

Finance, Ways & Means Committee 3

Amendment No. 3 to HB2501

**Sargent
Signature of Sponsor**

AMEND Senate Bill No. 2596

House Bill No. 2501*

by deleting the language "5. SB 1505 / HB 1422" in Section 60, Item 1 and by substituting instead the language "5. SB 1505 / HB 1442".

AND FURTHER AMEND by deleting the language "1. SB 1620 / HB 1461" in Section 60, Item 2 and by substituting instead the language "1. SB 1620 / HB 1416".

AND FURTHER AMEND by deleting the language "created by the state legislation" in Section 29, Item 23 wherever it appears and by substituting instead the language "created by Senate Bill No. 2471 / House Bill No. 2491".

AND FURTHER AMEND by deleting the language "created by the state legislation" in Section 29, Item 24 and by substituting instead the language "created by Senate Bill No. 2471 / House Bill No. 2491".

AND FURTHER AMEND by deleting the language "access grant" in Section 50, Item 2(c), subdivision (5) and by substituting instead the language "reconnect grant".

AND FURTHER AMEND by adding a new item to Section 7:

Item _____. Department of Mental Health and Substance Abuse Services, in Section 1, Title III-14, Item 2.5, there is earmarked an amount not to exceed \$125,000 for the sole purpose of continuation of the assisted outpatient pilot project.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item _____. From the funds appropriated to Tennessee State Museum, there is earmarked the sum of \$500 for the sole purpose of implementing Senate Bill 2078 / House Bill 2091, relative to the membership of the Douglas Henry state museum commission, if such bill becomes a law.

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Item _____. From funds available to the Department of Health, Health Related Boards, there is appropriated the sum of \$200,000 for the sole purpose of implementing Senate Bill 1853 / House Bill 2171, relative to Consumer Right-to-Know system capabilities concerning licensee updating, if such bill becomes a law.

Item _____. From funds available to the Department of Commerce and Insurance, Motor Vehicle Commission, there is appropriated the sum of \$4,500 for the sole purpose of implementing Senate Bill 877 / House Bill 223, relative to inclusion of a non-franchised dealer as a member of the Motor Vehicle Commission, if such bill becomes a law.

Item _____. From the funds appropriated for the Criminal Injuries Compensation Fund, there is earmarked the sum of \$850 for the sole purpose of implementing Senate Bill 2281 / House Bill 2243, relative to an annual scholarship dedicated to the remembrance of homicide victims, if such bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. 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 2268 / House Bill 2228, Senate Bill 1709 / House Bill 1452, Senate Bill 1691 / House Bill 1528, Senate Bill 1695 / House Bill 2218, Senate Bill 2538 / House Bill 2257, Senate Bill 1929 / House Bill 2270, Senate Bill 1432 / House Bill 1379, Senate Bill 1815 / House Bill 2326, Senate Bill 1852 / House Bill 1768, Senate Bill 2090 / House Bill 1972, Senate Bill 2266 / House Bill 2206, Senate Bill 1690 / House Bill 2177,

Senate Bill 1602 / House Bill 2249, Senate Bill 2023 / House Bill 1904, Senate Bill 2054 / House Bill 2449, Senate Bill 1464 / House Bill 1403, Senate Bill 1790 / House Bill 1665, Senate Bill 2473 / House Bill 2313, Senate Joint Resolution No. 505, and House Joint Resolution No. 551, if such bills become law and such resolutions are adopted. 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.

AND FURTHER AMEND by adding the following new item at the end of Section 41:

Item _____. In addition to the report required by Section 8, Item 4 on the receipt by the state of settlement and judgment awards in excess of \$1,000,000, the Attorney General and Reporter shall also file a written quarterly report with the Speaker of the Senate, the Speaker of the House of Representatives and the Office of Legislative Budget Analysis upon the payment by any state officials and agencies of any settlement or judgment award against the state in excess of \$1,000,000. Such report shall specify the nature of the settlement or judgment, the amount of the settlement or judgment, and any other information deemed by the Attorney General and Reporter to be informative and not subject to any provision of law prohibiting its disclosure.

AND FURTHER AMEND by adding the following new items to Section 50:

Item _____. From the Lottery for Education Account, there is earmarked the sum of \$30,000 for the sole purpose of implementing Senate Bill 1778 / House Bill 1500, relative to the inclusion of certain out-of-state boarding schools within the definition of an eligible high school for HOPE scholarship purposes, if such bill becomes a law.

Item _____. From the Lottery for Education Account, there is earmarked the sum of \$24,000 for the sole purpose of implementing Senate Bill 1905 / House Bill 1876, relative to postsecondary financial assistance for students with intellectual disabilities, if such bill becomes a law.

AND FURTHER AMEND by deleting Section 56, Item 2 and by substituting instead the following:

Item 2. If Senate Bill No. 1872 / House Bill No. 1783, the annual nursing home assessment fee, becomes a law, there is hereby appropriated from the appropriations in Section 1, Title III-26, of this act, the sum of \$82,300,000 (non-recurring) to the TennCare Program for nursing home reimbursement. In addition to the sums appropriated in Section 1, Title III-26, of this act, there is hereby appropriated the sum of \$24,755,200 (non-recurring), as indicated in the fiscal note on the enacted legislation, to the TennCare Program for nursing home reimbursement. Further, the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. If the cited bill does not become law, the appropriations in Section 1, Title III-26, of this act, are hereby reduced in the amount of \$82,300,000.

AND FURTHER AMEND by adding a new Section 67 and by renumbering the existing Section 67 and all subsequent sections accordingly:

SECTION 67.

Item 1. Notwithstanding any provision of this act to the contrary, no federal or state funds appropriated to the department of transportation or other department or agency by this act shall be used to provide funding or other assistance for the construction, maintenance or operation of any bus rapid transit project on any portion of a state highway or state highway right-of-way, whether or not such portion is owned, controlled or maintained by a political subdivision. No such funds shall be disbursed to any local governmental entity or private entity to finance, construct, maintain, operate or manage the entity's plan for any bus rapid transit project or to implement such plan on a portion of a state highway or state highway right-of-way. This section also applies to any bus rapid transit project listed in the "Proposed Highway Program for Fiscal Year 2014-

2015" or in any other approved highway program incorporated into and made a part of this act.

Item 2. For purposes of this section:

(a) "Bus rapid transit project" means any bus-based facility or system in which more than seventy-five percent (75%) of the facility or system uses a separate lane or other separate right-of-way dedicated for use of the facility or system during peak periods, and includes any fixed-guideway bus rapid transit project as defined in 49 U.S.C. § 5309;

(b) "Local governmental entity" means any metropolitan planning organization, metropolitan government or regional transportation authority of Middle Tennessee, including any municipality or county part of the authority; and

(c) "Portion of a state highway or state highway right-of-way" includes any portion of a state highway or state highway right-of-way, or any federal-aid or federally-designated highway or right-of-way in the state's system of highways; such language does not include any portion designated as part of the interstate and national defense system.