerks Association, the Virginia Association of Counties, and the Virginia Municipal League. The working group shall consider enforcement and implementation issues associated with § 58.1-812 of the Code of Virginia. The working group shall also review the fiscal impacts related to the current law and to proposed changes in the law. The fiscal impacts on state and local governments and the housing industry will be reviewed in terms of order of magnitude.”

Explanation:

(This amendment is a companion to Senate Bill 1157. It requires the Tax Department to convene a working group to examine the basis on which recordation and grantor taxes are calculated.)

Finance

Department Of Taxation

Language

Language:

Page 277, following line 51, insert:

"I. The Department of Taxation shall (1) secure and utilize software based on Global Positioning System data in the allocation to localities of the one percent local option

sales and use tax, (2) modify remittance forms as appropriate to require each in-state vendor filing a consolidated return to report how many places of business that the vendor has in each locality, (3) provide localities with increased computer systems access to information-only data in order to facilitate local input in error identification, and (4) report to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2009, on options for providing incentives and/or penalties for erroneous reporting of sales and use tax data by merchants."

Explanation:

(This amendment is self-explanatory.)

Item 270 #2s

Finance

Department Of Taxation

Language

Language:

Page 277, following line 51, insert:

"I. Upon request of the Secretary of Finance, the State Comptroller shall grant the Department of Taxation a Treasury Loan for the planning and implementation of the Virginia Tax Amnesty Program, estimated to be \$6,951,928. Repayment of this loan will be from the gross revenues generated by the amnesty program."

Explanation:

(This amendment is self-explanatory.)

Item 270 #3s

Finance

Department Of Taxation

Language

Language:

Page 277, following line 51, insert:

"I. The Department of Taxation is hereby appropriated revenues from the digital media fee imposed pursuant to §58.1-1731, Code of Virginia, to recover the direct cost of administration incurred by the department in implementing and collecting such fee. Documented costs incurred in FY 2009, up to a total \$320,000, may be

recovered from fees remitted in FY 2010."

Explanation:

(This amendment is self-explanatory.)

Item 270 #4s

Finance

Department Of Taxation

FY 08-09

\$0

FY 09-10

\$549,492 GF

Language:

Page 276, line 26, strike "\$60,807,983" and insert "\$61,357,475".

Explanation:

(This amendment provides \$549,492 GF the second year for implementation of SB 905, which requires the Department of Taxation to provide a taxpayer's representative with a power of attorney copies of any written correspondence or other written materials that were provided to the taxpayer.)

Item 274 #1s

Finance

Department Of The Treasury

Language

Language:

Page 280, line 13, strike "C." and insert:

"C. Notwithstanding the provisions of §15.2-4518.13 and §15.2-4526, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Virginia Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of §8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail

and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.

D."

Explanation:

(This amendment allows the Northern Virginia and Potomac Rappahannock Transportation Commissions, in cooperation with the Department of Rail and Public Transportation, to competitively procure liability insurance from either public or private providers for the Virginia Railway Express.)

Item 280 #1s

Finance

Treasury Board

FY 08-09

(\$761,080)

FY 09-10

(\$790,492) GF

Language:

Page 283, line 46, strike "\$452,954,149" and insert "\$452,193,069".

Page 283, line 46, strike "\$526,840,569" and insert "\$526,050,077".

Explanation:

(This amendment captures additional general fund debt service savings.)

Item 280 #5s

Finance

Treasury Board

Language

Language:

Page 285, strike lines 38 to 58.

Page 286, strike lines 1 to 16.

Page 285, line 38, insert:

"2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82 of the Code of Virginia, in effect as of December 31, 2008, for the following:

**Commonwealth
Share of**

Project	Approved Capital Costs
Loudoun County Adult Detention Center Phase 2	8,389,677
Virginia Beach City Jail Expansion & Renovation	11,302,749
Rappahannock Regional Jail Expansion	24,417,429
Riverside Regional Jail Expansion Phase 2	41,662,121
Western Virginia Regional Jail	46,806,831
Blue Ridge Regional Jail	31,664,995
Prince William /Manassas Regional Adult Detention Center (Main Jail Facility Phase I including renovations) (with Board of Corrections approval by June 1, 2009)	30,519,905
New River Valley Regional jail	29,868,567
Newport News Public Safety Renovations	428,125
Patrick County Jail	2,689,032
Total Approved Capital Costs	227,749,431

b. Subject to the approval of the Board of Corrections of the final expenditures for the Prince William/Manassas Regional Adult Detention Center (Main Jail Facility, Phase I, including renovations), the state share of the approved capital cost for this project shall not exceed \$30,519,905.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia."

Explanation:

(This amendment sets out the VPBA bond authorization for each local or regional jail project eligible to receive a contribution from the Commonwealth.)

Item 280 #6s

Finance	FY 08-09	FY 09-10	
Treasury Board	\$0	(\$8,000,000)	GF
	\$0	\$8,000,000	NGF

Language:

Page 287, strike lines 6 to 24.

Page 287, following line 24, insert:

Institution	FY 2009	FY 2010	FY 2010
George Mason University	\$311,338	\$311,338	\$934,014
Old Dominion University	\$193,298	\$193,298	\$579,894
University of Virginia	\$760,448	\$760,448	\$2,281,344
Virginia Polytechnic Institute and State University	\$794,424	\$794,424	\$2,383,272
Virginia Commonwealth University	\$289,108	\$289,108	\$867,324
College of William and Mary	\$241,596	\$241,596	\$724,788
Christopher Newport University	\$11,324	\$11,324	\$33,972
University of Virginia's College at Wise	\$7,800	\$7,800	\$23,400
James Madison University	\$457,402	\$457,402	\$1,372,206
Norfolk State University	\$113,258	\$113,258	\$339,774
Longwood University	\$21,646	\$21,646	\$64,938
University of Mary Washington	\$102,204	\$102,204	\$306,612
Radford University	\$71,570	\$71,570	\$214,710
Virginia Military Institute	\$65,262	\$65,262	\$195,786
Virginia State University	\$142,136	\$142,136	\$426,408
Richard Bland College	\$1,448	\$1,448	\$4,344
Virginia Community College System	\$415,738	\$415,738	\$1,247,214
TOTAL	\$4,000,000	\$4,000,000	\$12,000,000

Explanation:

(This amendment captures savings of \$8.0 million GF the second year by increasing the capital fee for out-of-state students from \$2 per credit hour to \$6 per credit hour and distributes the revenue among the institutions of higher education based on the distribution set out in SB 850, as introduced.)

Item 282 #2s

Health And Human Resources	FY 08-09	FY 09-10	
Secretary Of Health And Human Resources	\$0	(\$100,000)	GF

Language:

Page 291, line 3, strike "\$1,804,722" and insert "\$1,704,722".
Page 291, line 9, strike "1,000,000" and insert "900,000".

Explanation:

(This amendment reduces funding for child advocacy centers by \$100,000 in FY 2010. Child Advocacy Centers provide services to victims of sexual abuse, physical abuse and severe physical neglect.)

Item 282 #3s

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 292, after line 59, insert:

"E. The Secretary of Health and Human Resources shall convene appropriate Secretaries and state agency personnel along with individuals chosen by their respective association to represent the Virginia Association of Area Agencies on Aging, the Virginia Association of Nonprofit Homes for the Aging, Virginia Health Care Association, Virginia Hospital and Healthcare Association, Virginia Home Health Association, Virginia Association of Community Services Boards, the Alzheimer's Association, Centers for Independent Living, local government and other interested entities to develop a blueprint for addressing the wave of older Virginians and issues related to active living in communities. The blueprint shall span to the year 2025 for planning purposes and shall be comprehensive, not limited to traditional health and human service issues, but rather broad-based issues of active, daily life in our communities with a variety of service models. The blueprint shall build upon the No Wrong Door initiative and the Older Dominion Partnership. The blueprint shall be presented to the health and human resources subcommittees of Senate Finance and House Appropriation Committees no later than June 30, 2010."

Explanation:

(This amendment requires the Secretary of Health and Human Resources to develop a blueprint for addressing the comprehensive needs of aging Virginians with the involvement of interested parties.)

Item 282 #4s

Health And Human Resources

Secretary Of Health And Human
Resources

Language

Language:

Page 292, after line 59, insert:

"E. It is the intent of the General Assembly that funding provided to the Commonwealth through the federal American Recovery and Reinvestment Act of 2009 shall be appropriated based on a thorough review of the reductions contained within the Health and Human Resources Secretariat where appropriate."

Explanation:

(This language amendment states the intent of the General Assembly to review the reductions contained within the Health and Human Resources budget in light of the passage of the federal economic stimulus plan embodied in the American Recovery and Reinvestment Act of 2009.)

Item 282 #5s

Health And Human Resources

Secretary Of Health And Human Resources

Language

Language:

Page 292, after line 59, insert:

"E. On October 1st of each year, the Secretary of Health and Human Resources shall prepare and submit fund balance statements to the Chairmen of the Senate Finance and House Appropriations Committees for agencies within the secretariat that oversee funds that generate annual revenues in excess of \$1.0 million each year. The Secretary shall report annual revenues, expenditures, and transfers for each fund subject to this criteria."

Explanation:

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

Item 283 #6s

Health And Human Resources

Comprehensive Services For At-Risk Youth And Families

FY 08-09
(\$2,000,000)

FY 09-10
(\$1,000,000) GF

Language:

Page 293, line 16, strike "\$361,491,012" and insert "\$359,491,012".
Page 293, line 16, strike "\$377,213,889" and insert "\$376,213,889".

Explanation:

(This amendment reduces \$2.0 million GF the first year and \$1.0 million GF the second year to reflect slower caseload growth in CSA. In FY 2008, \$14.3 million GF was budgeted for children entering CSA through parental agreements. Actual spending was closer to \$2.1 million GF. The introduced budget included a reduction in funding of \$5.0 million GF each year; this amendment reduces funding by an additional amount each year, reflecting slower growth than anticipated during the biennium.)

Item 283 #7s

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 295, line 26, after "measures," insert:

"building community-based services, including creation of partnerships with private providers and non-profit groups,".

Page 295, line 31, after the period, insert:

"A training plan shall be presented to, and approved by, the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to CPMT and FAPT members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (a) a description of each program and trainers, (b) the dates of the training and the number of attendees for each program, (c) a summary of evaluations of these programs by attendees, and (d) the funds expended shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year."

Explanation:

(This amendment requires the Office of Comprehensive Services to develop a plan for conducting training sessions throughout the fiscal year. In addition, language is added requiring reporting on training session dates, programs, trainers, evaluations and funds expended beginning December 1 of each year.)

Item 283 #8s

Health And Human Resources

Comprehensive Services For
At-Risk Youth And Families

Language

Language:

Page 293, line 31, after the period, insert:

"The State Executive Council shall provide guidelines for a locality to use up to 25 percent of its state pool allocation to create community-based services in their locality or regionally with adjoining localities. Services provided shall qualify for state general fund reimbursement at the localities pool fund match rate. The guidelines shall be in place on or before July 1, 2009."

Explanation:

(This amendment requires the Office of Comprehensive Services to develop guidelines that would allow localities to use up to 25 percent of their state pool allocation to develop community-based services. Localities would be eligible for reimbursement at the state matching rate for such services.)

Item 284 #2s

Health And Human Resources

Department For The Aging

FY 08-09

\$0

FY 09-10

(\$23,750) GF

Language:

Page 300, line 17, strike "\$30,328,128" and insert "\$30,304,378".

Page 301, line 40, strike "237,500" and insert "213,750".

Explanation:

(This amendment reduces funding for the Senior Navigator program by \$23,750 GF in FY 2010.)

Item 284 #3s

Health And Human Resources

Department For The Aging

FY 08-09

\$0

FY 09-10

(\$47,898) GF

Language:

Page 300, line 17, strike "\$30,328,128" and insert "\$30,280,230".

Explanation:

(This amendment reduces funding for the No Wrong Door program by \$47,898 GF in FY 2010.)

Item 288 #1s

Health And Human Resources

Department For The Deaf And
Hard-Of-Hearing

Language

Language:

Page 304, unstrike lines 34 through 35.

Explanation:

(This amendment restores language that the Norton Relay Center maintain a minimum of 105 full-time equivalent positions. The introduced budget eliminated this staffing requirement.)

Item 290 #2s

Health And Human Resources

Department Of Health

FY 08-09

\$0

FY 09-10

\$9,450,000 NGF

Language:

Page 306, line 24, strike "\$36,848,204" and insert "\$46,298,204".

Page 307, after line 19, insert:

"F. In FY 2010 only, \$9,450,000 from nongeneral funds from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009 shall be used to replace funding provided under the \$4.00 for Life Program. These funds shall be distributed according to the formula in § 46.2-694, Code of Virginia."

Explanation:

(This amendment replaces a reduction in \$4.00 for Life Funding with one-time revenues from the American Recovery and Reinvestment Act of 2009 in FY 2010 only. A transfer in Item 3-1.01 directs \$1.50 from motor vehicle revenues to the general fund in FY 2010. Flexible federal funding will be distributed according to the formula in the Code of Virginia for volunteer rescue squads, the Department of Health for training purposes, the Rescue Squad Assistance Fund, the Office of

Emergency Medical Services, and localities for emergency medical services personnel.)

Item 291 #1s

Health And Human Resources

Department Of Health

FY 08-09

(\$24,680)

FY 09-10

\$0 GF

Language:

Page 307, line 21, strike "\$8,233,356" and insert "\$8,208,676".

Explanation:

(This amendment reduces \$24,680 GF the first year from a proposal to increase staff at regional offices of the Chief Medical Examiner. Full funding of \$430,403 GF the second year that was included in the introduced budget is retained for six new additional death investigators to satisfy national accreditation for the regional offices.)

Item 294 #2s

Health And Human Resources

Department Of Health

Language

Language:

Page 309, strike lines 28 through 52, re-letter the remaining paragraphs, and insert:
"B. Effective July 1, 2009, the schedule of fees for applications for certificates of public need (COPN) shall not be less than \$1,000 nor exceed the lesser of one percent of the proposed expenditure for the project or \$50,000. Such fees shall be divided equally between the Department of Health and regional health planning agencies (RHPAs), with the allocation among the regional health planning agencies based on population. If any region does not have a designated RHPA for any period of time, the Department of Health shall retain the fees that would have been distributed to the RHPA."

Explanation:

(This amendment removes new language eliminating the role of RHPAs in the certificate of public need (COPN) process. Also, new budget language is added restricting COPN application fees to \$1,000 or the lesser of one percent of the project expenditures not to exceed \$50,000.)

Item 294 #3s

Health And Human Resources

Department Of Health

Language

Language:

Page 309, line 15, strike "the first year only".

Page 309, line 29, strike "the first year".

Explanation:

(This amendment restores funding from excess fee revenues for Regional Health Planning Agencies (RHPAs). Language in the introduced budget eliminated funding for RHPAs beginning July 1, 2009.)

Item 297 #9s

Health And Human Resources

Department Of Health

FY 08-09

FY 09-10

\$0

\$1,049,691 GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$16,306,713".

Page 319, line 22, strike "500,000" and insert "1,549,691".

Page 319, strike lines 24 through 26.

Explanation:

(This amendment restores \$1.0 million GF to maintain current funding for the Commonwealth's three Poison Control Centers. It also removes language that proposed to consolidate funding at one center. A separate amendment to Item 11 requires the Joint Commission on Health Care to examine funding for poison control centers.)

Item 297 #10s

Health And Human Resources

Department Of Health

FY 08-09

FY 09-10

\$0

(\$225,000) GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,032,022".

Page 319, line 18, strike "225,000" and insert "0".

Explanation:

(This amendment eliminates funding for the Patient Advocate Foundation, a non-state agency in the Department of Health's budget, that was added last session. Funding was reduced by 10 percent in the Governor's introduced budget. This amendment eliminates the remaining funding the second year.)

Item 297 #11s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	(\$90,000)	GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,167,022".
Page 319, line 14, strike "90,000" and insert "0".

Explanation:

(This amendment eliminates funding for Bedford Hospice House, a non-state agency in the Department of Health's budget, that was added last session. Funding was reduced by 10 percent in the Governor's introduced budget. This amendment eliminates the remaining funding the second year.)

Item 297 #12s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$63,750	GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,320,772".
Page 318, line 49, reinstate the stricken language.
Page 318, line 49, strike "150,000" and insert "63,750".
Page 318, line 51, strike "the Northern Neck and".

Explanation:

(This amendment restores \$63,750 GF the second year to maintain funding for a certified nurse midwife to continue the prenatal care pilot project in the city of Emporia and Greensville County. This one-time funding will allow the project to continue without state support after June 30, 2010. Funding for the pilot projects was eliminated in the Governor's introduced budget. Federal funding has been earmarked for the project in the Northern Neck, so funding is not restored for that site. The pilot

project is designed to expand access to prenatal and obstetrical care for women who have lost access to these services at rural community hospitals. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Items 301.05 and 4-1.08 during the enrollment of House Bill 1600/Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 297 #13s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$150,000	GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,407,022".

Page 315, line 12 strike "and".

Page 315, line 13, strike "\$750,000 the second year".

Page 315, line 35, strike "900,000" and insert "1,800,000".

Explanation:

(This amendment maintains an increase provided to community health centers at \$1.8 million GF each year. Last session, \$1.8 million GF was provided the first year and \$900,000 GF the second year for community health centers to address increasing caseloads. This amendment adds \$150,000 GF the second year and redirects \$750,000 GF the second year for operating costs; in prior years this funding has been used to expand or develop new community health centers for operating costs.)

Item 297 #14s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$850,000	GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$16,107,022".

Page 316, line 12, strike "850,000" and insert "1,700,000".

Explanation:

(This amendment provides \$850,000 GF the second year to address the increasing need for health care services for low income Virginians at free clinics. Last session, \$1.7 million GF the first year and \$850,000 GF the second year was provided for free clinics to address rising caseloads at their facilities. This amendment maintains

funding at \$1.7 million GF the second year.)

Item 297 #15s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	(\$164,195)	GF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,092,827".

Page 313, line 50, strike "1,641,945" and insert "1,477,750".

Explanation:

(This amendment reduces funding by \$164,195 GF for the CHIP of Virginia in FY 2010. CHIP, or the Comprehensive Health Investment Project, provides services through home visiting programs using a case management approach. Services are provided by a team of public health nurses and outreach workers.)

Item 297 #16s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$290,957	NGF

Language:

Page 313, line 44, strike "\$15,257,022" and insert "\$15,547,979".

Page 318, line 1, after "fund" insert "and \$290,957 the second year from nongeneral funds".

Explanation:

(This amendment restores \$290,957 NGF the second year for Virginia Health Information (VHI) from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009. The introduced budget eliminated general fund support for VHI in FY 2010. VHI supports the administration of the patient level database, including the Outpatient Data Reporting System. It is the intent that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Items 301.05 and 4-1.08 during the enrollment of House Bill 1600, as adopted by the 2009 General Assembly.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	(\$2,600,000)	GF
	\$0	\$2,600,000	NGF

Language:

Page 319, line 52, before "and" insert "from the general fund".
 Page 319, line 52, strike the second "the" and insert "nongeneral funds".
 Page 319, line 53, strike "general fund".

Explanation:

(This amendment reduces \$2.6 million GF the second year and adds \$2.6 million from additional federal funding included in the American Recovery and Reinvestment Act of 2009 for grants provided for drinking water infrastructure improvements in local communities. Approximately \$102.4 million is included in the federal stimulus package for clean and safe drinking water projects in the Commonwealth.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Health	\$0	\$60,000	GF

Language:

Page 321, line 5, strike "(\$12,773,634)" and insert "(\$12,713,634)".

Explanation:

(This amendment restores a \$60,000 general fund appropriation to the Department of Health for FY 2010. The strategy to transfer bedding fee revenues from the Department's Bedding and Upholstery Sanitation Fund to the general fund was erroneously reflected as an appropriation reduction instead of a cash transfer. Companion amendments to Page 1 and § 3.1-01 increase the nongeneral fund cash transfer amount for the department.)

Health And Human Resources	
Department Of Medical Assistance	Language

Services

Language:

Page 340, line 33, after "fund.", insert:

"The department shall promulgate regulations to implement this amendment no more than 280 days from the enactment of this act."

Explanation:

(This amendment provides emergency regulatory authority to make changes to the Medicaid reimbursement methodology for long-stay hospitals. The introduced budget includes a reduction strategy for long-stay hospitals, but in order for the Department of Medical Assistance Services to implement the necessary changes by July 1, 2009, the agency needs emergency regulatory authority.)

Item 306 #24s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 343, after line 50, insert:

"VVV. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with local Healthy Families sites so that qualifying funds may be used at the discretion of each site for obtaining matching nongeneral funds when available."

Explanation:

(This amendment requires the Department of Medical Assistance Services to enter into an agreement with local Healthy Families sites to generate federal Medicaid matching funds with local resources when available.)

Item 306 #25s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 343, after line 50, insert:

"VVV. The Department of Medical Assistance Services shall not enforce the requirement that hospices provide 21 hours per week of personal care to beneficiaries in waiver programs. The Director shall report to the Chairmen of the Senate Finance and House Appropriations Committees no later than August 1, 2009 of any conflicts with this regulation and federal law or regulation."

Explanation:

(This language amendment directs the Department of Medical Assistance Services to not enforce this policy which conflicts with new federal guidelines in the Medicare Conditions of Participation for Hospices.)

Item 306 #26s

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 340, strike lines 34 through 41 and re-letter the remaining paragraphs.

Explanation:

(This amendment removes budget language that would have limited funding for home health transportation providers that exceed 15 miles; an additional payment is paid for such providers under current law. No savings were assumed for this proposal included in the introduced budget.)

Item 306 #27s

Health And Human Resources

Department Of Medical Assistance
Services

FY 08-09

FY 09-10

\$0	\$154,900,000	GF
\$0	(\$154,900,000)	NGF

Language:

Page 331, line 42, strike "458,719,489" and insert "303,819,489".

Explanation:

(This amendment restores \$154.9 million GF for the Medicaid program and reduces \$154.9 million from the Virginia Health Care Fund to account for the loss of additional nongeneral fund revenues assumed in the introduced budget.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	(\$7,309,000)	GF
Services	\$0	\$7,309,000	NGF

Language:

Page 331, line 42, strike "458,719,489" and insert "466,028,494".

Explanation:

(This amendment reflects the transfer of \$7.3 million from the Virginia Tobacco Settlement Fund to the Virginia Health Care Fund to offset the cost of Medicaid spending. Additional revenues to the VHCF that are used as the state share of Medicaid spending allows for a reduction in general fund spending. A separate amendment to Item 3-1.02 transfers funding to the VHCF.)

Health And Human Resources		Language
Department Of Medical Assistance		
Services		

Language:

Page 343, strike lines 36 through 50.

Explanation:

(This amendment removes language from the introduced budget that would have required the Department to review the methodology for reimbursing vendors of durable medical equipment.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$410,970	GF
Services	\$0	(\$410,970)	NGF

Language:

Page 330, line 6, strike "1."
 Page 330, strike lines 13 through 18.

Explanation:

(This amendment restores \$410,970 GF and reduces \$410,970 NGF the second year to reflect the reversal of a proposal to capture an additional five percent of school-based reimbursement for medical services and transportation through Medicaid. The introduced budget included savings of five percent for administrative costs to the Department for processing billing for localities; this proposal included within the Governor's introduced budget may violate the maintenance of effort requirement in the federal American Recovery and Reinvestment Act of 2009, thus jeopardizing \$1.0 billion in federal Medicaid revenue.)

Item 306 #31s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$8,387,500	GF
Services	\$0	\$8,387,500	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,949,862,351".
 Page 324, line 45, strike "90,026,990" and insert "98,414,490".
 Page 324, line 47, strike "90,026,990" and insert "98,414,490".

Explanation:

(This amendment restores \$8.4 million GF and \$8.4 million from federal Medicaid matching funds to Southeastern Virginia Training Center (SEVTC) to continue operations at the Chesapeake facility. The introduced budget assumed savings from the closure of the facility on June 30, 2009. This amendment restores funding to maintain operations at the facility through the biennium. A separate amendment to Item 315 creates a process for assessing the needs of current SEVTC residents and the capacity of the community to serve these individuals.)

Item 306 #32s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	(\$563,081)	GF
Services	\$0	(\$563,081)	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,931,961,189".
 Page 326, line 38, strike "annually" and insert "on July 1, 2008".

Explanation:

(This amendment reduces \$563,081 GF and \$563,081 from federal Medicaid matching funds by maintaining the current eligibility level for individuals who "spenddown" to Medicaid coverage based on their medical needs at the July 1, 2008 level. Budget language allows the Department of Medical Assistance Services to annually increase eligibility by the consumer price index. This amendment forestalls an increase that would have taken effect on July 1, 2009.)

Item 306 #33s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	(\$462,666)	GF
Services	\$0	(\$462,666)	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,932,162,019".

Page 339, line 19, strike "3.75" and insert "3.50".

Explanation:

(This amendment reduces the pharmacy dispensing fee paid to pharmacists from \$3.75 per prescription per month to \$3.50. The introduced budget reduced the fee from \$4.00 to \$3.75. Data provided by Medicaid managed care organizations indicate that pharmacy dispensing fees range from \$1.50 to \$2.75, while the state employees' health plan pays \$1.50 for retail and \$0.00 for mail order.)

Item 306 #39s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$198,800	GF
Services	\$0	\$198,800	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,933,484,951".

Page 343, line 31, before the period, insert:

"and nursing facilities with 95 percent or greater Medicaid utilization in their provider fiscal year ending in calendar year 2006."

Explanation:

(This amendment restores \$198,800 GF and \$198,800 from federal Medicaid matching funds by exempting nursing homes with Medicaid utilization greater than

95 percent from a reduction in inflation who will be disproportionately harmed by this reduction.)

Item 306 #41s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$4,666,289	GF
Services	\$0	\$7,055,111	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,944,808,751".

Page 341, strike lines 1 through 18 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$4.7 million GF and \$7.1 million from federal Medicaid matching funds to remove the cap on the Elderly and Disabled Waiver Program. This proposal included within the Governor's introduced budget may violate the maintenance of effort requirement in the federal American Recovery and Reinvestment Act of 2009, thus jeopardizing \$1.0 billion in federal Medicaid revenue.)

Item 306 #42s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$97,530	GF
Services	\$0	\$97,530	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,933,282,411".

Page 341, strike lines 59 and 60.

Page 342, strike lines 1 through 10 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$97,530 GF the second year and a like amount of federal Medicaid matching funds for Johnson City Memorial Hospital. The introduced budget removed an "add-on" payment for the hospital beginning July 1, 2009. Since 2004, JCMH has received an additional payment for hospitals with neonatal intensive care units, because it serves a high-volume of Virginia residents).

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$7,314,908	GF
Services	\$0	\$11,059,642	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,951,461,901".

Page 339, strike line 58.

Page 340, strike lines 1 through 8 and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$7.3 million GF and \$11.1 million NGF from federal Medicaid matching funds the second year by eliminating a proposed reduction for long-term care waiver recipients whose Medicaid expenses exceed the average cost of services in an alternative institutional setting. This proposal included within the Governor's introduced budget may violate the maintenance of effort requirement in the federal American Recovery and Reinvestment Act of 2009, thus jeopardizing \$1.0 billion in federal Medicaid revenue.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$4,655,700	GF
Services	\$0	\$7,039,100	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,944,782,151".

Page 324, line 54, strike "222,714,872" and insert "227,370,572".

Page 324, line 55, strike "222,714,872" and insert "229,753,972".

Explanation:

(This amendment restores funding to add 200 MR waivers the second year. This proposal included within the Governor's introduced budget may violate the maintenance of effort requirement in the federal American Recovery and Reinvestment Act of 2009, thus jeopardizing \$1.0 billion in federal Medicaid revenue to the Commonwealth.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$12,488,803	GF
Services	\$0	\$18,882,217	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,964,458,371".

Page 341, strike lines 42 through 58, and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$12.4 million GF and \$18.9 million from federal Medicaid matching funds the second year to maintain current reimbursement levels for general acute care cases, acute care rehabilitation cases and psychiatric cases. The introduced budget reduced funding for these hospitals by three percentage points.)

Item 306 #46s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	\$5,665,454	GF
Services	\$0	(\$8,565,780)	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,930,187,025".

Page 340, strike lines 20 through 27, and re-letter the remaining paragraphs.

Explanation:

(This amendment restores \$5.7 million GF and eliminates \$8.6 million NGF from federal Medicaid matching funds that was assumed in the introduced budget due to the imposition of a provider tax on intermediate care facilities for people with mental retardation (ICF/MR). This proposal may violate local cost sharing requirements included within the federal American Recovery and Reinvestment Act of 2009, thus jeopardizing \$1.0 billion in federal Medicaid revenue to the Commonwealth.)

Item 306 #47s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$0	(\$6,030,424)	GF
Services	\$0	(\$6,030,424)	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,921,026,503".

Explanation:

(This amendment reflects general fund savings of \$6.0 million and a like amount of federal Medicaid matching funds in FY 2010 from a change in remittances in Medicaid provider payments included in the introduced budget. These changes generated savings in FY 2009, which would flow through to FY 2010, based on projected increases in Medicaid utilization.)

Item 306 #48s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	\$62,143,762	\$121,124,243	GF
Services	\$81,874,227	\$183,131,579	NGF

Language:

Page 324, line 2, strike "\$5,497,833,213" and insert "\$5,641,851,202".

Page 324, line 2, strike "\$5,933,087,351" and insert "\$6,237,343,173".

Explanation:

(This amendment adds \$62.1 million GF and \$81.9 million NGF the first year and \$121.1 million GF and \$183.1 million NGF the second year to reflect increased enrollment in the Medicaid program, based on the continuing economic downturn.)

Item 306 #49s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance	(\$386,763,676)	(\$627,380,172)	GF
Services	\$386,763,676	\$627,380,172	NGF

Language:

Explanation:

(This amendment reflects additional revenue from the federal government in the American Recovery and Reinvestment Act of 2009 for Medicaid. The change in reimbursement for Medicaid, increases the federal share of Medicaid from 50% to approximately 56.85% in FY 2009 and 60.19% in FY 2010, allowing the

Commonwealth to reduce its share of Medicaid spending by \$386.8 million in FY 2009 and \$627.4 million in FY 2010. The enhanced Medicaid funding will continue through December 31, 2010 (i.e., the first two quarters of FY 2011). This additional federal funding is designed to offset higher caseloads in Medicaid and mitigate the need for further reductions in services and provider rates. Accepting this additional federal funding precludes the state from reducing eligibility levels below those established on July 1, 2008 and imposing additional cost-sharing by localities. Several amendments within this item restore reductions that were included within the Governor's introduced budget that may violate these requirements.)

Item 306 #50s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Medical Assistance Services	\$0	\$2,700,000	NGF

Language:

Page 324, line 2, strike "\$5,933,087,351" and insert "\$5,935,787,351".

Page 343, after line 50, insert:

"VVV. Out of this appropriation, \$2,700,000 from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009 shall be used to increase Medicaid reimbursement rates paid to providers of ambulance services. The Director of Medical Assistance Services shall seek guidance from the Center for Medicaid and Medicaid Services as to whether these funds can be used to match federal Medicaid dollars."

Explanation:

(This amendment authorizes an increase in Medicaid rates for ambulance providers. The Department of Medical Assistance Services has corrected an error in Medicaid ambulance rates for dual eligibles (people with Medicaid and Medicare) starting April 1, 2008. The rate increase is approximately one-half the amount of funding lost due to the overpayment error. As a result of the rate correction, ambulance providers across the state will lose about \$5.0 million a year (\$2.5 million general fund). Ambulance providers are one of the lowest paid providers within the Medicaid program, so this loss of funding is significant.)

Item 306 #51s

Health And Human Resources

Language:

Page 337, line 15, strike "count" and insert "treat".

Page 337, line 15, strike "as a resource".

Page 337, line 16, strike "for covered groups".

Page 337, strike lines 17 through 26 and insert:

"in the same manner as in effect under the State Plan for Medical Assistance on July 1, 2008. The".

Explanation:

(This amendment modifies language that may conflict with the maintenance of effort requirement included within the American Recovery and Reinvestment Act of 2009, jeopardizing \$1.0 billion in new federal Medicaid funding. Accordingly, language is modified reverting to the way life estates were treated for purposes of determining eligibility for Medicaid as of July 1, 2008.)

Item 306 #52s

Health And Human Resources

Language:

Page 342, line 48, strike "with" and insert "in June 2009, and every June thereafter".

Page 342, line 49, strike "June 26, 2009, the" and insert:

"the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment."

Page 342, strike lines 50 through 54, and insert "The".

Explanation:

(This amendment clarifies that delaying payments by an additional week as proposed in the Governor's introduced budget does not violate Medicaid's prompt pay requirements. Violating the prompt pay requirements might jeopardize enhanced federal Medicaid funding.)

Health And Human Resources

Department Of Medical Assistance
Services

Language

Language:

Page 346, line 20, strike "The forecast shall include".

Page 346, strike lines 21 through 27.

Explanation:

(This amendment removes new language related to the reporting of Medicaid expenditures that was included in the proposed budget. Under Virginia law, certain Medicaid providers, including nursing facilities and hospitals, are entitled to yearly inflation adjustments. The proposed budget removed inflation for nursing homes and hospitals. The new language is a policy change that would remove inflation from the Medicaid forecast. This change is flawed because it prevents transparency in budgeting and ignores the legal obligation of the Commonwealth.)

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 355, strike lines 3 through 31 and insert:

"BB. Effective July 1, 2009, the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish a state and community consensus and planning team for the purpose of developing a plan to maintain operations at the Commonwealth Center for Children and Adolescents (CCCA) and the adolescent unit at Southwestern Virginia Mental Health Institute (SWVMHI). The team shall consist of department staff and representatives of affected consumers, local government officials, advocates, state hospital employees, community services boards, behavioral health authorities, and public and private child and adolescent mental health service providers, and other interested persons, as determined by the commissioner. In addition, members of the House of Delegates and the Senate representing the localities served by the hospital may serve on the state and community planning team. The state and community planning team, under

the direction of the Commissioner, shall a) identify the characteristics of the child and adolescent population currently served at the CCCA and SWVMHI, b) describe the service needs of the children served at each facility, c) determine what services are currently available, or would need to be available in the community, to adequately provide treatment for these children, d) consider alternate approaches to delivering services appropriate for some or all of the patient population, and e) define the state's continuing role in providing inpatient services for children and adolescents. The Commissioner shall report to the Chairmen of the House Appropriations and Senate Finance Committee on the findings of the state and community planning team no later than November 1, 2009.)

Explanation:

(This amendment removes language that sets up a process to close the Commonwealth Center for Children and Adolescents on June 30, 2009. Budget language is added to detail the process for operating Southwestern Virginia Mental Health Institute in Marion and the Commonwealth Center for Children and Adolescents in Staunton. Language also requires the Commissioner to set up a process to determine the profile of youth currently served at these facilities, the capacity of the community to treat them, and the role of the state in providing treatment for these individuals. Separate amendments to Item 320 and Item 322 restore funding and positions at Marion and Staunton.)

Item 315 #10s

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 355, strike lines 32 through 62 and insert:

"CC. Effective July 1, 2009, the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services shall establish a state and community consensus and planning team for the purpose of developing a plan to maintain operations at the Southeastern Virginia Training Center in Chesapeake. The team shall consist of department staff and representatives of affected consumers, local government officials, advocates, state facility employees, community services boards, public and private mental retardation service providers, and other interested persons, as determined by the commissioner. In addition, members of the House of

Delegates and the Senate representing the localities served by the facility may serve on the state and community planning team. The state and community planning team, under the direction of the Commissioner, shall a) assess the needs of each resident of the center, b) determine the services that would be needed to appropriately serve individuals residing at the center in the community, c) detail the current availability of community-based services to serve these individuals, including housing needs, d) describe the gap, if any, in community-based services for individuals residing at the facility, and e) funding or service enhancements that may be needed to discharge residents who can be appropriately served in the community. To the extent that some individuals may require the services of a smaller but newer training center, the Commissioner shall provide information detailing the populations that might require such services. The Commissioner shall report to the Chairmen of the House Appropriations and Senate Finance Committee on the findings of the state and community planning team no later than November 1, 2009.)

Explanation:

(This amendment modifies language that anticipated the closure of Southeastern Virginia Training Center (SEVTC) in Chesapeake on June 30, 2009. Separate amendments to Item 306 and Item 327 restore funding and position levels to maintain the operations of the facility. Language is also added requiring the Commissioner to develop a plan to assess the needs of the current residents at SEVTC and the capacity of the community to serve them.)

Item 315 #11s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$0	(\$100,000)	GF

Language:

Page 349, line 2, strike "\$48,421,510" and insert "\$48,321,510".

Explanation:

(This amendment reduces \$100,000 GF the second year from Commonwealth Autism Services (CAS), a nonprofit organization that provides services to children with autism. CAS provides guidance and expertise to the Department as it begins to coordinate services for individuals with developmental disabilities. The organization will continue to operate with \$840,000 GF annually beginning July 1, 2009.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Mental Health,	\$0	(\$115,000)	GF
Mental Retardation And Substance Abuse Services	0.00	-1.00	FTE

Language:

Page 349, line 2, strike "\$48,421,510" and insert "\$48,306,510".

Explanation:

(This amendment reduces \$115,000 GF the second year and one position from a proposal within the introduced budget that would have added \$215,000 GF and two positions to develop a coordinated approach to serving individuals with developmental disabilities including ASD. The Department will be able to add one position to coordinate these efforts.)

Health And Human Resources	
Department Of Mental Health,	
Mental Retardation And Substance Abuse Services	

Language

Language:

Page 368, following line 16, insert:

“E. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall work jointly with the Department of Human Resource Management and the community services boards, or such other entity as may be required, in the service area of the Southeastern Virginia Training Center, the Central Virginia Training Center, the Commonwealth Center for Children and Adolescents, and the adolescents unit at Southwestern Virginia Mental Health Institute to coordinate the transfer of as many staff from such facilities to positions staffing the community facilities authorized in Item C-103.06#2s and Item C-103.06#4s of this Act, or in the case of the Commonwealth Center for Children and Adolescents, and the adolescent unit at Southwestern Virginia Mental Health Institute such other facilities as may be

appropriate. Such transfers shall, to the extent possible, include a reasonable allowance for annual, sick, and compensatory time earned as employees of the Commonwealth. Any individuals offered such comparable transfers, or better positions, with such community services boards, or such other entity as may be required, shall not receive the transitional severance allowance authorized by §2.2-3200 et. seq. of the Code of Virginia (The Workforce Transition Act of 1995).”

Explanation:

(This amendment provides the Department of Mental Health, Mental Retardation and Substance Abuse Services with the authority to work with employees of institutions affected by changes mandated in the Appropriations Act to implement employment transfers rather than terminations that would trigger eligibility for severance benefits under the Workforce Transition Act of 1995.)

Item 316 #8s

Health And Human Resources

Grants To Localities

Language

Language:

Page 363, after line 59, insert:

"OO. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in cooperation with the Virginia Association of Community Services Boards (VACSB) and with input from the Department of Corrections and the Supreme Court shall develop a plan to expand the use of community medical detoxification and opiate maintenance treatments to divert opioid dependent individuals from jails. The plan shall include efforts to maximize the utilization of existing benefits accessed through the Aftercare Pharmacy and the Department of Medical Assistance Services."

Explanation:

(This amendment requires the Department of Mental Health, Mental Retardation and Substance Abuse Services to develop a plan to expand the use of community medical detoxification and treatment for individuals with opioid dependence in order to divert them from placement in jails.)

Item 316 #9s

Health And Human Resources

FY 08-09

FY 09-10

Grants To Localities \$0 (\$100,000) GF

Language:

Page 356, line 30, strike "\$318,567,838" and insert "\$318,467,838".

Page 363, line 51, strike "and \$100,000 the second year".

Explanation:

(This amendment eliminates funding for Holiday House of Portsmouth, Inc., a non-state agency that was included in the budget last session.)

Item 316 #11s

Health And Human Resources

Grants To Localities

Language

Language:

Page 362, line 46, after "KK." insert "1".

Page 363, line 22, strike "The Commissioner shall report on".

Page 363, line 23, strike lines 23 through 27 and insert:

"2. By August 1, 2009, the Commissioner shall report to the Chairs of the Senate Finance and House Appropriations Committees on the implications of distributing this funding to Community Services Boards based on the per capita populations served by each CSB."

Explanation:

(This language amendment requires the Commissioner to report to the General Assembly on the implications of reallocating funding provided last session for community-based mental health services to reflect the populations served by each CSB as opposed to the existing formula which uses ranges of populations served. This amendment also removes obsolete language requiring a report to the General Assembly.)

Item 316 #12s

Health And Human Resources

Grants To Localities

FY 08-09

FY 09-10

\$0

\$5,500,000 NGF

Language:

Page 356, line 30, strike "\$318,567,838" and insert "\$324,067,838".

Page 358, line 55, after "Q." insert "1".

Page 359, after line 1, insert:

"2. Out of this appropriation, \$5,500,000 the second year from nongeneral funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009 shall be used for mental health inpatient treatment purchased in community hospitals."

Explanation:

(This amendment provides \$5.5 million the second year from flexible funds available under the federal stimulus package to address funding for community services boards to purchase local inpatient mental health treatment services.)

Item 320 #3s

Health And Human Resources	FY 08-09	FY 09-10	
Mental Health Treatment Centers	\$0	\$4,000,000	GF
	\$0	\$3,218,777	NGF

Language:

Page 364, line 43, strike "\$197,020,496" and insert "\$204,239,273".

Explanation:

(This amendment restores \$4.0 million GF and \$3.2 million NGF from special and federal revenues to continue operations at the Commonwealth Center for Children and Adolescents (CCCA). Nongeneral fund revenues include \$1.0 million from third-party payers and \$2.2 million from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009. The introduced budget proposed the closure of the facility on June 30, 2009.)

Item 320 #4s

Health And Human Resources	FY 08-09	FY 09-10	
Mental Health Treatment Centers	\$0	\$700,000	GF
	\$0	\$678,666	NGF

Language:

Page 364, line 43, strike "\$197,020,496" and insert "\$198,399,162".

Explanation:

(This amendment restores \$700,000 GF and \$678,666 NGF to continue operating the Adolescent Unit at Southwestern Virginia Mental Health Institute. The additional nongeneral funds are appropriated from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009. The introduced budget proposed the closure of this facility by June 30, 2009. A separate amendment to Item 316 requires that the Commissioner develop a plan to understand the needs of the individuals served at these facilities, the capacity of the community to serve them, and the appropriate role of the state in providing treatment services to this population.)

Item 320 #6s

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 365, strike lines 6 through 9.

Explanation:

(This amendment removes language that set aside \$2.1 million GF for community acute psychiatric services for indigent children discharged from the Commonwealth Center for Children and Adolescents (CCCA) in Staunton. Because separate amendments to Item 315 and Item 322 restore funding for the facility, the earmark is eliminated but funding retained for facility operations.)

Item 322 #3s

Health And Human Resources

Mental Health Treatment Centers

Language

Language:

Page 366, line 38, unstrike the stricken language.

Page 366, line 39, strike "0.00".

Page 366, line 39, strike the first "\$0".

Page 366, line 39, strike the second "\$0".

Page 366, line 39, strike the third "\$0".

Page 366, line 39, strike the fourth "\$0".

Page 366, line 50, unstrike the stricken language.

Page 366, line 51, strike "508".
Page 366, line 51, strike "\$22,600,568".
Page 366, line 51, strike "\$10,030,578".
Page 366, line 51, strike "\$32,652,796".

Explanation:

(This amendment restores funding and positions to continue operating the Commonwealth Center for Children and Adolescents (CCCA) in Staunton and the adolescent unit at Southwestern Virginia Mental Health Institute. The introduced budget slated the facilities for closure by June 30, 2009 respectively. Companion amendments in Items 315 and 320 restore funding for the facilities and add budget language to develop a plan to understand the needs of the individuals served at these facilities, the capacity of the community to serve them, and the appropriate role of the state in providing treatment services to this population.)

Item 325 #1s

Health And Human Resources	FY 08-09	FY 09-10	
Mental Retardation Training Centers	\$0	\$400,000	GF

Language:

Page 367, line 36, strike "\$156,183,582" and insert "\$156,583,582".

Explanation:

(This amendment restores \$400,000 GF the second year for the Regional Community Support Center (RCSC) at Southeastern Virginia Training Center. This amendment maintains funding to ensure that individuals with mental retardation have access to dental and other speciality services when residing in the community.)

Item 327 #1s

Health And Human Resources	
Mental Retardation Training Centers	Language

Language:

Page 369, line 7, unstrike the stricken language.
Page 369, line 8, strike "0.00".

Page 369, line 8, strike the first "0".
Page 369, line 8, strike the second "0".
Page 369, line 8, strike the third "0".
Page 369, line 11, unstrike "4,390.00".
Page 369, line 12, strike "3,990.00".
Page 369, line 12, strike "42,270,416" and insert "50,657,916".
Page 369, line 12, strike "183,286,507" and insert "191,674,007".
Page 369, line 12, strike "225,680,923" and insert "242,559,923".

Explanation:

(This amendment modifies language in the introduced budget to reflect funding and positions to continue operating the Southeastern Virginia Training Center (SEVTC) in Chesapeake through June 30, 2010; the facility was slated for closure in the introduced budget on June 30, 2009. A companion amendment in the Department of Medicaid Assistance Services restores funding to continue Medicaid reimbursement for the care of the residents living at SEVTC through June 30, 2010. It is the intent of the General Assembly that the restoration of this funding shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in Item 322.05 and § 4-1.08 during the enrollment of House Bill 1600/ Senate Bill 850, as adopted by the 2009 General Assembly.)

Item 337 #1s

Health And Human Resources

Department Of Social Services

Language

Language:

Page 376, line 3, before "The" insert "A.".

Page 376, after line 22, insert:

"B. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, 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."

Explanation:

(This amendment requires the Department of Planning and Budget and Social

Services to submit a forecast of anticipated expenditures for TANF cash assistance payments, mandated child day care services, foster care maintenance and adoption subsidy payments on November 1 of each year similar to the Medicaid forecast produced by the Department of Medical Assistance Services. This information will allow the General Assembly to provide better oversight of these social services programs.)

Item 338 #6s

Health And Human Resources

Department Of Social Services

Language

Language:

Page 380, after line 14, insert:

"P. Out of this appropriation, the Commissioner of Social Services shall pay market rates for child care services without regard to the number of other available providers in the locality."

Explanation:

(This amendment requires the Department of Social Services to pay market rates for child care services.)

Item 341 #3s

Health And Human Resources

Department Of Social Services

FY 08-09

FY 09-10

\$0 (\$1,729,383) GF

\$0 \$1,729,383 NGF

Language:

Page 383, after line 30, insert:

"4. Effective July 1, 2009, \$1,729,383 nongeneral funds from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009 shall be used to maintain the maximum allowable rate provided under paragraph A.1."

Explanation:

(This amendment replaces \$1.7 million GF with \$1.7 million from flexible federal funding to maintain the maximum payment rate for auxiliary grant homes at \$1,112 per month.)

Health And Human Resources
Department Of Social Services

Language

Language:

- Page 384, line 29, strike "ii" and insert "iii".
- Page 384, line 31, strike "iii" and insert "iv".
- Page 384, line 32, strike "iv" and insert "v".
- Page 384, line 36, strike "v" and insert "vi".
- Page 384, line 41, strike "facilitates" and insert "facilities".

Explanation:

(This technical amendment makes several corrections for an Auxiliary Grant pilot project by renumbering the criteria and replacing an incorrect word.)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	\$580,000	GF

Language:

- Page 384, line 54, strike "\$171,432,966" and insert "\$172,012,966".
- Page 385, line 11, after "A." insert "1."
- Page 385, after line 17, insert:
"2. Out of this appropriation, \$580,000 from the general fund the second year shall be used for grants to provide services to children and youth who have been exposed to sexual and/or domestic violence."

Explanation:

(This amendment adds \$580,000 GF the second year to expand services for children and youth who have been exposed to sexual and/or domestic violence. Funding is contingent upon passage of Senate Bill 1429 (Whipple).)

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	\$45,000	GF

Language:

Page 386, line 25, strike "\$45,784,860" and insert "\$45,829,860".

Page 388, line 27, unstrike the stricken language.

Page 388, line 27, strike "50,000" and insert "45,000".

Page 388, line 28, unstrike the stricken language.

Explanation:

(This amendment restores funding for the Bristol-Washington County Children's Advocacy Center at \$45,000 beginning July 1, 2009. The introduced budget eliminated this funding for the center. Funding will be reduced by 10 percent, consistent with a reduction to Item 282 for all other Children's Advocacy Centers.)

Item 344 #8s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	\$45,000	GF

Language:

Page 386, line 25, strike "\$45,784,860" and insert "\$45,829,860".

Page 388, line 33, unstrike the stricken language.

Page 388, line 33, strike "50,000" and insert "45,000".

Page 388, line 34, unstrike the stricken language.

Explanation:

(This amendment restores funding for the Lenowisco Children's Advocacy Center at \$45,000 beginning July 1, 2009. The introduced budget eliminated this funding for the center. Funding will be reduced by 10 percent, consistent with a reduction to Item 282 for all other Children's Advocacy Centers.)

Item 346 #1s

Health And Human Resources	FY 08-09	FY 09-10	
Department Of Social Services	\$0	(\$755,908)	GF
	\$0	(\$403,312)	NGF

Language:

Page 390, line 45, strike "\$74,016,598" and insert "\$72,857,378".

Explanation:

(This amendment captures funding that was added to support the cost of moving

the department's central office. The introduced budget included funding for one-time costs (e.g., furniture, information technology relocation costs, moving, etc.) associated with moving the office and provided additional support for increased rent. However, based on negotiations between the Department of General Services and the new landlord, this additional funding is no longer needed.)

Item 346 #6s

Health And Human Resources

Department Of Social Services

Language

Language:

Page 392, line 8, after the period, insert:

"For those jurisdictions that, when applying such criteria, achieve high priority ranking for increased state reimbursement, yet initiate local funding actions to address critical space needs or to consolidate human services, they shall nevertheless retain their ranking on the prioritized list of projects for increased state reimbursement for renovating existing space, relocating or constructing new space."

Explanation:

(This language amendment assures that localities that proceed with renovations or consolidations at local Departments of Social Services preserve their ranking on DSS' priority ranking of local projects if they are addressing critical renovations, acquiring new space, or consolidating local services. The Department of Social Services ranks building or renovation projects at local offices. Due to a lack of funding, some localities are proceeding with capital projects and losing their priority status as a result. This amendment addresses that issue.)

Item 346 #7s

Health And Human Resources

Department Of Social Services

Language

Language:

Page 392, line 59, strike "an" and insert "a".

Page 392, line 60, strike "implementation".

Page 393, line 4, strike "and seek the necessary".

Page 393, line 5, strike "federal approvals".

Page 393, line 11, strike "must approve" and insert "shall recommend".

Page 393, line 22, strike "an update on".
Page 393, line 22, strike "and implementation progress".
Page 393, line 25, strike "of each year" and insert "2009".

Explanation:

(This amendment modifies language included in the proposed budget to develop and implement a plan to streamline the eligibility determination process at the Department of Social Services. This amendment requires the Department to develop and submit a plan by October 15, 2009 to the General Assembly explaining how they plan to streamline eligibility.)

Item 361 #1s

Natural Resources	FY 08-09	FY 09-10	
Department Of Conservation And Recreation	\$0	\$392,574	NGF

Language:

Page 402, line 28, strike "\$75,545,793" and insert "\$75,938,367".
Page 404, line 54, after "first year" insert "and \$392,574 the second year".

Explanation:

(This amendment provides the second year appropriation for the Chesapeake Bay Restoration Fund, which contains special funds derived from the purchase of "Friend of the Chesapeake" license plates. The funds are to be provided for grants for Chesapeake Bay restoration efforts pursuant to the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.)

Item 361 #2s

Natural Resources	
Department Of Conservation And Recreation	Language

Language:

Page 405, line 7, after "collections." insert:
"Notwithstanding any other provision of law, out of this deposit the Department of Conservation and Recreation is authorized to use up to \$500,000 for completion of the project to modernize, simplify and improve the computerized system utilized by soil and water conservation districts to administer and report on implementation of

state agricultural best management practices cost share program as was authorized by Item 358.N of Chapter 847, 2007 Acts of Assembly."

Explanation:

(This amendment authorizes the Department of Conservation and Recreation to utilize a portion of the statutorily required deposit to the Water Quality Improvement Fund to be used to continue the project to update SWCD computer systems to track implementation of the agricultural BMP cost share program.)

Item 361 #4s

Natural Resources

Department Of Conservation And
Recreation

Language

Language:

Page 405, after line 27, insert:

"L. The Director, Department of Conservation and Recreation, in consultation with the Virginia Resources Authority, is authorized to make cost effective financing available to Orange County or the dam owner for modifications necessary to the Lake of the Woods dam to meet state dam safety requirements and to reduce the potential loss of life and damage to down stream property for this high hazard dam, with an inundation zone containing multiple dwellings and a major state highway. Notwithstanding § 10.1-603.19, Code of Virginia, such authority may be used to provide financial or other assistance from the Dam Safety, Flood Prevention and Protection Assistance Fund to secure funding or to provide a grant not to exceed \$1,000,000."

Explanation:

(This amendment restores language that was inadvertently dropped from the budget bill during final printing. Page B-89 of the executive budget document includes an explanation of the amendment.)

Item 361 #5s

Natural Resources

Department Of Conservation And
Recreation

FY 08-09

FY 09-10

\$0	(\$1,500,000)	GF
\$0	\$1,500,000	NGF

Language:

Page 404, line 10, strike "\$10,000,000" and insert "\$8,500,000".

Page 404, line 11, strike "\$10,000,000" and insert "\$11,500,000".

Page 404, line 28, after "act." insert:

"The Governor shall provide \$1,500,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for agricultural best management practices in the Natural Resources Commitment Fund by \$1,500,000 in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009. With this amendment, a total of \$20,000,000, which includes \$8,500,000 from the general fund and \$11,500,000 from nongeneral funds, will be available for the program in the second year.)

Item 362 #1s

Natural Resources

FY 08-09

FY 09-10

Department Of Conservation And
Recreation

\$0

\$500,000 NGF

Language:

Page 405, line 29, strike "\$56,736,726" and insert "\$57,236,726".

Page 407, after line 4, insert:

"H. The Governor shall provide \$500,000 the second year for State Park Management and Operations from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$500,000 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to partially restore general fund budget reductions for State Parks. General fund reductions for State Parks in the introduced budget total approximately \$2.2 million per year.)

Item 366 #1s

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 408, after line 52, insert:

"G. The Department of Environmental Quality shall ensure that, from available resources, adequate staffing is provided to expeditiously determine compliance with the provisions of the Hampton Roads Special Order by Consent dated September 26, 2007, and to ensure that timeframes established by the Order are also met."

Explanation:

(This amendment is self-explanatory.)

Item 368 #1s

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 410, after line 33, insert:

"G. Out of this item, the Department of Environmental Quality shall expend up to \$10,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with the City of Alexandria for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1."

Explanation:

(This amendment requires DEQ to utilize an unexpended balance in the Litter Control and Recycling Fund for a cooperative agreement with the City of Alexandria to enhance an ongoing litter control and recycling education project in the City.)

Item 368 #4s

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 410, after line 33, insert:

"G. Out of this item, the Department of Environmental Quality shall expend up to \$28,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with Isle of Wight County for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1."

Explanation:

(This amendment requires DEQ to utilize an unexpended balance in the Litter Control and Recycling Fund for a cooperative agreement with Isle of Wight County to enhance an ongoing litter control and recycling education project in the County.)

Item 368 #5s

Natural Resources

Department Of Environmental
Quality

Language

Language:

Page 410, after line 33, insert:

"G. Out of this item, the Department of Environmental Quality shall expend up to \$10,000 from the Litter Control and Recycling Fund for a one-time cooperative agreement with Henry County for the purposes of developing and implementing a public information and education project to enhance ongoing litter prevention and recycling programs. Moneys deposited into the Litter Control and Recycling Fund shall be expended for this cooperative agreement out of the amount allocated on July 1, 2008, pursuant to § 10.1-1422.01.C.1."

Explanation:

(This amendment requires DEQ to utilize an unexpended balance in the Litter Control and Recycling Fund for a cooperative agreement with Henry County to enhance an ongoing litter control and recycling education project in the County.)

Item 386 #1s

Public Safety

FY 08-09

FY 09-10

Department Of Correctional	\$0	(\$730,000)	GF
Education	0.00	-10.00	FTE

Language:

Page 424, line 4, strike "\$60,351,920" and insert "\$59,621,920".
 Page 424, strike lines 18-30.

Explanation:

(This amendment eliminates \$730,000 the second year from the general fund and ten instructor positions that were added in the budget as introduced to enhance inmate literacy programs.)

Item 387 #2s

Public Safety	FY 08-09	FY 09-10	
Department Of Corrections	\$0	\$400,000	GF

Language:

Page 425, line 4, strike "\$87,363,009" and insert "\$87,763,009".
 Page 426, following line 12, insert:
 "G. It is the intent of the General Assembly that the restoration of \$400,000 the second year for substance abuse treatment services shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in this Item and in Section 4-1.08 during the enrollment of HB 1600/SB 850, as adopted by the 2009 General Assembly."

Explanation:

(This amendment restores \$400,000 the second year from the general fund for substance abuse treatment for offenders under the supervision of district probation and parole offices. A companion amendment to Item 3-1.01 transfers a nongeneral fund balance from the Virginia Alcohol Safety Action program to the general fund for the support of this program.)

Item 387 #3s

Public Safety		
Department Of Corrections		Language

Language:

Page 426, following line 12, insert:

"G.1. The Department of Corrections, in cooperation with the Virginia Sheriffs' Association, the Virginia Association of Regional Jails, the Virginia Association of Commonwealth's Attorneys, and the Virginia Criminal Sentencing Commission, shall develop a pilot program in selected probation and parole districts, in cooperation with selected local and regional jails. The purpose of the pilot program is to expand the utilization of electronic incarceration programs for nonviolent, lower-risk offenders who have been sentenced by a court to a combination of jail and electronic incarceration. For purposes of this program, nonviolent offenders are those defined as such, pursuant to Section 17.1-805 of the Code of Virginia for purposes of the felony sentencing guidelines, including both current and prior convictions, and lower-risk offenders are those assessed as such, pursuant to the risk assessment instrument promulgated by the Virginia Criminal Sentencing Commission.

2. The Department shall apply to the Department of Criminal Justice Services for federal funds to support this pilot program under the Edward Byrne Memorial Justice Assistance Grant program, from the Commonwealth's allocation pursuant to the American Recovery and Investment Act of 2009.

3. It is the intent of the General Assembly that, consistent with public safety, at least an additional 500 nonviolent, lower-risk offenders should be placed on electronic incarceration during fiscal year 2010, and that a total of at least an additional 1,600 additional offenders should be placed on electronic incarceration in each year of the 2010-12 biennium. This pilot program may include provisions for charging fees, pursuant to Section 53.1-131.2 of the Code of Virginia, to cover all or part of the cost of the program, with due consideration for indigent offenders for whom the fee may be waived.

3. The Department shall form a task force to address the implementation of this pilot program. The task force shall provide an interim report on or before June 1, 2009, to the Secretary of Public Safety, the Chairmen of the Senate and House Courts of Justice Committees, and the Chairmen of the Senate Finance and House Appropriations Committees. The Department of Planning and Budget, the Compensation Board, the Department of Criminal Justice Services, and the Virginia Criminal Sentencing Commission shall provide such assistance to this task force as may be necessary."

Explanation:

(This amendment directs the Department of Corrections, in cooperation with Sheriffs, Regional Jail Superintendents, Commonwealth's Attorneys, and the Virginia Criminal Sentencing Commission, to develop a pilot program to expand electronic incarceration.)

Public Safety

Department Of Corrections

Language

Language:

Page 426, strike lines 36-52 and insert:

"a. Meherrin River Regional Jail Authority, for a regional jail facility of not more than 400 beds, with new construction on not more than one site, and for which the Commonwealth's share of the total capital cost of the project shall not exceed \$50 million. The revised plans and cost estimates for this facility, pursuant to this paragraph, shall be subject to the approval of the Board of Corrections. The authority shall consider the costs and benefits of acquiring this facility using the process established under the Public Private Education and Infrastructure Act (PPEA), and shall submit a report on its analysis of this approach, along with its planning submissions, to the Board of Corrections. It is anticipated that the reimbursement of the Commonwealth's portion will not occur before July 1, 2012.

b. Patrick County, in order to proceed with planning for a replacement jail. The Commonwealth's estimated portion of this project is \$2,689,032, pursuant to Item 280 of this Act."

Page 427, strike lines 1-7.

Page 427, line 8, strike "h." and insert "c."

Page 427, line 20, strike "i." and insert "d."

Page 427, strike lines 27-44, and insert:

"5. The projects set forth in this Item shall be subject to the provisions of Sections 53.1-80 through 53.1-82.3 of the Code of Virginia which were in effect as of December 31, 2008.

B. The Chairmen of the Senate Finance and House Appropriations Committees shall appoint a joint subcommittee to review the Commonwealth's policies with respect to the oversight, approval and financing of local and regional jail capital projects and operational expenses, with a view towards developing appropriate and fiscally sound recommendations for defining and meeting the Commonwealth's long-term obligations for local and regional jails and related programs. The Departments of Corrections, Criminal Justice Services, General Services, Planning and Budget and the Treasury, and the Compensation Board, shall provide such assistance as may be requested by the joint subcommittee for this review."

Page 428, strike lines 11-20.

Page 428, line 21, strike "E." and insert "D."

Page 428, line 43, strike "F." and insert "E."

Page 428, line 54, strike "G." and insert "F."

Explanation:

(This amendment establishes a legislative joint subcommittee to review the Commonwealth's long-term obligations with respect to the financing of local and regional jails. Senate Bill 1386 eliminates the statutory authority for approval by the Board of Corrections of the state share of local and regional jail capital projects, with certain exceptions for projects which will open by May 1, 2009. This amendment provides continuing authority for certain additional projects which have been approved but are still in the planning stages.)

Item 390 #4s

Public Safety

Department Of Corrections

Language

Language:

Page 433, following line 8, insert:

"K. The Department of Corrections is authorized to convey to the County of Pittsylvania, upon terms and conditions the Department deems proper, with the approval of the Governor and in a form approved by the Attorney General, a portion of the Camp 15 Work Camp facility near Chatham, consisting of 16 acres, more or less, to include the Diversion Center and outbuildings and the structure referred to as the Warden's Residence, pursuant to Senate Bill 1312 of the 2009 General Assembly."

Explanation:

(This amendment authorizes the Department of Corrections to transfer certain property at the Chatham Diversion Center to the County of Pittsylvania. This amendment is contingent upon final passage of Senate Bill 1312.)

Item 390 #5s

Public Safety

Department Of Corrections

FY 08-09

FY 09-10

\$0

\$49,092 GF

Language:

Page 430, line 11, strike "\$897,061,073" and insert "\$897,110,165".

Page 433, following line 8, insert:

"K. Included within this appropriation is \$49,092, which is the amount required to be deposited into the Corrections Special Reserve Fund to cover the projected state

prison bed space impact of Senate Bill 816, as engrossed in the 2009 session of the General Assembly, as determined in accordance with Section 30-19.1:4, Code of Virginia."

Explanation:

(This amendment provides \$49,092 from the general fund the second year which is required to be deposited into the Corrections Special Reserve Fund to reflect the fiscal impact of Senate Bill 816, concerning the penalty for assault and battery of a fire marshal. This amendment is contingent upon final passage of Senate Bill 816.)

Item 390 #6s

Public Safety

Department Of Corrections

FY 08-09

\$0

FY 09-10

\$13,810 GF

Language:

Page 430, line 11, strike "\$897,061,073" and insert "\$897,074,883".

Page 433, following line 8, insert:

"K. Included within this appropriation is \$13,810, which is the amount required to be deposited into the Corrections Special Reserve Fund to cover the projected state prison bed space impact of Senate Bill 951, as engrossed in the 2009 session of the General Assembly, as determined in accordance with Section 30-19.1:4, Code of Virginia."

Explanation:

(This amendment provides \$13,810 from the general fund the second year which is required to be deposited into the Corrections Special Reserve Fund to reflect the fiscal impact of Senate Bill 951, concerning the penalty for assault and battery of a police officer of the Metropolitan Washington Airports Authority. This amendment is contingent upon final passage of Senate Bill 951.)

Item 390 #7s

Public Safety

Department Of Corrections

Language

Language:

Page 432, strike lines 23-30 and insert:

"behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in Section

17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of Sections 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of three years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse."

Page 432, line 38, strike "18" and insert "24".

Explanation:

(This amendment restricts the definition of those offenders who would be eligible for the Behavioral Corrections Program, as proposed in the budget, as introduced, in order to exclude violent offenders, as defined for purposes of the sentencing guidelines system, and drug dealers. This exclusion specifically applies to previous as well as current convictions.)

Item 390 #8s

Public Safety

Department Of Corrections

Language

Language:

Page 431, following line 7, insert:

"4. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.

5. The Secretary of Finance shall provide the Department of Corrections anticipation loans in such amounts as may be needed to pay the initial expenses of operating such facilities, as may be recommended by the Department of Corrections to house contract prisoners. Such loans shall be based on the revenues anticipated from payments by other jurisdictions for housing their prisoners."

Explanation:

(This amendment directs the Department of Corrections to determine whether there may be additional opportunities to contract with other governmental entities to house prisoners from those jurisdictions. This amendment also authorizes the Secretary of Finance to provide revenue anticipation loans for the department to begin housing contract prisoners in such facilities as may become available.)

Item 390 #9s

Public Safety

Department Of Corrections

Language

Language:

Page 433, following line 8, insert:

"K. It is the intention of the General Assembly that Section 53.1-47 of the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles."

Explanation:

(This amendment clarifies the intent of the General Assembly that manufactured articles produced by Virginia Correctional Enterprises include remanufactured articles.)

Item 391 #1s

Public Safety

Department Of Corrections

Language

Language:

Page 434, strike lines 31-35 and insert:

"i. the inmate has never been convicted of an offense considered to be a violent offense pursuant to Section 17.1-805 of the Code of Virginia and the inmate has never been convicted of a felony violation of Sections 18.2-248 or 18.2-248.1 of the Code of Virginia."

Explanation:

(This amendment restricts the definition of those offenders who would be eligible for the 90-day early release program proposed in the budget, as introduced, in order to exclude violent offenders, as defined for purposes of the sentencing guidelines system, and drug dealers. This exclusion specifically applies to previous offenses as well as current offenses.)

Item 391.05 #3s

Public Safety

Department Of Corrections

FY 08-09

FY 09-10

\$0

(\$5,500,000) GF

\$0 \$3,000,000 NGF

Language:

Page 437, line 4, strike "\$44,833,624" and insert "\$47,333,624".

Page 437, at the beginning of line 8, insert "A."

Page 437, following line 11, insert:

"B. The Governor shall restore \$3,000,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment increases the amount of the general fund budget reduction in the second year for the Department of Corrections by \$5,500,000. This reduction is offset by the allocation of \$3,000,000 from federal fiscal stimulus funds.)

Item 392 #1s

Public Safety

FY 08-09

FY 09-10

Department Of Criminal Justice
Services

\$0

(\$25,000) GF

Language:

Page 437, line 26, strike "\$2,355,681" and insert "\$2,330,681".

Page 437, strike lines 32-42.

Explanation:

(This amendment reduces the appropriation for training law enforcement officers and other first responders in managing persons with Alzheimer's disease or other memory-related impairments from \$75,000 to \$50,000 the second year from the general fund.)

Item 395 #1s

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 439, line 15, after "may approve" insert "(i)".

Page 439, line 20, after "Academy" insert:

"; and (ii) a new academy for Hanover County, to be supported with local funds, consistent with the agreement dated October 17, 2008, by and between the Board of Supervisors of Hanover County, the Sheriff of Hanover County, and the Rappahannock Regional Criminal Justice Academy."

Explanation:

(This amendment authorizes the Board of Criminal Justice Services to approve a new criminal justice training academy for Hanover County. It is the intention of the General Assembly that no state funds be provided for the operating expenses for the new academy serving Hanover County.)

Item 395 #2s

Public Safety	FY 08-09	FY 09-10	
Department Of Criminal Justice Services	\$0	(\$50,000)	GF

Language:

Page 438, line 10, strike "\$85,093,914" and insert "\$85,043,914".
Page 441, strike lines 3-8.

Explanation:

(This amendment reduces the appropriation for the Virginia Center for Policing Innovation from \$150,000 to \$100,000 the second year from the general fund. This appropriation is intended to provide basic training for local law enforcement agencies in Virginia in immigration law and policy and Spanish language.)

Item 395 #3s

Public Safety	FY 08-09	FY 09-10	
Department Of Criminal Justice Services	\$0	(\$1,500,000)	GF

Language:

Page 438, line 10, strike "\$85,093,914" and insert "\$83,593,914".
Page 439, line 42, strike "21,908,828" and insert "23,408,828".

Explanation:

(This amendment reduces by \$1,500,000 from the general fund the proposed

increase in the second year for local community corrections and pretrial release programs. The budget, as introduced, included an increase of \$3,000,000, and this amendment reduces the increase to \$1,500,000. This adjusted increase is expected to result in approximately 3,000 diversions from jail during the second year.)

Item 395 #4s

Public Safety	FY 08-09	FY 09-10	
Department Of Criminal Justice Services	\$1,500,000	\$400,000	GF

Language:

Page 438, line 9, strike "\$82,364,599" and insert "\$83,864,599".

Page 438, line 10, strike "\$85,093,914" and insert "\$85,493,914".

Page 441, following line 12, insert:

"M.1. Out of the amounts appropriated for this item, \$1,500,000 the first year and \$400,000 the second year from the general fund shall be provided for the operations of the Southern Virginia Internet Crimes Against Children Task Force and the Northern Virginia Internet Crimes Against Children Task Force to expand the regional operations of these two task forces. Of the total amount provided, \$750,000 the first year and \$200,000 the second year shall be distributed to the Bedford County Sheriff's Office for the operation of the Southern Virginia Internet Crimes Against Children Task Force, and \$750,000 the first year and \$200,000 the second year shall be distributed to the Virginia State Police for the operation of the Northern Virginia Internet Crimes Against Children Task Force.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each complete a report on the actual expenditures and performance results achieved by the respective task forces during the first year. Copies of the task force reports shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees prior to the distribution of funds for the second year."

Explanation:

(This amendment provides \$400,000 from the general fund the second year for the Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces. A companion amendment to Item 397 transfers the appropriation for the first year for this program to this Item. This is a technical adjustment which is necessary to appropriate these funds to the correct item for the first year.)

Public Safety	FY 08-09	FY 09-10	
Department Of Criminal Justice Services	\$0	\$23,300,000	NGF

Language:

Page 438, line 10, strike "\$85,093,914" and insert "\$108,393,914".

Page 441, following line 12, insert:

"M. The Board of Criminal Justice Services shall allocate the following amounts, contingent upon and only to the extent such funds shall be made available to the Commonwealth, under the Edward Byrne Memorial Justice Assistance Grant program, pursuant to the American Recovery and Reinvestment Act of 2009, and consistent with the requirements and provisions of that act, for the state share of the allocation:

1. For the Department of Criminal Justice Services, \$3,000,000 for expanded community corrections and pretrial release programs.
2. For the Department of Correctional Education, \$730,000 for ten additional teachers and related educational expenses in state adult correctional facilities.
3. For the Department of Corrections, \$1,000,000 for a pilot program to expand the use of electronic incarceration for nonviolent, lower-risk offenders who have been sentenced to a term of incarceration of one year or more.
4. For the Department of Corrections, \$400,000 for additional substance abuse treatment services administered by district probation and parole offices.
5. For the Department of Corrections, \$2,625,000 for transitional therapeutic community substance abuse treatment programs.
6. For the Department of Corrections, \$1,000,000 for counselors in state adult correctional facilities.
7. For the Department of Juvenile Justice, \$1,500,000 for the Virginia Wilderness Institute.
8. For the Department of Juvenile Justice, \$800,000 for twelve positions or purchase of services to provide mental health treatment in state juvenile correctional centers.
9. For the Department of Juvenile Justice, \$1,300,000 for purchase of services for juvenile offenders in community treatment through the juvenile court services units operated by the department.
10. For the Department of Juvenile Justice, \$800,000 to operate transitional cottages at Beaumont Juvenile Correctional Center.
11. For the Department of State Police, \$1,500,000 to address the increased cost of gasoline for state highway patrol operations.
12. For the Department of Mental Health, Mental Retardation and Substance Abuse

Services, \$845,000 to divert persons with mental illness from jails.

N. The Board of Criminal Justice Services shall allocate the following amounts, to the extent such funds shall be made available to the Commonwealth, under the Edward Byrne Memorial Justice Assistance Grant program, pursuant to the American Recovery and Reinvestment Act of 2009, and consistent with the requirements and provisions of that act, for that portion of the state share of the allocation which is required to be allocated by the Commonwealth to localities:

1. For police departments, \$4,800,000 for law enforcement, to be allocated to localities with police departments pursuant to Item 397 of this Act.
2. For Sheriffs' offices, \$3,000,000 for law enforcement, to offset reductions contained in Item 69 of this Act.

O. It is the intention of the General Assembly that the following program budget restorations represent the highest priorities for the utilization of the local share of additional federal funds, which may be received by localities under the Edward Byrne Memorial Justice Assistance Grant program, pursuant to the American Recovery and Reinvestment Act of 2009, and consistent with the requirements and provisions of that act localities shall make the following restorations:

1. For Sheriffs, \$7,500,000 for local jail operations.
2. For Sheriffs, \$1,700,000 for local court services operations.
3. For Regional Jails, \$4,700,000 for regional jail operations.
4. For Sheriffs and Regional Jails, \$1,600,000 for jail per diems. In addition, any amounts remaining from these funds shall be allocated for the restoration of jail per diems."

Explanation:

(This amendment specifies the distribution of \$23,300,000 from Virginia's allocation from the Edward Byrne Memorial Justice Assistance Grant program, to the extent such funds are made available as part of the federal economic stimulus legislation, and consistent with the requirements and provisions of the American Recovery and Reinvestment Act of 2009. This amendment also directs further restorations to local Sheriffs and regional jails totaling \$15,500,000 from the local share of this grant program.)

Item 397 #1s

Public Safety	FY 08-09	FY 09-10
Department Of Criminal Justice Services	(\$1,500,000)	\$0 GF

Language:

Page 441, line 23, strike "\$198,795,927" and insert "\$197,295,927".
Page 442, strike lines 31-43.

Explanation:

(This amendment transfers the existing first year appropriation for the Internet Crimes Against Children Task Forces from this Item to Item 395. A companion amendment to Item 395 adds these funds. This is a technical adjustment which is necessary to appropriate these funds to the correct item for the first year.)

Item 397 #4s

Public Safety

FY 08-09

FY 09-10

Department Of Criminal Justice
Services

\$0

\$6,644,182 NGF

Language:

Page 441, line 23, strike "\$190,651,745" and insert "\$197,295,927".

Page 441, strike lines 31-32 and insert:

"A.1. The funds appropriated in this Item shall be".

Page 441, strike lines 37-43 and insert:

"Virginia, the total amount to be distributed to localities shall be \$197,295,927 the first year and \$197,295,927 the second year. The amount to be distributed to each locality in the second year shall be equal to the amount distributed to the locality in the first year."

Page 441, following line 43, insert:

2. The Governor shall restore \$6,644,182 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment restores \$6,644,182 the second year from federal fiscal stimulus funds made available to the Commonwealth under the American Recovery and Reinvestment Act of 2009 for state aid to localities with police departments (HB 599 of 1979). With the addition of these funds, the HB 599 program will be level funded in fiscal year 2010, rather than reduced by \$6,644,182 below the fiscal year 2009 amount in the budget as introduced.)

Item 399 #1s

Public Safety	FY 08-09	FY 09-10	
Department Of Emergency Management	\$0	\$275,000	GF

Language:

Page 443, line 20, strike "\$27,749,656" and insert "\$28,024,656".

Explanation:

(This amendment restores \$275,000 the second year from the general fund for hazardous materials training and response.)

Item 409 #1s

Public Safety	FY 08-09	FY 09-10	
Department Of Juvenile Justice	\$0	\$1,000,000	GF

Language:

Page 448, line 24, strike "\$5,437,896" and insert "\$6,437,896".

Page 453, following line 4, insert:

"C. It is the intent of the General Assembly that the restoration of \$1,000,000 the second year for the Virginia Wilderness Institute in Buchanan County shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in this Item and in Section 4-1.08 of this Act during the enrollment of HB 1600/SB 850, as adopted by the 2009 General Assembly."

Explanation:

(This amendment restores \$1,000,000 the second year from the general fund for the Virginia Wilderness Institute, a 32-bed private juvenile facility located in Buchanan County.)

Item 411 #1s

Public Safety		
Department Of Juvenile Justice		Language

Language:

Page 450, line 54, after "locality.", insert:

"The Director, Department of Planning and Budget, may increase the general fund appropriation for this item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice."

Explanation:

(This amendment authorizes the Director, Department of Planning and Budget, to increase the general fund appropriation up to the amount of unobligated Virginia Juvenile Community Crime Control Act (VJCCCA) grants returned by localities to the Department of Juvenile Justice. This would allow the department to reprogram these funds to local programs demonstrating the greatest effectiveness in juvenile crime prevention. The language in the introduced budget inadvertently forces a one-year delay, since the funding currently has to be reflected in the department's year-end balances before it can be reprogrammed.)

Item 412 #1s

Public Safety	FY 08-09	FY 09-10	
Department Of Juvenile Justice	\$0	\$800,000	GF
	0.00	12.00	FTE

Language:

Page 451, line 38, strike "\$91,217,739" and insert "\$92,017,739".

Page 453, following line 4, insert:

"C. It is the intent of the General Assembly that the restoration of \$800,000 the second year for 12 mental health treatment positions shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in this Item and in Section 4-1.08 of this Act during the enrollment of HB 1600/SB 850, as adopted by the 2009 General Assembly."

Explanation:

(This amendment restores \$800,000 the second year from the general fund and 12 mental health treatment positions in the state juvenile correctional centers.)

Item 412 #2s

Public Safety	FY 08-09	FY 09-10	
Department Of Juvenile Justice	\$0	(\$1,800,000)	GF
	\$0	\$1,800,000	NGF

Language:

Page 452, following line 35, insert:

"D. The Governor shall restore \$1,800,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment replaces \$1,800,000 in general funds the second year for Hanover Juvenile Correctional Center with an equal amount of \$1,800,000 from federal fiscal stimulus funds. This action also transfers a total of 67 positions from general fund to nongeneral fund status.)

Item 415 #1s

Public Safety

FY 08-09

FY 09-10

Department Of Military Affairs

\$0

(\$1,116,861) GF

\$0

(\$2,086,093) NGF

Language:

Page 453, line 30, strike "\$4,218,244" and insert "\$1,015,290".

Page 453, strike lines 29-42.

Explanation:

(This amendment eliminates funding for the Commonwealth Challenge program at the State Military Reservation at Virginia Beach, for a net reduction of \$1,116,861 from the general fund and \$2,086,093 from federal funds the second year.)

Item 419 #1s

Public Safety

Department Of State Police

Language

Language:

Page 456, following line 52, insert:

"I. The Superintendent of State Police is authorized to and shall establish a policy and a reasonable fee to contract for the bulk transmission of public information from the Sex Offender Registry. Any fees collected shall be deposited into a special account to be used to offset the costs of administering the Registry."

Explanation:

(This amendment authorizes the Department of State Police to establish a fee to offset the costs of transmitting bulk information from the Sex Offender Registry.)

Item 420 #2s

Public Safety

Department Of State Police

FY 08-09

FY 09-10

\$0	(\$7,079,633)	GF
\$0	\$3,300,478	NGF

Language:

Page 456, line 55, strike "\$225,628,859" and insert "\$221,849,704".

Page 459, following line 47, insert:

"N. The Governor shall restore \$3,300,478 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment delays the 115th and 116th Basic Trooper Schools, resulting in a savings of \$7,079,633 the second year from the general fund. This action is offset with the allocation of \$3,300,478 in federal fiscal stimulus funds, leaving a net reduction of \$3,779,155 the second year. With this net reduction, the 115th basic trooper school is scheduled to begin on April 25, 2009, and the 116th basic trooper school is scheduled to begin on March 25, 2010.)

Item 420 #3s

Public Safety

Department Of State Police

FY 08-09

FY 09-10

(\$125,000)	\$0	GF
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Language:

Page 456, line 55, strike "\$236,266,079" and insert "\$236,141,079".

Explanation:

(This amendment reduces the agency budget by \$125,000 the first year from the general fund to reflect the expected amount of funds remaining from the first year for the Northern Virginia Internet Crimes Against Children Task Force.)

Item 425 #1s

Public Safety	FY 08-09	FY 09-10	
Department Of Veterans Services	\$50,000	\$0	GF

Language:

Page 461, line 22, strike "\$6,232,901" and insert "\$6,282,901".

Page 462, line 9, unstrike "100,000" and strike "50,000".

Page 462, line 11, strike "TurboVet program." and insert:

"electronic claims system pilot project. It is the intent of the General Assembly that the restoration of \$50,000 for the electronic claims system pilot project shall be properly accounted for in calculating the revised amount of savings from executive management actions contained in this Item and in Section 4-1.08 during the enrollment of HB 1600/SB 850, as adopted by the 2009 General Assembly."

Explanation:

(This amendment restores \$50,000 from the general fund the first year for the electronic claims system pilot project.)

Item 425 #2s

Public Safety	FY 08-09	FY 09-10	
Department Of Veterans Services	(\$200,000)	\$0	GF

Language:

Page 461, line 22, strike "\$6,232,901" and insert "\$6,032,901".

Page 461, line 42, strike "2,422,078" and insert "2,222,078".

Explanation:

(This amendment reduces the Wounded Warrior program by \$200,000 the first year from the general fund. This amount reflects the projected savings based on the actual hire dates for new positions during the start-up period of the program during the first year.)

Item 432 #1s

Technology	FY 08-09	FY 09-10	
Virginia Information Technologies	0.00	-37.00	FTE

Agency

Language:

Explanation:

(This amendment makes a technical correction to the agency's maximum employment level that reflects employee attrition resulting from the out-sourcing agreement with Northrop Grumman.)

Item 433 #2s

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 469, strike lines 5 through 56.
Page 470, strike lines 1 through 57.
Page 471, strike lines 1 through 12.

Page 469, following line 4, insert:

"A.1. Effective July 1, 2009, the Virginia Enterprise Applications Program Office will cease as an agency and the activities will become effective as the Division of Enterprise Applications, headed by the Chief Applications Officer, under this program.

2. Effective July 1, 2009, the amounts provided in this item include funding for the Division's operation and projects currently under the Virginia Enterprise Applications Program Division (VEAP). The Information Technology Investment Board will not budget any amounts for these projects from revenues it receives from billings or overhead which it charges to other agencies for services, unless it can clearly demonstrate that the project benefits the Commonwealth and is recoverable under Federal overhead guidelines.

3. On July 1 and January 1 of each year, the CAO shall report and recommend to the Chief Information Officer and the Information Technology Investment Board the processes reviewed and the data standards established and adopted in § 2.2-2033, Code of Virginia. The CAO shall report every six months to the Governor and the

Information Technology Investment Board progress in the areas the division is responsible for implementing and any agencies and institutions that have not cooperated with the implementation.

B. 1. Notwithstanding any other provision of law except the limitations imposed by § 2.2-518, § 2.2-4803 and § 2.2-4806, Code of Virginia, Executive Department agencies and institutions may enter into management agreements with CGI Technologies & Solutions, Inc. (CGI) for debt collection and cost recovery services pursuant to Statements of Work 6 and 7 of the Enterprise Applications Master Services Agreement between the Commonwealth of Virginia and CGI. Work on enhanced collections and recoveries shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and General Assembly.

2. Moneys resulting from enhanced collections and cost recoveries pursuant to this item shall be held in the Virginia Technology Infrastructure Fund as established by §2.2-2023, Code of Virginia.

C. Nothing in this item shall prevent Executive Department agencies or institutions from committing resources to support the coordinated efforts of the CAO. Such agency commitments shall be detailed in the CAO's quarterly reports to the Information Technology Investment Board.

D. Effective July 1, 2009, the working capital advance established for the Virginia Enterprise Applications Program Office (VEAP) is hereby brought forward to this item to cover up to \$30,000,000 for expenditures from anticipated revenues from enhanced collections and cost recoveries to be collected pursuant to this item and will be deposited to the Virginia Technology Infrastructure Fund. The repayments of any such working capital advance shall be made from such enhanced collections and cost recoveries. No funds derived from this working capital advance shall be expended without the prior budget approval of the Information Technology Investment Board and the Secretary of Finance. The CAO shall inform the Governor, the Chairmen of the House Appropriations and Senate Finance Committees of the anticipated use.

E. The Department of Planning and Budget shall not take any administrative actions to reduce these amounts without notification to the Chairmen of the House Appropriations and Senate Finance Committees.

F. The Information Technology Investment Board shall work with the Secretaries of

Technology and Finance to close any projected differences between budgeted funds and projected costs by reducing costs within affected agencies for decentralized services through changes in transformation planning, applications services, and information technology contract support. The Information Technology Investment Board shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on these efforts by October 1, 2009."

Explanation:

(This amendment modifies language related to the transfer of the Virginia Enterprise Applications Program Office (VEAP) to the Virginia Information Technologies Agency (VITA) by 1) strengthening the role of the Information Technology Investment Board in personnel decisions related to the Chief Applications Officer (CAO), 2) clarifying the nature of the responsibilities of the CAO, and 3) prohibiting the use of VITA general overhead funding for the operations of the Division of Enterprise Applications.)

Item 434 #3s

Technology

Virginia Information Technologies
Agency

Language

Language:

Page 472, strike lines 33 through 38.

Explanation:

(This amendment is a companion amendment to Item 433, which clarifies the transfer of the Virginia Enterprise Application Program Office to the Virginia Information Technologies Agency.)

Item 449 #3s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 486, after line 18, insert:

"F. Notwithstanding the provisions of §58.1-638 subdivision 4f, for the second year,

at the written request of the governing board of the transit property, the Commonwealth Transportation Board shall allocate no more than the FY 2009 capital allocation from the Mass Transit Fund to the operating expenses of such transit property in accordance with §58.1-638 subdivision 4b. In determining such amount for allocation, only the funds available for capital purposes in the Commonwealth Mass Transit Fund, exclusive of any federal funding or debt financing, shall be included. Each transit system may flex a portion of their capital grant for operating expenses up to the amount of operating assistance that would have been available for each system in FY 2009, based on the Six-Year Program adopted by the Commonwealth Transportation Board in June 2008. Each transit system shall provide a report to DRPT detailing the actual amount of capital funds used to support operations of the transit system, as well as an estimate of any foregone federal, state, local or private sources of capital funding."

Explanation:

(This amendment allows for local transit properties to request a one-year transfer of funding allocated to them from the Mass Transit Capital Fund to Mass Transit Operating Funds in order to maintain operating funding at the 2009 funding level. The amendment does not reduce formula allocations for Capital or Operating expenses, but does allow a transit provider the discretion to use Capital allocations for operating expenses. This amendment does not allocate new funding to the Mass Transit Fund.)

Item 450 #3s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 486, strike lines 53 through 57 and insert:

"3. Included within the Statewide Rail Plan, the director shall provide an assessment of total estimated planning and design, right-of-way acquisition, and construction costs, as well as proposed funding sources and estimated completion dates for all anticipated phases of statewide intercity passenger rail service needs including, but not limited to: the Virginia Railway Express expansion routes, the TransDominion Express and Urban Crescent Express corridors, and any potential intercity rail service between Richmond and Norfolk with terminal access to Hampton Roads Transit

Light Rail. As part of this assessment, the director shall include cost estimates of all necessary track, platform, and station improvements, for each proposed construction phase.

4. The Department shall inform the Chairmen of the House Appropriations, House Transportation, Senate Finance, and Senate Transportation Committees on efforts to improve intercity passenger rail service by December 15, 2009. "

Explanation:

(This amendment directs the Department of Rail and Public Transportation to provide an improved level of detail on statewide intercity passenger rail needs within the Statewide Rail Plan. As part of these revisions the Department is directed to include cost estimates for any potential intercity rail improvements between Norfolk and Richmond.)

Item 452.05 #1s

Transportation

Department Of Rail And Public
Transportation

Language

Language:

Page 487, line 43, before "Appropriation" insert "A."

Page 487, after line 46, insert:

“B. The director shall implement actions as necessary to carry out the appropriation reductions contained in this item.”

Explanation:

(This amendment provides the Director, Department of Rail and Public Transportation, additional flexibility needed to implement the appropriation reductions contained in this act.)

Item 455 #3s

Transportation

Department Of Transportation

Language

Language:

Page 490, following line 45, insert

"I.1. It is the intent of the General Assembly that prior to the completion of construction of High Occupancy Toll Lanes on the I-495 Capital Beltway, the Virginia Transportation Research Council (VTRC) will conduct a review of reforestation best practices and approaches used with major infrastructure improvements in densely populated areas. The VTRC shall report its findings to the Secretary of Transportation and the Commonwealth Transportation Board prior to December 31, 2009.

2. Following completion of the review, the Department of Transportation shall recommend to the Secretary and Commonwealth Transportation Board the most effective approach to restore vegetation within the construction corridor. The Department shall provide a report including estimates of costs to the Secretary and the Chairmen of the House Appropriations and Senate Finance Committees by June 30, 2010."

Explanation:

(This amendment requires VDOT to review and report on other state approaches to reforestation of highway corridors in densely populated areas. The amendment further requires the Department to recommend a reforestation plan for the current Capital Beltway High-Occupancy Toll Lane Project and report estimated costs to the House Appropriations and Senate Finance Committees.)

Item 462 #1s

Transportation

Department Of Transportation

Language

Language:

Page 499, following line 36, insert:

"D. Included from such funds appropriated in item 449.10 of Chapter 847, 2007 Session of the General Assembly, it is the intent of the General Assembly that an amount not to exceed 50 percent of the cost of acquisition of right-of-way owned by the Norfolk Southern Corporation located between Newtown Road and the Oceanfront in the City of Virginia Beach be provided. Prior to the expenditure of any funding appropriated within this item, the Department shall have a commitment for a like amount in additional funding from the City of Virginia Beach exclusive of any existing utility easement payments or federal funding commitments."

Explanation:

(This amendment provides up to a 50 percent match in funding for the acquisition of right-of-way currently owned by the Norfolk Southern Corporation from funds allocated as part of the 2007 Transportation Initiative. Receipt of these funds for acquisition of right-of-way related to the extension of the Hampton Roads light rail project is contingent upon the commitment of additional funding of an equal amount from the City of Virginia Beach, exclusive of existing utility easement payments of federal funding commitments. The amendment does not allocate new funding to this project.)

Item 462.05 #1s

Transportation

Department Of Transportation

Language

Language:

Page 499, strike lines 41 through 48,

Page 500, strike lines 1 through 3, and insert:

"A. Appropriation reductions in this item and specified in Section 4-1.08 of this Act shall apply notwithstanding any language and amounts to the contrary within other items of this Act.

B. The Commonwealth Transportation Commissioner shall implement actions as necessary to carry out the appropriation reductions contained in this item. Prior to implementing these reductions, the Commissioner shall present a Comprehensive Plan for reducing the Virginia Department of Transportation (VDOT) workforce approved by the Commonwealth Transportation Board to the Governor and the Chairmen of the House Appropriations, House Transportation, Senate Finance and Senate Transportation Committees. In taking all such actions, the Commissioner shall comply with the intent and provisions of item 436 of this Act, and:

1. Ensure that maintenance and operations of existing highway infrastructure is focused on emergency response, congestion mitigation, pavement rehabilitation based on the lowest pavement condition ratings, and bridge repair and replacement based on structurally deficient structures;

2. Set service and staffing levels for VDOT programs that have clear and measurable performance requirements;

3. Ensure that outside contractual expenditures comprise no less than 70 percent of total VDOT expenditures each fiscal year;

4.a. Reconfigure, including the elimination and consolidation of organizational units and VDOT facilities, to achieve no less than a 30 percent reduction in the number of (i) central office divisions, (ii) residency offices, and (iii) equipment and repair shops;

b. As part of the consolidation of organizational units, the supervisory layers between the lowest line staff and the leadership position reporting directly to the Commissioner or Deputy Commissioner shall be no more than five;

5. Use an objective and transparent methodology on which to base all actions and take no actions until public input has been considered;

6. Have no more than 7,500 full-time positions filled on June 30, 2010;

7. Ensure that appropriate accountability, compliance, and oversight by auditors is conducted on all programs and functions on a periodic basis;

8. Provide a quarterly progress report detailing each action and its impact on the VDOT budget to the Governor, the Chairmen of the House Appropriations, House Transportation, Senate Finance, and Senate Transportation Committees, and the Commonwealth Transportation Board. Such reports shall include a detailed enumeration of progress that has been made to reduce the department's expenditure levels in order to meet the reduction levels required by this item, an update on the next phase of actions planned to address the reductions, any obstacles encountered in implementing these reductions, and any adjustments to the Plan as approved by the Commonwealth Transportation Board.

C. The Director, Department of Planning and Budget, is authorized to transfer appropriations in this act as necessary to carry out the budget reductions contained in this item."

Explanation:

(This amendment establishes goals, guidelines, and reporting requirements for the Virginia Department of Transportation in implementing reduction in force efforts pursuant to reduced appropriations in FY 2009 and FY 2010.)

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$142,500)	GF

Language:

Page 508, line 20, strike "\$950,000" and insert "\$807,500".

Page 508, line 28, after "and" strike "\$950,000" and insert "\$807,500".

Explanation:

(This amendment provides for a 15 percent reduction in funding allocated to the Productivity Incentive Fund administered by the Secretary of Technology.)

Item 470 #1s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	\$7,309,000	NGF

Language:

Page 509, line 19, strike "\$91,618,010" and insert "\$98,927,010".

Page 510, after line 11, insert:

"D. Of this amount, \$7,309,000 the second year from nongeneral funds from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009 shall be used to restore funding for community-based grant awards, research grants, and marketing contracts related to tobacco use prevention."

Explanation:

(This amendment restores \$7.3 million NGF to the Virginia Tobacco Settlement Fund from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009. A separate amendment to this item transfers \$7.3 million from the Tobacco Settlement Fund to the Virginia Health Care Fund for increased Medicaid costs.)

Item 472.1 #2s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	\$3,429,000	GF

Language:

Page 518, line 25, strike "(\$90,324,589)" and insert "(\$86,895,589)".

Page 519, line 23, strike ".80" and insert "1.00".

Page 519, strike lines 56-58.

Page 520, strikes lines 1-16.

Page 520 line 17, strike "5" and insert "4".

Page 520, following line 25 insert:

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

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

3. Notwithstanding any provision to the contrary, for all eligible employees commencing employment or re-employment on or after July 1, 2009, short-term disability coverage under the Virginia Sickness and Disability Program shall provide income replacement for no more than 60 percent of a participating employee’s creditable compensation for the first 60 months of continuous state service after employment or re-employment.”

Explanation:

(This amendment continues the Long-Term Care insurance program for state employees enrolled in the Virginia Sickness and Disability Program (VSDP), reduces the recurrent period for repeat Short-Term Disability (STD) claims from 14 workdays to 45 workdays, institutes a one-year waiting period for new employees before receiving STD benefits for non-work related claims, and institutes a cap of 60% on the STD income replacement rate until a new employee serves a five-year vesting period. These changes to the STD program are meant to bring the VSDP program in line with best practices prevalent in private sector disability plans.)

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$1,290,000)	GF
	\$0	\$1,290,000	NGF

Language:

Page 524, line 3, strike "\$9,400,000" and insert "\$8,110,000".

Page 524, line 5, after "Commonwealth." insert:

"The Governor shall restore \$1,290,000 the second year for this item from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment reduces general funds for the higher education portion of an incentive grant for an aerospace engine manufacturer by \$1,290,000 in the second year and restores the same amount from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009.)

Item 473 #2s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	(\$6,005,454)	GF

Language:

Page 520, line 28, strike "\$38,781,734" and insert "\$32,776,280".

Page 524, line 18, strike "and".

page 524, line 19, strike "\$6,005,454 the second year."

Explanation:

(This amendment eliminates second year funding for undistributed decentralized information technology rate increases. The introduced budget accelerates \$3.5 million from the second year to address shortfalls in the current year. Language contained in Item 433 of this Act directs the Governor and the Information Technology Investment Board to close any projected differences between budgeted funds and projected costs through changes in service levels. This reduction was required to offset the loss of revenues assumed in the budget as introduced.)

Item 473 #3s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$1,572,071	\$1,737,970	GF

Language:

Page 520, line 28, strike "\$25,305,454" and insert "\$26,877,525".

Page 520, line 28, strike "\$38,781,734" and insert "\$40,519,704".

Explanation:

(This amendment provides \$1.5 million GF the first year and \$1.7 million GF the second year for unbudgeted expenses for DGS administered contracts.)

Item 473 #4s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	\$30,000	NGF

Language:

Page 520, line 28, strike "\$38,781,734" and insert "\$38,811,734".

Page 525, following line 13, insert:

"O. The Governor shall allocate \$30,000 the second year to Hunters for the Hungry from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$30,000 the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for Hunters for the Hungry.)

Item 475 #1s

Central Appropriations	FY 08-09	FY 09-10	
Central Appropriations	\$0	\$351,000	GF

Language:

Page 526, line 22, strike "\$3,117,440" and insert "\$3,468,440".

Explanation:

(This amendment increases funding for the Two Year College Transfer Grant by \$351,000 in FY 2010. This reflects the amount needed to fund the changes in eligibility in SB 1214.)

Item 485 #1s

Independent Agencies

Virginia Retirement System

Language

Language:

Page 434 strike lines 53 to 56.

Page 435, strike lines 1 to 7.

Explanation:

(This amendment strikes language that would have authorized localities to utilize retirement rates other than those set by the board of the Virginia Retirement System.)

Item C-5.05 #1s

Administration

Department Of General Services

Language

Language:

Page 548, strike lines 13 to 17 and insert:

“The Director, Department of Planning and Budget is authorized to transfer up to \$7,200,000 from the Blanket Property Acquisition Project authorized in Chapter 1, 2008 Acts of the Assembly, Special Session I to supplement this item. With this transfer, the total cost of the project is \$23,025,000.”

Explanation:

(This amendment authorizes the Department of General Services to use funds from the Blanket Property Acquisition Project in Chapter 1, 2008 Acts of the Assembly, Special Session I, to supplement construction of the 1,000 vehicle parking deck for state employees housed in the Main Street Centre and other state-owned and occupied buildings in the vicinity.)

Item C-14.90 #1s

Education: Higher Education

Language:

Page 549, following line 37, insert:

"Christopher Newport University is authorized to retain 100 percent of the proceeds from the sale of real property at 812 Riverside Drive in Newport News, Virginia and to use those proceeds to acquire real property previously approved by the University's Board of Visitors."

Explanation:

(This amendment is self-explanatory.)

Item C-14.90 #2s

Education: Higher Education

FY 08-09

FY 09-10

Christopher Newport University

\$0

\$3,035,000 NGF

Language:

Page 549, following line 37, insert:

"C-14.90. New Construction: Library/
Information Technology Center
Fund Sources: Bond Proceeds

\$3,035,000

\$3,035,000".

Explanation:

(This amendment provides \$3.0 million from nongeneral fund supported bond proceeds for construction of the Library/Information Technology Center at Christopher Newport University.)

Item C-14.90 #3s

Education: Higher Education

FY 08-09

FY 09-10

Christopher Newport University

\$0

\$4,000,000 NGF

Language:

Page 549, following line 37, insert:

"C-14.90. New Construction: Construct
Alumni House
Fund Sources: Bond Proceeds

\$4,000,000

\$4,000,000".

Explanation:

(This amendment provides \$4.0 million from nongeneral fund supported bond proceeds for construction of an alumni house at Christopher Newport University.)

Item C-36.1 #1s

Education: Higher Education

George Mason University

Language

Language:

Page 553, following line 53, insert:

"Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall transfer \$11,00,000 of the amount appropriated to the Science Museum of Virginia, for construction of the Belmont Bay Science Center to project 17634 (George Mason University, New Construction: Belmont Bay Science Center)."

Explanation:

(This amendment transfers funding for construction of the Belmont Bay Science Center from the Science Museum of Virginia to George Mason University.)

Item C-36.55 #1s

Education: Higher Education

George Mason University

FY 08-09

\$3,550,000

FY 09-10

\$0 NGF

Language:

Page 554, line 28, strike "\$0" and insert "\$3,550,000".

Page 554, following line 34 insert:

"The Governor shall provide \$3,550,000 the first year for purchase of equipment for this project from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$3.6 million the first year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for equipment for the Arlington II building at George Mason University.)

Item C-36.70 #1s

Education: Higher Education	FY 08-09	FY 09-10
George Mason University	\$0	\$8,000,000 NGF

Language:

Page 554, following line 42, insert:
 "C-36.70. New Construction: Student Union Building II, Fairfax Campus \$8,000,000
 Fund Sources: Bond Proceeds \$8,000,000".

Explanation:

(This amendment provides \$8.0 million the second year from nongeneral fund bond proceeds for construction of the Student Union Building II on the Fairfax Campus of George Mason University.)

Item C-36.70 #2s

Education: Higher Education	FY 08-09	FY 09-10
George Mason University	\$0	\$2,500,000 NGF

Language:

Page 554, following line 42, insert:
 "C-36.70. Improvements: Campus Security, Arlington Campus \$2,500,000
 Fund Sources: Higher Education Operating \$2,500,000".

Explanation:

(This amendment provides \$2.5 million NGF the second year for campus security improvements at the Arlington Campus of George Mason University.)

Item C-39.05 #1s

Education: Higher Education	FY 08-09	FY 09-10
James Madison University	\$5,072,000	\$0 NGF

Language:

Page 555, line 18, strike "\$0" and insert "\$5,072,000".

Page 555, following line 24 insert:

"The Governor shall provide \$5,072,000 the first year for purchase of equipment for this project from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides an additional \$5.0 million GF the first year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to equip the new Performing Arts Center and Recital Hall at James Madison University.)

Item C-44.20 #1s

Education: Higher Education

University Of Mary Washington

Language

Language:

Page 556, after line 38, insert:

"C-44.20.

Fund Sources:

"1. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Real Estate Foundation (UMWREF) to support student housing projects and/or operational-related facilities through alternative financing agreements including public-private partnerships.

2. The University of Mary Washington is further authorized to enter into written agreements with UMWREF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University's obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

3. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for UMWREF will provide construction and/or permanent financing.

4. The University of Mary Washington is further authorized to convey parcels of land to the UMWREF, which will develop the land for the purpose of establishing residential housing for students and/or faculty and staff, office, retail, and other commercial land uses in accordance with the University's approved Master Plan."

Explanation:

(This amendment clarifies that authority for the University of Mary Washington to utilize alternative financing is continued.)

Item C-50.30 #1s

Education: Higher Education

Old Dominion University

Language

Language:

Page 558, following line 26, insert:

"Old Dominion University is hereby granted authority to convey the current President's Residence to the Old Dominion Real Estate Foundation in order to reconstruct this facility. Authority is also granted to construct this project with alternative financing, which may include an agreement with the Old Dominion University Real Estate Foundation for the design, construction and financing of the project, and to enter into a capital lease or lease for the project that may qualify as a capital lease. Old Dominion shall identify any component of the project that qualifies as a capital lease, and shall report such lease to the Department of Accounts and the Department of Planning and Budget. Any such capital lease shall be exempt from the requirements of §4-3.03(b)2 of the Appropriations Act."

Explanation:

(This amendment authorizes Old Dominion University to transfer the president's

residence to the ODU Real Estate Foundation for renovation, and to lease back such facility.)

Item C-60.05 #1s

Education: Higher Education

Radford University

Language

Language:

Page 560, line 15, following "Sources:" strike "Bond Proceeds" and insert "Federal Funds".

Page 560, following line 15 insert:

"The Governor shall provide \$7,076,000 the second year for this project from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$7.1 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for improvements to Heth Hall at Radford University and eliminates general fund supported debt provided for in the budget, as introduced.)

Item C-63.01 #1s

Education: Higher Education

University Of Virginia

FY 08-09

\$720,000

FY 09-10

\$3,000,000 NGF

Language:

Page 560, following line 38 insert:

"C-63.01. Improvements: Renovate New Cabell Hall

\$720,000

\$3,000,000

Fund Sources: Higher Education Operating

\$720,000".

\$3,000,000".

Explanation:

(This amendment provides \$720,000 NGF the first year and \$3.0 million NGF the second year for renovation of New Cabell Hall at the University of Virginia.)

Education: Higher Education

University Of Virginia

Language

Language:

Page 561, line 1, following "Sources:" strike "Bond Proceeds" and insert "Federal Funds".

Page 561, following line 1 insert:

"The Governor shall provide \$8,900,000 the second year for this project from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$8.9 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 for construction of Alderman Road Housing Phase II at the University of Virginia and eliminates general fund supported debt provided for in the budget, as introduced.)

Education: Higher Education

University Of Virginia Medical
Center

Language

Language:

Page 561, line 10, following "Sources:" strike "Bond Proceeds" and insert "Federal Funds".

Page 561, following line 10 insert:

"The Governor shall provide \$40,000,000 the second year for this project from funds received by the Commonwealth from the flexible fund component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009."

Explanation:

(This amendment provides \$40.0 million the second year from federal stimulus funds available under the American Recovery and Reinvestment Act of 2009 to renovate and equip the Medical Center at the University of Virginia and eliminates general fund supported debt provided for in the budget, as introduced.)

Item C-81.63 #1s

Education: Higher Education

Virginia Community College
System

Language

Language:

Page 566, line 21, strike "8,750" and insert "7,559".

Explanation:

(This amendment corrects the square footage cited in language describing the transfer of properties between J. Sargeant Reynolds Community College and the City of Richmond.)

Item C-85.01 #2s

Education: Higher Education

Virginia Military Institute

FY 08-09

\$0

FY 09-10

\$205,000 NGF

Language:

Page 567, following line 14 insert:

"C-85.01. Planning: Renovate Post Hospital

\$205,000

Fund Sources: Higher Education Operating

\$205,000".

Explanation:

(This amendment provides \$205,000 NGF the second year for detailed planning for renovation of the Post Hospital at Virginia Military Institute.)

Item C-91.06 #2s

Education: Higher Education

Virginia Polytechnic Institute And
State University

FY 08-09

\$0

FY 09-10

\$30,000,000 NGF

Language:

Page 568, following line 11 insert:

"C-91.06. New Construction: Parking
Structure

\$30,000,000

Fund Sources: Bond Proceeds

\$30,000,000".

Explanation:

(This amendment provides \$30.0 million the second year from non-general fund supported 9(c) bond proceeds for construction of a parking structure at Virginia Tech.)

Item C-103.05 #3s

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 570, strike lines 10 to 20.

Explanation:

(This amendment strikes language included in SB 850, as introduced, that proposed a reduction to project 17457 (Repair/Replacement Central Virginia Training Center). Companion capital amendments make the appropriation for community housing and set out the proposed reduction to project 17457 (Repair/Replacement Central Virginia Training Center) as a capital appropriation item.)

Item C-103.05 #4s

Health And Human Resources

Department Of Mental Health,
Mental Retardation And Substance
Abuse Services

Language

Language:

Page 570, strike lines 10 to 20.

Explanation:

(This amendment strikes language included in SB 850, as introduced, that proposed a reduction to project 17458 (Repair/Replacement Southeastern Virginia Training Center). Companion capital amendments make the appropriation for community housing and set out the proposed reduction to project 17458

(Repair/Replacement Southeastern Virginia Training Center) as a capital appropriation item.)

Item C-103.06 #1s

Health And Human Resources	FY 08-09	FY 09-10
Department Of Mental Health, Mental Retardation And Substance Abuse Services	(\$18,500,000)	\$0 NGF

Language:

Page 570, following line 20 insert:

"C-103.06. Improvements: (\$18,500,000)

Repair/Replacement Central Virginia
Training Center

Fund Sources: Bond Proceeds (\$18,500,000)".

Explanation:

(This amendment sets out the proposed reduction to project 17457 (Repair/Replacement Central Virginia Training Center) as a capital appropriation item. Companion capital amendments make the appropriation for community housing and strike language included in SB 850, as introduced, that proposed a reduction to project 17457 (Repair/Replacement Central Virginia Training Center).)

Item C-103.06 #2s

Health And Human Resources	FY 08-09	FY 09-10
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$27,544,000	\$0 NGF

Language:

Page 570, following line 20 insert:

"C-103.06. New Construction: \$27,544,000

Construction, Acquisition and Renovation
of Community Housing for Central
Virginia (17733)

Fund Sources: Bond Proceeds \$27,544,000".

A.1. Out of the appropriation for this item shall be paid \$27,544,000 (\$12,252,800 from general fund supported bonds and \$15,291,200 from non-general fund supported bonds) for construction of community housing on behalf of community service boards located in the service area of the Central Virginia Mental Retardation Training Center. This appropriation is based on the following provisional plan:

<u>Description</u>	<u>Number</u>	<u>GF Cost</u>	<u>NGF Cost</u>	<u>Total Cost</u>
6 to 8 Bed ICF (GF Land Acquisition)	19	\$3,822,800	\$15,291,200	\$19,114,000
4 to 6 Bed Mental Retardation Home	<u>10</u>	<u>\$8,430,000</u>	<u>\$0</u>	<u>\$8,430,000</u>
Total	29	\$12,252,800	\$15,291,200	\$27,544,000

2. No more than twenty percent of the total cost of each Intermediate Care Facility (ICF) shall be for land acquisition, which shall be financed from general fund supported bonds. The remaining eighty percent of the capital cost shall be funded from bonds supported by the capital component of the Medicaid rates.

B.1. The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the assistance of the Department of General Services, the Department of Planning and Budget, and the Department of the Treasury, and with the approval of the Governor, shall prepare a final implementation plan and provide a copy of the plan to the Chairmen of the Senate Finance Committee and House Appropriations Committee no later than June 30, 2009. Limited revisions to this implementation plan may be made as warranted by material changes in circumstances. In development of this plan the Department of Mental Health shall consult with residents, community service boards, and private providers.

2. Within 30 days of receipt of an implementation plan, or revisions thereto, the Senate Finance Committee and House Appropriations Committee shall each determine whether to request additional information, recommend changes to the implementation plan, or accept the implementation plan, and notify the Department of their decision. The Department shall provide additional information on the details of an implementation plan as requested by either Committee. If the Committees accept an implementation plan, or do not request additional information or recommend changes within the 30-day period, the implementation plan shall be deemed approved and may be executed by the Department.

3. The Director of the Department of Planning and Budget shall have the authority to

fund community housing projects approved by the Committees, with such funding being consistent with the terms of the implementation plan.

C. To be eligible to participate in the community mental retardation facility construction program set out in this item, local community services boards must cooperate with the Department of Mental Health and Mental Retardation, and the Department of Human Resource Management in the development and implementation of a plan to transfer employees of the Central Virginia Training Center to the community services boards, as required by Item 315.DD of this Act.

D. The total amount that may be obligated under this item shall not exceed \$27,544,000 million."

Explanation:

(This amendment sets out the proposed appropriation for community housing as a capital appropriation item. Companion amendments strike language included in SB 850, as introduced, that proposed a reduction to project 17457 (Repair/Replacement Central Virginia Training Center) and set out that reduction as a separate capital item.)

Item C-103.06 #3s

Health And Human Resources	FY 08-09	FY 09-10
Department Of Mental Health, Mental Retardation And Substance Abuse Services	(\$23,800,000)	\$0 NGF

Language:

Page 570, following line 20
"C-103.06. Improvements: (\$23,800,000)
Repair/Replacement Southeastern Virginia
Training Center
Fund Sources: Bond Proceeds (\$23,800,000)".

Explanation:

(This amendment sets out the proposed reduction to project 17458 (Repair/Replacement Southeastern Virginia Training Center) as a capital appropriation item. Companion capital amendments make the appropriation for community housing and strike language included in SB 850, as introduced, that

proposed a reduction to project 17458 (Repair/Replacement Southeastern Virginia Training Center).)

Item C-103.06 #4s

Health And Human Resources	FY 08-09	FY 09-10
Department Of Mental Health, Mental Retardation And Substance Abuse Services	\$35,036,000	\$0 NGF

Language:

Page 570, following line 20

"C-103.06. New Construction: Construction, Acquisition and Renovation of Community Housing for Southeastern Virginia (17774) Fund Sources: Bond Proceeds	\$35,036,000 \$35,036,000".
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A.1. Out of the appropriation for this item shall be paid \$35,036,000 (\$23,768,800 from general fund supported bonds and \$11,267,200 from non-general fund supported bonds) for construction of community housing on behalf of community service boards located in the service area of the Southeastern Virginia Mental Retardation Training Center. This appropriation is based on the following provisional plan:

<u>Description</u>	Number	GF Cost	NGF Cost	Total Cost
6 to 8 Bed ICF (GF Land Acquisition)	14	\$2,816,800	\$11,267,200	\$14,084,000
4 to 6 Bed Mental Retardation Home	22	\$18,546,000	\$0	\$18,546,000
Crisis Stabilization Center	1	\$1,006,000	\$0	\$1,006,000
Day Support Center	<u>4</u>	<u>\$1,400,000</u>	<u>\$0</u>	<u>\$1,400,000</u>
Total	41	\$23,768,800	\$11,267,200	\$35,036,000

2. No more than twenty percent of the total cost of each Intermediate Care Facility (ICF) shall be for land acquisition, which shall be financed from general fund supported bonds. The remaining eighty percent of the capital cost shall be funded from bonds supported by the capital component of the Medicaid rates.

B.1. The Department of Mental Health, Mental Retardation and Substance Abuse Services, with the assistance of the Department of General Services, the Department of Planning and Budget, and the Department of the Treasury, and with the approval of the Governor, shall prepare a final implementation plan and provide a copy of the plan to the Chairmen of the Senate Finance Committee and House Appropriations Committee no later than June 30, 2009. Limited revisions to this implementation plan may be made as warranted by material changes in circumstances. In development of this plan the Department of Mental Health shall consult with residents, community service boards, and private providers.

2. Within 30 days of receipt of an implementation plan, or revisions thereto, the Senate Finance Committee and House Appropriations Committee shall each determine whether to request additional information, recommend changes to the implementation plan, or accept the implementation plan, and notify the Department of their decision. The Department shall provide additional information on the details of an implementation plan as requested by either Committee. If the Committees accept an implementation plan, or do not request additional information or recommend changes within the 30-day period, the implementation plan shall be deemed approved and may be executed by the Department.

3. The Director of the Department of Planning and Budget shall have the authority to fund community housing projects approved by the Committees, with such funding being consistent with the terms of the implementation plan.

C. To be eligible for to participate in the community mental retardation facility construction program set out in this item, local community services boards must cooperate with the Department of Mental Health and Mental Retardation, and the Department of Human Resource Management in the development and implementation of a plan to transfer employees of the Southeastern Virginia Training Center to the community services boards, as required by Item 315.DD of this Act.

D. The total amount that may be obligated under this item shall not exceed \$35,036,000."

Explanation:

(This amendment sets out the proposed appropriation for community housing as a capital appropriation item. Companion capital amendments strike language included in SB 850, as introduced, that proposed a reduction to project 17458 (Repair/Replacement Southeastern Virginia Training Center) and set out that

reduction as a separate capital item.)

Item C-113.05 #1s

Natural Resources

Department Of Game And Inland
Fisheries

Language

Language:

Page 573, line 10, after "headquarters", insert "buildings and grounds".

Page 573, line 11, strike "4010", and insert "4000, 4010, and 4016".

Page 573, line 11, after "The", insert "principal".

Page 573, line 14, after "sell", insert "or trade for value".

Explanation:

(This amendment modifies the authorization language to identify the properties included in the capital project and to specify that the department may trade for value its current headquarters.)

Item C-147.01 #1s

Public Safety

Department Of State Police

FY 08-09

\$1,875,000

FY 09-10

\$0 NGF

Language:

Page 578, following line 36 insert:

"C-147.01. New Construction: Target

\$1,875,000

Practice Range

Fund Sources: Special

\$400,000

Federal Trust

\$1,290,000

Trust and Agency

\$185,000".

"The Department of Corrections shall transfer 18 acres of land located adjacent to the Powhatan Correctional Center to the Department of State Police for construction of this project."

Explanation:

(This amendment provides \$1.9 million NGF for construction of a target practice range that will be used as a joint training facility by the Department of State Police, the Federal Bureau of Investigation - Richmond Field Division (FBI) and the Virginia Department of Game and Inland Fisheries (DGIF). The FBI is contributing \$1.3

million, DGIF is contributing \$0.4 million from their Special Funds, and State Police will contribute \$0.3 million from Federal Asset Forfeiture Funds.)

Item C-178.10 #1s

Central Appropriations

Central Capital Outlay

Language

Language:

Page 589, following line 37 insert:

"A.1. Capital projects authorized for detailed planning in §1 of the third enactment clause of Chapter 1 and Chapter 2 (2008 Special Session I) may proceed from preliminary working drawings to detailed working drawings.

2. Capital projects authorized for preplanning in §2 of the third enactment clause of Chapter 1 and Chapter 2 (2008 Special Session I) may proceed to preliminary working drawings.

3. Such nongeneral funds as may be required for this purpose are hereby appropriated.

4. Non-general funds expended for the purposes of paragraphs A.1 and A.2 of this Item may be reimbursed from such funds as may be appropriated for the construction of the project for which planning is undertaken, upon project completion."

Explanation:

(This amendment allows projects authorized for preplanning or planning in the 2008 capital bond bill to continue planning with non-general funds.)

Item C-180 #1s

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 590, line 47, strike "\$518,019,000" and insert "\$516,065,000".

Page 591, line 55, strike "\$6,879,000" and insert "\$4,925,000".

Page 591, line 63, strike "\$518,019,000" and insert "\$516,065,000".

Explanation:

(This amendment corrects the amount listed in the 9(d) revenue bond table for the capital project to Construct Chesapeake Academic Building, Site Infrastructure, at Tidewater Community College.)

Item C-182 #1s

Central Appropriations

9(D) Revenue Bonds

Language

Language:

Page 597, line 18, strike "\$194,719,373" and insert "\$199,786,373".

Page 599, line 8, strike "\$194,719,373" and insert "\$199,786,373".

Explanation:

(This amendment corrects a typographical error in the introduced budget bill.)

Item 3-1.01 #2s

Transfers

Interfund Transfers

Language

Language:

Page 609, line 47, strike "\$63,525,964" and insert "\$63,585,964".

Page 611, line 4, strike "\$0" and insert "\$60,000".

Explanation:

(This amendment accounts for the transfer of bedding fee revenues from the Department of Health's Bedding and Upholstery Sanitation Fund to the general fund in fiscal year 2010. The strategy to transfer bedding fee revenues to the general fund was erroneously reflected as an appropriation reduction instead of a cash transfer. A companion amendment to Item 301.05 restores the equivalent general fund appropriation amount to the Department of Health.)

Item 3-1.01 #3s

Transfers

Interfund Transfers

Language

Language:

Page 612, line 5, strike "1,097,500" and insert "1,537,500"

Explanation:

(This amendment increases the transfer from the Fire Programs Fund to the general fund by \$440,000 in the second year, thereby increasing the reduction to the fund from five to seven percent.)

Item 3-1.01 #4s

Transfers

Interfund Transfers

Language

Language:

Page 611, after line 26, insert:

"Capture excess nongeneral fund balances 0200 \$616,000 0".

Explanation:

(This amendment reverts \$616,000 in nongeneral fund balances from special revenue funds in the Virginia Department of Health to the general fund in the first year.)

Item 3-1.01 #5s

Transfers

Interfund Transfers

Language

Language:

Page 612, after line 26, insert:

"GG. On or before June 30, 2010, the State Comptroller shall transfer \$9,450,000 from the special emergency medical services fund to the general fund."

Explanation:

(This amendment transfers \$1.50 from "\$4.25 for Life" to the general fund in fiscal year 2010. The introduced budget directs \$0.25 to the state police for operations of med-flight. This amendment diverts \$1.50 of each registration fee to the general fund in FY 2010 only. The remaining fee of \$2.50 will be distributed according to the formula in § 46.2-694, Code of Virginia.)

Item 3-1.01 #6s

Transfers

Interfund Transfers

Language

Language:

Page 604, following line 36, insert:

"8. For expenses incurred by the Department of Corrections for substance abuse treatment for offenders incarcerated in state facilities and for probationers under the supervision of district probation and offices, from balances of the Virginia Alcohol Safety Action Program (Section 18.2-271.1 of the Code of Virginia)

\$500,000 \$0

Explanation:

(This amendment transfers \$500,000 from nongeneral fund balances as of June 30, 2009, from the Virginia Alcohol Safety Action Program (VASAP) central office, to the general fund, to support substance abuse treatment for offenders in state correctional facilities and for probationers under the supervision of district probation offices. A companion amendment to Item 387 restores \$400,000 the second year to the Department of Corrections for this purpose.)

Item 3-1.02 #1s

Transfers

Interagency Transfers

Language

Language:

Page 612, line 28, before "The" insert "A."

Page 612, after line 29, insert:

"B. The State Comptroller shall transfer on or before June 30, 2010, \$7,309,000 to the Virginia Health Care Fund for the state share of Medicaid spending."

Explanation:

(This amendment diverts \$7.3 million in FY 2010 from the Virginia Tobacco Settlement Fund (VTSF) to the Virginia Health Care Fund (VHCF) to pay for the state share of Medicaid costs. Funding for marketing, community-based providers, research grants and operations will be reduced by one-half as a result of this amendment. The VTSF receives 10 percent of the Master Settlement Agreement, while 50 percent goes to the Tobacco Indemnification and Community Revitalization Commission and 40 percent is deposited to the VHCF. A separate amendment to this item restores funding from the flexible fund

component of the State Fiscal Stabilization Fund authorized under the American Recovery and Reinvestment Act of 2009.)

Item 3-2.03 #1s

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 613, after line 14, insert:

“Administration of Health Insurance,

for the public schools health insurance program

\$20,000,000”

Explanation:

(This amendment provides a \$20.0 million line of credit for start-up of the Public Schools Health Insurance Program. A companion amendment to Item 86 authorizes creation of this program.)

Item 3-5.05 #1s

Adjustments and Modifications to Tax Collections

Neighborhood Assistance Program and Schools for
Children with Disabilities Fund Tax Credit

Language

Language:

Page 617, strike line 21 through line 31.

Page 617, line 32, strike "In addition, the" and insert "A. The".

Page 617, line 33, strike "63.2-2006" and insert "58.1-439.24".

Page 617, line 35, after "Act", strike the rest of the line.

Page 617, line 36, strike "Students with Disabilities fund)".

Page 617, line 40, after "2013", strike "and does not exceed the annual caps established in paragraph A."

Page 617, line 41, strike "63.2-2000" and insert "58.1-439.18".

Page 617, line 43, strike "63.2-2000" and insert "58.1-439.18".

Page 617, line 45, strike "63.2-2000" and insert "58.1-439.18".

Explanation:

(This amendment conforms provisions related to the Neighborhood Assistance Tax Credit set forth in the appropriation act to comport with the statutory provisions contained within SB 1325, which passed the Senate.)

Item 3-5.07 #1s

Adjustments and Modifications to Tax Collections

Renewable Energy Income Tax Credits

Language

Language:

Page 618, strike lines 1 through 48.

Page 619, strike lines 1 through 4.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.08 #1s

Adjustments and Modifications to Tax Collections

Captive Real Estate Investment Trust

Language

Language:

Page 619, strike lines 5 through 44.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.09 #1s

Adjustments and Modifications to Tax Collections

Energy Efficient Systems Sales and Use Tax
Exemption

Language

Language:

Page 620, strike lines 1 through 20.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.10 #1s

Adjustments and Modifications to Tax Collections

Conformity to Internal Revenue Code

Language

Language:

Page 620, strike lines 21 through 26.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.11 #1s

Adjustments and Modifications to Tax Collections

Sales and Use Tax Dealer Discount

Language

Language:

Page 620, strike lines 27 through 29.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.12 #1s

Adjustments and Modifications to Tax Collections

Land Preservation Income Tax Credit

Language

Language:

Page 620, strike lines 30 through 36.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.13 #1s

Adjustments and Modifications to Tax Collections

Disposition of Excess Fees Collected by Clerks of the
Circuit Courts

Language

Language:

Page 620, strike lines 37 to 40.

Explanation:

(This amendment eliminates language that would increase the Commonwealth's share of Clerks' excess fees from one-third to two-thirds.)

Item 3-5.14 #1s

Adjustments and Modifications to Tax Collections

Cigarette and Tobacco Products Taxes

Language

Language:

Page 620, strike lines 41 through 51.

Page 621, strike lines 1 through 4.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.15 #1s

Adjustments and Modifications to Tax Collections

Tire Recycling Fee Discount

Language

Language:

Page 621, strike lines 5 through 7.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.16 #1s

Adjustments and Modifications to Tax Collections

Communications Sales and Use Tax Dealer Discount

Language

Language:

Page 621, strike lines 8 through 10.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.17 #1s

Adjustments and Modifications to Tax Collections

Tax for Enhanced 911 Services Discount

Language

Language:

Page 621, strike lines 11 through 13.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 3-5.18 #2s

Adjustments and Modifications to Tax Collections

Fuels Tax Discounts

Language

Language:

Page 621, strike lines 14 through 17.

Explanation:

(This amendment eliminates language in the introduced budget that has been addressed by a separate bill.)

Item 4-5.02 #1s

Special Conditions and Restrictions on Expenditures

Third Party Transactions

Language

Language:

Page 666, line 18, strike "1." and insert "1.a."

Page 666, following line 24, insert:

"b. For purposes of this Act, "attorney" shall be defined as an employee or contractor who represents an agency before a court, board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited to, instructing, managing, supervising or performing normal or customary duties of that agency."

Explanation:

(This amendment clarifies the intent of Section 4-5.02 of the General Provisions concerning the applicability of the requirement that all attorneys employed by any state agency are to be appointed by the Attorney General.)

Item 4-8.01 #1s

Reporting Requirements

Governor

Language

Language:

Page 684, after line 48 insert:

"3. It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of

Education, Secretary of Finance, and the Director, Department of Planning and Budget, shall identify a list of reporting requirements that the Governor may consider suspending. The findings from this review shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2009."

Explanation:

(This amendment requires a review of reporting requirements for higher education institutions.)

Item 4-9.02 #1s

Higher Education Restructuring

Assessment of Institutional Performance

Language

Language:

Page 691, after line 14 insert:

"F. The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data."

Explanation:

(This amendment refers to the submittal of uniform expenditure data for Level III institutions of higher education.)

Item 5-0.00 #1s

Additional Enactments

Language

Language:

Page 692, after line 1, insert:

"4. That payments made pursuant to the provisions of Senate Bill 987 (2009) shall be made in accordance with procedures established by the Tax Commissioner and shall be considered general fund revenue, except with respect to those revenues

required to be distributed under the provisions of §§ 58.1-605 and 58.1-606, Code of Virginia.

5. That the State Comptroller shall make no distribution of the collections made pursuant to Senate Bill 987 (2009) in accordance with §§ 58.1-638 and 58.1-638.1 , Code of Virginia, until the Governor determines each year that funds are available to transfer such collections. If the Governor determines that funds are available to transfer such collections in accordance with §§ 58.1-638 and 58.1-638.1, Code of Virginia, he shall direct the State Comptroller to make such distribution. The Governor will report such determination to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees in August of each year.

6. That notwithstanding the January 1, 2010 effective date of Senate Bill 987 (2009), if on or before May 31, 2010 the Governor determines that based on total revenue collections year-to-date, that the amount of the total projected revenues from all funds, including the federal stimulus funds available under the American Recovery and Reinvestment Act of 2009, for the fiscal year ending June 30, 2010, will exceed the total appropriations made in this act by at least the amount of revenues anticipated to be generated by Senate Bill 987 (2009) for the fiscal year ending June 30, 2010, the provision's of Senate Bill 987 (2009) shall not become effective. In the event that this occurs, the Governor shall immediately notify the Chairmen of the House Appropriations, House Finance and Senate Finance Committees in writing of such determination and the Tax Commissioner shall immediately notify every dealer and direct permit holder as identified in Senate Bill 987 (2009) that an accelerated sales and use tax payment for June taxable transactions shall not be required."

Page 692, line 2, strike "4" and insert "7".

Page 692, line 3, strike "and third" and insert ", third, fourth, fifth and sixth".

Explanation:

(This amendment provides direction to the Tax Commissioner and State Comptroller for the disposition of revenue related to the accelerated sales and use tax payment due on June 30, 2010 pursuant to Senate Bill 987, which passed the Senate. The amendment further provides that the accelerated sales and use tax payment shall not occur in the event that general fund and nongeneral fund revenues, including all federal revenues, are sufficient to meet the appropriations contained in the budget bill without requiring the accelerated payment.)
