

**Amendment No. 30 to HB2139**

**Sargent  
Signature of Sponsor**

**AMEND Senate Bill No. 2090\***

**House Bill No. 2139**

**TRANSFER TO GENERAL FUND FROM DEBT SERVICE FUND**

by inserting in Section 43, Item 4 of the printed bill at the end of the item a new sentence to read:

The transfer from the debt service fund shall include \$11,700,000 of the unexpended balance of the appropriations made in Section 2, of Senate Bill 2096 / House Bill 2133, subject to said bill becoming a law.

and by inserting in Section 43 of the printed bill an additional item to read:

Item \_\_\_\_\_. In the fiscal year ending June 30, 2011, there shall be transferred the sum of \$377,200 from the general fund to the insurance fund relative to the 2009-2010 Wellness Program.

**SUPPLEMENTAL APPROPRIATIONS**

AND FURTHER AMEND in Section 38 of the printed bill by deleting the following:

Economic and Community Development	
1. FastTrack Infrastructure and Job Training .....	\$ 45,000,000.00
Education	
1. Basic Education Program.....	\$ 11,900,000.00
Miscellaneous Appropriations	
Total Miscellaneous Appropriations .....	\$ 1,950,000.00
TOTAL.....	\$112,628,500.00

and by substituting instead:

Economic and Community Development	
1. FastTrack Infrastructure and Job Training .....	\$ 44,000,000.00
Education	
1. Basic Education Program.....	\$ 7,200,000.00

2. Career Ladder..... 1,600,000.00  
 Total Education ..... \$ 8,800,000.00

Miscellaneous Appropriations

4. Financial Systems Billings Reconciliation..... 1,300,000.00  
 5. TCRS Billing – Prior Years Reconciliation ..... 910,600.00  
 Total Miscellaneous Appropriations ..... \$ 4,160,600.00

TOTAL..... \$110,739,100.00

**MISCELLANEOUS APPROPRIATIONS**

AND FURTHER AMEND in Section 1, Title III-22, Miscellaneous Appropriations, of the printed bill by deleting the following:

Total Title III-22 ..... \$105,028,300.00

and by substituting instead:

34. Financial Systems Billings Reconciliation..... 1,300,000.00

Total Title III-22 ..... \$106,328,300.00

AND FURTHER AMEND the printed bill by inserting the following after Section 66 and before Section 67 and by renumbering the subsequent sections accordingly:

**BASIC EDUCATION PROGRAM**

SECTION 67. The appropriation in Section 1, Title III-9, Item 2.1(c), Basic Education Program (BEP), is reduced by \$15,200,000, for the following purposes:

(a) BEP Growth Fund – Reduced by \$4,700,000, which is an excess amount based on a revised, fully-funded estimate of \$31,000,000.

(b) BEP Program Improvement – Reduced by \$4,800,000 to a revised improvement estimate of \$48,700,000, which reflects revised average daily membership student estimates.

(c) BEP Group Health Insurance – January 1, 2012 – Reduced by \$5,700,000 to delete the improvement, which reflects a revised projection of no premiums increase required.

**EARMARKS, REDUCTIONS, APPROPRIATIONS**

SECTION 68.

Item 1. The appropriation made to the Comptroller of the Treasury, Telecommunications Ad Valorem Tax Equity Payments, in Section 1 of this act is reduced by the sum of \$7,327,800. It is further the legislative intent to recognize a savings of \$7,327,800 in expenditures from the appropriation in the fiscal year ending June 30, 2011.

Item 2. The appropriation made to the Department of Economic and Community Development, FastTrack Infrastructure and Job Training Assistance, in Section 1 of this act is reduced by the sum of \$544,500 (non-recurring), reducing the program improvement for the Jobs Package.

Item 3.

(a) The appropriation made to the Department of Economic and Community Development, in Section 1 of this act for the Local Planning Division is increased by the net sum of \$11,300 which includes a reduction of \$2,088,700 (recurring), an increase of \$1,100,000 (non-recurring) and an increase of \$1,000,000 (non-recurring) for transition grants to local governments.

(b) The appropriation made to the Department of Economic and Community Development, in Section 1 of this act for regional strategic planning for economic development is increased by \$745,000 (recurring).

(c) The appropriation made to Miscellaneous Appropriations, in Section 1 of this act for severance benefits is increased by \$300,000 (non-recurring) relative to local planning.

Item 4. The appropriation made to Miscellaneous Appropriations in Section 1, Title III-22, Item 26, Legislative Initiatives, of this act is increased by the sum of \$900,000 (recurring) and reduced by the sum of \$2,000,000 (non-recurring).

Item 5. The appropriation made in Section 1, Title III-31, to the State Funding Board for first year's debt service on a \$36,000,000 bond authorization for an economic development project is reduced by \$4,000,000 and the appropriation made in Section 1,

Title III-32, Item 1, to the Department of Economic and Community Development for capital outlay for an economic development project is reduced by \$4,000,000 (non-recurring) for the purpose of deleting the project.

Item 6.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 35 / House Bill 55, Senate Bill 365 / House Bill 546, Senate Bill 21 / House Bill 10, Senate Bill 2068 / House Bill 2117, Senate Bill 2069 / House Bill 2118, Senate Bill 650 / House Bill 1210, Senate Bill 2077 / House Bill 2116, Senate Bill 813 / House Bill 485, Senate Bill 814 / House Bill 486, House Joint Resolution 179, and House Joint Resolution 198, if such bills and resolutions become law.

(b) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding memorial designations of highways and bridges for certain individuals killed in the line of duty authorized in Section 1 of Senate Bill 672 / House Bill 914, if such bill becomes law.

(c) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of funding any general bill or resolution, that becomes law, designating an interstate, United States highway or state highway as a memorial highway or as a memorial bridge for certain individuals killed in the line of duty, pursuant to § 54-1-133 or § 54-5-1003, that is not otherwise funded in this act.

Item 7. From funds appropriated to the Department of Transportation, there is earmarked the sum of \$1,300 for the sole purpose of implementing Senate Bill 944 / House Bill 1023, relative to the designation of the I-26 welcome center in Unicoi County, if such bill becomes law.

Item 8. From funds appropriated to the Department of Safety, there is earmarked the sum of \$500 for the sole purpose of implementing Senate Bill 409 / House Bill 865,

relative to badge and weapon retention by certain Tennessee Highway Patrol officers, if such bill becomes law.

Item 9. From funds available to the Registry of Election Finance, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 1915 / House Bill 1003, relative to campaign finance, if such bill becomes law.

Item 10. From the Employee Misclassification and Enforcement Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 1550 / House Bill 2030, relative to workers' compensation, if such bill becomes law.

Item 11. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of implementing House Joint Resolution No. 231, relative to a constitutional amendment to prohibit taxation upon payroll or earned personal income, if such resolution becomes law.

Item 12. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of funding any joint resolution calling for an amendment to the Tennessee constitution which is not otherwise funded in this act.

Item 13. From the funds appropriated to the Tennessee Bureau of Investigation, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 605 / House Bill 172, relative to a human trafficking hotline, if such bill becomes law.

Item 14. From the Unemployment Insurance Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 40 / House Bill 205, relative to unemployment compensation, if such bill becomes law.

Item 15. The appropriation made to Miscellaneous Appropriations by the provisions of this act is reduced by the sum of \$85,000 (recurring). Such funding reduction is for the purpose of reducing pension payments to former public officials.

Item 16. It is the legislative intent that the appropriation made to the Treasury Department in Section 1 for the Baccalaureate Education System Trust may be available for college savings incentive initiatives and a college savings plan.

Item 17. From the funds appropriated to the Department of Education, there is earmarked the sum of \$250,000 for the sole purpose of funding the Tennessee Arts Academy.

Item 18. Notwithstanding any provision of this act to the contrary, the sum of \$200,000 shall not be earmarked on a recurring basis from funds appropriated in Section 1, Title III-10 to the University of Tennessee System/Agricultural Experiment Station for operational expenses of the Ames Plantation. The removal of such earmark shall not result in a reduction in funding to the University of Tennessee System. It is the intent of the general assembly to only remove the recurring requirement to fund such operational expenses.

Item 19. From the appropriations made in this act, the department of human services is directed to study benefit expenditures by Tennesseans that occur outside of the state and report to the General Assembly no later than October 1, 2011.

Item 20. From the appropriations made in this act, the commissioner of Finance and Administration, with the assistance of the Department of Human Resources, is directed to study the use of flexibly staffed positions, certain retired members of the TCRS for 120-day positions and position overlaps for state employee positions to assess such positions' utilization, cost and actual benefit to the state. The results of such study shall be reported to the chairs of the finance, ways and means committees of both Houses no later than October 1, 2011.

Item 21. From the appropriations made in this act, the Department of Finance and Administration is directed to reexamine the methodology and policy in determining the overappropriation amounts for state entities to properly align such overappropriation amounts to better reflect actual staffing needs and avoid the practice of forced vacancies and programmatic holdbacks in subsequent budget proposals.

Item 22. From the appropriations made in this act, the state funding board, with the assistance of any state department upon request, is directed to study the purpose and need for funding the current programs funded from a portion of the real estate

transfer tax in § 67-4-409 taking into consideration possible options to recommend the best methods of preserving, maintaining and improving state resources.

Item 23. From the appropriations made in this act, the commissioner of Revenue, with the assistance of the Department of Finance and Administration and the Comptroller of the Treasury, is directed to study viable options for permanent tax relief to provide assistance to victims of natural disasters across the state. The results of such study, including recommended legislation, shall be reported to the chairs of the finance, ways and means committees of both Houses no later than December 1, 2011.

**TENN-CARE BUDGET RESTORATIONS**

SECTION 69. In addition to the appropriations in Section 1, Title III-26, the following amounts are appropriated to the TennCare program in order to restore in the fiscal year beginning July 1, 2011, certain recurring reductions made in fiscal years 2009-2010 and 2010-2011 and recommended in the fiscal year 2011-2012 Budget Document and for other purposes identified in this section.

Item 1. Recurring Appropriations from General Fund. There hereby is appropriated \$16,612,300 from state funds and \$32,584,700 from federal aid for the purpose of restoring the following budget reductions on a recurring basis.

	<u>State</u>	<u>Federal</u>
Mental Health Providers 8.5% Rate Reduction	\$ 8,535,600	\$16,742,500
Meharry Medical College Grant	3,376,700	6,623,300
Intellectual and Developmental Disabilities Dept.– Restore Residential Rates (3.6% average)	<u>4,700,000</u>	<u>9,218,900</u>
Total	<u>\$16,612,300</u>	<u>\$32,584,700</u>

Item 2. Contingency Appropriations.

(a) The provisions of this item are contingent upon determination by the Commissioner of Finance and Administration that a U.S. public law, rule, or policy provides additional federal aid, a federal credit or revenue to the state from the federal government that recognizes certain costs of the Medicaid and TennCare program in previous years that should have been costs of the federal Medicare program, such costs being known as special disability workload. Before establishing the contingency

appropriations made in this item, the commissioner in writing shall notify the Speakers of the Senate and House of Representatives and the Chairs of the Finance, Ways and Means committees of the Senate and House of Representatives, the Director of the Office of Legislative Budget Analysis, and the Executive Director of the Fiscal Review Committee.

(b) Contingent upon the availability of such federal revenue, the Commissioner of Finance and Administration is authorized to reduce the TennCare appropriation made in Section 1 of this act, to increase the estimate of federal aid to the TennCare program made in Section 4 of this act, to establish the following non-recurring appropriations, to allocate the appropriations to the appropriate organizational units and agencies, and to adjust federal aid and other departmental revenues accordingly. The commissioner is further authorized to adjust appropriations and federal revenue estimates in this item to reflect the proper accounting for the method by which such contingency revenue or credit is received by the state.

The appropriation to the TennCare program in Section 1, Title III-26, of this act is reduced by \$82,700,000 (non-recurring reduction) or, alternatively, is reduced by such lower amount of such federal revenue as may be actually provided to the State of Tennessee, and in addition to the appropriation of federal aid to the TennCare program in Section 4, Title III-25, there hereby is appropriated the sum of \$82,700,000 (non-recurring) or, alternatively, there is appropriated a sum equal to such lower amount of such federal aid revenue as may be actually provided to the State of Tennessee, from federal aid revenue, for the following purposes:

(i) Base Budget Restoration and Supplemental Hospital Payments (Non-Recurring).

	<u>State</u>	<u>Federal</u>
Meharry Medical College Grant	\$ 2,500,000	\$ --
Hospitals Supplemental Payments	5,000,000	--
C-Section Reduction-Increase Normal Birthing Rates by 17%	5,616,700	11,017,000
Emergency Room Physician Reimbursement	<u>2,494,000</u>	<u>4,892,000</u>
Sub-Total (i)	<u>\$15,610,700</u>	<u>\$15,909,000</u>

It is the legislative intent that the appropriation for state supplemental hospital grant in this sub-item (i) address the needs of hospitals that experience high charity-care expenses for services provided in their communities.

(ii) Other Base Budget Restorations (Non-Recurring):

Nursing Homes Rate 4.25%	\$15,719,100	\$30,832,600
Managed Care Organizations Administrative Rates 4.25%	4,786,700	9,389,100
Transportation Providers Rate 4.25%	1,121,500	2,199,800
Lab and X-ray Services Rate 4.25%	3,352,500	6,575,900
Dental Services Rate 4.25%	2,100,200	4,119,600
ICF-MR Providers Rate 4.25%	1,435,100	2,814,900
PACE (Program of All-Inclusive Care of the Elderly) Rate 4.25%	161,400	316,500
Home Health Providers Rate 4.25%	3,405,800	6,680,500
Non-Emergency Transportation Services – \$2 Co-Payments Non-Emergency	<u>1,293,000</u>	<u>2,536,300</u>
Sub-Total (ii)	<u>\$33,375,300</u>	<u>\$65,465,200</u>

(iii) Appropriation to Reserve for 2012-2013 TennCare Appropriations. There hereby is appropriated to the TennCare program the following amount that shall be reserved for 2012-2013 TennCare appropriations.

Reserve for 2012-2013 TennCare Appropriations	<u>33,714,000</u>	<u>--</u>
Total Appropriations	<u>\$82,700,000</u>	<u>\$81,374,200</u>

Provided that, if the availability of the additional federal revenue is less than \$82,700,000, the state appropriations and reserve specified in this section from the contingency source shall be reduced on a pro-rata basis. In the event that the state does not receive the contingency revenue or the event of such pro-rata reduction from the contingency source, there hereby is appropriated from the general fund a sum sufficient to fund the programs specified in sub-item (i) in amounts appropriated in sub-item (i). In the event that the state does not receive the contingency revenue, there is appropriated from the reserve for revenue fluctuations (rainy day fund) a sum sufficient not to exceed one-half the amounts appropriated in sub-item (ii) for the purpose of delaying until January 1, 2012, the reductions that otherwise would take effect on July 1, 2011, in the programs specified in sub-item (ii).

Provided, further, that, if the availability of the additional federal revenue is greater than \$82,700,000, the amount in excess of \$82,700,000 hereby is appropriated to the reserve for 2012-2013 TennCare Appropriations.

**CONTINGENCY DESIGNATION –**  
**HIGHER EDUCATION AND ECONOMIC AND COMMUNITY DEVELOPMENT**  
**CAPITAL OUTLAY RESERVE**

SECTION 70. Reserve for 2012-2013 Appropriations for Higher Education and Economic and Community Development Capital Outlay. If the contingent federal revenue provided in Section 69 is available to the TennCare program, there hereby is designated from non-recurring general fund revenues an amount of \$15,900,000 to be reserved for 2012-2013 appropriations for higher education and economic and community development capital outlay. Such amount shall be pro-rated to a lower amount according to the pro-ration required in Section 69, Item 2. Provided that, if no contingent federal revenue is available under the provisions of Section 69, Item 2, an amount of \$300,000 hereby is designated from non-recurring general fund revenue to be reserved for 2012-2013 higher education and economic and community development capital outlay.

**DISASTER RELIEF GRANTS**

SECTION 71. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. The provisions of this section are for the purpose of and limited to providing sufficient funds for disaster recovery from the 2011 floods, tornados, and other storm damage in Tennessee, including use for public infrastructure capital outlay, operating expenses, and disaster relief in aid of local governments and other public agencies and to match federal disaster relief funds. The unexpended balances of any appropriations made in this section or transferred pursuant to this section may be carried forward at June 30, 2011, and June 30, 2012, subject to the approval of the Commissioner of Finance and Administration, and hereby are appropriated for expenditure in the fiscal year beginning July 1, 2011. The Commissioner of Finance and Administration is authorized to adjust estimates of federal aid and other departmental revenue for disaster recovery.

Item 1. From the appropriations to the Miscellaneous Appropriations for homeland security in Public Acts of 2010, Chapter 1108, Section 1, Title III-22, and in this act in Section 1, Title III-22, the Commissioner of Finance and Administration may transfer funds to other programs and state agencies for disaster recovery and transfer unexpended balances of such transferred funds back to the homeland security item, if he deems it appropriate.

Item 2. From the reserve for homeland security carried forward in the Miscellaneous Appropriations at June 30, 2010, and authorized to be carried forward at June 30, 2011, the Commissioner of Finance and Administration may transfer funds to other programs and state agencies for purposes of disaster recovery and transfer unexpended balances of such transferred funds back to the homeland security reserve, if he deems it appropriate.

Item 3. For the purposes of disaster recovery, the Commissioner of Finance and Administration is authorized to transfer appropriations between general fund programs within any state agency and, upon the request of the Commissioner of Transportation, within programs in the transportation fund, except as prohibited by law, and to adjust federal aid and other departmental revenue accordingly. This item shall not constitute authority to transfer appropriations between state agencies, except as otherwise provided by this act or other law.

Item 4. In addition to the appropriations in Public Acts of 2010, Chapter 1108, and in this act, there hereby is appropriated a sum sufficient for expenses of disaster recovery.

#### **OTHER ADDITIONS TO BUDGET**

SECTION 72. In the year beginning July 1, 2011, in addition to the appropriations in Section 1 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues and position authorizations accordingly:

Item 1. To TennCare for perinatal grants to five teaching hospitals, the sum of \$1,100,000 (non-recurring) to be matched by \$1,100,000.

Item 2. To TennCare for the smoking cessation program, the sum of \$3,500,000 (recurring) to match a federal aid increase of \$6,865,100.

Item 3. To the State Treasurer for college savings incentive initiatives and a college savings plan, the sum of \$500,000 (non-recurring).

Item 4. To the Department of Veterans Affairs for the Knoxville cemetery and other cemetery costs, four (4) full-time positions and the sum of \$480,000 from departmental revenue.

Item 5. To the Department of Tourist Development for a grant to the National Council for the Traditional Arts to support the National Folk Festival in September 2011 at Nashville, the sum of \$50,000 (non-recurring) for year one (1) of three (3) appropriations.

Item 6. To the Department of Environment and Conservation for a grant to the Chickasaw Basin Authority, the sum of \$100,000 (non-recurring).

Item 7. To the Department of Environment and Conservation for the West Tennessee River Basin Authority, the sum of \$100,000 (non-recurring) for operational costs.

Item 8. To the Department of Environment and Conservation there is hereby appropriated the sum of \$6,280,000 from revenues available to the Environmental Protection Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 203, from funds paid by the Tennessee Valley Authority (TVA) pursuant to a Consent Decree regarding air emissions in Tennessee. Departmental revenues shall be adjusted accordingly. These funds shall be exempt from and shall not be considered in the calculations required by § 68-203-104(b), (c), or (d). This appropriation shall be contingent on final approval by the court of the existing Consent Decree. Of the total appropriation made by this section, the sum of \$5,280,000 shall be available for the

purpose of funding energy conservation, alternative energy and/or pollution prevention projects and any other projects authorized by the Consent Decree.

Item 9. To the Wildlife Resources Agency for a 1.6% raise pursuant to the salary survey, the sum of \$460,100 (recurring) from dedicated funds.

Item 10. To the Department of Economic and Community Development for the Southern Legislative Conference 2011 at Memphis, the sum of \$200,000 (non-recurring).

Item 11. To the Board of Regents for the purpose of allocating such sum to the University of Memphis to operate a higher education enterprise in Jackson, Tennessee, using the Lambuth campus, the sum of \$5,000,000 (non-recurring) from the Revenue Fluctuation Reserve (Rainy Day Fund) and intended as year one (1) of four (4) appropriations of declining amounts, to be available under the following conditions:

(a) It is the legislative intent that the staff of the Tennessee Higher Education Commission shall, in coordination with the Board of Regents, the University of Memphis, and other relevant entities, and in accordance with § 49-7-202(c)(10), conduct a study to determine the feasibility of the state obtaining the facilities, property and assets of Lambuth University. The review shall include, but not be limited to, the condition and value of physical structures and real property, value of other assets and the debt obligations of Lambuth University. The review shall also include an evaluation of the extent that the campus could be utilized to provide postsecondary instruction by one (1) or more public institutions of higher education. No later than August 1, 2011, the Tennessee Higher Education Commission shall report its findings to the Governor, Commissioner of Finance and Administration, and the Chairs of the Senate and House Education and Finance, Ways and Means committees. Such findings shall include a recommendation as to the feasibility of obtaining the assets of Lambuth University, any preconditions that should be met prior to the state obtaining the campus, and specific recommendations on academic

programs or coursework that one or more public institutions of higher education would provide at the campus. Should the report recommend that the assets of Lambuth University be obtained by the state, the appropriate governing board shall take action pursuant to its by-laws to adopt the report and commit to fulfilling any conditions outlined in the commission's recommendation. The transaction will not become final unless and until the conditions have been met by the appropriate governing board and/or institution, the state building commission approves the acquisition of any real property, and the speakers of both the Senate and House of Representatives approve a budget expansion acknowledging the funding sufficient to pay for the transaction.

(b) The funds appropriated in this item shall be used to subsidize operational costs of the Lambuth campus, it being the legislative intent that these state funds be used as an initial sum to begin transitioning such campus from a separate funding unit of higher education under the leadership of the University of Memphis into a regular operating unit of the University of Memphis over a period of five (5) years. Funds appropriated within this item shall be used for operating rather than capital purposes. The allotment of funds appropriated by this item shall be subject to approval of the Commissioner of Finance and Administration after the requirements of paragraph (a) of this item are fulfilled and upon certification by the Chancellor that: (a) an operating budget for activities on the Lambuth Campus has been developed by the University of Memphis and approved by the Board of Regents; (b) funds authorized by the State hereunder will not be used for capital purposes; (c) the facilities to be used are made available to the University of Memphis in good serviceable order, without the need for capital maintenance at the time made available, and free and clear from all liens and encumbrances; and, (d) all outstanding debt of Lambuth University has been paid off from non-state sources. No later than January 15, 2012, the Chancellor and President of the University of Memphis

shall submit a report to the Governor, Commissioner of Finance and Administration, and Chairs of the Senate and House Education and Finance, Ways, and Means committees summarizing activities, progress, and plans related to accomplishing the legislative intent of this item and accounting for the use of the funds appropriated hereunder and any remaining balance of such funds.

Item 12. To UT Martin for the Parsons Center, the sum of \$80,000 (recurring) for the purpose of making a grant of \$200,000 (recurring) to the Parsons-Decatur County Higher Education Foundation, to be supplemented by institutional funds and interest earnings reserved from appropriations made in previous years for the Parsons Center. The University of Tennessee is expressly authorized to transfer the funds appropriated to and received by the university for the UT Martin, Parsons Center, prior to fiscal year 2011-2012 and all interest earned thereon to the Parsons-Decatur County Higher Education Foundation.

Item 13. To the Department of Mental Health, the sum of \$1,900,000 (recurring), for the sole purpose of making grants from such amount to private hospitals receiving funding prior to November 2008 for inpatient psychiatric treatment of uninsured committed patients, to be used for continued funding of such inpatient psychiatric treatment of uninsured committed patients.

Item 14. To the Department of Health for year six of the Meharry Wellness Program, the sum of \$1,000,000 (non-recurring).

Item 15. To the Department of Health for a grant to the Sickle Cell Foundation of Tennessee, the sum of \$75,000 (non-recurring).

Item 16. To the departments of Safety and Commerce and Insurance for a 1.6% raise pursuant to the salary survey, the sum of \$822,700 (recurring) and \$1,600 from dedicated funds.

Item 17. To Miscellaneous Appropriations for an additional capital campaign contribution grant to the National Civil Rights Museum in Memphis, the sum of

\$2,500,000 (non-recurring); provided that \$50,000 of such grant shall be earmarked for the support of the Alex Haley House and Museum in Henning.

Item 18. To Miscellaneous Appropriations a sum sufficient, estimated to be \$5,000,000, for the March 2012 presidential preference primary and as provided in Tennessee Code Annotated, Section 2-12-209(d).

### **CAPITAL OUTLAY ADDITIONS TO BUDGET**

Item 19. To the Debt Service Fund the sum of \$16,500,000 (recurring) to provide first year's debt service on a \$150,000,000 bond authorization for a capital outlay grant to the Industrial Development Board of the County of Montgomery for the Hemlock Semiconductor, L.L.C. Project. This appropriation is subject to Senate Bill 2117 / House Bill 2158 becoming a law.

Item 20. To the Department of Finance and Administration for a comprehensive, statewide capital improvements master plan, to be developed as follows, the sum of \$500,000 (non-recurring) and \$500,000 from the Facilities Revolving Fund (FRF):

(a) It is the legislative intent that the Commissioner of Finance and Administration, in consultation with a task force that he shall appoint, develop a comprehensive, statewide capital improvements master plan that encompasses the needs of state facilities and programs throughout Tennessee, including facilities managed in the state office buildings and support facilities revolving fund, other state facilities and properties, and the facilities and properties of the University of Tennessee and the State University and Community College System. The plan should assess current facilities, including capital maintenance and renovation; the need for additional or expanded facilities to accommodate state programs and service delivery; efficiencies that may be achieved by consolidation of facilities; and the potential use or disposition of any properties that may be surplus or available to the state. The plan should include site and facilities analysis, review of existing space uses, and future needs. In the recommendations, the plan also shall include a timetable of priority listings of

capital improvement and capital maintenance projects for fiscal year 2013-2014 and for the four (4) subsequent fiscal years and priority listings for capital improvements and capital maintenance for the longer range. The plan should explain the general bases of facilities assessment and for setting of priorities.

(b) The higher education component of the master plan shall be developed by the Tennessee Higher Education Commission, in consultation with the University of Tennessee and the State University and Community College System and shall be integrated into the comprehensive, statewide master plan by the task force and the commissioner. The commissioner shall submit to the Governor and the State Building Commission by June 30, 2012, the comprehensive capital improvements master plan.

(c) The commissioner, or in his absence his designee, shall chair the task force. The commissioner, in consultation with affected department heads, may appoint such task force members as he deems appropriate, including staff of the Department of Finance and Administration, Department of General Services, and other departments and agencies that maintain, manage, or operate numerous facilities or real property; and, in consultation with the President of the University of Tennessee, the Chancellor of the State University and Community College System, and the Executive Director of the Tennessee Higher Education Commission (THEC), staff representing each of the higher education systems and THEC; and such other persons as the Commissioner of Finance and Administration deems appropriate, including private sector representatives.

(d) From the appropriation in this item, the commissioner may expend funds for consulting services, task force expenses, and reimbursement of travel and lodging expenses of private-sector representatives under the provisions of the state comprehensive travel regulations, provided, however, that state agency and higher education personnel shall be reimbursed for travel expenses by their own agencies.

Item 21. To the Debt Service Fund to provide the first year's debt service on a \$2,000,000 bond authorization for a veterans home at Clarksville, the sum of \$220,000 from dedicated revenues. This appropriation is subject to Senate Bill 2094 / House Bill 2135 becoming a law.

Item 22. To the Department of Finance and Administration for a capital outlay grant to Carroll County for completion of the Carroll County Lake project – \$300,000 (non-recurring).

Item 23. From the appropriation in Section 2, Item 11(b), to the Department of Correction for a heating system and water heaters capital outlay project at Riverbend prison, the sum of \$2,000,000 (non-recurring) is reappropriated from the Sentencing Act of 1985 appropriation in Section 1 of this act.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,500,000 (non-recurring) to the University of Tennessee for the sole purpose of completing the sixth floor of the University of Tennessee Pharmacy Building in Memphis.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated for capital outlay the sum of \$6,500,000 (non-recurring) to the Board of Regents in support of development of the Columbia State Community College - Williamson County campus.

### **ADMINISTRATION LEGISLATION**

SECTION 73. Legislation. In addition to the appropriations in Section 1 and 4 of this act, the following amounts hereby are appropriated, and such additional or lesser amounts indicated in fiscal notes on cited legislation hereby are appropriated, for the purpose of funding the costs of implementing the cited legislation. The Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal and other departmental revenues and authorized positions accordingly. The appropriation in each item of this section is subject to the bill cited in that item becoming a law, except as otherwise provided.

Item 1. The appropriation in Section 1, Title III-22, Item 25, Administration Legislation, is reduced \$2,000,000, eliminating the entire appropriation.

Item 2. To the Department of Revenue a sum sufficient, estimated to be \$129,900 (non-recurring), for Senate Bill 267 / House Bill 362, relative to sales tax relief for storm and tornado shelter building supplies.

Item 3. To the Department of Safety the sum of \$2,000 (non-recurring) for Senate Bill 343 / House Bill 391, relative to DUI license revocation.

Item 4. The appropriations in Section 1, Title 1, Legislature, are reduced in the amount of \$851,800 (recurring) relative to joint oversight committees if Senate Bill 725 / House Bill 1097 becomes a law.

Item 5. To the Department of Children's Services the sum of \$13,500 (recurring) and \$9,100 from federal revenue for Senate Bill 869 / House Bill 687, relative to sex offender registry.

Item 6. To the Department of Commerce and Insurance the sum of \$1,300 (recurring) for Senate Bill 1025 / House Bill 966, relative to surplus lines insurance.

Item 7. To the Department of Correction the sum of \$91,200 (recurring) for Senate Bill 1265 / House Bill 1051, relative to methamphetamine control and incarceration.

Item 8. To the Department of Revenue a sum sufficient, estimated to be \$9,000,000 (non-recurring), for Senate Bill 1518 / House Bill 1995, relative to sales tax relief for the March through May 2011 storms, tornados, and flood.

Item 9. To the Department of Revenue the sum of \$159,200, including \$144,400 (recurring) and \$14,800 (non-recurring) and two (2) full-time positions for Senate Bill 1518 / House Bill 1995, relative to tax incentives implementation costs.

Item 10. To Miscellaneous Appropriations the sum of \$500,000 (recurring) for Senate Bill 1523 / House Bill 1989, relative to charter schools.

Item 11. To Higher Education, Lottery for Education Account, the sum of \$19,900,000 from dedicated revenues for Senate Bill 1529 / House Bill 2010, relative to lottery scholarships.

Item 12. To the Department of Commerce and Insurance the sum of \$109,500, including \$91,600 (recurring) and \$17,900 (non-recurring), and one (1) full-time position for Senate Bill 1540 / House Bill 2007, relative to captive insurance companies.

Item 13. To the Secretary of State the sum of \$7,000 (non-recurring) for Senate Bill 1540 / House Bill 2007, relative to captive insurance companies. This appropriation is made in addition to amounts in the fiscal note, subject to the bill becoming a law.

Item 14. To the Department of Safety the sum of \$438,100, including \$422,600 (recurring) and \$15,500 (non-recurring) for Senate Bill 1666 / House Bill 1443, relative to photo identification for voting.

Item 15. To the Department of Labor and Workforce Development the sum of \$97,100, including \$91,100 (recurring) and \$6,000 (non-recurring), two (2) full-time positions and \$10,000 from dedicated funds for Senate Bill 1669 / House Bill 1378, relative to e-verify enforcement.

#### **CHILDREN'S CARE GRANTS REORGANIZATION**

SECTION 74. Children's Care Grants. Other provisions of this act to the contrary notwithstanding, in the year beginning July 1, 2011, the Commissioner of Finance and Administration hereby is authorized to transfer from the appropriations of departmental revenue made in Section 4 to the Department of Health the amounts appropriated for the following purposes, to decrease federal revenue estimates in the TennCare program accordingly, and to increase estimates of federal aid and interdepartmental revenue in the receiving agencies accordingly:

Item 1. Centers of Excellence for Children in or at Risk of State Custody in the amount of \$3,597,500 to the Department of Children's Services.

Item 2. Personal Responsibility Education in the amount of \$506,100 to the Department of Children's Services.

Item 3. Early Childhood Advisory Council in the amount of \$852,700 to such agency as may be determined by the Commissioner of Finance and Administration.

### **LAND CONSERVATION**

SECTION 75. It is the legislative intent that if funds become available in the year beginning July 1, 2011, the State Building Commission consider approval of a project to acquire property or properties for land conservation, to be used for public recreation and other purposes benefiting the people of Tennessee. The commissioners of Environment and Conservation and of Agriculture and the director of the Wildlife Resources Agency are directed to report jointly to the Commissioner of Finance and Administration by October 1, 2011, on the availability of any funds for the acquisition, on potential state use of the property or properties, and on a management plan for the property or properties. The Commissioner of Finance and Administration shall report to the State Building Commission by November 15, 2011, on the availability of any such funding sources and on a plan for the use and management of the property. If funds are not identified as available by the dates specified above, the named officials shall report as directed above at a later date during the fiscal year, if such funds do become available. Upon approval of a plan to acquire any such property by the State Building Commission, an amount, not to exceed the amounts identified in such plan, is appropriated to the Commissioner of Finance and Administration for the purposes of expending such amounts to fund such project or projects pursuant to such plan.

### **RESERVE-TAKING AUTHORITY**

SECTION 76. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal years 2010-2011 and 2011-2012. Under § 4-3-1016, as amended by Senate Bill 2091 / House Bill 2138, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carryforwards for and to transfer funds from the enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding

state government for the fiscal years ending June 30, 2011 and June 30, 2012, and for that purpose such funds hereby are appropriated to the general fund; provided, that the Commissioner of Finance and Administration shall provide written notice of transfers pursuant to this section to the chairs of the Finance, Ways and Means committees of the Senate and House of Representatives at least three (3) business days before any such transfer. Such transfers and carry-forward denials shall be according to the following schedule, to the extent funds are available in the reserves and considering the interests of the programs, as determined by the Commissioner of Finance and Administration:

Item 1. From the reserves for unencumbered balance and capital outlay that are not permanent statutory reserves, but excluding the TennCare reserve.

Item 2. From the statutory reserves enumerated in § 4-3-1016, as amended by Senate Bill 2091 / House Bill 2138.

Item 3. From other reserves enumerated in this act and not subject to determination by the Commissioner of Finance and Administration, an amount to be determined, subject to approval of the controlling state officials.

Item 4. From the TennCare reserve.

Item 5. From the reserve for revenue fluctuations established by § 9-4-211.

### **LEGISLATIVE INITIATIVES**

#### SECTION 77.

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to the Department of Finance and Administration for distribution to the appropriate entities for the sole purpose of implementing Senate Bill 541 / House Bill 1019, Senate Bill 546 / House Bill 719, Senate Bill 1996 / House Bill 1716, Senate Bill 664 / House Bill 940, Senate Bill 690 / House Bill 1068, Senate Bill 1088 / House Bill 1198, Senate Bill 1100 / House Bill 1886, Senate Bill 633 / House Bill 498, Senate Bill 69 / House Bill 154, Senate Bill 77 / House Bill 885, Senate Bill 476 / House Bill 375, Senate Bill 1987 / House Bill 1501, Senate Bill 1028 / House Bill 1353, Senate Bill 1181 / House Bill 1618, and Senate Bill 64 / House Bill 35, if such bills

become law. It is the legislative intent that if funding is earmarked for such implementation in such bills or resolutions that the funds appropriated in this item be reduced accordingly.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,153,800 (non-recurring), including \$2,586,100 for the state share of the mandated increased local expenditure, for the sole purpose of implementing Senate Bill 2114 / House Bill 2156, relative to extended unemployment benefits payments, if such bill becomes a law.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$157,500 (non-recurring) to the Department of Tourist Development for the purposes of web site development, marketing, advertising and other support services for the Tennessee Sesquicentennial Commission.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$178,360 (non-recurring) to the legislative department for hardware, software, supplies, training and other costs arising from constitutionally-mandated decennial redistricting.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$49,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to A Secret Safe Place for Newborns of Tennessee, Inc., to be used for operational expenses.

Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,900 (recurring) and \$9,100 (non-recurring) to the district public defenders conference for the purpose of judicial district operational expenses.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$30,000 (non-recurring) to the Tennessee Historical Commission for the sole purpose of the continuation of the historical interpretation pilot project. It is the intent of the General Assembly that such funds be distributed to the

same property funded in Section 12, Item 26, of Chapter 1108 of the Public Acts of 2010.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$150,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to St. Jude Hospital in Memphis, to defray, in whole or in part, the expenses of patients and their families who are citizens and residents of Tennessee in traveling to and from St. Jude Hospital. Such payments shall be administered by the hospital and shall be made on the basis of need. Such patients, or their families, requesting assistance from these funds shall supply such documents supporting need and travel expenses as the hospital may require.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Tennessee historical commission for the sole purpose of making a grant in such amount to the Stax Museum in Memphis, to be used for defrayal of operational costs.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$69,500 (recurring) to the Tennessee Film, Entertainment and Music Commission for the sole purpose of making a grant in such amount to FilmNashville, to be used for the annual Film-Com financing and distribution market.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the department of finance and administration for the sole purpose of making a grant in such amount to Big Brothers, Big Sisters, to be used for the Amachi Initiative, a mentoring program for children of prisoners.

Item 12. In addition to any other funds appropriated by the provision of this act, there is appropriated the sum of \$125,000 (non-recurring) to the department of health for the sole purpose of making a grant in such amount to the Memphis Oral School for the Deaf, to be used for programs and operational expenses.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to the Education Equal Opportunity Group, Inc. (EEOG), to be used to support student participation in EEOG programs for at-risk and under-served students.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 to Tennessee Technological University for the sole purpose of replacing fire alarms at the Hyder Burks Agricultural Pavilion/Tech Farm.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to Tennessee Technological University for the sole purpose of providing through the TTU STEM Center a mobile equipment lending laboratory for rural K-12 schools.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 to the department of health for the sole purpose of making a grant in such amount to the Crumley House located in Washington County, to be used for the provision of programs and services on behalf of persons suffering from traumatic brain injuries.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,172,800 (non-recurring) to the TennCare Program for the sole purpose of perinatal outreach grants.

Item 18. To UT Martin for the Ripley Center, the sum of \$60,000 (recurring) in support of operations and programs.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$750,000 (non-recurring) to the Tennessee Bureau of Investigation for the sole purpose of providing funds to local governments for costs related to methamphetamine clean-up. It is the legislative intent that such funds be expended as grants, with local governments matching at least 25% of the amount to be funded.

Item 20. In addition to any other funds appropriated by the provision of this act, there is appropriated to the department of finance and administration, bureau of TennCare the sum of \$1,435,100 to be matched with any and all available federal funds, for the sole purpose of restoring a portion of the 8.5% rate reduction to providers of ICF/MR services.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$4,052,000 (non-recurring), to be matched by any available federal funds, to the TennCare Program for the sole purpose of restoring the reduction for the TennCare Pharmacy MAC Pricing for Generic Drugs Program.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (recurring) to the department of education for the sole purpose of school internet connectivity.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the department of education for the sole purpose of allocating such sum as grants in equal amounts to each Tennessee public television station, to be used for equipment, programs and operational expenses.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$129,800 (recurring) to the Tennessee Bureau of Investigation for the sole purpose of equipment used by administrative services.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,773,200 to the Department of Correction for the sole purpose of restoring base funding and authorizing no more than 47 positions for community service work crews.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$378,000 (recurring) to the commission on aging to continue home and community-based services in the Options and Older Americans Act.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$119,000 (recurring) to the department of commerce and insurance, for the sole purpose of travel, supply, professional services and maintenance expenditures at the fire academy.

SECTION 78. Title X family planning funds appropriated to the department of health shall be used fully in Title X programs operated by state, county or municipal health agencies and staffed by employees of such agencies and no Title X family planning funds shall be paid to third-party providers or private organizations or entities.

### **HIGHER EDUCATION LOTTERY SCHOLARSHIPS**

AND FURTHER AMEND the printed bill in Section 52 by deleting Items 1 and 2 in their entireties and substituting instead the following:

Item 1. From the Lottery for Education Account, the After-School Programs Special Account, and other accounts and sub-accounts established pursuant to Tennessee Code Annotated, Title 4, Chapter 51, the Tennessee Education Lottery Implementation Law, sums sufficient hereby are appropriated for the higher education scholarship programs and other education programs authorized by that law and by Title 49, Chapter 4, Part 9, relative to higher education scholarships; Title 49, Chapter 6, Part 7, relative to after-school educational programs; Senate Bill No. 2008 / House Bill No. 474, relative to scholarship extensions for medically disabled students and dual enrollment grants, if such bill becomes law; and, Senate Bill No. 1869 / House Bill No. 837, relative to lottery scholarship participation by early high school graduates, if such bill becomes law. The appropriation from these sources for after-school programs pursuant to Title 49, Chapter 6, Part 7, shall not exceed the balance available in the After-School Programs Special Account at June 30, 2011, and such balance hereby is appropriated for expenditure in the fiscal year beginning July 1, 2011; provided, that the appropriation is contingent upon the availability of funds in the proper account and upon the availability of excess funds from net lottery proceeds, after the funding of higher education scholarships. The availability of excess funds shall be determined by the Commissioner of

Finance and Administration prior to the distribution of any excess funds. A copy of such determination shall be filed with the Chairs of the education committees of the Senate and House of Representatives and the Office of Legislative Budget Analysis.

Item 2.

(a) For students who first received the Tennessee HOPE scholarship, Tennessee HOPE access grant or Tennessee HOPE scholarship for nontraditional students before the fall semester of 2009, award amounts for the 2011-2012 academic year (two semesters) shall be:

(1) \$4,000 for an eligible student under the HOPE scholarship award or HOPE nontraditional scholarship award pursuant to § 49-4-914(a);

(2) \$2,000 for an eligible student under the HOPE scholarship award pursuant to § 49-4-914(b);

(3) \$1,500 for an eligible student under the ASPIRE need-based supplemental award pursuant to § 49-4-915; and

(4) \$1,000 for an eligible student under the General Assembly Merit Scholar supplemental award pursuant to § 49-4-916;

(b) For students who first received the Tennessee HOPE scholarship, Tennessee HOPE access grant or Tennessee HOPE scholarship for nontraditional students beginning the fall semester of 2009 or thereafter, award amounts for the 2011-2012 academic year shall be:

(1) \$2,000 per semester for an eligible student under the HOPE scholarship award or HOPE nontraditional scholarship award pursuant to § 49-4-914(a);

(2) \$1,000 per semester for an eligible student under the HOPE scholarship award pursuant to § 49-4-914(b);

(3) \$750 per semester for an eligible student under the ASPIRE need-based supplemental award pursuant to § 49-4-915;

(4) \$500 per semester for an eligible student under the General Assembly Merit Scholar supplemental award pursuant to § 49-4-916; and

(5) Pursuant to the provisions of § 49-4-920, the award amount for an eligible student under the Tennessee HOPE access grant shall be \$1,375 per semester at four-year schools and \$875 per semester at two-year schools;

(c) The 2011-2012 award amount for an eligible student under the Wilder-Naifeh Technical Skills Grant pursuant to § 49-4-921 shall be \$2,000;

(d) The 2011-2012 award amount for an eligible student under the Tennessee HOPE foster child tuition grant shall be determined under the provisions of § 49-4-933;

(e) The 2011-2012 award amount shall be \$1,000 per semester for successful completion of twelve (12) or more semester hours for an eligible student under the Helping Heroes Grant pursuant to § 49-4-938; provided, however, that the total amount expended for Helping Heroes Grants shall not exceed \$750,000;

(f) The 2011-2012 award amount shall be determined pursuant to the provisions of § 49-4-939 for an eligible student under the Tennessee Rural Health scholarship; provided, however, that the total amount expended for Tennessee Rural Health scholarships shall not exceed \$600,000; and

(g) The 2011-2012 award amount shall be determined by the Tennessee Student Assistance Corporation in accordance with § 49-4-930 for an eligible student under the dual enrollment grant.

### **RESERVES**

AND FURTHER AMEND in Section 43, Item 2 of the printed bill by adding the following new sub-item:

(c) It is the legislative intent that the reserve established at June 30, 2011, shall include a designation in the amount of \$35,800,000 for 2011-2012 appropriations.

AND FURTHER AMEND in Section 43 of the printed bill by adding the following new item:

Item \_\_\_\_\_. In the fiscal year ending June 30, 2012, it is the legislative intent that there shall be reserved or designated a sum in the general fund balance in the amount of \$10,800,000 (recurring) to be designated for 2012-2013 capital outlay appropriations for higher education and economic and community development.

AND FURTHER AMEND in Section 47, Item 2 of the printed bill by deleting the figure “\$326,600,000” and substituting instead “\$327,700,000”.

AND FURTHER AMEND the printed bill in Section 47 by inserting the following as a new item:

Item 3. It is the legislative intent that at June 30, 2011, any surplus general fund revenue, after fulfilling the requirements of Public Acts of 2010, Chapter 1108, and of this act, including all requirements of the closing of accounts at June 30, 2011, be deposited in a reserve for future requirements.

**SECTION 39 – FEDERAL AND OTHER DEPARTMENTAL REVENUE**

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2011, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2011.

(a) There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2010- 2011</u>	<u>2011- 2012</u>
Commissions		
1. Alcoholic Beverage Commission	0	520,000
Finance and Administration		
1. Criminal Justice Programs	343,500	0
Finance and Administration, Bureau of TennCare		
1. TennCare Administration	127,500	1,262,500
2. TennCare Medical Services	0	8,063,400
3. Intellectual Disabilities Services	<u>0</u>	<u>26,500</u>

Sub-Total Finance and Administration, Bureau of TennCare	127,500	9,352,400
Environment and Conservation		
1. Solid Waste Management	500,000	1,500,000
Economic and Community Development		
1. Business Development	0	375,000
2. Regional Grants Management	10,023,700	20,882,800
3. Community Development	<u>22,000</u>	<u>28,000</u>
Sub-Total Economic and Community Development	10,045,700	21,285,800
Labor and Workforce Development		
1. Workforce Development	1,000,000	7,397,100
Mental Health		
1. Community Alcohol and Drug Abuse Services	0	4,000,000
2. Community Mental Health Services	<u>0</u>	<u>1,768,600</u>
Sub-Total Mental Health	0	5,768,600
Human Services		
1. Family Assistance Services	<u>25,000,000</u>	<u>0</u>
Sub-Total Section 39(a)	<u>37,016,700</u>	<u>45,823,900</u>

The Commissioner of Finance and Administration is authorized to establish fifteen (15) full-time positions and to allocate them to the appropriate organizational units, including eight (8) positions in the Alcoholic Beverage Commission, four (4) positions in the Department of Finance and Administration, Bureau of TennCare, and three (3) positions in the Department of Environment and Conservation.

(b) From funds available from U.S. Public Law 111-5, the American Recovery and Reinvestment Act, there is hereby appropriated from federal funds and other departmental revenues the amounts hereinafter set out:

	<u>2010- 2011</u>	<u>2011- 2012</u>
Education (K-12)		
1. Improving Schools Program	<u>0</u>	<u>2,058,900</u>
Sub-Total Section 39(b)	<u>0</u>	<u>2,058,900</u>
Grand Total Section 39	<u>37,016,700</u>	<u>47,882,800</u>

The Commissioner of Finance and Administration is authorized to establish three (3) full-time positions in the Department of Education.

### **OTHER AMENDMENTS**

AND FURTHER AMEND in Section 2, Item 11(b) of the printed bill by deleting the figure “\$33,480,000” and substituting instead the figure “\$35,480,000”.

AND FURTHER AMEND in Section 44 of the printed bill by adding a new item as follows:

Item \_\_. From the State Office Buildings and Support Facilities Revolving Fund, there is hereby reallocated \$21,100,000 from previously approved capital outlay projects to be used for capital outlay purposes of the facilities maintained by the fund. This appropriation is in addition to the funding recommendations shown on page A-161 in the 2011-2012 Budget Document.

AND FURTHER AMEND in Section 6 of the printed bill by adding a new item to read:

Item 7. From the funds appropriated in Section 1 and Section 4 of this act to the Tennessee Board of Regents for defraying operating expenses in this act and other acts of the legislature for the state technology centers, with the approval of the State Building Commission a sum sufficient is appropriated to be used for payments to the State Funding Board as required for any debt issued in an amount not to exceed \$34,000,000 under the authorization of Senate Bill 2094 / House Bill 2135, subject to the bill becoming a law.

AND FURTHER AMEND in Section 9 of the printed bill by adding a new item preceding Item 23 and renumbering subsequent items:

Item 23. To the Department of Commerce and Insurance, Consumer Affairs, from departmental revenues and reserves for consumer education purposes.

AND FURTHER AMEND in Section 10 of the printed bill by adding the following new item:

Item \_\_. The appropriation made in Section 1, Title III-31, to the State Funding Board for the first year’s debt service on bonds in the amount of \$3,700,000 authorized in Chapter 591, Public Acts of 2007, for Middle Tennessee State University acquisitions,

is hereby reduced in the amount of \$400,000. The project was financed in part with current funds and the authorization is no longer necessary for the intended purpose. AND FURTHER AMEND in Section 29, Item 22 of the printed bill by inserting a new paragraph to read:

“The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-144 through A-145 in the 2011-2012 Budget Document:

**State University and Community College System  
(Tennessee Board of Regents)**

**Austin Peay State University**

Dunn Center Basketball Floor Replacement	\$	230,000
Farm House Replacement		320,000
Library Water Heaters Installation		170,000
<b>Total APSU</b>	<b>\$</b>	<b>720,000</b>

**East Tennessee State University**

Post Office Renovation	\$	300,000
University School Access Road		300,000
CoM Parking Initiatives		400,000
Parking Garage		21,500,000
CoM Family Phys. of Kingsport Family Practice Ctr.		3,500,000
<b>Total ETSU</b>	<b>\$</b>	<b>26,000,000</b>

**Middle Tennessee State University**

Academic Buildings Updates	\$	1,000,000
Cope Building Renovations		3,000,000
Davis Science and Wiser Patton Renovations		1,500,000
Keathley University Center Renovation		1,850,000
Murphy Center Improvements		2,250,000
Student Recreation Building Roof Replacement		1,700,000
Women's Soccer Practice Field		150,000
Health and Wellness Building Addition		8,000,000
Transportation and Parking Improvements		12,200,000
<b>Total MTSU</b>	<b>\$</b>	<b>31,650,000</b>

**Tennessee State University**

Hale Stadium Renovations	\$	27,000,000
Marquee Sign Installation		150,000
McWherter Parking Attendant Station		30,000
<b>Total TSU</b>	<b>\$</b>	<b>27,180,000</b>

**Tennessee Technological University**

Athletics Maintenance Facility	\$ 370,000
Fitness Center Roof Replacement	880,000
Hooper Eblen Center Scoreboard	900,000
Live and Learn Village Renovations	1,250,000
Parking Lot Construction	420,000
Pinkerton/M.S. Cooper Residence Hall Upgrades	2,250,000
Regional Health Building Upgrades	1,240,000
Tech Village Apartments Renovations	7,450,000
<b>Total TTU</b>	<b><u>\$ 14,760,000</u></b>

**University of Memphis**

Art Gallery Improvements	\$ 250,000
Grounds Equipment Shed Installation	60,000
Indoor Football Practice Facility	10,000,000
Soccer Facility Construction	900,000
South Hall Fire Safety Upgrades	1,000,000
Theater Upgrade	700,000
Wilder Tower Renovations	460,000
Women's Fieldhouse Renovations	2,000,000
Women's Softball Training Facility	1,000,000
New Student Housing	59,500,000
Parking Garage Construction	12,250,000
<b>Total UOM</b>	<b><u>\$ 88,120,000</u></b>

**Cleveland State Community College**

Elevator Upgrades	\$ 290,000
Fire Alarm System Upgrade	290,000
<b>Total CLSCC</b>	<b><u>\$ 580,000</u></b>

**Dyersburg State Community College**

Energy Efficient Lighting Updates	\$ 250,000
<b>Total DSCC</b>	<b><u>\$ 250,000</u></b>

**Jackson State Community College**

Gymnasium Repairs and Updates	\$ 500,000
New Women's Softball Field	250,000
<b>Total JSCC</b>	<b><u>\$ 750,000</u></b>

**Motlow State Community College**

Powers Auditorium Interior Renovations	\$ 600,000
<b>Total MSCC</b>	<b><u>\$ 600,000</u></b>

**Nashville State Community College**

Campus Lab Upgrades	\$ 3,000,000
Campus Security and Safety Enhancement	650,000
Central Plant Infrastructure and Controls Upgrades	500,000
Clarksville Teaching Site Acquisition and Renovation	10,500,000
Several Buildings Roof Repairs	540,000
<b>Total NASCC</b>	<b><u>\$ 15,190,000</u></b>

**Northeast State Community College**

Pierce Building Addition	\$ 1,550,000
<b>Total NESCC</b>	<b><u>\$ 1,550,000</u></b>

**Pellissippi State Community College**

Blount County Fitness Trail	\$ 430,000
Career Center Renovation	150,000
Chiller Energy Conservation Upgrades	230,000
Hardin Valley Modular Classroom	370,000
Hardin Valley Land Acquisition	11,800,000
<b>Total PSCC</b>	<b><u>\$ 12,980,000</u></b>

**Southwest Tennessee Community College**

Union Campus Parking Structure	\$ 2,060,000
<b>Total STCC</b>	<b><u>\$ 2,060,000</u></b>

**Volunteer State Community College**

Campus Site Improvements	\$ 610,000
New Student Union Building	20,500,000
<b>Total VSCC</b>	<b><u>\$ 21,110,000</u></b>

**Total Tennessee Board of Regents****\$243,500,000****University of Tennessee System****University of Tennessee Knoxville**

New University Center Additional Funds	\$ 30,000,000
<b>Total UTK</b>	<b><u>\$ 30,000,000</u></b>

**UT Health Science Center**

Dunn Building Renovations	\$ 1,350,000
920 Building Renovations	600,000
<b>Total UTHSC</b>	<b><u>\$ 1,950,000</u></b>

**Total University of Tennessee**

**\$ 31,950,000**

**Grand Total**

**\$275,450,000**

The Volunteer State Community College requests for Campus wide Paving Repairs in the amount of \$200,000 and the New Registration Building in the amount of \$8,100,000 as identified on page A-145 of the 2011-2012 Budget Document are to be canceled.”

AND FURTHER AMEND in Section 36 of the printed bill by adding the following new item:

Item \_\_\_\_\_. To the Treasury Department in Section 1, Title III-1, Item 7.3, unexpended balance shall not revert, but shall be reappropriated for expenditures related to savings incentive initiatives and a college savings plan.

AND FURTHER AMEND in Section 41 of the printed bill by inserting the following new items:

Item \_\_\_\_\_. In the fiscal years ending June 30, 2011 and June 30, 2012, there are appropriated sums sufficient to the Department of Revenue, Administration Division, from proceeds resulting from investigation and enforcement of state tobacco laws. Any unexpended balances shall not revert to the general fund at June 30, 2011 or June 30, 2012, but shall be reappropriated in the fiscal years beginning July 1, 2011 and July 1, 2012.

Item \_\_\_\_\_. The Commissioner of Finance and Administration is authorized to adjust departmental revenues related to inter-agency agreements with the Electronic Health Initiative for the purpose of implementing federal electronic health initiatives.

Item \_\_\_\_\_. From the appropriations made in 2010 Public Chapter 1108, Section 4, Title III-9, Item 5, in the amount of \$2,250,000 from federal State Fiscal Stabilization Funds (SFSF) for the exemplary educators program to assist high priority and high needs schools, the Department of Education is authorized to expand the use of these funds to include training teachers and staff in high priority and high needs schools where additional training is needed in math or reading/language arts due to the new more rigorous standards.

AND FURTHER AMEND in Section 48 of the printed bill by adding the following new item:

Item \_\_\_\_\_. Subject to the availability of funding at June 30, 2011, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2011, any unexpended balances of appropriations made under Chapter 1108, Public Acts of 2010, Section 67, Item 1, for planning of additional PACE (Program of All-Inclusive Care for the Elderly) programs. Further, the Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues accordingly.

and in Item 1 by inserting in the second paragraph the language and punctuation “Cover Tennessee Health Care Programs;” immediately after the language and punctuation “Human Services;”.

### **RATE ADJUSTMENTS – FINANCIAL SYSTEMS BILLINGS**

AND FURTHER AMEND the printed bill by inserting the following at the end of Section 15:

Item 18. Financial Systems Billings. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it. From the funds appropriated in this act, the Commissioner of Finance and Administration is authorized to approve adjustments in rates charged by the Department of Finance and Administration for enterprise resource planning (ERP, or Edison) and the Division of Accounts, the Department of Human Resources, and the Department of General Services; to reserve any funds needed to rebate savings to the federal government; and to reallocate state appropriations between departments and reduce appropriations, and adjust federal aid and other departmental revenue accordingly.

### **HOUSEKEEPING AMENDMENTS**

AND FURTHER AMEND in Section 1, Title III-23 of the printed act by deleting items 2 and 3 and substituting instead:

- |                            |               |
|----------------------------|---------------|
| 2. Family Support Services | 30,956,200.00 |
| 3. Custody Services        | 83,465,000.00 |

and in Section 4, Title III-22 of the printed bill by deleting items 2 and 3 and substituting instead:

- |                            |                |
|----------------------------|----------------|
| 2. Family Support Services | 10,119,800.00  |
| 3. Custody Services        | 127,387,700.00 |

AND FURTHER AMEND in Section 1, Title III-32 of the printed act by deleting in their entirety the last two paragraphs and substituting instead:

Said funds herein appropriated to the Department of Economic and Community Development shall be expended for the purpose of making grants to the Northwest Tennessee Port Authority for the Cates Landing Port Project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction and equipment of sites and buildings, and infrastructure improvements and development including but not limited to sewer, water, utility infrastructure, and rail infrastructure, whether or not such infrastructure is owned by Northwest Tennessee Port Authority; and to The Industrial Development Board of Hawkins County, Tennessee, for the Horsehead Corporation Project and expended for the purpose of acquisition of equipment and acquisition, site preparation, erection, construction and equipment of sites and buildings, and infrastructure improvements and development including, but not limited to, sewer, water, utility infrastructure, and rail infrastructure, whether or not such infrastructure is owned by The Industrial Development Board of Hawkins County, Tennessee.

Such grants shall be made by the Department of Finance and Administration only if such grant is approved by the State Building Commission. Such grants so identified and approved are determined to be for public purpose for the reasons and findings previously set forth. The appropriation for the grant to the Northwest Tennessee Regional Port Authority for the Cates Landing Port may be transferred to the highway fund.

AND FURTHER AMEND in Section 2, Item 8 of the printed bill by deleting the words "Department of Mental Health and Developmental Disabilities" and substituting instead "Department of Mental Health".

AND FURTHER AMEND in Section 8, Item 19 of the printed bill by deleting in its entirety sub-item (h) and substituting instead:

(h) Solid Waste Assistance program from revenues received pursuant to Tennessee Code Annotated, Title 67, Chapter 4, Part 16 and Title 68, Chapter 211, Part 8.

and by deleting in its entirety sub-item (m) and by re-numbering the subsequent sub-items.

AND FURTHER AMEND in Section 8, Item 30 (g) of the printed bill by deleting the citation “Chapter 591, Public Acts of 2009” and substituting instead “Tennessee Code Annotated, Title 44, Chapter 17, Part 7”.

AND FURTHER AMEND in Section 9, Item 20 of the printed bill by deleting the citation “Section 4-17-404” and substituting instead “Title 4, Chapter 17, Part 4”.

AND FURTHER AMEND in Section 26 of the printed bill by deleting in item 7 the words “Office of Legislative Services and the”.

AND FURTHER AMEND in Section 26 of the printed bill by deleting in the second paragraph of item 12 the punctuation and words “, including, but not limited to, such items as contracts for the reproduction of bills, the printing of a daily legislative service, and the Tennessee Legislative Record.” and by inserting a period “.” after the word “Assembly”.

AND FURTHER AMEND in Section 27 of the printed bill by deleting in its entirety the last sentence in the first paragraph which reads “When the Speaker, Majority Leader, Senate Floor Leader or House Majority Whip travel by conveyance owned by such person, travel pay may be allowed on the basis of actual cost.”

AND FURTHER AMEND by adding the following item to Section 10: Item \_\_. Section 78 of this act shall not be construed to supersede applicable provisions of Federal and state law.

AND FURTHER AMEND in Section 41, Item 1 of the printed bill by deleting in its entirety sub-item (6).

AND FURTHER AMEND in Section 41, Item 16 of the printed bill by deleting the figure “\$230,400” and substituting instead “\$242,900”.

AND FURTHER AMEND in Section 64 of the printed bill by deleting the citation "Senate Bill No. 3916 / House Bill No. 3925" and substituting instead "Chapter 1109, Public Acts of 2010".

AND FURTHER AMEND the printed bill in section 41 by inserting the following at the end of the section:

Item \_\_\_\_\_. From the appropriation in Section 1, Title III-2, Item 2.1, Commission on Children and Youth, the Commissioner of Finance and Administration is authorized to continue one full-time position from July 1 through December 31, 2011, relative to the base budget reduction identified in the Budget Document, Volume 2, Base Budget Reductions (Item 2, Juvenile Justice Staff), because the position is funded in the budget through December 31, 2011.

Item \_\_\_\_\_. Memphis Research Consortium. The non-recurring appropriation of \$10,000,000 for the Memphis Research Consortium in Section 1, Title III-10, Item 4.3(c), University of Memphis, hereby is reduced by \$10,000,000. In addition to the appropriations in Section 1, Title III-8, of this act, there hereby is appropriated to the Department of Economic and Community Development the sum of \$10,000,000 (non-recurring) for a grant to the Memphis Research Consortium for the purposes described on page B-83 of the 2011-2012 Budget Document and in support of the economic development initiative, INCITE (Innovation, Commercialization, Investment, Technology, and Entrepreneurship).

AND FURTHER AMEND in Section 36 of the printed bill by deleting Item 21 in its entirety and substituting instead the following:

Item 21. To the Department of Veterans Affairs in Section 4, Title III-2, Item 5, the greater of \$200,000 or the total of unexpended burial fees and federal burial grant funds shall not revert to the general fund.

AND FURTHER AMEND the printed bill in Section 9, Item 11, by inserting the following at the end of Item 11:

Should available funds be insufficient to conduct a valid purchasing disparity study, funds appropriated by this item may be used to conduct a review to determine

best practices related to increasing purchasing opportunities with small and minority owned businesses and to implement recommendations arising from the study.

AND FURTHER AMEND by adding the following language as a new section immediately preceding the severability clause section and by renumbering the subsequent sections accordingly:

SECTION \_\_\_\_\_. The commissioner of finance and administration is requested to make all necessary adjustments to revenues, authorized positions and totals as necessary to effectuate the provisions of this act as amended by the General Assembly.

**AND FURTHER AMEND by requesting the Engrossing Clerk to delete the bold underlined explanatory headings in this amendment.**