

PUBLIC CHAPTER NO. 1108

SENATE BILL NO. 3919

By Kyle, Henry

Substituted for: House Bill No. 3928

By Fitzhugh

AN ACT to make appropriations for the purpose of defraying the expenses of the state government for the fiscal years beginning July 1, 2009, and July 1, 2010, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state; for certain state aid and obligations; for capital outlay, for the service of the public debt, for emergency and contingency; to repeal certain appropriations and any acts inconsistent herewith; to provide provisional continuing appropriations; and to establish certain provisions, limitations and restrictions under which appropriations may be obligated and expended. This act makes appropriations for the purposes described above for the fiscal years beginning July 1, 2009, and July 1, 2010.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. That appropriations hereinafter set out are hereby made for the purpose of defraying the expenses of state government for the fiscal year beginning July 1, 2010, in the administration, operation and maintenance of the legislative, executive and judicial branches of the various departments, institutions, offices and agencies of the state, and for certain state aid and obligations and for capital outlay; for the service of the public debt, and for emergency and contingency, all according to the following schedule:

I. LEGISLATIVE		<u>2010-2011</u>
1.	Legislature	
1.1	General Assembly Support Services	\$ 6,927,400.00
1.2	General Assembly Committees	761,200.00
1.3	House of Representatives.....	16,123,200.00
1.4	State Senate	8,668,700.00
1.5	Legislative Administration Services	3,944,700.00
1.6	Tennessee Code Commission.....	63,300.00
	Total Legislature	\$ 36,488,500.00
2.	Fiscal Review Committee.....	1,221,900.00
	Total Title I.....	\$ 37,710,400.00
II. JUDICIAL		
1.	Appellate and Trial Courts.....	\$ 56,343,200.00
2.	Supreme Court Buildings	2,619,400.00

3.	Child Support Referees	739,800.00
4.	Guardian ad Litem	5,047,500.00
5.	Indigent Defendants' Counsel	24,460,300.00
6.	Civil Legal Representation Fund	3,327,900.00
7.	Verbatim Transcripts	3,972,000.00
8.	Tennessee State Law Libraries	75,000.00
9.	Council of Juvenile and Family Court Judges	57,500.00
10.	Judicial Conference	224,600.00
11.	Judicial Programs and Commissions	431,200.00
12.	State Court Clerks' Conference	257,700.00
13.	Administrative Office of the Courts	7,731,300.00
14.	Appellate Court Clerks	492,600.00
15.	Board of Court Reporting	164,500.00
16.	Board of Law Examiners	707,300.00
17.	Board of Professional Responsibility	2,932,500.00
18.	Tennessee Lawyers Assistance Program	371,900.00
19.	Continuing Legal Education	755,600.00
20.	Client Protection Fund	208,500.00
	Total Title II	\$ 110,920,300.00

III. EXECUTIVE

1. Constitutional and Quasi-Judicial Offices

1.	Attorney General and Reporter	
1.1	Attorney General and Reporter	\$ 19,630,700.00
1.2	Publication of Tennessee Reports	160,300.00
1.3	Special Litigation	289,600.00
	Total Attorney General and Reporter	\$ 20,080,600.00
2.	District Attorneys General Conference	
2.1	District Attorneys General	\$ 66,450,400.00
2.2	District Attorneys General Conference	430,400.00
2.3	Executive Director	1,552,500.00
	Total District Attorneys General Conference	\$ 68,433,300.00
3.	Secretary of State	
3.1	Secretary of State	\$ 8,582,400.00
3.2	State Election Commission	1,585,600.00
3.3	Public Documents	397,400.00
3.4	State Library and Archives	8,582,300.00
3.5	Regional Library System	7,452,700.00
3.6	Bureau of Ethics and Campaign Finance	581,900.00
3.7	Economic Council on Women	165,300.00
	Total Secretary of State	\$ 27,347,600.00
4.	District Public Defenders Conference	
4.1	District Public Defenders	\$ 33,360,200.00
4.2	Executive Director	1,556,200.00
4.3	Shelby County Public Defender	3,106,100.00

4.4	Davidson County Public Defender	1,588,500.00
	Total District Public Defenders Conference	\$ 39,611,000.00
5.	Comptroller of the Treasury	
5.1	Division of Administration.....	\$ 1,034,100.00
5.2	Office of Management Services.....	9,665,600.00
5.3	Division of State Audit.....	10,991,100.00
5.4	Division of County Audit.....	7,238,400.00
5.5	Division of Municipal Audit	1,871,300.00
5.6	Division of Bond Finance	494,600.00
5.7	Office of Local Government	955,200.00
5.8	Division of Property Assessments	7,136,100.00
5.9	Tax Relief.....	21,800,000.00
5.10	State Board of Equalization	735,600.00
5.11	Division of Local Finance	450,300.00
5.12	Offices of Research and Education Accountability	1,395,500.00
5.13	Office of State Assessed Properties	1,177,900.00
5.14	Telecommunications Ad Valorem Tax Equity Payments	14,327,900.00
	Total Comptroller of the Treasury.	\$ 79,273,600.00
6.	Office of the Post-Conviction Defender	\$ 1,948,600.00
7.	Treasury Department	
7.1	Treasury Department.....	\$ 77,600.00
7.2	Certified Public Administrators.....	407,300.00
7.3	Baccalaureate Education System Trust.....	15,000,000.00
	Total Treasury Department.....	\$ 15,484,900.00
8.	Claims and Compensation	
8.1	Criminal Injuries Compensation	\$ 10,500,000.00
	Total Claims and Compensation.....	\$ 10,500,000.00
	Total Title III-1	\$ 262,679,600.00

The appropriation made under Title III-1, Item 8, may be increased or decreased as realized receipts of the Criminal Injuries Compensation Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. To the extent that receipts of the fund are insufficient to meet the fund's expenditure requirements, there is hereby appropriated a sum sufficient to support such expenditures.

2. Executive Offices

1.	Executive Department	
1.1	Governor's Office	\$ 3,462,200.00
	Total Executive Department.....	\$ 3,462,200.00
2.	Commissions	
2.1	Commission on Children and Youth	\$ 2,013,400.00
2.2	Commission on Aging and Disability.....	13,774,100.00
2.3	Alcoholic Beverage Commission	366,700.00

2.4	Human Rights Commission	1,575,000.00
2.5	Health Services and Development Agency.....	1,134,000.00
2.6	Corrections Institute	884,900.00
2.7	Tennessee Regulatory Authority.....	7,983,300.00
2.8	Advisory Commission on Intergovernmental Relations	242,000.00
2.9	Arts Commission.....	6,174,600.00
2.10	State Museum.....	3,741,300.00
	Total Commissions	\$ 37,889,300.00
3.	Department of Finance and Administration	
3.1	Division of Administration.....	\$ 1,255,400.00
3.2	Division of Budget	3,426,500.00
3.3	Office for Information Resources	675,800.00
3.4	Criminal Justice Programs	8,138,200.00
3.5	Resource Development and Support.....	1,583,800.00
3.6	Real Property Administration	2,993,500.00
3.7	Volunteer Tennessee.....	239,200.00
3.8	State Health Planning Division.....	759,700.00
3.9	Enterprise Resource Planning	13,000,000.00
3.10	Electronic Health Initiative.....	15,452,700.00
3.11	Governor's Office of State Planning and Policy	1,007,300.00
	Total Department of Finance and Administration.....	\$ 48,532,100.00
4.	Department of Human Resources	
4.1	Executive Administration.....	\$ 1,768,400.00
4.2	Human Resource Development.....	830,700.00
4.3	Technical Services.....	1,836,300.00
	Total Department of Human Resources	\$ 4,435,400.00
5.	Department of General Services	
5.1	Administration	\$ 464,600.00
5.2	Property Management	1,572,100.00
5.3	Printing and Media Services	306,000.00
	Total Department of General Services.....	\$ 2,342,700.00
6.	Department of Veterans Affairs	\$ 4,482,300.00
	Total Title III-2.....	\$ 101,144,000.00
3.	Department of Agriculture	
1.	Administration and Grants.....	\$ 5,136,800.00
2.	Regulatory Services	13,005,800.00
3.	Market Development	17,094,800.00
4.	Forestry Operations.....	23,541,700.00
5.	Forestry Maintenance.....	158,500.00
6.	Certified Cotton Growers' Organization Fund.....	4,000,000.00
7.	Agricultural Regulatory Fund.....	2,354,400.00
8.	Agricultural Resources Conservation Fund.....	3,187,500.00
	Total Title III-3.....	\$ 68,479,500.00

4. Department of Tourist Development	
1.	Administration and Marketing.....\$ 10,892,500.00
2.	Welcome Centers..... 1,500,000.00
	Total Title III-4.....\$ 12,392,500.00
5. Department of Environment and Conservation	
1.	Administrative Services.....\$ 6,058,100.00
2.	Recreation Educational Services 765,100.00
3.	Historical Commission..... 2,183,400.00
4.	Archaeology 778,400.00
5.	Geology 452,900.00
6.	Tennessee State Parks 41,000,900.00
7.	Natural Areas 492,700.00
8.	State Parks Maintenance 2,214,100.00
9.	Maintenance of Historic Sites..... 285,000.00
10.	West Tennessee River Basin Authority 1,117,700.00
11.	Environment Administration 1,435,200.00
12.	Used Oil Collection Program 1,317,500.00
13.	Tennessee Dry Cleaners Environmental Response Fund 2,519,600.00
14.	Air Pollution Control..... 1,159,000.00
15.	Radiological Health 600,400.00
16.	Water Pollution Control 9,082,400.00
17.	Solid Waste Management 1,859,400.00
18.	Abandoned Lands 500,000.00
19.	Hazardous Waste Remedial Action Fund 1,000,000.00
20.	Water Supply 955,900.00
21.	Groundwater Protection 2,351,800.00
22.	Underground Storage Tanks 19,383,900.00
23.	Solid Waste Assistance 6,976,900.00
24.	Environmental Protection Fund..... 48,148,300.00
25.	Clean Water and Drinking Water State Revolving Fund 5,206,100.00
26.	West Tennessee River Basin Authority Maintenance 1,215,300.00
27.	State Lands Compensation Fund..... 75,000.00
28.	Office of Environmental Assistance..... 512,000.00
29.	Conservation Compensation Fund..... 42,000.00
30.	Local Parks Acquisition Fund 3,718,700.00
31.	State Lands Acquisition Fund..... 3,112,500.00
	Total Title III-5.....\$ 166,520,200.00
6. Tennessee Wildlife Resources Agency	
1.	Wildlife Resources Agency.....\$ 31,880,400.00
2.	Boating Safety 6,090,200.00
3.	Wetlands Compensation Fund..... 400,000.00
4.	Wetlands Acquisition Fund..... 6,506,300.00
	Total Title III-6.....\$ 44,876,900.00

The appropriation made under Title III-6 may be increased or decreased as realized receipts of the Wildlife Resources Fund justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

7. Department of Correction

1.	Administration	\$	15,865,000.00
2.	State Prosecutions		117,125,300.00
3.	Correction Academy		5,154,700.00
4.	Tennessee Prison for Women		21,922,500.00
5.	Turney Center Industrial Complex		37,035,300.00
6.	Mark Luttrell Correctional Facility		13,638,000.00
7.	Charles B. Bass Correctional Complex		29,206,000.00
8.	Southeastern Tennessee State Regional Correctional Facility		23,018,900.00
9.	Correction Release Centers		1,368,800.00
10.	Major Maintenance		9,635,400.00
11.	West Tennessee State Penitentiary		55,894,600.00
12.	Riverbend Maximum Security Institution		25,529,900.00
13.	Northeast Correctional Complex		39,377,100.00
14.	South Central Correctional Center		27,069,500.00
15.	Northwest Correctional Complex		49,055,700.00
16.	Lois M. DeBerry Special Needs Facility		38,214,000.00
17.	Hardeman County Incarceration Agreement		38,030,300.00
18.	Sentencing Act of 1985		43,694,800.00
19.	Sex Offender Treatment Program		143,700.00
20.	Hardeman County Agreement – Whiteville		10,725,200.00
21.	Morgan County Correctional Complex		58,486,800.00
	Total Title III-7	\$	660,191,500.00

8. Department of Economic and Community Development

1.	Administrative Services	\$	5,626,900.00
2.	Business Development		4,126,400.00
3.	Business Services		257,900.00
4.	FastTrack Infrastructure and Job Training Assistance		34,478,000.00
5.	Community Development		5,271,300.00
6.	Energy Division		34,800.00
7.	Regional Grants Management		974,900.00
8.	Economic Development District Grants		1,500,100.00
	Total Title III-8	\$	52,270,300.00

9. Department of Education

1.	Administrative Services		
1.1	Administration	\$	7,605,700.00
1.2	State Board of Education		828,400.00
1.3	Governor's Books from Birth Fund		3,104,100.00
	Total Administrative Services	\$	11,538,200.00

2.	Kindergarten, Elementary and Secondary		
2.1	State Programs		
	a. Curriculum and Instruction	\$	3,854,300.00
	b. Career Ladder.....		40,943,800.00
	c. Basic Education Program.....		3,451,459,800.00
	d. Driver Education		1,700,000.00
	e. Training and Professional Development.....		1,706,200.00
	f. Grants-In-Aid.....		3,478,800.00
	g. Technology, Infrastructure, and Support Systems.....		2,571,100.00
	h. Accountability and Assessment		28,274,700.00
	i. Early Childhood Education.....		86,337,000.00
	Subtotal State Programs.....	\$	3,620,325,700.00
2.2	Federally Funded and Supported Programs		
	a. Improving Schools Program.....	\$	544,900.00
	b. School Nutrition Program.....		4,806,500.00
	c. Special Education Services.....		636,300.00
	d. Tennessee Early Intervention Services		13,837,200.00
	e. ESEA No Child Left Behind		470,000.00
	Subtotal Federally Funded and Supported Programs.....	\$	20,294,900.00
2.3	Lottery-Funded Programs		
	a. After-School Programs Special Account.....	\$	13,700,000.00
	Subtotal Lottery-Funded Programs.....	\$	13,700,000.00
	Total Kindergarten, Elementary and Secondary	\$	3,654,320,600.00
3.	Career and Technical Education Programs	\$	3,905,100.00
4.	Special Schools		
4.1	Tennessee School for the Blind	\$	10,551,400.00
4.2	Tennessee School for the Deaf		14,155,300.00
4.3	West Tennessee School for the Deaf		2,496,600.00
4.4	Governor's Institute for Science and Math.....		1,589,000.00
4.5	Major Maintenance		239,100.00
	Total Special Schools	\$	29,031,400.00
	Total Title III-9.....	\$	3,698,795,300.00
10.	Higher Education		
1.	Administration and Support Services		
1.1	Tennessee Higher Education Commission.....	\$	2,117,200.00
1.2	Contract Education		2,217,000.00
1.3	Tennessee Student Assistance Awards		49,362,500.00
1.4	Tennessee Student Assistance Corporation.....		1,196,800.00
1.5	Loan/Scholarship Programs.....		1,191,000.00
1.6	Foreign Language Institute		338,100.00
1.7	THEC Grants		2,359,200.00
	Total Administration and Support Services.....	\$	58,781,800.00

2.	Excellence Initiatives		
2.1	Academic Scholars Program	\$	401,800.00
2.2	Centers of Excellence		18,206,700.00
2.3	Campus Centers of Emphasis		1,308,400.00
	Total Excellence Initiatives.....	\$	19,916,900.00
3.	University of Tennessee System		
3.1	Administrative and Other Services		
a.	UT University-Wide Administration	\$	4,431,300.00
b.	UT Institute for Public Service.....		4,844,400.00
c.	UT Municipal Technical Advisory Service		2,856,900.00
d.	UT County Technical Assistance Service		1,703,800.00
e.	UT Access and Diversity Initiative.....		6,131,700.00
f.	UT Space Institute		8,325,800.00
g.	UT Research Initiatives.....		10,993,700.00
	Subtotal Administrative and Other Services	\$	39,287,600.00
3.2	Agricultural Services		
a.	UT Agricultural Experiment Station.....	\$	25,494,900.00
b.	UT Agricultural Extension Service		30,715,400.00
c.	UT Veterinary Medicine.....		17,130,500.00
	Subtotal Agricultural Services	\$	73,340,800.00
3.3	Medical Education		
a.	UT Health Science Center	\$	74,117,200.00
b.	UT Family Medicine		10,425,000.00
c.	UT College of Medicine.....		49,835,000.00
	Subtotal Medical Education	\$	134,377,200.00
3.4	University Campuses		
a.	UT Chattanooga.....	\$	45,243,400.00
b.	UT Knoxville.....		198,933,800.00
c.	UT Martin		32,595,300.00
	Subtotal University Campuses.....	\$	276,772,500.00
	Total University of Tennessee System	\$	523,778,100.00
4.	Tennessee Board of Regents System		
4.1	Administration and Other Services		
a.	Tennessee Board of Regents	\$	4,761,200.00
b.	Regents Access and Diversity Initiative		10,841,500.00
	Subtotal Administration and Other Services	\$	15,602,700.00
4.2	Medical Education		
a.	ETSU College of Medicine.....	\$	29,547,000.00
b.	ETSU Family Practice.....		5,945,500.00
	Subtotal Medical Education	\$	35,492,500.00
4.3	Regional Universities		
a.	Austin Peay State University.....	\$	35,415,400.00

	b. East Tennessee State University	62,124,600.00
	c. University of Memphis	121,896,000.00
	d. Middle Tennessee State University	98,956,500.00
	e. Tennessee State University	40,679,600.00
	f. Tennessee Technological University	48,634,100.00
	Subtotal Regional Universities	\$ 407,706,200.00
4.4	Community Colleges	
	a. Southwest Tennessee Community College	\$ 40,549,100.00
	b. Nashville State Community College	16,594,100.00
	c. Pellissippi State Community College	22,336,200.00
	d. Northeast State Community College	13,379,200.00
	e. Chattanooga State Community College	25,608,500.00
	f. Cleveland State Community College	11,024,700.00
	g. Columbia State Community College	14,196,600.00
	h. Dyersburg State Community College	7,733,100.00
	i. Jackson State Community College	13,290,700.00
	j. Motlow State Community College	11,157,400.00
	k. Roane State Community College	19,350,900.00
	l. Volunteer State Community College	19,501,600.00
	m. Walters State Community College	19,771,200.00
	Subtotal Community Colleges	\$ 234,493,300.00
4.5	Tennessee Technology Centers	\$ 54,494,700.00
4.6	Agricultural Centers	
	a. TSU McMinnville Center	\$ 553,000.00
	b. TSU Institute of Agricultural and Environmental Research	2,250,900.00
	c. TSU Cooperative Education	2,512,100.00
	d. TSU McIntire-Stennis Forestry Research	67,500.00
	Subtotal Agricultural Centers	\$ 5,383,500.00
	Total Tennessee Board of Regents System	\$ 753,172,900.00
5.	Lottery-Funded Programs	
	5.1 Lottery for Education Account	\$ 284,900,000.00
	Total Lottery-Funded Programs	\$ 284,900,000.00
	Total Title III-10	\$ 1,640,549,700.00
11.	Department of Commerce and Insurance	
	1. Consumer Affairs	\$ 1,249,400.00
	2. Fire Service and Codes Enforcement Academy	2,977,500.00
	3. 911 Emergency Communications Fund	57,171,400.00
	4. Regulatory Boards	18,151,900.00
	4.1 Real Estate Education and Recovery Fund	292,100.00
	4.2 Auctioneer Education and Recovery Fund	81,400.00
	5. Tennessee Law Enforcement Training Academy	2,372,400.00

6.	POST Commission.....	8,476,300.00
7.	Cemetery Consumer Protection Fund.....	360,000.00
8.	Pre-Need Funeral Consumer Protection Fund.....	100,000.00
9.	Tennessee Athletic Commission	339,600.00
10.	Fire Fighting Personnel Standards and Education.....	4,162,100.00
	Total Title III-11	\$ 95,734,100.00
12.	Department of Financial Institutions.....	\$ 8,561,800.00
	Total Title III-12	\$ 8,561,800.00

The appropriation made under Title III-12 may be increased or decreased as realized receipts justify, subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

13. Department of Labor and Workforce Development

1.	Administration	\$ 2,680,200.00
2.	Tennessee Occupational Safety and Health Administration (TOSHA)	4,830,900.00
3.	Workers' Compensation	13,190,500.00
4.	Mines	368,400.00
5.	Boilers and Elevators	4,261,800.00
6.	Labor Standards.....	1,195,600.00
7.	Second Injury Fund	11,596,400.00
8.	Adult Basic Education	3,738,000.00
	Total Title III-13.....	\$ 41,861,800.00

14. Department of Mental Health and Developmental Disabilities

1.	Administration	
1.1	Administrative Services Division	\$ 12,588,000.00
	Total Administration	\$ 12,588,000.00
2.	Mental Health Services	
2.1	Lakeshore Mental Health Institute	\$ 12,126,500.00
2.2	Middle Tennessee Mental Health Institute.....	16,309,200.00
2.3	Western Mental Health Institute.....	15,364,100.00
2.4	Moccasin Bend Mental Health Institute.....	11,201,100.00
2.5	Memphis Mental Health Institute.....	11,006,300.00
2.6	Community Mental Health Services.....	70,383,600.00
2.7	Major Maintenance	450,000.00
	Total Mental Health Services	\$ 136,840,800.00
3.	Alcohol and Drug Abuse Services	
3.1	Community Alcohol and Drug Abuse Services	\$ 12,189,700.00
	Total Alcohol and Drug Abuse Services	\$ 12,189,700.00
	Total Title III-14.....	\$ 161,618,500.00

15. Department of Military

1.	Administration	\$	2,197,800.00
2.	Army National Guard		812,400.00
3.	Air National Guard		2,333,400.00
4.	Tennessee Emergency Management Agency		2,587,600.00
5.	Armories Maintenance		625,500.00
6.	Armories Utilities		1,863,100.00
	Total Title III-15	\$	10,419,800.00

16. Department of Health

1.	Administration		
1.1	Executive Administration	\$	6,306,800.00
1.2	Administrative Services		2,887,900.00
1.3	Office for Information Technology Services		5,230,300.00
1.4	Policy Planning and Assessment		4,071,200.00
	Total Administration	\$	18,496,200.00
2.	Manpower Resources and Facilities		
2.1	Bureau of Health Licensure and Regulation	\$	8,319,200.00
2.2	Emergency Medical Services		590,300.00
2.3	Laboratory Services		6,811,300.00
2.4	Health Related Boards		13,499,300.00
2.5	Trauma System Fund		9,000,100.00
	Total Manpower Resources and Facilities	\$	38,220,200.00
3.	Community Health Services		
3.1	Health Services Administration	\$	7,867,800.00
3.2	General Environmental Health		10,641,600.00
3.3	Maternal and Child Health		2,457,400.00
3.4	Communicable and Environmental Disease Services		11,862,900.00
3.5	Community and Medical Services		8,885,100.00
3.6	Diabetes Prevention and Health Improvement		143,000.00
3.7	Commercial Breeder Licensure and Regulation		633,600.00
	Total Community Health Services	\$	42,491,400.00
4.	Local Health Services	\$	57,917,900.00
	Total Title III-16	\$	157,125,700.00

17. Department of Human Services

1.	Administration		
1.1	Administration	\$	19,058,700.00
1.2	Field Operations		5,508,700.00
1.3	County Rentals		6,244,700.00
1.4	Appeals and Hearings		3,863,000.00
	Total Administration	\$	34,675,100.00
2.	Family Assistance Services		

2.1	Child Support	\$	17,655,700.00
2.2	Family Assistance Services		73,008,700.00
2.3	Temporary Cash Assistance		21,197,100.00
2.4	Child Care Benefits		15,056,900.00
	Total Family Assistance Services	\$	126,918,400.00
3.	Social Services		
3.1	Community Services	\$	1,605,000.00
	Total Social Services	\$	1,605,000.00
4.	Rehabilitative Services		
4.1	Vocational Rehabilitation	\$	10,265,300.00
	Total Rehabilitative Services	\$	10,265,300.00
	Total Title III-17	\$	173,463,800.00
18.	Department of Revenue		
1.	Administration Division	\$	6,385,400.00
2.	Tax Enforcement Division		5,291,500.00
3.	Information Technology Resources Division		14,994,300.00
4.	Taxpayer and Vehicle Services Division		25,216,400.00
5.	Processing Division		6,524,300.00
6.	Audit Division		18,576,500.00
7.	Anti-Theft Unit		1,461,800.00
	Total Title III-18	\$	78,450,200.00
19.	Tennessee Bureau of Investigation	\$	32,829,000.00
	Total Title III-19	\$	32,829,000.00
20.	Department of Safety		
1.	Administration	\$	7,813,700.00
2.	Driver License Issuance		4,649,900.00
3.	Highway Patrol		85,670,100.00
4.	Motorcycle Rider Education		404,000.00
5.	Motor Vehicle Operations		10,192,100.00
6.	Driver Education		274,100.00
7.	Office of Homeland Security		1,756,600.00
8.	Major Maintenance		10,300.00
9.	Technical Services		834,300.00
	Total Title III-20	\$	111,605,100.00
21.	Cover Tennessee Health Care Programs		
1.	CoverTN	\$	18,311,900.00
2.	AccessTN		23,049,200.00
3.	CoverKids		40,817,300.00

4.	CoverRx	13,188,500.00
	Total Title III-21	\$ 95,366,900.00
	22. Miscellaneous Appropriations	
1.	State Employees' Unemployment Compensation, Sick Leave, Death Benefit Payments and Terminal Leave Payments	\$ 200,000.00
2.	Consolidated Retirement System	
2.1	Former Governors and Widows of Former Governors – Pensions	384,000.00
3.	Insurance – Retirees	
3.1	Retirees Health Insurance	11,900,000.00
3.2	Retired Teachers Insurance	19,500,000.00
3.3	Basic Term and Accidental Death Insurance	450,000.00
4.	Attorney's Fees – Civil Rights Cases	500,000.00
5.	Special Election Reimbursement to Counties	300,000.00
6.	Disaster Relief Grants	2,000,000.00
7.	Homeland Security Emergency Fund	1,100,000.00
8.	Criminal Justice Programs	1,189,300.00
9.	Tennessee Association of Rescue Squads	71,300.00
10.	Volunteer Rescue Squad – \$25,000 Death Benefit	25,000.00
11.	YMCA Youth Legislature	25,000.00
12.	YMCA Community Action Program	350,000.00
13.	Forensic Center at Quillen College of Medicine	100,000.00
14.	State Employees 3% Bonus	45,600,000.00
15.	TCRS – Retirement Contribution Increase	21,400,000.00
16.	Deferred Compensation – 401K match – State Employees	9,197,000.00
17.	Intergovernmental Conference Dues	562,900.00
18.	UT CBER – Research Assistance	125,000.00
19.	UT CBER – State Census Data Center	
19.1	State Census Data Center	40,000.00
19.2	Population and Demographics Forecasting	238,000.00
20.	MVM – DUI Vehicle Confiscation Program	720,000.00
21.	MVM – Purchase of New Vehicles	3,500,000.00
22.	Statewide Rate Adjustments	
22.1	Rent Adjustments	2,362,500.00
22.2	Lodging Rate Increase	900,000.00
22.3	OIR Rate Adjustment for Data Center	7,740,800.00
23.	Civil Rights Museum	250,000.00
24.	Administration Legislation	300,000.00
25.	Severance Benefit Plan	9,000,000.00
26.	Swipe and Ride Benefit	500,000.00
27.	Gubernatorial Transition Office	400,000.00
28.	Governor's Staffing – effective January 2011	400,000.00

29.	Governor's Salary and Benefits – effective January 2011	96,000.00
30.	Base Budget Reconciliation	2,600,000.00
	Total Title III-22.....\$	144,026,800.00
23. Department of Children's Services		
1.	Administration	\$ 28,315,400.00
2.	Family Support Services	30,968,600.00
3.	Custody Services	79,625,700.00
4.	Adoption Services	35,310,200.00
5.	Child and Family Management.....	82,628,400.00
6.	John S. Wilder Youth Development Center.....	11,129,600.00
7.	Taft Youth Development Center.....	11,826,500.00
8.	Woodland Hills Youth Development Center	13,527,700.00
9.	Mountain View Youth Development Center	11,267,800.00
10.	Community Treatment Facilities.....	2,858,200.00
11.	Major Maintenance.....	420,100.00
12.	Needs Assessment	6,370,100.00
	Total Title III-23.....\$	314,248,300.00
24. Board of Probation and Parole		
1.	Probation and Parole Services.....\$	73,030,100.00
2.	Community Corrections.....	13,331,800.00
	Total Title III-24.....\$	86,361,900.00
25. Department of Finance and Administration – Intellectual Disabilities Services		
1.	Intellectual Disabilities Services Administration	\$ 1,297,300.00
2.	Community Intellectual Disabilities Services	16,155,200.00
3.	Quality Assurance Program	832,300.00
4.	Clover Bottom Developmental Center.....	7,451,400.00
5.	Greene Valley Developmental Center.....	649,000.00
6.	West Tennessee Regional Office.....	1,725,800.00
7.	Middle Tennessee Regional Office	1,007,600.00
8.	East Tennessee Regional Office.....	1,114,900.00
9.	East Tennessee Community Homes.....	354,500.00
10.	Major Maintenance.....	100,000.00
11.	Developmental Disabilities Council	217,900.00
	Total Title III-25.....\$	30,905,900.00
26. Department of Finance and Administration – Bureau of TennCare		
1.	TennCare Administration.....\$	104,831,000.00
2.	TennCare Services.....	1,206,491,000.00
3.	Waiver and Crossover Services	310,620,900.00

4.	Long Term Care Services	288,375,700.00
5.	Governor's Office of Children's Care Coordination	4,556,200.00
	Total Title III-26	\$ 1,914,874,800.00
27.	Emergency and Contingency Fund.....	\$ 819,300.00
	Total Title III-27	\$ 819,300.00

The Emergency and Contingency Fund may be used for any purpose authorized by law to be allowed on Executive Order of the Governor; provided, however, the Emergency and Contingency Fund shall not be used to fund any law requiring the expenditure of state funds unless an appropriation is made elsewhere for the estimated first year's funding.

28. State Building Commission

1.	Major Maintenance and Equipment.....	\$ 250,000.00
	Total Title III-28	\$ 250,000.00

29. Facilities Revolving Fund

1.	General Services Operating Maintenance	\$ 7,517,200.00
2.	Facilities Management	5,547,600.00
	Total Title III-29	\$ 13,064,800.00

30. Department of Transportation

There is hereby appropriated for the use of the Department of Transportation such receipts of highway revenues as are now provided by law, or may hereafter be so provided, to accrue to that department during the fiscal year, beginning July 1, 2010, to be expended by the Commissioner of Transportation, all according to the following schedule:

		<u>2010-2011</u>
1.	Administration	
1.1	Headquarters	\$ 14,658,000.00
1.2	Bureau of Administration.....	42,223,000.00
1.3	Bureau of Engineering	16,998,000.00
1.4	Field Engineering	43,219,000.00
1.5	Insurance Premiums	9,000,000.00
1.6	Bureau of Environment and Planning	5,254,000.00
	Total Administration	\$ 131,352,000.00
2.	Equipment Purchases and Operations.....	\$ 28,653,000.00
3.	Highway Maintenance	\$ 290,419,000.00

4.	State Construction		
4.1	Highway Betterments	\$	9,000,000.00
4.2	State Aid		30,622,000.00
4.3	State Industrial Access		20,180,000.00
4.4	Local Interstate Connectors		3,000,000.00
4.5	Capital Improvements		3,596,000.00
	Total State Construction	\$	66,398,000.00
5.	Federal Construction		
5.1	Mass Transit	\$	44,624,000.00
5.2	Planning and Research.....		5,500,000.00
5.3	Interstate Construction.....		14,800,000.00
5.4	Forest Highways		200,000.00
5.5	State Highway Construction.....		138,154,000.00
5.6	Bridge Replacements.....		92,900,000.00
5.7	Air, Water, and Rail Transportation.....		55,000,000.00
	Total Federal Construction.....	\$	351,178,000.00
	Total Title III-30.....	\$	868,000,000.00

Said funds so appropriated shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. There is further appropriated to the Department of Transportation such departmental revenue, expressly including federal matching funds, as may accrue to the department.

The "Proposed Highway Program for Fiscal Year 2010-2011", prepared by the Department of Transportation as a supplement to and as "Supporting Data for the Budget Request", is hereby incorporated into and made a part of the Appropriations Act.

Whenever a determination is made that one or more of the projects in the approved program cannot be proceeded with, the Commissioner of Transportation shall furnish, in written form as prescribed by the Chairmen of the Finance, Ways and Means Committees of the Senate and House and the Chairmen of the Transportation Committees of the Senate and House, the reasons for such proposed cancellation or rescheduling of said project, together with a recommendation for a substitute project. The notice of cancellation or rescheduling of said project shall be submitted to the Speaker of the Senate, the Speaker of the House of Representatives, the Chairmen of the Finance, Ways and Means Committees of the Senate and House, the Chairmen of the Transportation Committees of the Senate and House and to the individual Senator and Representative in whose districts the canceled project or proposed substitution is located.

From the funds appropriated above in Item 4.2, State Aid, the sum of \$9,540,000 is allocated for the purpose of funding the state's eighty percent (80%) share of the project cost of the 1990 Bridge Grant Program. For the fiscal 2010-2011 budget, the state shall fund an eighty percent (80%) share of this program and local governments shall be responsible for funding the remaining twenty percent (20%), as set forth in Tennessee Code Annotated, Title 54, Chapter 4, Part 5.

For the fiscal year beginning July 1, 2010, the Commissioner of Transportation shall distribute this money among the ninety-five (95) county geographical areas of the state according to the following formula:

One-half of the funds shall be distributed equally, and one-half shall be distributed on the basis of structural needs. Structural needs shall be determined by calculating the ratio of linear feet of bridges with a load rating of less than ten tons, in each county geographical area, located on public roads other than those on a federal-aid system or the state system of highways, to the total linear feet of like bridges in the state.

31. State Funding Board

There is hereby appropriated to the State Funding Board for interest and reduction of the state debt, for debt service expense and interest on proposed bond authorization:

	<u>2010-2011</u>
1. Interest on State Debt	\$ 55,813,000.00
2. Retirement of Bonds.....	101,940,000.00
3. Debt Service Expense.....	1,000,000.00
4. Amortization of Authorized and Unissued Construction Bonds.....	87,500,000.00
5. Amortization of Authorized and Unissued Highway Bonds	122,600,000.00
6. Amortization of Bonds Issued – December 2009.....	19,900,000.00
Total Title III-31	\$ 388,753,000.00

The appropriation made under Section 1, Title III-31, Items 1, 2, 3, 4, 5, and 6, is made under the provisions of Tennessee Code Annotated, Title 9, Chapter 9, and may be increased to such amounts as will be necessary to carry out such provisions.

32. Capital Outlay

There is hereby appropriated to each of the departments and agencies enumerated herein, funds for major maintenance, equipment, construction and acquisition of land, and for expansion, improvement, betterments and repairs to existing structures. The Commissioner of Finance and Administration is hereby authorized to transfer the amounts herein appropriated to the Capital Projects Fund for the use of the said departments and agencies.

1. Department of Economic and Community Development – West Tennessee Megasite	\$ 2,800,000.00
2. Department of Environment and Conservation	4,590,000.00
3. Department of Education.....	90,000.00
4. Department of Finance and Administration – Intellectual Disabilities Services.....	50,000,000.00
5. Department of Military	512,500.00
6. Department of Safety	140,000.00
7. Tennessee Board of Regents.....	24,180,000.00
8. University of Tennessee.....	16,840,000.00
9. Department of Finance and Administration – Statewide Capital Maintenance	23,947,500.00
Total Title III-32.....	\$ 123,100,000.00

Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures and for the acquisition of additional land and space, including the purchase of existing structures and grants, as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are presented in the State of Tennessee's 2010-2011 Budget Document, as amended by any changes or additional projects contained in the Appropriations Act as passed on third and final consideration; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 15, Part 1, and further expressly providing for the making of grants to governmental entities. Such grants so identified and approved are determined to be for a public purpose.

33. Capital Outlay - Sinking Fund

There is hereby appropriated for the fiscal year beginning July 1, 2010, to the Sinking Fund from the receipts of the tax levied by Tennessee Code Annotated, Title 67, Chapter 4, Part 20, "The Excise Tax Law", an amount to be determined by the State Funding Board.

SECTION 2. Capital Outlay and Major Maintenance

Item 1. Any funds appropriated by this General Assembly for capital outlay, capital maintenance and major maintenance shall not revert to the general fund but shall remain available until expended. It is the intent of the General Assembly that funds of capital outlay nature shall remain available until expended for the purpose for which the appropriations were made.

In the fiscal years ending June 30, 2010, and June 30, 2011, the carry-forward and reappropriation of unexpended appropriations for major maintenance shall be subject to approval by the Commissioner of Finance and Administration based upon the availability of revenues and reserves in the general fund at June 30, 2010, and June 30, 2011.

Item 2. Any unexpended capital outlay or capital maintenance funds appropriated by previous General Assemblies for completed or discontinued projects shall be accumulated in a capital account to be administered by the Department of Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation by the Commissioner of Finance and Administration of each project to be provided for from said funds.

Item 3. From the appropriations made to the State Funding Board in Section 1, Title III-31, the Funding Board is hereby authorized to allocate and provide to the Capital Projects Fund such funds not required for debt service during fiscal year 2010-2011 for projects duly authorized and approved by the General Assembly; provided, however, that when the Funding Board allocates funds under this provision, any other appropriation or bond authorization for said purpose is hereby reduced accordingly.

Item 4. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to charge the administrative costs of the

construction programs to the capital outlay appropriations or to transfer from the Capital Projects Fund to the general fund an amount sufficient to cover those costs. Such expenditures shall be from non-bond proceeds.

Item 5. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of design and engineering positions to the capital outlay appropriations or to transfer from the Capital Projects Fund to the general fund an amount sufficient to cover these costs. This item is subject to approval by the State Building Commission.

Item 6. From the funds appropriated for capital outlay in this act and other acts of the legislature, the Commissioner of Finance and Administration, with the approval of the State Building Commission, is authorized to transfer the appropriations for capital outlay to the Department of Finance and Administration to provide for the centralized administration of capital outlay. It is further the legislative intent to allow for centralized administration of any project recommended by the Commissioner of Finance and Administration and approved by the State Building Commission.

Item 7. To the extent that the accumulated yearly interest and earnings of the Natural Resources Trust Fund are available through June 30, 2010, said funds are hereby appropriated to the Department of Environment and Conservation to be available for projects which are reviewed and evaluated under procedures established by the authority of Tennessee Code Annotated, Section 11-14-308.

Item 8. There is hereby appropriated to the Department of Mental Health and Developmental Disabilities the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund the department's master plan for facilities subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary.

Item 9. There is hereby appropriated to the Department of Military the proceeds from the sale of any real property and facilities being used by the department. The appropriation shall be available to fund replacement facilities for the department subject to approval by the State Building Commission.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary.

Item 10. Other provisions of the law to the contrary notwithstanding, any proceeds from the sale of surplus land and real property in Davidson County are hereby reappropriated to the Department of Finance and Administration to provide for the state's office space and support facilities requirements in Davidson County.

This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the

contrary. Any reappropriation made pursuant to the provisions of this item is subject to the approval of the State Building Commission.

Item 11. The appropriation in Section 1, Title III-7, to the Department of Correction, Sentencing Act of 1985, is made pursuant to TCA, Section 9-4-210.

(a) The appropriation reflects a base appropriation reduction of \$1,161,800, which recognizes the increased recurring operating costs at the Turney Center Industrial Complex, Southeastern Tennessee State Regional Correctional Facility, and West Tennessee State Penitentiary in fiscal year 2010-2011.

(b) The appropriation in the amount of \$31,950,000 is hereby reappropriated to the department for major maintenance and capital outlay purposes.

(c) From any remaining reserve fund balance carried forward at June 30, 2010, there is hereby appropriated a sum sufficient to the department for major maintenance and capital outlay purposes.

(d) Other appropriations made under this act to the Department of Correction, Sentencing Act of 1985, are hereby reappropriated to the department for major maintenance and capital outlay purposes.

(e) On or before October 1, 2010, the Commissioner of Finance and Administration shall submit a detailed financial report to the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives and to the Chair of the Corrections Oversight Committee concerning all activities of the "Sentencing Act of 1985 reserve account (established and maintained pursuant to TCA, § 9-4-210)" during fiscal year 2009-2010. The report shall indicate the account balance on July 1, 2009, and shall itemize all funds deposited into the reserve account as well as all funds allocated from the reserve account. For each such allocation from the reserve account, the report shall describe the purpose, amount and location of the allocation as well as any other information deemed to be informative by the Commissioner.

Item 12. The appropriation made in Section 1, Title III-2, Item 3.9, in the amount of \$13,000,000 is intended to provide for debt service on ten-year general obligation bonds in the amount of \$81,300,000 authorized by Chapter 962, Public Acts of 2006, to provide funds for the acquisition and implementation of enterprise resource planning software. Any unexpended funds for this purpose shall be transferred to the State Funding Board and the board is directed to cancel bonds in said amount.

Item 13. The capital outlay project, Northeast Correctional Complex Various Reroofs – Phase 1, to be funded in the amount of \$6,200,000 from the appropriation made in Section 2, Item 11(b), of this act and listed on page A140 of the 2010-2011 budget document, is deleted and there is hereby reappropriated the sum of \$6,200,000 to provide for various reroofs at the West Tennessee State Prison Site 3 in Lauderdale County.

SECTION 3.

Item 1. Appropriations made under Section 1, Titles III-11 and III-16, for the operation of the state regulatory boards, shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any said boards out of fees collected by them unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of said respective boards as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The allotment hereinabove provided shall be subject to the condition that no money shall be paid therefrom for the salary of any employee of said boards unless and until such salary has been approved by the Commissioner of Human Resources. The appointment of all employees of said boards shall likewise be approved by the Commissioner of Human Resources.

Notwithstanding any provision of law to the contrary, no member of any board or commission established by law or pursuant to law, which receives an appropriation under this act, regardless of the source of funding, shall receive any compensation, whether denominated per diem or by whatever name called, except for days in which such member actually works four (4) or more hours performing duties directly relating to that board's or commission's activities, or for time or days spent attending meetings of that board or commission. The chairman or head of each board or commission, the department head to which such board or commission is attached administratively, and the Commissioner of Finance and Administration, shall prescribe procedures to contain, as a minimum, a certification of time worked by each member claiming compensation.

Item 2. Except as otherwise provided in this section, the appropriations to the Wildlife Resources Agency under Section 1, Title III-6, shall be paid out of the special fund established under Tennessee Code Annotated, Title 70, Chapter 1, Part 4 and Section 69-9-203. Such appropriations shall be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, and shall be used only for the expenses of the Wildlife Resources Agency pursuant to Tennessee Code Annotated, Title 70 and Title 69, Chapter 9, Part 2, and no part of the unexpended fund left at the end of the fiscal year shall be used for any other purpose but shall be carried over in said fund and may be expended during the next year, and all of said fees and revenues provided by Tennessee Code Annotated, Title 70 and Title 69, Chapter 9, Part 2, are herein specifically apportioned and appropriated to the use and for the benefit of the Wildlife Resources Agency to be expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51. Nothing in this item shall be construed as relieving the Wildlife Resources Agency of the duty of policing littering of lakes and streams.

Item 3. The appropriation to the State Board of Law Examiners in Section 1, Title II, Item 16, shall be from funds generated by fees collected by the board under the provisions of Tennessee Code Annotated, Title 23, Chapter 1.

In case the appropriation to the board shall prove inadequate to allow the board to function efficiently, the Commissioner of Finance and Administration may make an additional allotment thereto from the general fund, the total of all allotments to the board not to exceed the revenues paid into the treasury by the board.

Item 4. The appropriation to the Department of Financial Institutions in Section 1, Title III-12, shall be derived from banking fees assessed pursuant to Tennessee Code Annotated, Title 45, Chapter 1, Part 1. No part of the unexpended fees left at the end of the fiscal year shall revert to the general fund.

DEPARTMENTAL REVENUES

SECTION 4. All departmental revenues of every kind, as hereinafter defined, collected by any department, institution, office, or agency, in the course of its operations, for its own use, are hereby appropriated to it in addition to the specific appropriations made by this act, unless otherwise provided in this act or other provision of law. Federal aid funds granted to the state for the use of or to be administered by any department, institution, or agency, are likewise appropriated. For the purpose of this section "departmental revenues" are defined as (1) earnings or charges for goods or services; (2) donations, contributions or participation by political subdivisions, foundations, corporations, firms or persons. State revenues, in contradistinction to departmental revenues, are the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by law.

Notwithstanding any provision of the previous paragraph, the Department of Health shall deposit all funds generated by fees or taxes collected by such entity in the general fund of the state. Any appropriations for the operation of such entity shall be subject to allotment by the Commissioner of Finance and Administration, and no expenditure shall be made by any such entity out of fees or taxes collected by it, unless and until such allotments have been made by the Commissioner of Finance and Administration. Such allotments for the operation of such entity as are made by the Commissioner of Finance and Administration shall be disbursed under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

The departmental revenues and federal aid funds appropriated under this act shall include the amounts hereinafter set out:

I. LEGISLATIVE		<u>2010-2011</u>
1.	Legislative Administration Services.....	\$ 17,000.00
2.	House of Representatives	28,500.00
3.	State Senate	22,000.00
4.	General Assembly Support Services.....	70,000.00
	Total Title I	\$ 137,500.00
II. JUDICIAL		
1.	Appellate and Trial Courts.....	\$ 27,300.00
2.	Supreme Court Buildings	613,000.00
3.	Child Support Referees	1,476,400.00

4.	Indigent Defendants' Counsel	5,000.00
5.	Appellate Court Clerks	1,627,100.00
6.	Judicial Programs and Commissions	498,200.00
7.	Administrative Office of the Courts.....	1,276,200.00
8.	Judicial Conference.....	40,000.00
9.	Council of Juvenile and Family Court Judges	67,500.00
	Total Title II	\$ 5,630,700.00

III. EXECUTIVE

1. Constitutional and Quasi-Judicial Offices

1.	Attorney General and Reporter		
1.1	Attorney General and Reporter.....	\$ 11,791,600.00	
1.2	Special Litigation.....	788,300.00	
	Total Attorney General and Reporter.....	\$ 12,579,900.00	
2.	District Attorneys General Conference		
2.1	District Attorneys General	\$ 6,632,000.00	
2.2	District Attorneys General Conference	161,100.00	
2.3	Executive Director.....	1,237,100.00	
2.4	IV-D Child Support Enforcement.....	18,603,300.00	
	Total District Attorneys General Conference	\$ 26,633,500.00	
3.	Secretary of State		
3.1	Secretary of State	\$ 7,165,500.00	
3.2	State Library and Archives.....	3,634,300.00	
3.3	Regional Library System.....	822,500.00	
3.4	Bureau of Ethics and Campaign Finance	515,100.00	
3.5	Economic Council on Women.....	68,000.00	
3.6	Charitable Solicitations and Charitable Gaming	1,399,000.00	
3.7	Help America Vote Act.....	20,500,000.00	
	Total Secretary of State	\$ 34,104,400.00	
4.	District Public Defenders Conference		
4.1	District Public Defenders.....	\$ 1,946,600.00	
	Total District Public Defenders Conference	\$ 1,946,600.00	
5.	Comptroller of the Treasury		
5.1	Division of Administration.....	\$ 109,400.00	
5.2	Office of Management Services.....	272,500.00	
5.3	Capitol Print Shop	1,338,800.00	
5.4	Division of State Audit.....	4,426,400.00	
5.5	Division of County Audit.....	1,253,200.00	
5.6	Division of Municipal Audit	215,000.00	
5.7	Division of Bond Finance	531,200.00	
5.8	Office of Local Government	200,000.00	
5.9	Division of Property Assessments	1,719,500.00	
5.10	State Board of Equalization	100,000.00	
5.11	Offices of Research and Education Accountability	552,600.00	

5.12	Office of State Assessed Properties	125,000.00
5.13	Telecommunications Ad Valorem Tax Equity Payments	172,100.00
	Total Comptroller of the Treasury	\$ 11,015,700.00
6.	Treasury Department	
6.1	Treasury Department	\$ 23,254,700.00
6.2	Small and Minority-Owned Business Assistance Program	395,000.00
	Total Treasury Department	\$ 23,649,700.00
7.	Claims and Compensation	
7.1	Criminal Injuries Compensation	\$ 5,400,000.00
7.2	Unclaimed Property	31,500,000.00
7.3	Risk Management Fund	57,286,800.00
	Total Claims and Compensation	\$ 94,186,800.00
	Total Title III-1	\$ 204,116,600.00
2.	Executive Offices	
1.	Commissions	
1.1	Commission on Children and Youth	\$ 5,844,400.00
1.2	Commission on Aging and Disability	28,759,600.00
1.3	Alcoholic Beverage Commission	5,102,300.00
1.4	Human Rights Commission	741,100.00
1.5	Advisory Commission on Intergovernmental Relations	2,612,600.00
1.6	Tennessee Housing Development Agency	248,395,400.00
1.7	Arts Commission	1,674,400.00
1.8	Tennessee Regulatory Authority	500,900.00
1.9	Health Services and Development Agency	16,400.00
1.10	Corrections Institute	60,000.00
1.11	Tennessee Rehabilitative Initiative in Correction	31,353,400.00
1.12	State Museum	105,000.00
	Total Commissions	\$ 325,165,500.00
2.	Department of Finance and Administration	
2.1	Division of Administration	\$ 8,839,800.00
2.2	Office for Information Resources	125,027,000.00
2.3	Benefits Administration	12,126,700.00
2.4	Division of Accounts	12,105,000.00
2.5	Criminal Justice Programs	20,849,500.00
2.6	Real Property Administration	5,131,200.00
2.7	Volunteer Tennessee	4,366,600.00
2.8	Resource Development and Support	165,500.00
2.9	Office of Inspector General	4,572,600.00
2.10	Enterprise Resource Planning	15,671,700.00
2.11	Shared Services Solutions	883,900.00
	Total Department of Finance and Administration	\$ 209,739,500.00
3.	Department of Human Resources	
3.1	Executive Administration	\$ 859,900.00
3.2	Human Resource Development	2,672,700.00

3.3	Technical Services.....		3,451,900.00
	Total Department of Human Resources	\$	6,984,500.00
4.	Department of General Services		
4.1	Administration	\$	5,528,500.00
4.2	Postal Services		21,551,000.00
4.3	Property Utilization.....		1,551,300.00
4.4	Motor Vehicle Management.....		32,296,300.00
4.5	Property Management		13,066,500.00
4.6	Printing and Media Services		4,475,000.00
4.7	Purchasing.....		4,507,600.00
4.8	Office of Information Technology Services (OITS)		1,929,300.00
4.9	Warehouse Administration.....		3,813,300.00
4.10	Records Management.....		1,078,600.00
	Total Department of General Services.....	\$	89,797,400.00
5.	Department of Veterans Affairs	\$	539,700.00
	Total Title III-2.....	\$	632,226,600.00
3.	Department of Agriculture		
1.	Administration and Grants.....	\$	5,464,300.00
2.	Regulatory Services		6,653,500.00
3.	Market Development		442,800.00
4.	Forestry Operations.....		6,387,300.00
5.	Grain Indemnity Fund.....		126,700.00
6.	Agricultural Regulatory Fund.....		120,000.00
	Total Title III-3.....	\$	19,194,600.00
4.	Department of Tourist Development		
1.	Administration and Marketing.....	\$	1,047,200.00
2.	Welcome Centers.....		6,384,800.00
	Total Title III-4.....	\$	7,432,000.00
5.	Department of Environment and Conservation		
1.	Administrative Services	\$	10,012,600.00
2.	Recreation Educational Services		4,475,800.00
3.	Historical Commission.....		504,600.00
4.	Land and Water Conservation Fund		750,000.00
5.	Archaeology		98,000.00
6.	Geology		695,500.00
7.	Tennessee State Parks		35,394,000.00
8.	Natural Areas		249,700.00
9.	State Parks Maintenance		284,600.00
10.	Elk River Resource Management.....		828,000.00
11.	West Tennessee River Basin Authority.....		349,800.00

12.	Environment Administration	4,014,800.00
13.	Air Pollution Control.....	11,862,600.00
14.	Radiological Health	5,249,800.00
15.	Water Pollution Control	13,210,200.00
16.	Solid Waste Management	9,570,900.00
17.	DOE Oversight	6,778,800.00
18.	Hazardous Waste Remedial Action Fund	10,743,800.00
19.	Water Supply	7,108,600.00
20.	Groundwater Protection	5,770,800.00
21.	Underground Storage Tanks	2,077,300.00
22.	Clean Water and Drinking Water State Revolving Fund	70,814,000.00
23.	Used Oil Collection Program	233,900.00
24.	Fleming Training Center.....	1,163,600.00
25.	Office of Environmental Assistance.....	917,700.00
26.	Tennessee Heritage Conservation Trust Fund	1,000,000.00

Total Title III-5.....\$ 204,159,400.00

6. Tennessee Wildlife Resources Agency

1.	Wildlife Resources Agency.....	\$ 27,332,400.00
2.	Boating Safety	3,316,900.00
3.	Wetlands Acquisition Fund.....	70,000.00

Total Title III-6.....\$ 30,719,300.00

7. Department of Correction

1.	Administration	\$ 6,053,700.00
2.	State Prosecutions	800,000.00
3.	Correction Academy.....	64,900.00
4.	Tennessee Prison for Women.....	843,100.00
5.	Turney Center Industrial Complex.....	1,327,000.00
6.	Mark Luttrell Correctional Facility	542,000.00
7.	Charles B. Bass Correctional Complex	1,131,800.00
8.	Southeastern Tennessee State Regional Correctional Facility	788,100.00
9.	Hardeman County Incarceration Agreement.....	18,900.00
10.	Hardeman County Agreement – Whiteville	18,700.00
11.	West Tennessee State Penitentiary	1,320,200.00
12.	Riverbend Maximum Security Institution	426,900.00
13.	Northeast Correctional Complex	1,316,500.00
14.	South Central Correctional Center	18,700.00
15.	Northwest Correctional Complex.....	1,732,400.00
16.	Lois M. DeBerry Special Needs Facility	397,400.00
17.	Morgan County Correctional Complex	1,654,400.00
18.	Sentencing Act of 1985	7,500.00
19.	Sex Offender Treatment Program	60,000.00

Total Title III-7.....\$ 18,522,200.00

8. Department of Economic and Community Development

1.	Administrative Services	\$	743,300.00
2.	Business Development.....		90,500.00
3.	Regional Grants Management		28,360,600.00
4.	Business Services		15,201,200.00
5.	FastTrack Infrastructure and Job Training Assistance		340,500.00
6.	Community Development		1,986,900.00
7.	Energy Division		5,815,900.00
8.	Small Business Energy Loan Program.....		100,000.00
9.	Tennessee Energy Loan Program		5,000,000.00
10.	Local Government Energy Loan Program.....		100,000.00
11.	Tennessee Job Skills Program.....		9,285,200.00
12.	Film and Television Incentive Fund.....		48,600.00
	Total Title III-8.....	\$	67,072,700.00

9. Department of Education

1.	Administration	\$	1,640,200.00
2.	Grants-In-Aid		3,665,100.00
3.	ESEA No Child Left Behind.....		389,575,900.00
4.	Technology, Infrastructure, and Support Systems		1,581,500.00
5.	Training and Professional Development		3,656,800.00
6.	Curriculum and Instruction		30,572,200.00
7.	Improving Schools Program		47,190,900.00
8.	Career Ladder		15,000,000.00
9.	Accountability and Assessment.....		18,958,000.00
10.	After-School Programs Special Account		800,000.00
11.	Governor's Books from Birth Fund		340,000.00
12.	Basic Education Program.....		337,307,300.00
13.	Early Childhood Education		6,618,000.00
14.	Energy Efficient Schools Initiative		35,413,700.00
15.	School Nutrition Programs		251,233,400.00
16.	Special Education Services.....		328,887,100.00
17.	Career and Technical Education Programs		36,810,800.00
18.	Race to the Top.....		120,117,300.00
19.	Tennessee School for the Blind		871,400.00
20.	Tennessee School for the Deaf.....		1,346,200.00
21.	West Tennessee School for the Deaf.....		262,800.00
22.	Tennessee Early Intervention Services.....		29,658,300.00
	Total Title III-9.....	\$	1,661,506,900.00

10. Higher Education

1.	State-Administered Programs		
1.1	Tennessee Higher Education Commission.....	\$	7,579,500.00
1.2	Tennessee Student Assistance Awards		8,362,400.00
1.3	Federal Family Education Loan Program (FFELP).....		190,002,500.00
1.4	Tennessee Student Assistance Corporation.....		24,148,600.00

1.5	Academic Scholars Program		378,700.00
1.6	Loan/Scholarship Programs.....		3,195,900.00
1.7	THEC Grants		1,286,900.00
1.8	Lottery for Education Account.....		31,400,000.00
	Total State-Administered Programs.....	\$	266,354,500.00
	Total Title III-10.....	\$	266,354,500.00
	11. Department of Commerce and Insurance		
1.	Administration	\$	7,684,000.00
2.	Insurance		13,129,300.00
3.	Fire Prevention.....		20,376,100.00
4.	TennCare Oversight.....		2,577,800.00
5.	Securities		1,945,500.00
6.	Consumer Affairs.....		82,000.00
7.	Fire Service and Codes Enforcement Academy		918,100.00
8.	911 Emergency Communications Fund.....		27,885,900.00
9.	Regulatory Boards.....		458,400.00
10.	Tennessee Law Enforcement Training Academy.....		1,641,400.00
11.	POST Commission.....		1,500.00
	Total Title III-11	\$	76,700,000.00
	12. Department of Financial Institutions.....	\$	8,118,300.00
	Total Title III-12.....	\$	8,118,300.00
	13. Department of Labor and Workforce Development		
1.	Administration	\$	6,382,900.00
2.	Tennessee Occupational Safety and Health Administration (TOSHA).....		4,123,500.00
3.	Workers' Compensation		32,000.00
4.	Mines		239,600.00
5.	Boilers and Elevators		98,200.00
6.	Labor Standards.....		212,900.00
7.	Employment and Training		73,048,700.00
8.	Second Injury Fund		275,000.00
9.	Adult Basic Education		11,697,600.00
10.	Employment Security		82,456,400.00
	Total Title III-13.....	\$	178,566,800.00
	14. Department of Mental Health and Developmental Disabilities		
1.	Administration		
1.1	Administrative Services Division.....	\$	5,274,300.00
	Total Administration	\$	5,274,300.00
2.	Mental Health Services		
2.1	Community Mental Health Services.....	\$	15,372,800.00
2.2	Lakeshore Mental Health Institute		14,446,100.00
2.3	Middle Tennessee Mental Health Institute.....		25,133,200.00
2.4	Western Mental Health Institute.....		19,464,700.00
2.5	Moccasin Bend Mental Health Institute.....		13,919,500.00
2.6	Memphis Mental Health Institute.....		11,434,600.00
	Total Mental Health Services	\$	99,770,900.00

3.	Alcohol and Drug Abuse Services		
3.1	Community Alcohol and Drug Abuse Services	\$	39,317,200.00
	Total Alcohol and Drug Abuse Services	\$	39,317,200.00
	Total Title III-14	\$	144,362,400.00
15.	Department of Military		
1.	Administration	\$	993,900.00
2.	Army National Guard		6,435,200.00
3.	Air National Guard		12,554,500.00
4.	Tennessee Emergency Management Agency		8,887,000.00
5.	Armories Maintenance		7,190,200.00
6.	Homeland Security Grants		55,036,600.00
7.	TEMA Disaster Relief Grants		5,000,000.00
8.	Armories Utilities		1,836,600.00
	Total Title III-15	\$	97,934,000.00
16.	Department of Health		
1.	Administration		
1.1	Executive Administration	\$	2,145,000.00
1.2	Administrative Services		1,205,500.00
1.3	Office for Information Technology Services		126,000.00
1.4	Policy Planning and Assessment		5,679,900.00
	Total Administration	\$	9,156,400.00
2.	Manpower Resources and Facilities		
2.1	Bureau of Health Licensure and Regulation	\$	8,226,700.00
2.2	Emergency Medical Services		1,259,100.00
2.3	Laboratory Services		12,690,800.00
2.4	Health Related Boards		129,000.00
	Total Manpower Resources and Facilities	\$	22,305,600.00
3.	Community Health Services		
3.1	General Environmental Health	\$	1,028,600.00
3.2	Health Services Administration		11,170,600.00
3.3	Maternal and Child Health		10,185,200.00
3.4	Communicable and Environmental Disease Services		58,166,000.00
3.5	Community and Medical Services		10,914,700.00
3.6	Women, Infants, and Children (WIC)		142,983,000.00
3.7	Diabetes Prevention and Health Improvement		7,652,100.00
	Total Community Health Services	\$	242,100,200.00
4.	Local Health Services	\$	149,913,100.00
	Total Title III-16	\$	423,475,300.00

17. Department of Human Services		
1.	Administration	
1.1	Administration	\$ 45,182,900.00
1.2	Field Operations.....	12,527,900.00
1.3	County Rentals	11,030,800.00
1.4	Appeals and Hearings.....	8,763,600.00
	Total Administration	\$ 77,505,200.00
2.	Family Assistance Services	
2.1	Child Support	\$ 57,769,900.00
2.2	Child Care Benefits	177,355,700.00
2.3	Temporary Cash Assistance.....	104,058,200.00
2.4	Food Stamp Benefits	1,850,600,000.00
2.5	Family Assistance Services	109,908,700.00
	Total Family Assistance Services	\$ 2,299,692,500.00
3.	Social Services	
3.1	Community Services	\$ 139,105,800.00
	Total Social Services	\$ 139,105,800.00
4.	Rehabilitative Services	
4.1	Vocational Rehabilitation	\$ 68,383,000.00
4.2	Disability Determination	57,562,500.00
	Total Rehabilitative Services.....	\$ 125,945,500.00
	Total Title III-17	\$ 2,642,249,000.00
18. Department of Revenue		
1.	Administration Division	\$ 3,041,600.00
2.	Tax Enforcement Division	2,745,600.00
3.	Information Technology Resources Division	4,139,400.00
4.	Taxpayer and Vehicle Services Division	2,925,200.00
5.	Audit Division	9,590,000.00
6.	Processing Division	2,582,100.00
	Total Title III-18	\$ 25,023,900.00
19.	Tennessee Bureau of Investigation	\$ 29,237,400.00
	Total Title III-19	\$ 29,237,400.00
20. Department of Safety		
1.	Administration	\$ 546,000.00
2.	Driver License Issuance	32,875,300.00
3.	Highway Patrol	12,980,700.00
4.	Auto Theft Investigations.....	350,100.00
5.	Motor Vehicle Operations.....	119,600.00
6.	Technical Services	6,466,100.00
7.	Office of Homeland Security.....	4,151,300.00

	Total Title III-20	\$	57,489,100.00
21. Cover Tennessee Health Care Programs			
1.	CoverKids	\$	129,581,600.00
2.	CoverRx		400,000.00
	Total Title III-21	\$	129,981,600.00
22. Department of Children's Services			
1.	Administration	\$	22,521,400.00
2.	Family Support Services		10,611,900.00
3.	Custody Services		125,284,600.00
4.	Adoption Services		37,297,900.00
5.	Child and Family Management.....		138,232,300.00
6.	John S. Wilder Youth Development Center.....		288,800.00
7.	Taft Youth Development Center.....		567,000.00
8.	Woodland Hills Youth Development Center.....		482,800.00
9.	Mountain View Youth Development Center		318,800.00
10.	Community Treatment Facilities.....		2,945,300.00
	Total Title III-22	\$	338,550,800.00
23. Board of Probation and Parole			
1.	Probation and Parole Services.....	\$	901,700.00
	Total Title III-23.....	\$	901,700.00
24. Department of Finance and Administration – Intellectual Disabilities Services			
1.	Intellectual Disabilities Services Administration	\$	11,990,900.00
2.	Community Intellectual Disabilities Services		533,896,900.00
3.	Quality Assurance Program		7,500,700.00
4.	Clover Bottom Developmental Center.....		23,800,600.00
5.	Greene Valley Developmental Center.....		52,450,700.00
6.	West Tennessee Regional Office.....		16,401,800.00
7.	Middle Tennessee Regional Office		9,048,900.00
8.	East Tennessee Regional Office.....		10,052,700.00
9.	West Tennessee Resource Center		5,312,700.00
10.	West Tennessee Community Homes.....		13,447,400.00
11.	East Tennessee Community Homes.....		11,305,800.00
12.	Developmental Disabilities Council		1,961,100.00
	Total Title III-24	\$	697,170,200.00
25. Department of Finance and Administration – Bureau of TennCare			
1.	TennCare Administration.....	\$	125,071,600.00
2.	TennCare Services.....		3,356,913,200.00

3.	Waiver and Crossover Services	689,943,700.00
4.	Long Term Care Services	701,513,100.00
5.	Governor's Office of Children's Care Coordination	4,497,900.00

Total Title III-25.....\$ 4,877,939,500.00

26. Department of Transportation

1.	Mass Transit	\$ 98,470,000.00
2.	Planning and Research	14,000,000.00
3.	Highway Maintenance	1,100,000.00
4.	Highway Betterments	100,000.00
5.	State Aid.....	9,414,000.00
6.	State Industrial Access.....	200,000.00
7.	Interstate Construction	134,520,000.00
8.	Forest Highways.....	700,000.00
9.	Local Interstate Connectors	3,000,000.00
10.	State Highway Construction	549,318,000.00
11.	Bridge Replacements	53,460,000.00
12.	Air, Water, and Rail Transportation	16,900,000.00

Total Title III-26.....\$ 881,182,000.00

27. Facilities Revolving Fund

1.	General Services Operating Maintenance	\$ 51,531,100.00
2.	General Services Project Maintenance	1,700,000.00
3.	Facilities Management	50,171,200.00
4.	Capital Projects	6,500,000.00
5.	Debt Service	23,500,000.00

Total Title III-27.....\$ 133,402,300.00

28. State Building Commission

1.	Major Maintenance and Equipment.....	\$ 150,000.00
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Total Title III-28.....\$ 150,000.00

REFUND OF RECEIPTS

SECTION 5.

Item 1. There is hereby appropriated the necessary and sufficient sums to refund any collection or part thereof made erroneously or illegally for the use or benefit of the state or any of its departments, institutions, offices or agencies. Such refunds shall be made in accordance with existing law as applicable in any particular case. In case revenues are not adequate to meet in full all appropriations made, the appropriations made for Sinking Fund Debt Service and the amounts necessary to cover the salary and wage obligations of the state shall have preferential payment.

Item 2. With respect to any revenues or receipts collected by any department or agency with the exception of those collected by the Department of Revenue, notwithstanding any provisions of the law to the contrary, such amounts as are determined to have been erroneously paid may be refunded by such procedure as may be approved by the Commissioner of Finance and Administration and the Comptroller of the Treasury.

SECTION 6. In addition to the appropriations made to the State Funding Board in Section 1, Title III-31, of this act, there is appropriated the following items:

Item 1. There is hereby appropriated a sum sufficient from the internal service funds available to the Department of Finance and Administration, Office of Information Resources, to provide the debt service on general obligation bond and note issues authorized in the following amounts:

- (1) Chapter 952, Public Acts of 1996\$ 20,000,000.00
- (2) Chapter 962, Public Acts of 2006\$ 43,800,000.00

Item 2. From the funds appropriated in Section 1, Title III-31, Item 6, Amortization of Authorized and Unissued Highway Bonds, the sum of \$77,000,000.00 is appropriated in lieu of issuing highway bonds under the provisions of Chapter 852, Public Acts of 2002; and the sum of \$27,600,000.00 is appropriated in lieu of issuing bonds under the provisions of Chapter 1193, Public Acts of 2008 (State Route 840 bonds). The State Funding Board shall take the necessary action to cancel the unissued bonds.

Item 3. For the purpose of defraying the costs of issuance of debt and the administration of authorized programs of the Tennessee Local Development Authority, there is hereby appropriated to the Tennessee Local Development Authority an amount not to exceed \$25,000.00 from the State Loan Program Fund. Such amounts shall be determined as necessary by the State Funding Board and the Tennessee Local Development Authority.

Item 4. From the appropriation made in Section 1, Title III-31, of this act to the State Funding Board, a sum not to exceed \$3,800,000 is earmarked to pay debt service on general obligation bonds issued under the authority of Chapter 582, Public Acts of 1996, for the purpose of making a grant to the Metropolitan Government of Nashville and Davidson County for the construction of a sports stadium. It is the legislative intent that said appropriations shall be funded first from the sales tax revenues allocated under the provisions of Tennessee Code Annotated, Section 67-6-103(d)(1), and any revenues in excess of debt service requirements shall be reserved at June 30 and not revert to the fund balance and that said appropriations, to the extent required, shall be funded second from revenues and reserves available to the debt service fund.

Item 5. To provide the debt service on the general obligation bonds authorized under Chapter 313, Public Acts of 2003, there is hereby appropriated a sum sufficient from the funds available to the State Funding Board pursuant to agreements entered into thereunder.

Item 6. 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 legislature, 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 under the authorization of Chapter 313, Public Acts of 2003.

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 legislature, 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 \$10,700,000 under the authorization of Chapter 591, Public Acts of 2007.

Item 8. In addition to the appropriations made in Section 1, Title III-31, of this act to the State Funding Board, and to the extent that the board issues any tax revenue anticipation notes pursuant to the provisions of Tennessee Code Annotated, Section 9-10-101, there is hereby appropriated a sum sufficient from subsequently available funds of the state to pay debt service on such notes within the fiscal year of issuance.

Item 9. There is hereby appropriated to the Tennessee State School Bond Authority a sum sufficient in the amount of payments allowable to the Authority from the federal government pursuant to the qualified school construction bond program or similar programs, for purposes of debt service on such bonds.

Item 10. Pursuant to Tennessee Code Annotated, Section 9-9-208(4), the State Funding Board is directed to cancel unissued bonds in the amount of eleven million six hundred ninety-seven dollars and ninety-seven cents (\$11,000,697.97) authorized by Chapter 313, Public Acts of 2003, the proceeds of which were allocated to the Department of Finance and Administration for the purpose of funding state veterans' homes projects and for the purpose of refunding outstanding debt of the Tennessee Veterans' Homes Board related to state veterans' homes. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it.

SECTION 7. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions. From the funds appropriated to the:

Item 1. It is the legislative intent that annual dues assessed by the Council of State Governments (CSG) and the National Conference of State Legislatures (NCSL) be paid quarterly and timely from the funds appropriated in Section 1, Title III-22, Item 17, for Intergovernmental Conferences Dues. CSG dues for 2010-2011 shall be remitted in four (4) equal payments of \$37,643 (\$150,572 annualized), and NCSL dues shall be remitted in four (4) equal payments of \$51,004.50 (\$204,018 annualized).

It is further the legislative intent that the annual dues assessed by The National Conference of Insurance Legislators be paid timely in the amount of \$10,000 from the funds appropriated in Section 1, Title III-22, Item 17, for Intergovernmental Conference Dues.

Item 2. From the appropriation made for the State Election Commission under Section 1, Title III-1, Item 3.2, there is hereby appropriated funds for expenses of the State Election Commission, including the printing of election laws, the office of the Coordinator of Elections, and other expenses of administering election laws. The salary of each member of the State Election Commission shall be nine thousand dollars (\$9,000.00) annually, except that the Chairman of the State Election Commission shall be

paid an additional one thousand eight hundred dollars (\$1,800.00) annually for additional duties required of him and the Secretary of the State Election Commission shall be paid an additional one thousand two hundred dollars (\$1,200.00) annually for additional duties required of him. The Secretary of State is hereby authorized to make all necessary purchases of election supplies from funds appropriated for such purpose in accordance with state purchasing procedures.

Item 3. From the funds appropriated to the Office of the Comptroller of the Treasury and the Department of Finance and Administration, there is hereby authorized to be allocated an amount not to exceed \$45,000.00 for the purpose of meeting the State of Tennessee's participation in the cost of supporting the National Council on Governmental Accounting or a governmental accounting standards board in the establishment of governmental accounting standards and principles.

Item 4. Maintenance of the Tennessee Residence in the amount of forty-eight thousand dollars (\$48,000.00) per year, and travel expenses as certified by the Governor, shall be paid by the Commissioner of Finance and Administration from the appropriations made under Section 1, Title III-2, Item 1.1, for the Governor's Office, it being the legislative intent that the residence should be maintained and operated as the official residence and office of the Chief Executive of Tennessee in a manner required of the Office of Governor.

Item 5. Tennessee Arts Commission in Section 1, Title III-2, Item 2.9, the sum of \$80,000.00 is hereby appropriated for the purpose of making a grant to Fisk University for the necessary staff, services and other costs associated with maintaining and showing the Stieglitz Collection at Fisk University. It is the legislative intent that this appropriation is a direct appropriation grant and that it be processed accordingly by the Commissioner of Finance and Administration. This appropriation is made under the provisions of Tennessee Code Annotated, Section 4-20-202.

Item 6. Tennessee Arts Commission in Section 1, Title III-2, Item 2.9, the grant to the Knoxville Arts Council for ticket subsidies for students in East Tennessee shall provide for a sub-grant to the Allied Arts of Greater Chattanooga. It is the legislative intent that the grant be shared on a per student basis.

Item 7. Department of Finance and Administration in Section 1, Title III-2, Item 3.4, there is hereby earmarked a sum sufficient from the proceeds of the \$15.00 privilege tax on marriage licenses for purposes of funding family violence shelters and shelter services. This appropriation is made under the provisions of Tennessee Code Annotated, Section 67-4-411.

Item 8. Board of Probation and Parole in Section 1, Title III-24, Item 2, the board is authorized to make a grant of up to \$182,000 to "Project Return".

Item 9. Board of Probation and Parole in Section 1, Title III-24, Item 2, the sum of \$136,500 is for the sole purpose of making a grant in such amount to Dismas, Inc., to be used for assisting with their programs in the State of Tennessee, and for no other purpose. From the funds appropriated to Dismas, Inc., there is earmarked the sum of \$25,000 to Chattanooga Endeavors (formerly Dismas House of Chattanooga) and \$8,000 to Better Decisions (formerly DECISIONS, a program of the DISMAS, Inc., home office) for the sole purpose of maintaining operations at their former level.

Item 10. The appropriation to the Department of Correction, Sex Offender Treatment Program in Section 1, Title III-7, Item 19, is made pursuant to Tennessee Code Annotated, Section 39-13-709.

Item 11. Department of Economic and Community Development in Section 1, Title III-8, Item 3, the amount of \$100,000.00 is to be paid to the Nashville Minority Business Center and the amount of \$100,000.00 is to be paid to the Minority Enterprise Development as direct appropriation grants.

Item 12. Commission on Fire Fighting Personnel Standards and Education in Section 1, Title III-11, Item 10, funds are earmarked for payment to eligible units of local government to pay bonus supplements to firemen who successfully complete during calendar year 2010 an in-service training program appropriate to such fireman's rank and responsibility and the size and location of his department of at least forty (40) hours duration at a school established or certified by such commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 24 and Section 56-4-205(c), and no supplement to any person shall exceed six hundred dollars (\$600.00).

Item 13. POST Commission in Section 1, Title III-11, Item 6, funds are earmarked for payment to eligible units of local government which have required all police officers to complete during calendar year 2010 an in-service training course appropriate to each officer's rank and responsibility commensurate with the size and location of his department of at least forty (40) hours duration at a school certified or recognized by the Peace Officer Standards and Training Commission. The funds appropriated by this item shall be disbursed in accordance with the provisions of Tennessee Code Annotated, Title 38, Chapter 8, Part 1, and no recipient shall be eligible to receive a supplement of more than six hundred dollars (\$600.00).

Item 14. Department of Health in Section 1, Title III-16, Item 3.5, the amount of \$113,700 is to be paid 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 15. In the fiscal year ending June 30, 2011, it is the legislative intent that the sum of two million dollars (\$2,000,000) be credited to the Health Access Incentive Account pursuant to Tennessee Code Annotated, Section 66-29-121, and that \$1,000,000 of the appropriation made in Section 4, Title III-16, of this act be funded from the program's reserve balance.

Item 16. From the appropriation in Section 1, Title III-27, for the Emergency and Contingency Fund, there is hereby appropriated an amount not to exceed three hundred nineteen thousand three hundred dollars (\$319,300.00) for the following purposes: (1) forest fire control in the Division of Forestry, (2) payment of indemnities for destruction of livestock and extraordinary veterinary payrolls for cattle market fluctuations by the Department of Agriculture, (3) payment of extraordinary expenditures for insect and pest

control efforts by the Department of Agriculture, and (4) the cost of personnel and equipment needed to restore law and order in instances arising out of civil disorders.

Item 17. The appropriation made in Section 1, Title II, Item 6, of this act, for Civil Legal Representation shall be adjusted to an amount equal to the revenue collected in the fiscal year ending June 30, 2010, from the earmarked litigation tax levied pursuant to Tennessee Code Annotated, Section 67-4-602(g) and Section 16-3-808.

In addition to the preceding appropriation, there is hereby appropriated a sum sufficient not to exceed the revenue collected in the fiscal year ending June 30, 2010, from the earmarked bail bond tax levied pursuant to Tennessee Code Annotated, Section 67-4-806, for the purpose of developing and providing continuing education for professional Bail Bonding Agents and providing civil legal representation to low-income Tennesseans.

Item 18.

(a) From the appropriations in Section 1 of this act, there hereby is appropriated \$8,325,000 from the real estate transfer tax, to be allocated to the following programs, as authorized by Tennessee Code Annotated, Section 67-4-409:

(1) Agricultural Resources Conservation Fund	\$	2,250,000
(2) Local Parks Acquisition Fund		0
(3) State Lands Acquisition Fund		75,000
of which \$75,000 shall be allotted for payments in lieu of taxes; and		
(4) 1986 Wetland Acquisition Fund		6,000,000
of which \$400,000 shall be allotted for payments in lieu of taxes.		

(b) From the appropriations in Section 1 of this act, there is appropriated from the general fund the sum of \$8,675,000 (non-recurring) to the following funds:

(1) Agricultural Resources Conservation Fund	\$	937,500
(2) Local Parks Acquisition Fund		3,718,700
(3) State Lands Acquisition Fund		3,112,500;
and		
(4) 1986 Wetland Acquisition Fund		906,300.

Item 19.

(a) The appropriation made to the Department of Agriculture in Section 1 of this act is reduced by the sum of \$6,300,000. Such funding reduction is for the

purpose of reducing the base appropriation for the agricultural enhancement program.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$6,300,000 (non-recurring) to the Department of Agriculture for the purpose of the agricultural enhancement program.

SECTION 8. In addition to the appropriations made in Section 1 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

Item 1. To pay all lawful claims due from the state to any of the several counties thereof on account of unpaid court costs, unpaid allotments of taxes distributable by the state to the counties and such other sums as may be due from the state to the counties, but none of such funds shall be distributed to the counties of the state until after the validity of the claims has been investigated and approved by the State Comptroller and the Governor. Provided, however, that such funds shall not include funds due to counties and cities for the state share of costs to cities and counties as required by Section 24, Article II, of the Constitution of Tennessee.

Item 2. To the Tennessee Code Commission for the following purposes: (1) to purchase pocket supplements for the state-owned sets of Tennessee Code Annotated; (2) to purchase replacement volumes for state-owned sets of Tennessee Code Annotated; (3) to purchase replacement sets of Tennessee Code Annotated; (4) to purchase sets of Tennessee Code Annotated for judges of new courts created during the 2010 Session of the General Assembly; (5) to purchase pocket supplements for the state-owned sets of the Index to the Private Acts of Tennessee; and (6) to pay for proofreading and other expenses involved in preparing supplements and replacement volumes for Tennessee Code Annotated.

Item 3. To pay the salaries and travel expenses of all persons appointed to sit as Special Judges, Special District Attorneys General and/or Special Prosecutors under statutes relating to the state judicial system.

Item 4. To provide for indigent defendants counsel in capital cases.

Item 5. To pay fees of special counsel who may be employed by the Governor, on recommendation of the Attorney General, and to pay other expenses in special cases of litigation involving the state. In matters involving the Tennessee Regulatory Authority, Housing Development Agency, Wildlife Resources Agency, financial institutions, regulatory boards and other programs and agencies funded by earmarked or dedicated revenues, the sum sufficient appropriation shall be provided from said earmarked or dedicated revenues. In matters involving departments, agencies and/or programs funded in whole or in part with federal aid and/or departmental revenues and reserves, the sum sufficient appropriation may be provided in whole or in part from said revenues and reserves.

Item 6. To the Administrative Office of the Courts from revenues and reserves available to the following programs:

(a) "Divorcing Parent Education and Mediation Fund" and the "Marriage License Tax" pursuant to Tennessee Code Annotated, Section 36-6-413(b)(2).

(b) Tennessee Judicial Information System Fund pursuant to Tennessee Code Annotated, Section 16-3-807.

(c) Board of Professional Responsibility, Tennessee Lawyers Assistance Programs, Continuing Legal Education and Client Protection Fund. Additional positions as required are authorized to be established.

(d) Municipal Court Judges and Municipal Court Clerks Training and Continuing Legal Education pursuant to Tennessee Code Annotated, Section 16-18-304.

(e) General Sessions Judges' Conference pursuant to Tennessee Code Annotated, Section 16-15-5007 and Section 67-4-606(a)(9), to defray expenses of serving the general sessions courts.

(f) Tennessee Judicial Information System Fund established in Tennessee Code Annotated, Section 16-3-807, to the Automated Court System Hardware Replacement Loan Fund established in Tennessee Code Annotated, Section 16-3-1001. This appropriation is subject to approval by the Commissioner of Finance and Administration.

(g) Board of Court Reporting pursuant to Tennessee Code Annotated, Section 20-9-616.

Item 7. To the Attorney General and Reporter from the revenues and reserves available to the following programs:

(a) False Claims Act Fund established pursuant to Tennessee Code Annotated, Section 4-18-104(j). The Commissioner of Finance and Administration is authorized to adjust the appropriation made under Section 1, Title III-1, Item 1.1, of this act to recognize any reimbursement for expenses already provided.

(b) Reserve for Attorney General Litigation Settlement. The Commissioner of Finance and Administration is authorized to establish positions as may be required.

Item 8. To provide for payment of administrative law judge services. The Commissioner of Finance and Administration is authorized to allocate the funds to the appropriate organizational units, adjust departmental revenues accordingly, and establish authorized positions.

Item 9. To the Comptroller of the Treasury from the Telecommunications Ad Valorem Tax Reduction Fund to provide for the administration of the program and payments from the fund as provided by law.

Item 10. To the Treasury Department, Small and Minority-Owned Business Assistance Program, from funds allocated to the program pursuant to Tennessee Code Annotated, Section 65-5-113.

Item 11. To the Tennessee Local Development Agency a sum sufficient from the Underground Storage Tank Fund for the purpose of paying debt service and expenses in connection with any debt issued pursuant to the provisions of Chapter 444, Public Acts of 1997, relative to underground storage tanks.

Item 12. To the Tennessee Advisory Commission on Intergovernmental Relations (TACIR) from the TACIR reserves authorized by Tennessee Code Annotated, Section 4-10-107. The Commissioner of Finance and Administration is authorized to adjust departmental revenues accordingly, and establish authorized positions as needed.

Item 13. To the Office of Information Resources from the general obligation bonds/notes authorized under Chapter 952, Public Acts of 1996, for data processing services and telecommunications services; and from the general obligation bonds/notes authorized under Chapter 962, Public Acts of 2006, for the purpose of acquisition and implementation of enterprise resource planning software.

Item 14. To the Department of Finance and Administration to reimburse the federal government for arbitrage on the state's general obligation debt.

Item 15. To the Department of Finance and Administration to provide for payments to the State Office Buildings and Support Facilities Revolving Fund for spaces occupied by the Tennessee State Museum and for other areas within the Tennessee Performing Arts Center.

Item 16. To the Department of Finance and Administration from revenues and reserves available to the following programs:

(a) To provide funding for the additional sexual assault program services pursuant to Tennessee Code Annotated, Title 71, Chapter 6, Part 3. Any unexpended funds shall not revert to the general fund balance at June 30 and are hereby reappropriated in the subsequent fiscal year.

(b) To provide funding to establish drug courts pursuant to Tennessee Code Annotated, Title 16, Chapter 22, Part 1.

(c) To provide funding for family violence shelters and shelter services pursuant to Tennessee Code Annotated, Section 39-13-101. Any unexpended funds shall not revert to the general fund at June 30 and are hereby reappropriated in the subsequent fiscal year.

(d) To provide funding from the revenues apportioned to the Domestic Violence Community Education Fund pursuant to Tennessee Code Annotated, Section 36-3-616.

(e) To provide funding from the litigation tax apportioned to fund grants to local governments to purchase and maintain electronic fingerprint imaging systems pursuant to Tennessee Code Annotated, Section 67-4-602.

(f) To provide funding from the reserve for the State Health Planning Division pursuant to Tennessee Code Annotated, Section 68-11-1625.

Item 17. To the Board of Probation and Parole from the reserves for parole and probation supervision and rehabilitation fees pursuant to Tennessee Code Annotated, Section 40-28-203(c).

Item 18. To the Department of Agriculture from revenues and reserves available to the following programs:

(a) Agricultural Resources Conservation Fund pursuant to Tennessee Code Annotated, Section 67-4-409(l).

(b) Agricultural Regulatory Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 1, Part 7.

(c) Certified Cotton Growers' Organization Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 6, Part 4.

(d) Tennessee Grain Indemnity Fund pursuant to Tennessee Code Annotated, Title 43, Chapter 32, Part 2.

(e) Market Development, Agricultural Development Fund pursuant to Tennessee Code Annotated, Section 55-4-267.

(f) Division of Forestry, from the proceeds of revenue allocated pursuant to Tennessee Code Annotated, Section 11-14-305(b)(3), pertaining to the sale and replacement of real property.

(g) Division of Regulatory Services a sum sufficient pursuant to Tennessee Code Annotated, Section 47-18-1311, pertaining to kerosene and motor fuels quality inspection.

Item 19. To the Department of Environment and Conservation from revenues and reserves available to the following programs:

(a) Local Park Land Acquisition Fund, State Lands Acquisition Fund, and State Lands Compensation Fund pursuant to Tennessee Code Annotated, Sections 67-4-409(i) and 67-4-409(j).

(b) Heritage Conservation Trust Fund pursuant to Tennessee Code Annotated, Section 11-7-103.

(c) State parks program from revenues derived from nonprofit support groups pursuant to Tennessee Code Annotated, Title 11, Chapter 3, Part 2.

(d) State Park Fund pursuant to Tennessee Code Annotated, Title 11, Chapter 3, Part 3.

(e) From revenues derived from the sale of Tennessee Elk River Development Authority lands. This appropriation is subject to approval by the Commissioner of Finance and Administration.

(f) Environmental Protection Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 203, Part 1. Departmental revenues shall be adjusted accordingly.

(g) Radiation Reclamation Trust Fund and the Perpetual Care Trust Fund pursuant to Tennessee Code Annotated, Section 68-202-405.

(h) Solid Waste Management Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 211, Part 8.

(i) Used Oil Collection Fund pursuant to Tennessee Code Annotated, Section 68-211-1004.

(j) Hazardous Waste Remedial Action Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 212, Part 2.

(k) Petroleum Underground Storage Tank Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 215, Part 1.

(l) Drycleaner Environmental Response Fund pursuant to Tennessee Code Annotated, Title 68, Chapter 217, Part 1.

(m) Solid Waste Assistance Fund pursuant to Tennessee Code Annotated, Title 67, Chapter 4, Part 16.

(n) Solid Waste Disposal Site Restoration Fund pursuant to Tennessee Code Annotated, Section 68-211-116.

(o) Hazardous Waste Trust Fund pursuant to Tennessee Code Annotated, Section 68-212-108.

Item 20. To the Wildlife Resources Agency from revenues available to the Wetlands Acquisition Fund and the Wetlands Compensation Fund pursuant to Tennessee Code Annotated, Section 67-4-409(g).

Item 21. To the Wildlife Resources Agency from the general fund for any difference between the actual charges to the agency under the indirect cost allocation plan and the amount the TWRA can justify and continue to receive federal funds.

Item 22. To the Wildlife Resources Agency from its own revenues to implement the programs, activities and projects approved by the Wildlife Resources Agency Commission. The Commissioner of Finance and Administration is authorized to adjust departmental revenue accordingly and to establish positions as may be required.

Item 23. To the Department of Correction from revenues and reserves available for the following programs:

(a) Sex Offender Treatment Program pursuant to Tennessee Code Annotated, Section 39-13-709.

(b) Supervision and rehabilitation fees pursuant to Tennessee Code Annotated, Section 40-28-203(c).

Item 24. To the Department of Commerce and Insurance, Division of Regulatory Boards, from revenues and reserves available for the following purposes:

(a) To purchase examinations for regulatory boards. This appropriation is contingent upon the fees collected for giving examinations being in excess of the budgeted estimates.

(b) To fund data processing systems development and implementation. Said appropriations are made pursuant to Tennessee Code Annotated, Section 4-3-1011.

(c) To the Real Estate Education and Recovery Fund, to provide for court-ordered payments and to print and distribute to all licensees a manual of laws and rules and regulations.

(d) To the Auctioneer Education and Recovery Fund, to provide for court-ordered payments.

(e) To the Cemetery Consumer Protection Fund pursuant to Tennessee Code Annotated, Section 46-1-105.

Item 25. To the Department of Commerce and Insurance, 911 Emergency Communications Fund, from the revenues collected pursuant to Tennessee Code Annotated, Title 7, Chapter 86.

Item 26. To the Department of Labor and Workforce Development from revenues and reserves available to the following programs:

(a) Uninsured Employers Fund program pursuant to Tennessee Code Annotated, Section 50-6-801.

(b) Tennessee Occupational Safety and Health Administration (TOSHA) program pursuant to Tennessee Code Annotated, Title 50, Chapter 6, Part 4.

(c) Boilers and Elevators pursuant to Tennessee Code Annotated, Section 68-121-108, Section 68-121-117 and Section 68-122-205. Appropriations established under this authority shall be in lieu of the departmental revenue appropriation in Section 4, Title III-13, Item 5 of this act.

Item 27. To the Department of Mental Health and Developmental Disabilities from the revenues and reserves available to the Alcohol and Drug Addiction Treatment Fund pursuant to Tennessee Code Annotated, Section 40-33-211(c)(2).

Item 28. To the Department of Military to provide for the cost of personnel and equipment needed to maintain law and order in instances arising out of civil disorders.

Item 29. To the Department of Military, Disaster Relief Grants, for the purpose of matching federal funds and to the Department of Military to pay the administrative costs

of the Disaster Relief Program. Said appropriations shall be made first from the Reserve for Disaster Relief and they are in addition to the appropriation made in Section 1, Title III-22, Item 6, of this act. Federal aid and other departmental revenue may be adjusted accordingly.

Any unexpended funds remaining in the Reserve for Disaster Relief or from the appropriation made in Section 1, Title III-22, Item 6, of this act, other acts of this General Assembly or acts by previous General Assemblies shall not revert to the general fund balance at June 30. Said funds are hereby reappropriated in the subsequent fiscal year. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

Item 30. To the Department of Health from revenues and reserves available to the following programs:

(a) Nursing Home Resident Protection Trust Fund pursuant to Tennessee Code Annotated, Section 68-11-827.

(b) Health Access Act of 1989, pursuant to Tennessee Code Annotated, Sections 66-29-121 and 66-29-151.

(c) Child Safety Fund pursuant to Tennessee Code Annotated, Section 55-9-602(f)(7).

(d) Medicaid Nursing Home Trust Fund pursuant to Federal Regulations, Chapter 42, Section 488.442.

(e) Traumatic Brain Injury Fund to allow for the provision of enhanced and/or new services which benefit traumatic brain injury persons and their families as authorized in Tennessee Code Annotated, Title 68, Chapter 55. Any additional appropriations provided under this item are non-recurring from carry-forward funds which exist in the Traumatic Brain Injury Fund and are subject to approval of the Commissioner of Finance and Administration.

(f) Health Related Boards, for data processing systems development and implementation costs and for the cost of investigations and subsequent prosecution of licensees in violation of their practice acts. Said appropriations are made pursuant to Tennessee Code Annotated, Section 4-3-1011.

(g) Commercial Breeder Act pursuant to Chapter 591, Public Acts of 2009.

Item 31. To the Department of Human Services for administration of the Child Care Facilities Loan Guarantee Program. Said appropriation shall come from interest earnings allocated to the program pursuant to Tennessee Code Annotated, Section 4-37-110.

Item 32. To the Department of Revenue to pay interest, attorney fees and other costs which are due with certain taxpayer refund payments.

Item 33. To the Department of Revenue from the C.I.D. Anti-Theft reserve fund pursuant to Tennessee Code Annotated, Section 55-3-208.

Item 34. To the Tennessee Bureau of Investigation from revenues and reserves available to the following programs:

(a) For the purpose of maintaining the expunged criminal offender and pretrial diversion database and other systems pursuant to Tennessee Code Annotated, Section 40-32-101(d)(2).

(b) TBI Toxicology Unit Intoxicant Testing Fund pursuant to Tennessee Code Annotated, Section 55-10-419.

Item 35. To the Department of Safety from revenues and reserves available to the following programs:

(a) Motorcycle Rider Safety reserve fund pursuant to Tennessee Code Annotated, Section 55-51-104.

(b) Driver Education reserve fund pursuant to Tennessee Code Annotated, Section 67-4-606(a)(2)(B).

Item 36. To the Department of Transportation for payments to the Risk Management Fund. Said appropriation shall be made from the highway fund balance.

Item 37. To the Department of Transportation, Division of Air, Water and Rail, from the Transportation Equity Fund. This appropriation is subject to the availability of revenue in the fund.

SECTION 9. In addition to the appropriations made in Section 4 of this act and subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, there is hereby appropriated a sum sufficient:

Item 1. To the Attorney General and Reporter, if the appropriation made in Section 4, Title III-1, Item 1.1, shall prove inadequate to allow the Attorney General and Reporter to represent the state agencies and officials before the Claims Commission, or state agencies and officials in other cases of litigation or other legal matters. The Commissioner of Finance and Administration, upon the request of the Attorney General and Reporter, is hereby authorized to increase the departmental revenue estimate by an amount sufficient to provide for such representation and to establish positions as may be required.

Item 2. To the Attorney General and Reporter a sum sufficient from the Risk Management Fund for the purposes of implementing the provisions of Tennessee Code Annotated, Title 8, Chapter 42, relative to legal representation for state employees. The Commissioner of Finance and Administration, upon the request of the Attorney General and Reporter, is authorized to establish positions as may be required to implement the provisions of Tennessee Code Annotated, Title 8, Chapter 42.

Item 3. To the Bureau of Ethics and Campaign Finance from fees collected by the agency.

Item 4. To the State Treasurer, with the concurrence of the Speaker of the Senate and the Speaker of the House of Representatives, for the purpose of developing and implementing programs designed to enhance investment performance, including programs designed to recruit, hire, and retain qualified investment staff. The State Treasurer, with approval from the Commissioner of Finance and Administration, is further authorized to establish additional positions and funding for such positions needed to effectuate the purposes of this section.

Item 5. To the State Treasurer for payment of Unclaimed Property – Claims.

Item 6. To the State Treasurer from the revolving account created pursuant to Tennessee Code Annotated, Section 9-4-603(g). This appropriation shall take effect upon becoming law, the public welfare requiring it.

Item 7. To the Office of the District Public Defenders Conference pursuant to Tennessee Code Annotated, Section 40-14-210. Additional positions as required are authorized to be established.

Item 8. From federal funds available to the Tennessee Housing Development Agency, there is hereby appropriated a sum sufficient to meet obligations incurred by the agency, pursuant to the federal Section 8 program.

Item 9. To Tennessee Rehabilitative Initiative in Correction Board (TRICOR), in an amount equal to the balance in the revolving fund, for benefit of the program.

Item 10. To the Tennessee State Museum from (a) deferred revenue and departmental revenues available to the museum to be used for the purchase of artifacts, and (b) donations made to the State Museum. Any unexpended revenues shall not revert to the general fund balance at June 30 and such revenues shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item 11. From the fund created in Tennessee Code Annotated, Section 65-5-113, to the Commissioner of Finance and Administration for purposes of conducting a purchasing disparity study. It is the legislative intent that such study include the University of Tennessee system and the state university and community college system; provided, however, the costs of such study shall not exceed amounts previously set aside therefor.

Item 12. To the Department of General Services for equipment and supplies ordered but not delivered at June 30, 2010.

Item 13. To the Department of General Services, Property Utilization, from available revenues and reserves.

Item 14. To the Department of Tourist Development from revenues received from communities, businesses, non-state organizations, federal funds, and other sources of departmental revenue to be used for marketing programs of the department. Any unexpended balances at June 30 shall be carried forward in a reserve and are hereby reappropriated in the subsequent fiscal year.

Item 15. To the Department of Environment and Conservation, West Tennessee River Basin Authority, from funds provided by the counties within the authority area.

Item 16. To the Department of Correction all monies collected as contraband from the inmate population at any of the facilities operated by or under authority of the department. Any unexpended revenue shall not revert to the state general fund balance pursuant to Tennessee Code Annotated, Section 4-6-147.

Item 17. To the Department of Economic and Community Development from revenues received from communities, businesses, non-state organizations, federal funds, and other sources of departmental revenue to be used for marketing programs of the department. Any unexpended balances at June 30 shall be carried forward in a reserve and are hereby reappropriated in the subsequent fiscal year.

Item 18. To the Department of Economic and Community Development:

(a) To meet community development block grant expenditure requirements. This appropriation shall be from federal aid funds.

(b) From monies received from conferences, trade missions, trade shows and other activities which reimburse the state for expenses.

(c) From interest earnings allocated to the FastTrack Program; Job Skills Fund; and Small Cities Community Development Block Grant (CDBG).

(d) From revenues and reserves of the Small Business Energy Loan Program, Local Government Energy Loan Program, and Tennessee Energy Loan Program.

Item 19. To the Tennessee Film, Entertainment and Music Commission from departmental revenues received by the Commission. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 20. To the Tennessee Industrial Finance Corporation from any revenues available to the organization to be expended pursuant to Tennessee Code Annotated, Section 4-17-404.

Item 21. To the Department of Commerce and Insurance, Division of Fire Prevention, for payment of electrical inspections. This appropriation is contingent upon the fees collected for making electrical inspections being in excess of the budgeted estimate.

Item 22. To the Department of Commerce and Insurance, Division of Securities, from the revenues and reserves of the Securities Enforcement and Legal Training reserve.

Item 23. To the Department of Labor and Workforce Development from federal aid funds and other departmental revenues. Subject to this appropriation, authorized positions may be increased up to one hundred (100) positions.

Item 24. To the Department of Mental Health and Developmental Disabilities from revenue received from behavioral health organizations and other non-state organizations for inpatient mental health services provided for publicly funded or potentially publicly funded persons.

Item 25. To the Department of Military, TEMA and Disaster Relief Grants, from federal aid disaster relief funds.

Item 26. To the Tennessee Bureau of Investigation from revenues and reserves available to the following programs:

(a) To conduct records and background checks for handgun carry permits pursuant to Tennessee Code Annotated, Section 39-17-1351.

(b) To conduct criminal history records checks on purchasers of firearms (Tennessee Instant Check System – TICS) pursuant to Tennessee Code Annotated, Section 39-17-1316.

(c) To conduct criminal history checks for employment requirements pursuant to TCA, Sections 33-2-1201; 37-5-502; 49-5-406; 68-11-233; 68-11-234; and 71-2-403.

(d) To certify endorsement of transporting hazardous material on commercial driver licenses pursuant to Federal Register Part IV, 49 CFR Part 1572.

(e) To provide criminal history information through the Tennessee Online Records Information System (TORIS) pursuant to TCA 38-6-120.

Item 27. To the Department of Safety, Driver License Issuance, from revenues and reserves available to defray expenses of handgun carry permit program pursuant to Tennessee Code Annotated, Section 39-17-1351.

Item 28. To the Department of Safety, the Department of Revenue, the Tennessee Bureau of Investigation, the Tennessee National Guard and the Alcoholic Beverage Commission from the proceeds of property seized and forfeited under federal procedures which are shared with the departments or the commission.

Item 29. To the Department of Transportation from local government funds, federal aid and other departmental revenues.

SECTION 10. The appropriations made by this act under Sections 1 and 4 shall be subject to the following provisions, limitations, or restrictions:

Item 1. Notwithstanding any provision of the law to the contrary, any institution which receives state funds appropriated by the provisions of this act shall be subject to audit by the Comptroller of the Treasury as to the expenditure and obligation of such funds.

Item 2. Any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning

services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or is otherwise authorized by the approving officials. Any such contract entered into by agencies of the legislative or judicial branches shall be subject to the approval of the Comptroller of the Treasury.

Item 3. No funds appropriated by this act shall be obligated and/or expended for any newsletter, periodical, or other material which is to be distributed to all, or substantially all, state employees (excluding higher education) until the agency head proposing to make such distribution contacts the two Speakers and makes available equal space for legislative information in such newsletter, periodical, or other material. This item shall not apply to policy and/or procedural directives.

Item 4. From the funds appropriated to the TennCare program, the state shall comply with applicable federal law.

Item 5. During fiscal year 2010-2011 it is the legislative intent to encourage that all conferences, workshops, meetings, seminars, programs, and similar endeavors conducted for officials and/or employees of the legislative, executive, or judicial branch of state government be conducted in state facilities whenever practicable.

Item 6. From the appropriation for travel expenses of Justices of the Supreme Court and for the members of the Court of Appeals and the Court of Criminal Appeals, each member of said Courts shall be reimbursed for necessary traveling expenses incurred by them during their absence from the counties of their residence on official business; provided, however, that such travel expenses shall be limited to board and lodging and mileage each way necessary to travel on official business. Any judge seeking reimbursement for official expense under this section shall file with the Director of the Administrative Office of the Courts, or other official upon whom this duty may be lodged by law, a statement of such amounts necessarily expended by him in the discharge of such official duties and upon receipt of this verified statement, warrant for reimbursement for such expenses shall be issued.

Item 7. The Supreme Court shall fix the salaries of the marshals for the Eastern, Middle, and Western Divisions, which salary shall be payable out of the appropriations for Appellate Court Clerks.

Item 8. The commission in charge of the Supreme Court Building in Nashville, established by Tennessee Code Annotated, Section 16-3-701, is authorized to employ an experienced Engineer-Superintendent to supervise the air-conditioning and heating of the Supreme Court Building at Nashville and to employ the necessary assistants to keep and maintain the building. Payment for said services shall be paid out of the appropriations made by this act.

Light, heat and water for the Supreme Court Building in Nashville and for the Supreme Court Building in Knoxville is to be provided by the Department of General Services out of the appropriation herein made for it.

Item 9. Employees of the office of the Executive Secretary to the District Public Defenders Conference, District Public Defenders and employees of a District Public Defenders Office, as created pursuant to Tennessee Code Annotated, Title 8, Chapter 14, shall only travel and shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the Department of Finance and Administration and approved by the Attorney General.

Item 10. The appropriation made in Section 1, Title III-1, Item 5.9, for the Tax Relief Program, is made for the purpose of providing tax relief for elderly low-income homeowners, disabled homeowners, and disabled veteran homeowners, as provided by law. The income eligibility limit for elderly low-income homeowners and for homeowners totally and permanently disabled shall be adjusted for the fiscal year 2010-2011 under the provisions of Tennessee Code Annotated, Sections 67-5-702 and 67-5-703.

Item 11. Notwithstanding any provision of the law to the contrary, from the appropriations made for the Department of the Treasury, there is hereby appropriated funds sufficient to defray the cost of administering, on behalf of state employees compensated on the centralized state payroll system, Tennessee Code Annotated, Title 8, Chapter 25, Part 1, the same being the "Government Employees' Deferred Compensation Plan Act", and Tennessee Code Annotated, Title 8, Chapter 25, Part 3, the same being the "Profit Sharing or Salary Reduction Plans for State Employees", and Tennessee Code Annotated, Section 8-25-501, the same being a "Cafeteria Benefits Plan" for state employees.

Item 12. Subject to the concurrence of the Commissioner of Finance and Administration, the Commissioner of Human Resources is authorized to develop and implement a system whereby the cost of the Civil Service Commission and of services rendered to the Department of Human Resources by the Administrative Procedures Division of the Department of State is recovered from those departments, boards and commissions to whom services are rendered.

Item 13. The funds appropriated in Section 4, Title III-3, Item 4, to Forestry Operations, shall include the proceeds from timber sales conducted by the Department of Agriculture. It is the legislative intent that said proceeds shall be accounted for as departmental revenue.

Item 14. From the appropriation made for the Department of Tourist Development, there is hereby appropriated a sum not to exceed twelve thousand five hundred dollars (\$12,500.00), sufficient to defray the cost of advertising and other expenses in connection with special events in which Tennessee is represented and/or events within the state for which Tennessee will act as official host. Any allotment of funds made under the authority of this section shall be made only on the approval of the Commissioner of Finance and Administration.

Item 15. From the appropriations made in this act, there shall be paid expenses incurred by the Department of Economic and Community Development and the Department of Tourist Development, representing the state in its official capacity; provided, however, that nothing herein shall authorize the expenditure by each agency for such purposes in excess of five thousand dollars (\$5,000.00) per annum. The amount

and purposes of such expenses are subject to approval by the Commissioner of Finance and Administration.

Item 16. From the appropriations made to State Prosecutions in Section 1, Title III-7, Item 2, payments to reimburse counties for housing state prisoners shall not exceed \$35.00 per inmate per day. Provided, however, the \$35.00 per inmate per day limitation on reimbursement payments shall be inapplicable to the extent the state is obligated by the specific terms of a written contract to provide reimbursement at a rate in excess of \$35.00 per inmate per day, but only to the extent of that contractual obligation.

Item 17. Notwithstanding any provision of the law to the contrary, where a judicial proceeding is transferred from one jurisdiction to another for trial on a defendant's motion for change of venue, the limitation of five hundred dollars (\$500.00) for the board and lodging of the jury shall not apply, provided the Comptroller of the Treasury on the advice of the State Attorney General, determines that additional funds for boarding and lodging the jury are necessary.

Item 18. No funds appropriated by the provisions of this act to the Department of Economic and Community Development shall be used to contract for services, or to renew any contract for services, with any individual or entity if such individual or entity's position presents an actual or apparent conflict of interest between duties owed to the State of Tennessee under such contract and duties owed to any third party. It is the legislative intent that work performed under service contracts shall be performed in-house by the department to the extent possible.

Item 19. The Department of Mental Health and Developmental Disabilities is authorized to expend up to one hundred fifty thousand dollars (\$150,000) in available funds for the purpose of implementing the provisions of Tennessee Code Annotated, Section 12-4-330, and such funds are specifically appropriated for that purpose.

Item 20. The appropriation to the Department of Health, Trauma System Fund, in Section 1, Title III-16, Item 2.5, is made pursuant to Tennessee Code Annotated, Title 68, Chapter 59, "Tennessee Trauma Center Funding Law of 2007". Subject to approval by the Commissioner of Finance and Administration there is hereby appropriated a sum sufficient from the Trauma System Fund reserve.

Item 21. Within the amount appropriated in Section 1, Title III-17, and in Section 4, Title III-17, for Temporary Assistance to Needy Families, the Commissioner of Human Services shall establish by rule or regulation, pursuant to the provisions of Tennessee Code Annotated, Section 71-3-155, to be effective July 1, 2010, the standard of need for each family size in the Families First program; provided, the maximum grant for each family size will remain at the Fiscal Year 2009-2010 established level; and, provided further, that the Commissioner of Human Services, in consultation with the Commissioner of Finance and Administration, may by rule to be effective on July 1, 2010, establish certain categories of Families First recipients to whom an additional grant differential for the family size up to a maximum of fifty dollars (\$50.00) per family may be paid.

Item 22. The appropriations to the Department of Revenue under Section 1, Title III-18, provide for all the activities of the department and include amounts in lieu of percentages allowed by law on collection of certain taxes and revenues; such percentage shall be covered into and made a part of the general fund. Appropriations also include

amounts for motor vehicle registration and any other activities which may be administered by the Department of Revenue.

Item 23. The appropriation to the Tennessee Association of Rescue Squads in Section 1, Title III-22, Item 9, is for the sole purpose of maintaining a state headquarters of the association and to pay the salary of an executive director of the association and other expenses appurtenant thereto.

Item 24. Notwithstanding any provision of the law to the contrary, the Department of Transportation shall not release or make available information which reveals the amount of funding available for any project.

Item 25. No funds appropriated by the provisions of this act for any specialty license plate shall be allocated by the Department of Finance and Administration to the Department of Revenue until such plate has met all statutory requirements for issuance.

Item 26. The General Assembly recognizes that demands on available state revenue are such that it may be necessary to establish priorities among state services and programs and to revise the methods of allocating state resources. Therefore, it is the legislative intent that local governments should consider in undertaking long-term obligations based on state payments, specifically state per diem payments for housing state inmates in local jails, that existing payments may be reduced or eliminated in the future and such not be regarded as the principal source of funding for debt repayment obligations.

Item 27. From the appropriation in Section 1, Title III-3, Item 3, Department of Agriculture, Market Development, the following amounts are earmarked:

(a) Non-recurring grants of \$250,000 to the Future Farmers of America (FFA) and \$250,000 to the 4-H Foundation.

Item 28. Of the funds appropriated in Section 1, Title III-16, Item 3.1, Health – Health Services Administration, \$6,000,000 is appropriated on a non-recurring basis from the TennCare Reserve for primary care clinics.

Item 29. Of the funds appropriated in Section 1, Title III-16, Item 3.1, Health Services Administration, \$1,400,000 is appropriated on a non-recurring basis from the health care safety net reserve for federally qualified health centers.

Item 30.

(a) From funds previously appropriated for such purpose, it is the intent of the General Assembly that there is established the Jimmy Naifeh Center for Effective Leadership at the University of Tennessee to prepare elected and appointed officials for the challenges of serving the public; to provide leadership and management programming for government officials from across the state and the nation; and to provide studies and research in public service on any and all matters relating to the development of professional skills to enhance effectiveness as representatives of the people.

(b) It is the intent of the General Assembly that in addition to or as part of the services provided pursuant to subsection (a), the Center shall administer the Tennessee Government Executive Institute, the Tennessee Government Management Institute, and the Local Government Leadership Program as well as other such programs or initiatives that promote leadership development and public service.

Item 31. From the funds appropriated for the Criminal Injuries Compensation Fund, pursuant to § 40-38-405 there is earmarked the sum of \$100,000 for the sole purpose of making a grant in such amount to the Tennessee Coalition Against Domestic and Sexual Violence to support the activities of the Tommy Burks Victim Assistance Academy.

Item 32. From the appropriation made in Section 1, Title III-3, Item 4, to the Department of Agriculture, Forestry Operations, the sum of \$3,457,100 is intended to fund the depreciation cost to replace bulldozers and associated equipment. Unexpended funds for this purpose may be carried forward and held in reserve until such a time as replacement is deemed necessary.

Item 33.

(a) From the funds appropriated to the Department of Transportation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill No. 2503/House Bill No. 2524, Senate Bill No. 2723/House Bill No. 2696, Senate Bill No. 2386/House Bill No. 2435, Senate Bill No. 2516/House Bill No. 2480, Senate Bill No. 3010/House Bill No. 2990, Senate Bill No. 2855/House Bill No. 2548, Senate Bill No. 401/House Bill No. 1338, Senate Bill No. 3665/House Bill No. 3739, Senate Bill No. 3673/House Bill No. 3740, Senate Bill No. 3667/House Bill No. 3736, Senate Bill No. 3668/House Bill No. 3735, Senate Joint Resolution No. 764, House Joint Resolution No. 917, House Joint Resolution No. 955 and House Joint Resolution No. 806, 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 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 34. From the Unemployment Insurance Administrative Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Joint Resolution 869, relative to naming the Tennessee Career Center on Old Fort Parkway in Murfreesboro, if such resolution becomes law.

Item 35. From the Wildlife Resources Fund, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 3061/House Bill No. 3936, relative to the Tennessee Wildlife Resources Advisory Committee, if such bill becomes law.

Item 36. From funds available to the Board of Medical Examiners, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 3092/House Bill No. 3251, relative to immigration verification, if such bill becomes law.

Item 37. From funds available to the Board of Examiners of Land Surveyors, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 2775/House Bill No. 3247, relative to retired land surveyors, if such bill becomes law.

Item 38. The appropriation to the Department of Finance and Administration, Division of Intellectual Disabilities, in Section 1 of this act is reduced by the sum of \$38,000,000. Such funding reduction is for the purpose of reducing the capital outlay appropriation for group homes from \$50,000,000 to \$12,000,000.

Item 39.

(a) The appropriation made for the Tennessee Student Assistance Award Program (TSAA) by the provisions of this act is reduced by the sum of \$3,200,000. Such funding reduction is for the purpose of reducing the base appropriation for such program.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,200,000 (non-recurring) to the Tennessee Student Assistance Corporation for the purpose of TSAA.

Item 40.

(a) The appropriation made to the Department of Finance and Administration, Bureau of TennCare, in Section 1 of this act is reduced by the sum of \$2,272,800. Such funding reduction is for the purpose of reducing the base appropriation for perinatal outreach grants.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,272,800 (non-recurring) to the Department of Finance and Administration, Bureau of TennCare, for the purpose of perinatal outreach grants.

Item 41. The appropriation made to the Department of Finance and Administration in Section 1 of this act is reduced by the sum of \$1,725,000 (non-recurring). Such funding reduction is for the purpose of reducing improvement funds available as matching funds for health information technology.

Item 42. The appropriation made to the Department of Education in Section 1 of this act is reduced by the sum of \$5,443,800. Such funding reduction is for the purpose of reducing the base appropriation for the Career Ladder Program due to natural attrition.

Item 43.

(a) The appropriation made to the Tennessee Arts Commission by the provisions of this act is reduced by the sum of \$754,900. Such funding reduction is for the purpose of reducing the base appropriation for Arts Commission grants.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$754,900 (non-recurring) to the Tennessee Arts Commission for the purpose of Arts Commission grants.

Item 44.

(a) The appropriation made to the Department of Education in Section 1 of this act is reduced by the sum of \$2,241,000. Such funding reduction is for the purpose of reducing the base appropriation for the Governor's Schools program.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$2,241,000 (non-recurring) to the Department of Education for the purpose of the Governor's Schools program.

Item 45.

(a) The appropriations made to state agencies by the provisions of this act are reduced by the sum of \$986,300. Such funding reduction is for the purpose of eliminating the recurring base appropriation for performance-based budgeting operational support. The Commissioner of Finance and Administration is directed to allocate such adjustment to the appropriate organizational units and to adjust dedicated and departmental revenues accordingly.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$986,300 (non-recurring) to state agencies for the purpose of performance-based budgeting operational support. The Commissioner of Finance and Administration is directed to allocate such adjustment to the appropriate organizational units and to adjust dedicated and departmental revenues accordingly.

Item 46.

(a) The appropriation made to the Department of Education in Section 1 of this act is reduced by the sum of \$7,000,000. Such funding reduction is for the purpose of reducing the base appropriation for average daily membership (ADM) growth funding in the Basic Education Plan (BEP).

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$7,000,000 (non-recurring) to the Department of Education for the purpose of ADM growth funding in the BEP.

Item 47. The appropriation made to Miscellaneous Appropriations in Section 1 of this act is reduced by the sum of \$1,300,000 (non-recurring). Such funding reduction is for the purpose of reducing the appropriation for the Severance Benefit Plan.

Item 48. From the funds appropriated to the Department of Environment and Conservation, there is earmarked a sum sufficient for the sole purpose of continuing restaurant operations at Henry Horton State Park for one year.

Item 49. From the funds appropriated to the Department of Economic and Community Development, there is earmarked a sum sufficient not to exceed \$560,000 for the sole purpose of industrial retention initiatives in counties that are economically distressed or counties that are contiguous to at least two economically distressed counties.

Item 50. From the funds appropriated to the Department of Children's Services, there is earmarked \$77,700 for the sole purpose of restoring the position of chaplain at Wilder Youth Development Center, Fayette County.

Item 51. From the Unemployment Insurance Fund, there is appropriated \$183,000 (recurring) and \$44,000 (non-recurring) for the sole purpose of implementing Senate Bill No. 2409/House Bill No. 3889, relative to unemployment compensation, if such bill becomes a law.

Item 52. From the funds appropriated to the Department of Economic and Community Development, there is earmarked a sum sufficient for the sole purpose of continued support of the Tennessee Technology Development Corporation until June 30, 2011.

Item 53. From the funds appropriated by this act, the State Funding Board is directed to conduct a study of the budgeted contingency costs of capital outlay projects compared to the actual costs of such capital outlay projects to increase efficiency in state government. Such study shall examine the methodologies and reporting requirements of entities completing such capital outlay projects and the use of such contingency funds to develop best practices for managing the public debt of the state. It is the legislative intent that all entities eligible to receive state bond proceeds participate in such study by providing timely information and other services as requested by the State Funding Board.

Item 54. From the appropriations made to the Tennessee Department of Treasury by this act, there is earmarked a sum sufficient for any expenses incurred by the State Treasurer in conducting a study of the receipt and deposit of funds, checks or other instruments of payment that are received by state departments, agencies, bureaus or other instrumentalities (except the University of Tennessee and the Tennessee Board of Regents) to determine if the implementation of technologies such as electronic receipt of payments, the use of echeck, check scanning or other technologies would increase efficiencies for the state, reduce costs or improve earnings on the state treasury. Any such findings and recommendations shall be reported to the State Funding Board. It is the legislative intent that all state departments, agencies, bureaus and instrumentalities cooperate with the Treasury Department in furnishing requested information necessary for the preparation of such study.

Item 55. From the funds appropriated by this act, the Comptroller of the Treasury is directed to conduct a performance evaluation of all joint oversight committees of the General Assembly and report the findings to the Chairmen of the Finance, Ways and Means Committees of the House of Representatives and the Senate no later than January 15, 2011.

Item 56. From the funds appropriated to the Administrative Office of the Courts, there is earmarked a sum sufficient for the sole purpose of conducting a study of the rising costs of indigent defense in the state and to develop a plan to reduce such costs. Such study shall examine, at a minimum, eligibility requirements, fee rates including sliding scale options, limits, verification processes, and utilization by judicial districts. The District Attorneys General Conference, District Public Defenders Conference, Post-Conviction Defenders Conference, Attorney General's Office, members of the Judiciary Committees of the Senate and House of Representatives, and any other participant in the criminal justice system as requested by the Administrative Office of the Courts shall

participate in such study. The Judicial Council may participate in such study as directed by the Administrative Office of the Courts. The Administrative Office of the Courts shall report its findings, including any recommended legislation, to the General Assembly no later than January 15, 2011.

SECTION 11. The appropriations made by this act under Sections 1 and 4 to the Department of Education shall be subject to the following provisions, limitations, or restrictions:

Item 1. The appropriation made in Section 1, Title III-9, Item 2.1c, for the Basic Education Program (BEP), shall be administered pursuant to the provisions of the Education Improvement Act (Public Chapter No. 535 of the Public Acts of 1992) and Public Chapter No. 369 of the Public Acts of 2007. The BEP formula shall be calculated for the fiscal year using the following criteria:

(a) The state shall provide seventy percent (70%) of the funds generated for the instructional positions component;

(b) The dollar value of the BEP instructional positions component shall be thirty-eight thousand dollars (\$38,000);

(c) The formula shall provide one hundred percent (100%) funding for at-risk students in grades K-12;

(d) The formula shall provide funding for English language learners at a ratio of one to thirty (1:30) and one to three hundred (1:300) for teachers to students and translators to students, respectively;

(e) Each local education agency (LEA) shall receive no less than a twenty-five percent (25%) state share in the non-classroom components;

(f) The cost differential factor shall be applied at a level of fifty percent (50%);

(g) Local fiscal capacity shall be calculated by applying a weight of fifty percent (50%) of the current multiple regression analysis model and fifty percent (50%) of the model based on local jurisdictions' ability to raise revenue for education from local option sales tax and property tax as provided in Public Chapter 369 of 2007; and

(h) The dollar values per square foot for school building construction shall be one hundred and seven dollars (\$107), one hundred and thirteen dollars (\$113), and one hundred and eleven dollars (\$111), for elementary, middle, and secondary schools, respectively. These are the same as were calculated in fiscal year 2009-2010.

Item 2. From the appropriations made to the Department of Education under Section 1, Title III-9, of this act, the Department of Education is authorized to pay through disbursements to local education agencies (LEAs), for the benefit of eligible local education employees and their dependents, an amount not to exceed forty-five percent (45%) of the total statewide cost, based on the Basic Education Program (BEP) formula,

of such persons' participation in the basic accident and medical expense insurance plan authorized by Tennessee Code Annotated, Title 8, Chapter 27, Part 3.

The Local Education Insurance Committee shall determine a calendar year 2011 plan of benefits, related services, and monthly premiums for each of the health care options offered through the "basic plan" it authorizes pursuant to Section 8-27-302, Tennessee Code Annotated, which results, with reasonable certainty, in the provision of sufficient revenues to pay plan expenses and to provide for the funding of reserves for estimated incurred but unreported claims. The aggregate amount of funds obligated through the determination of the plans of benefits and the monthly premiums by the Local Education Insurance Committee shall not exceed the amount appropriated to the Department of Education, Basic Education Program's insurance component in this act. The monthly premiums shall be subject to the approval of the Commissioner of Finance and Administration pursuant to Section 4-3-1006, Tennessee Code Annotated.

The Local Education Insurance Committee shall recognize the annualized rate and benefits adjustments intended to be effective on January 1, 2011, which are required so that the plan of benefits, on an annualized basis, shall not exceed the recurring amount appropriated to the Department of Education.

Item 3. From the appropriation made to the Department of Education under Section 1, Title III-9, of this act, for technology programs, there is hereby earmarked a sum sufficient for the expenditures of the Web Project.

Item 4. From the appropriation made in Section 1, Title III-9, Item 2.1(c), Basic Education Program, it is the legislative intent to provide additional BEP funding for student enrollment growth on a current year student basis pursuant to Tennessee Code Annotated, Section 49-3-351(d).

Item 5. Under the provisions of Tennessee Code Annotated, Sections 49-3-357 and 49-3-358, pertaining to interest accruing on investments and deposits to the Education Trust Fund and the Basic Education Program, it is the legislative intent that only interest earnings be recognized and that no interest expense be charged to the fund and the program.

Item 6. The Department of Education shall submit to the Office of Legislative Budget Analysis the revised BEP funding formula for the ensuing fiscal year no later than January 1 of each year.

Item 7. Local education agencies are required to report average daily membership (ADM) to the Department of Education on a scheduled basis. To the extent a local education agency fails to report accurate and timely ADM information to the department, the BEP payments for the subsequent fiscal year shall be based on the second prior year ADM figure, unless the late-reported ADM figures are lower than the second prior year.

SECTION 12.

Item 1. There is hereby appropriated the sum of three million dollars (\$3,000,000.00) to the Department of Human Services, which sum shall be in addition to all other appropriations made to the Department of Human Services and which sum shall be used for the sole purpose of increasing the amount available to social service contractors, as provided for in Tennessee Code Annotated, Title 71, Chapter 1, Part 2.

Item 2. It is the intent of the General Assembly that the Commissioner of Finance and Administration shall have the authority to promulgate, as emergency rules pursuant to Tennessee Code Annotated, Section 4-5-209, those rules and regulations which concern the Medicaid/TennCare program, including Medicare Crossover payments, and which require promulgation in order for the state to fiscally function (i) within the appropriations provided for the Medicaid/TennCare program or (ii) within the availability of revenues received for the Medicaid/TennCare program.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of Finance and Administration for distribution to the appropriate entities a sum sufficient to fund any bill on which the fiscal note indicates that the cost of implementation of the bill is minimal or not significant. It is the legislative intent that if funding is earmarked for implementation in such bills that the funds appropriated in this item be reduced accordingly. It is the legislative intent to recognize a revenue loss from bills that result in no expenditure increase but forgo revenue which has not been collected previously.

Item 4. In addition to any other funds appropriated by the provisions of this act, if the fiscal note on any bill states that state revenues would be increased in an amount equal to or greater than state expenditures as a result of the enactment of such bill, then there is appropriated a sum sufficient from such increased revenue to the appropriate entity, as determined by the Commissioner of Finance and Administration, to implement such bill.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$125,000 to the Tennessee Department of Treasury for the sole purpose of supporting a Financial Literacy Program, to be used for matching funds to match a grant(s) from non-governmental sources. It is the intent of the General Assembly that the Financial Literacy Program will be coordinated on behalf of the state government by the State Treasurer.

Item 6. 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 No. 1997/House Bill No. 1911, Senate Bill No. 2655/House Bill No. 2625, Senate Bill No. 3290/House Bill No. 3181, Senate Bill No. 3209/House Bill No. 3529, Senate Bill No. 2392/House Bill No. 2693, Senate Bill No. 3739/House Bill No. 3063, Senate Bill No. 2724/House Bill No. 2788, Senate Bill No. 3219/House Bill No. 3277, Senate Bill No. 2882/House Bill No. 2872, Senate Bill No. 3097/House Bill No. 3176, Senate Bill No. 2407/House Bill No. 2474, Senate Bill No. 3551/House Bill No. 3634, Senate Bill No. 3268/House Bill No. 3413, Senate Bill No. 2886/House Bill No. 2989, Senate Bill No. 3100/House Bill No. 3142, Senate Bill No. 2914/House Bill No. 3272, Senate Bill No. 2721/House Bill No. 2796, Senate Bill No. 2789/House Bill No. 3499, Senate Bill No. 2616/House Bill No. 2556, Senate Bill No. 3501/House Bill No. 3683, Senate Bill No. 3135/House Bill No. 3169, Senate Bill No. 2768/House Bill No. 2644, Senate Bill No. 3354/House Bill No. 2645, and House Joint Resolution 1318, if such bills and resolutions 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 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 3591/House Bill No. 3163, relative to workers' compensation, if such bill becomes a law.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$40,000 for the sole purpose of implementing Senate Bill No. 3121/House Bill No. 3282, relative to violations of implied consent, if such bill becomes a law.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$18,000,000 (non-recurring) to the Department of Correction, for the sole purpose of maintaining operations at the Whiteville Correctional Facility for a six-month period beginning January 1, 2011, and continuing until June 30, 2011, or for such other six-month or longer period as negotiated by the department.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Finance and Administration, Division of Intellectual Disabilities Services, the sum of \$4,019,100 (non-recurring) to be matched with any and all available federal funds for the sole purpose of maintaining operations of the Greene Valley Developmental Center including all authorized positions.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Finance and Administration, Division of Intellectual Disabilities Services, the sum of \$3,960,000 (non-recurring) to be matched with any and all available federal funds for an anticipated total amount of \$16,200,000, for the sole purpose of maintaining residential rates paid to providers for levels of need categories one through four at not less than the rates provided in fiscal year 2009-2010. It is the legislative intent that such levels be maintained during fiscal year 2010-2011.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of Mental Health and Developmental Disabilities the sum of \$1,500,000 (non-recurring) to be expended as follows:

(a) \$1,000,000 to fund crisis response services and Crisis Stabilization Units for increasing numbers of uninsured persons experiencing psychiatric emergencies in Tennessee; and

(b) \$500,000 for the Behavioral Health Safety Net of Tennessee to fund basic services for increasing numbers of SPMI being enrolled.

Item 13. 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 14. 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 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,786,000 (non-recurring) for the sole purpose of implementing Senate Bill No. 3101/House Bill No. 3114, relative to extending foster care services, if such bill becomes a law.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,900,000 (non-recurring) to the Department of Mental Health and Developmental Disabilities 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 17. To the Department of Economic and Community Development for capital outlay, the sum of \$22,300,000 (non-recurring) for the West Tennessee Mega-Site industrial infrastructure project.

Item 18. To the Department of Education, Basic Education Program (BEP), the sum of \$29,600,000 (non-recurring) for 2010-2011 capital outlay funding in the BEP calculation pursuant to the BEP non-recurring appropriation provision of Senate Bill No. 3880/House Bill No. 3796 or, alternatively, Senate Bill No. 2616/House Bill No. 2556.

Item 19.

(a) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$270,000 (non-recurring) to the Department of Environment and Conservation for maintenance and operational expenses of the golf course at T.O. Fuller State Park. It is the legislative intent that such golf course remain open and operational for a period of one year while the Department of Environment and Conservation seeks appropriate partnerships with municipal and county government and nonprofit entities for sustainability in continued operation of the golf course and park.

(b) In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$41,000 (non-recurring) to the Department of Environment and Conservation for maintenance and operational expenses of the golf course at Old Stone Fort State Park. It is the legislative intent that such golf course remain open and operational for a period of one year while the Department of Environment and Conservation seeks appropriate partnerships with municipal and county government and nonprofit entities for sustainability in continued operation of the golf course and park.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund the sum of \$1,500,000 (recurring) to the Tennessee Wildlife Resources Agency for the purpose of non-game and endangered species and similar wildlife management activities.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$192,300 (non-recurring) to the legislative department for hardware, software and associated supplies and training for purposes of constitutionally-mandated decennial redistricting.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Agriculture, the sum of \$30,000 (non-recurring) for the sole purpose of black fly suppression programs and treatment.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$65,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the East Tennessee Community Design Center in Knoxville, to be used for programs, services and operational expenses.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$25,000 (non-recurring) to the State Building Commission for the sole purpose of studying issues related to maintenance of state facilities including roofs thereof.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$60,000 (recurring) to the Comptroller of the Treasury for the sole purpose of continuation of property assessor certification payments.

Item 26. 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 14, of Chapter 554 of the Public Acts of 2009.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund the sum of \$97,000 (non-recurring) to the Tennessee Wildlife Resources Agency for the sole purpose of improving accessibility to lakes.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Emotional Fitness Centers of Tennessee, to be used for the expansion of services.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$35,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Academy of Youth and Empowerment in Shelby County, to be used for equipment, programs, services and operational expenses.

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$90,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Institute for Law and Equity (NILE), to be used for operational expenses and programs including continuation of the Parent Partner Program.

Item 31. 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 Commission on Aging and Disability for the sole purpose of funding Meals on Wheels programs.

Item 32. 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 West Tennessee Seismic Safety Commission, created pursuant to Title 58, Chapter 9, Part 1, for the purpose of seismic research and services.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$5,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Public Safety Network, to be used for operational expenses including responding to critical incidents involving law enforcement agencies and officers.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Amachi Mentoring Program operated statewide by Big Brothers Big Sisters of Middle Tennessee. It is the intent of the General Assembly that such grant funds shall be distributed to participating Tennessee Big Brothers Big Sisters programs based on the number of children served.

Item 35. 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 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 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$175,000 (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 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$80,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to The Crumley House Brain Injury Foundation in Limestone, to be used for day-training and transitional living services for brain-injury survivors.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$29,000 (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 and educational expenses to promote the Safe Haven Law.

Item 39. 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 40. In addition to any other funds appropriated by the provisions 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 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Freedom From Unnecessary Negatives, a nonprofit corporation located in Shelby County, to be used for the operation of community-based programs to prevent and resolve social and economic issues of urban youth and young adults.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$36,800 (recurring) for the sole purpose of implementing Senate Bill No. 2701/House Bill No. 2765, relative to meetings and related expenses of the Second Look Commission, if such bill becomes a law.

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$83,500 (recurring) and \$5,000 (non-recurring) to the Tennessee Commission on Children and Youth for the purpose of funding one position and equipment for such position to support the Second Look Commission, Senate Bill No. 2701/House Bill No. 2765, if such bill becomes a law.

Item 44. If Senate Bill No. 3431/House Bill No. 2813, relative to non-violent property offenses and aggravated robbery offense sentencing, becomes a law, the appropriations in Section 1 are reduced by a sum sufficient estimated to be \$261,300, to be allocated as follows:

(a) Department of Correction, State Prosecutions, resulting from a reduction in state felons in local jails, reduced by \$10,289,400;

(b) Department of Correction, Sentencing Act of 1985, for incarceration in state prisons, increased by \$9,028,200, and such amount hereby is appropriated; and

(c) Board of Probation and Parole, Community Corrections Program, increased by \$999,900, and such amount hereby is appropriated.

Item 45. To higher education programs the sum of \$50,900,000 (non-recurring) for operating budget support, such appropriation to be allocated to the units of higher education as follows:

A. State Administered Programs	
1. Centers of Excellence	\$ 738,100
2. Campus Centers of Emphasis.....	69,900
Subtotal State Administered Programs	\$ 808,000
B. University of Tennessee System	
1. UT Institute for Public Service	\$ 66,800
2. UT Municipal Technical Advisory Service	69,500
3. UT County Technical Assistance Service.....	43,300

4. UT Access and Diversity Initiative	258,000
5. UT Space Institute	228,600
6. UT Agricultural Experiment Station	605,100
7. UT Agricultural Extension Service	677,700
8. UT Veterinary Medicine	421,200
9. UT Health Science Center	974,600
10. UT Family Medicine	244,000
11. UT College of Medicine	1,334,700
12. UT Chattanooga	2,366,300
13. UT Knoxville	10,024,200
14. UT Martin	1,724,100
Subtotal University of Tennessee System	\$ 19,038,100
C. Tennessee Board of Regents System	
1. Regents Access and Diversity Initiative	\$ 456,100
2. ETSU College of Medicine	699,700
3. ETSU Family Practice	132,400
4. Austin Peay State University	2,000,400
5. East Tennessee State University	3,209,500
6. University of Memphis	6,053,700
7. Middle Tennessee State University	5,397,300
8. Tennessee State University	2,572,500
9. Tennessee Technological University	2,417,100
10. Southwest Tennessee Community College	1,167,000
11. Nashville State Community College	502,800
12. Pellissippi State Community College	669,600
13. Northeast State Community College	388,900
14. Chattanooga State Community College	714,500
15. Cleveland State Community College	295,000
16. Columbia State Community College	408,600
17. Dyersburg State Community College	210,900
18. Jackson State Community College	382,400
19. Motlow State Community College	330,200
20. Roane State Community College	537,600
21. Volunteer State Community College	552,500
22. Walters State Community College	538,100
23. Tennessee Technology Centers	1,417,100
Subtotal Tennessee Board of Regents System	\$ 31,053,900
Total Higher Education	\$ 50,900,000

SECTION 13. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. The Commissioner of Finance and Administration is authorized to reallocate appropriations for Board of Claims premiums and property insurance premiums among state agencies and programs, based on the actuarial study provided by the State Treasurer, and to adjust federal and other departmental revenues accordingly. There is further appropriated for this purpose sums sufficient from dedicated and earmarked revenues to provide for the allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues. The Commissioner of Finance and

Administration also shall reduce appropriations from the general fund and from dedicated and earmarked revenues where necessary, to reflect the allocations of the actuarial study.

Item 2. From the appropriation made in Section 4, Title III-1, Item 7.3, Risk Management Fund, funds may be expended for purposes outlined in TCA 9-8-109(d), including, but not limited to, contracting with a third party for claims management services.

SECTION 14. The appropriations made by this act and all other appropriations, including appropriations of departmental revenues as set forth in Section 4 of this act, except such as may be made for the expenses of the Legislative Branch, and the appropriations made for the Judiciary, including the Attorney General and Reporter, District Attorneys General, Public Defenders, and the Office of the Post-Conviction Defender, the Secretary of State, Comptroller of the Treasury and State Treasurer, shall be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51, which shall remain in full force and effect; and in case of conflict with any other law, the provisions of such laws shall prevail, except as otherwise herein specifically provided. All appropriations except those made by acts authorizing bond issues and expenditures thereof and those excepted from obligations and expenditure hereinabove, though made by other statutes, shall likewise be obligated and expended under the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

SECTION 15.

Item 1. No part of the fund appropriated to any department, office, instrumentality, or agency of the state government shall be expended in any other such entity, but if the head of any department, office, commission or instrumentality of the state government finds that there is a surplus in any classification, division, or unit under such entity, and a deficiency in any other division, unit or classification, then in that event the head of such department, office, commission or instrumentality of the state government may transfer such portion of such funds as may be necessary for the one division, unit or classification where the surplus exists to the other, except as otherwise provided herein, provided such transfer is approved by the Commissioner of Finance and Administration. Such transfer of funds pursuant to this item shall be subject to the approval of a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 2. The Commissioner of Finance and Administration may establish in any department, office, commission or instrumentality of the state government a clearing account through which all salaries and wages, including the state's portion of retirement, insurance, Social Security, etc., may be disbursed. In the event such accounts are established, department records shall be maintained showing the distribution of such amounts among the various appropriation codes, and any financial reports shall present expenditures as if such expenditures had been made through the individual appropriation accounts.

Item 3. The Commissioner of Finance and Administration shall have power and authority to refuse, with the approval of the Governor, to approve or honor any and all requisitions for purchases, except requisitions for purchases authorized by the Legislative Branch, including the Secretary of State, Comptroller of the Treasury and State

Treasurer, and the Judiciary, including the Attorney General and Reporter. In case any division or function of government for which an appropriation is provided in this act or otherwise, shall be transferred from an existing department, to any other department, such transfer shall automatically result in the appropriation for such transferred division or function becoming available to the department to which such transfer is made for the purposes of such transferred division or function.

Item 4. From the appropriations made to the various state departments and agencies under this act, and other general acts appropriating money, there may be paid any expenses incurred by said departments and agencies for the purpose of conducting and serving as host for regional or national conferences of which such departments or agencies may be members. Before any funds shall be expended under this authorization, the amount and purpose of the proposed expenditure shall be approved by the Commissioner of Finance and Administration.

Item 5. Notwithstanding any provision of law to the contrary, no state department or agency in the Executive Branch of state government is authorized to make organizational changes within such department or agency without the prior approval of the Commissioner of Finance and Administration. Where such organizational changes require a transfer of funds between organizational accounts and are contrary to the manner in which appropriations have been made herein, approval of said transfers is subject to approval by the Commissioner of Finance and Administration and by a majority of a committee composed of the Speaker of the Senate, the Speaker of the House and the Comptroller of the Treasury.

Item 6. The Commissioner of Finance and Administration is authorized to draw down disputed federal funds and to reserve the funds to prevent their expenditure until the dispute is settled; and the Commissioner of Finance and Administration in consultation with the State Treasurer is authorized to allocate interest earnings on the draw-down of disputed federal funds and to pay interest earnings to the federal government in those instances when expenditures are ultimately disallowed.

Item 7. The Commissioner of Finance and Administration is authorized to impose a reasonable real estate transaction fee on all real estate transactions when the transaction is processed through the Department of Finance and Administration. Said fee structure shall be subject to approval by the State Building Commission.

Subject to the approval of the State Building Commission, there is hereby appropriated a sum sufficient to replace any real estate transaction fees that are waived.

Item 8. The Commissioner of Finance and Administration shall maintain a policy to recover state funds and the state's costs associated with checks, warrants, drafts, and electronic funds transfers deposited to a state account that are subsequently returned unpaid by the drawer's bank.

Item 9. The Commissioner of Finance and Administration is authorized to maintain an indirect cost recovery plan to recognize overhead costs associated with the operations of the Tennessee Regulatory Authority, Wildlife Resources Agency, Department of Financial Institutions, Housing Development Agency and the regulatory boards and commissions not under the administration of the Department of Commerce and Insurance or the Department of Health. The Commissioner is further authorized to charge the

departments and agencies covered by the indirect cost recovery plan for their individual overhead costs.

Item 10. The Commissioner of Finance and Administration shall establish a state regulatory fee of \$5.00 for one year and \$10.00 for two years. The fee shall be in lieu of any allocation of indirect costs which would otherwise be allocated to the regulatory boards covered by the provisions of Tennessee Code Annotated, Section 4-3-1011(b)(2).

Item 11. If any appropriation in this act fails to designate a department or agency of state government to be responsible for the administration of the appropriation, then the Commissioner of Finance and Administration is hereby directed to designate the state department or agency to administer the appropriation.

Unless otherwise directed by language in this act, appropriation grants to agencies outside of state government shall be administered in such manner as the Commissioner of Finance and Administration shall determine. Direct appropriation grants for the benefit of agencies outside of state government may be administered by the Department of Finance and Administration.

Item 12. For the purposes of this item, the term "chief fiscal officer" shall mean the position within a state agency that has overall daily responsibility for the oversight of the fiscal operation for that agency. The Commissioner of Human Resources in consultation with the Commissioner of Finance and Administration shall designate and classify position(s) within each agency of the Executive Branch of state government as chief fiscal officer(s) for that agency. Qualifications and appointments to fill existing or future vacancies shall be in accordance with procedures established by the Commissioner of Human Resources with the approval of the Commissioner of Finance and Administration.

Item 13. From the appropriations made in this act to pay the salaries of state employees who are hired on or after July 1, 2010, the Commissioner of Finance and Administration is authorized to require that those salaries be paid through direct-deposit procedures.

Item 14. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and reserve estimates and related expenditures: (a) for internal service funds and enterprise funds to record fees received for services provided to departments, agencies, boards, and commissions, and (b) to record payment for services provided to state agencies by another state agency.

Item 15. The Commissioner of Finance and Administration is hereby authorized to adjust departmental revenue and related expenditures to recognize (a) the carry-over of federal funds and other departmental revenues that were budgeted and allotted but unexpended or unobligated at June 30; (b) an increase in the federal rate of reimbursement or match in federal programs so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs; and (c) an unexpected increase in federal grant funds so that there is less state expense or the additional federal funds are available to meet increasing costs without improving programs.

Item 16. The Commissioner of Finance and Administration is hereby authorized to adjust the estimates of federal block grant funds and other federal grant-in-aid funds

estimated in Section 4 and Section 31 of this act to reflect the actual allocations of federal revenues made available to the State of Tennessee by the federal government.

Item 17. From the appropriation made in Section 4, Title III-2, Item 4.5, to General Services, Property Management, the Commissioner of Finance and Administration is authorized to establish new positions in property services management for new buildings the state maintains.

SECTION 16.

Item 1. Each department, division or agency for the benefit of which an appropriation is made herein and which participates in the Consolidated Retirement System, shall pay from such appropriation monthly such sums as may be due such Consolidated Retirement System as the state's contribution from such department, division or agency.

SECTION 17.

Item 1. From the appropriations made herein, the various departments, agencies, boards and commissions of state government shall pay on behalf of each participating employee within the respective departments, agencies, boards and commissions, not less than eighty percent (80%) of the cost of each individual's participation in the basic group medical insurance program and one hundred percent (100%) of the cost of twenty thousand dollars (\$20,000.00) of basic term life insurance coverage and forty thousand dollars (\$40,000.00) of basic special accident insurance coverage for each participating employee; such basic medical, life and accident insurance program to be established pursuant to Tennessee Code Annotated, Title 8, Chapter 27, Part 2.

The employer contribution amounts established by the State Insurance Committee for eligible participating employees shall not exceed, in the aggregate, the amounts appropriated in this act. The State Insurance Committee shall determine a calendar year 2011 plan of benefits, related services, and monthly premiums for each of the health care options it authorizes pursuant to Section 8-27-201, Tennessee Code Annotated, which result, with reasonable certainty, in the provision of sufficient revenues to pay plan expenses and to provide for the funding of reserves for estimated incurred but unreported claims. The monthly premiums and the employer contribution amounts shall be subject to the approval of the Commissioner of Finance and Administration pursuant to Section 4-3-1006, Tennessee Code Annotated.

The State Insurance Committee shall recognize the annualized rate and benefits adjustments intended to be effective on January 1, 2011, which are required so that the plan of benefits, on an annualized basis, shall not exceed the recurring revenues to pay plan expenses.

Item 2. From the appropriations made herein the Department of Military is hereby authorized to pay, on behalf of each participating national guardsman called up to state active duty, the cost of each individual's participation in the state-approved Group Life Insurance Plan for national guardsmen called up to state active duty. The provisions of Tennessee Code Annotated, Title 8, Chapter 27, Part 2, shall apply.

Item 3. The State Insurance Committee shall establish and maintain, within the appropriations made in this act for supplemental medical insurance for retired state employees and retired teachers and in accordance with Tennessee Code Annotated, Section 8-27-702, the respective contribution levels to be made by the state on behalf of the eligible participating retirees. The annualized contribution rate established by the Committee for the eligible participating employees shall not exceed the amount appropriated in this act, and the rate established is subject to approval by the Commissioner of Finance and Administration.

Item 4. It is the legislative intent that the State Insurance Committee establish a schedule of premium payments for retirees participating in the group insurance plan under the provisions of Tennessee Code Annotated, Section 8-27-205(b).

Item 5. The Commissioner of Finance and Administration is hereby authorized to establish positions and make appropriate adjustments to the Benefits Administration budget to reflect changes in the contractual arrangements for medical and other insurance coverage provided to state insurance plan participants. The establishment of additional positions and the allotment of additional departmental revenue are subject to approval by the State Insurance Committee.

SECTION 18. From the appropriations made by this act, claims for official travel expenses of state employees and members of boards and commissions, notwithstanding any provision of the law to the contrary, shall be subject to the provisions of comprehensive travel regulations as approved by the Attorney General and the Commissioner of Finance and Administration under the provisions of Tennessee Code Annotated, Section 4-3-1008.

SECTION 19. Whenever similar or duplicate appropriations are made in this act to those carried in any other act, such appropriation herein shall not be deemed as a supplemental appropriation, it being the legislative intent that there shall be no overlapping appropriations for equivalent amounts; but if this act simply supplements the appropriations made by the other act, then such supplemental appropriation shall be valid. The same shall apply to similar or duplicate appropriations made solely within this act.

SECTION 20. Notwithstanding the provisions of Tennessee Code Annotated, Title 54, Chapter 2, Part 2, to the contrary, whenever the State of Tennessee has any surplus lands or other surplus real properties which are sold or conveyed during the fiscal year ending June 30, 2011, the proceeds from the sale of such lands or other real property shall be subject to the provisions of Tennessee Code Annotated, Section 12-2-112.

SECTION 21. The Board of Standards may, if it considers such action in the interest of the state, authorize the Director of Purchasing to negotiate for the purchase of computer programs and associated software systems without following the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3, relative to requisitioning and the receipt of bids. Such purchases shall be made at and for the best possible price, and each such purchase shall be confirmed by the Board of Standards before becoming effective. This exception shall not apply to the purchase of computer equipment machinery or associated hardware, but the same shall continue to be acquired in accordance with the procedures set out in Tennessee Code Annotated, Title 12, Chapter 3.

SECTION 22. Notwithstanding the provisions of Tennessee Code Annotated, Title 66, Chapter 29, warrants, drafts, and checks drawn on the State Treasury that have not been redeemed within 12 months of issue date shall be cancelled and written off the state's books with the funds reverting to the fund of issue. Subsequent claims by the payee of said instruments, shall be honored upon receipt of documentation to substantiate the claim. The Commissioner of Finance and Administration and the State Treasurer shall ensure the state's compliance with the unclaimed property law.

SECTION 23. It is hereby declared to be the legislative intent that the Commissioner of Finance and Administration revise the funding recommendations and personnel summaries contained in the Budget Document to conform with this act, other general acts of this Session and any other actions which affect the level of departmental or other such revenue. Said revised summaries shall be provided to the Office of Legislative Budget Analysis, Finance, Ways and Means Committees of the Senate and House of Representatives and to the Office of the Comptroller of the Treasury and Fiscal Review Committee. The Commissioner of Human Resources shall submit a monthly report to the Office of Legislative Budget Analysis regarding positions that have been overlapped for ninety (90) days or more. In addition, the budget as introduced shall indicate the number of positions overlapped on the date of introduction.

In establishing allotments from the appropriations herein made, the Commissioner of Finance and Administration may establish total spending authorizations in the amount of the specific appropriation from state revenues herein made, plus the estimated federal and departmental revenues estimated to be available as presented in the revised funding summaries cited above. In the event federal and departmental revenues for any particular program, appropriation code, or other classification are less than the amount estimated to be available under the allotments then and to that extent the spending authorizations are hereby reduced; to the extent that federal or departmental revenues in excess of the amounts allotted are realized, such excess shall not constitute increased spending authorizations, except under the conditions herein specified.

In establishing the allotments herein authorized, the Commissioner of Finance and Administration shall divide the total spending authorizations by allotment code, into two subdivisions, as follows:

1. Personal Services and Benefits
2. Other Operating Expenses

For the purposes of this paragraph, the term "departmental revenues" means earnings or charges for goods or services; or donations, contributions or participation by political subdivisions, foundations, corporations, firms or persons. For purposes of this paragraph, the term "state revenues", means the proceeds of taxes, licenses, fees, fines, forfeiture or other imposts laid specifically by state law. No state revenues shall be expended by any state agency unless such revenues are appropriated by the General Assembly, as reflected in the provisions of this act and the revised summaries cited above. No state agency shall establish any new programs or expand any existing programs, beyond the scope of those already established, recognized and approved by the General Assembly, as reflected in this act and the revised summaries cited above, unless each such new or expanded program is funded entirely from unanticipated or excess departmental revenues or federal revenues. However, no such expenditure of unanticipated or excess departmental revenues or federal revenues shall occur

until written notice of the program and the availability of unanticipated or excess departmental revenues or federal revenues is submitted by the Commissioner of Finance and Administration to the Chairs of the Finance, Ways and Means Committees of the Senate and House of Representatives and until said committee chairs have acknowledged in writing receipt of such written notice; provided, however, that capital outlay program projects, whether capital improvements or capital maintenance, shall be submitted to the State Building Commission to be acknowledged. When submitted, a copy of operational budget expansion reports shall be provided to the Fiscal Review Committee executive director and the Office of Legislative Budget Analysis director for information purposes.

An expansion report shall not be acknowledged by the Chairs of the Finance, Ways and Means committees during a time that the General Assembly is in regular, annual session until each Finance, Ways and Means Committee has held a hearing on the proposed program expansion, or the committees have held a joint hearing.

State fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, and any subsequent revenue-sharing relief to the states in excess of the amounts specifically appropriated or identified in this act shall not be used to expand programs until specifically appropriated by the General Assembly.

It is the legislative intent that funding for all capital improvement projects and funding for each capital maintenance project of one million dollars (\$1,000,000) or more shall be specified in detail in the annual budget document and listed by affected spending agency. Funding for each capital maintenance project of less than one million dollars (\$1,000,000) shall be specified in such detail in the annual budget document as the Governor shall determine. The Commissioner of Finance and Administration shall provide a written quarterly report to the director of the Office of Legislative Budget Analysis and to the executive director of the Fiscal Review Committee identifying additions, deletions or other modifications of capital improvement and capital maintenance projects occurring subsequent to enactment of the annual budget through the appropriations and bond authorization acts.

It is further the legislative intent that appropriations for capital improvement and capital maintenance projects shall be specified by state agency in lump sums consistent with capital improvement and maintenance projects detailed in the annual budget document.

The Commissioner of Finance and Administration shall report to the Chairmen of the Senate and House Finance, Ways and Means Committees on positions funded by federal criminal justice grants that are time-limited. The report shall include the number of positions and costs by federal program and by state agency and program, the period of the grant, the outlook for federal continuation of the grant beyond the expiration date, and any conditions of the grant indicating a state obligation upon expiration of the grant. A copy of the report also shall be provided to the Office of Legislative Budget Analysis director and the Fiscal Review Committee executive director.

SECTION 24.

Item 1. Notwithstanding any provision of the law to the contrary, the heads of the respective departments for which appropriations are made in Section 1, Titles I, II, III-1, Items 1, 3, 5, and 7, are authorized to revise their respective budgets and personnel authorizations within the appropriations made in Sections 1 and 4 of this act and to submit those revised summaries to the Commissioner of Finance and Administration,

who shall incorporate them into the revised funding recommendations and personnel summaries and allotments and spending authorizations required by Section 23 of this act.

Item 2. All funds appropriated in Section 1, Title III-1, Items 3, 5 and 7 and in Section 4, Title III-1, Items 3, 5 and 6, shall be administered in a ministerial capacity by the Department of Finance and Administration in accordance with budgets and any revisions thereto of the respective entities for which such appropriations are made. Such budgets and any revisions thereto shall be subject to the concurrence of the Speaker of the Senate and Speaker of the House of Representatives.

SECTION 25. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state revenues and departmental revenues made in this act and in prior acts to the state, its departments, agencies, boards, educational institutions, instrumentalities, and incorporated entities performing the state's governmental functions shall be state funds and shall be protected by the state's sovereign immunity from every court's judgment, decree, attachment, or other legal process; provided, however, that any statutory or other provision authorizing an agency, board, or entity to sue and be sued shall not constitute a waiver of sovereign immunity.

SECTION 26. From the appropriation made for the General Assembly under Section 1, Title I, payment shall be made for, but not limited to, the following items:

1. Any lawful expenses of the One Hundred Sixth General Assembly, for which funds have not been obligated on June 30, 2010, such funds herein appropriated as are required may be made available during the fiscal year ending June 30, 2010.

2. The lawful expenses of the One Hundred Sixth General Assembly.

3. The cost of staffing, maintaining and operating the offices of the Speaker of the Senate and the Speaker of the House of Representatives, including necessary travel and other expenses incident to said offices, not covered by Title I, Items 1.3 and 1.4, of this act.

4. Such expenses as may be incurred for maintaining legislative facilities including the maintenance and staffing and such other expenses as may be necessary to provide offices and other services to members of the General Assembly and their staff in state facilities in Nashville.

5. Expenses and travel pay to legislators for each day when attending conferences, workshops, and other official meetings, both within and without the State of Tennessee, when said travel is approved by the Speaker of the Senate and/or the Speaker of the House of Representatives. Payments shall be at the same rate provided for members of the standing committees of the General Assembly when meeting between sessions. Provided, further, that reimbursement may be made to legislators for registration fees incurred while attending conferences and meetings as may be approved by the Speaker of the Senate and/or the Speaker of the House of Representatives.

6. Expenses and travel pay allowed to members of the Joint Legislative Services Committee as authorized under Tennessee Code Annotated, Section 3-1-106, and to members of the Fiscal Review Committee, as authorized under Tennessee Code Annotated, Section 3-7-102.

7. The Speakers may transfer to the Office of Legislative Services and the Office of Legal Services for the General Assembly and to the Fiscal Review Committee sufficient funds to enable them to complete all studies assigned to them by the One Hundred Sixth General Assembly, and to furnish such help as may be required by standing, select and joint committees of the General Assembly.

8. Membership dues to the National Conference of State Legislatures, similar service organizations, and such other conferences as may be approved by the Speaker of the Senate and the Speaker of the House of Representatives. Such payments may be made quarterly or in accordance with other partial payment plans.

9. Any expenditures for legislative purposes called for by resolutions or joint resolutions properly adopted by either or both Houses of the General Assembly.

10. Payment of expenses to any member, as provided by law, for attendance at any meeting of any standing, special, or select committee of the General Assembly, whether such meeting occurs during or between sessions of the General Assembly. Such expenses for meetings held between sessions shall be paid at the same rate as provided in the general law for meetings held while the General Assembly is in session.

11. In addition to appropriations made under Section 1, Title I, there is hereby appropriated a sum sufficient to cover any increase automatically occurring under mandate of law in any compensation, benefits, or expenses funded under Section 1, Title I.

12. From funds available to the General Assembly, there is earmarked a sum sufficient for the sole purpose of funding expenses of members of the General Assembly for meetings of study committees of the General Assembly on which they serve; provided, that such expense payment is subject to approval by the Speaker of the House of Representatives and the Speaker of the Senate in accordance with Tennessee Code Annotated, Section 3-1-106.

All items listed above, together with any other expenses for the General Assembly, upon the approval of the Speaker of the Senate and/or the Speaker of the House of Representatives, shall be paid through the Office of Legislative Administration, who shall also be authorized to make arrangements for, and incur obligations incident to, any convening of the One Hundred Sixth General Assembly, 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.

Provided, further, that during any period when the Offices of the Speaker of the Senate or the Speaker of the House of Representatives are vacant, or otherwise upon authority of the Speakers, the Director of the Office of Legislative Administration is hereby authorized to do any act which the Speaker might do under the provisions of this section.

The provisions of the section shall not be construed to countermand any general act passed by the One Hundred Sixth General Assembly.

SECTION 27. The Speaker of each House of the General Assembly shall be paid from funds appropriated to the General Assembly the following sums:

Seven hundred fifty dollars (\$750.00) for their ex officio services during any session of the General Assembly; plus the sum of five thousand seven hundred dollars (\$5,700.00) annually for local office expenses in their county of residence which will be in addition to the cost of maintaining and operating offices in the State Capitol. In addition, each Speaker shall be allowed the same amount for expenses and travel pay as that provided for members of the standing committees of the General Assembly when meeting between sessions, for attending meetings of standing, select, or joint committees of the General Assembly or when absent from their county of residence on official duty as Speaker. 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.

The allowance for ex officio duties authorized by this section shall be paid at the request of each Speaker at any time after adjournment of a session. The amount authorized hereby for local office expenses shall be paid annually on or after November 1st of each year at the request of each Speaker. Requests for payments shall be addressed to the Director of the Office of Legislative Administration and need not be accompanied by a list of expenditures for which allowances the reimbursements are claimed. Payments for attending meetings between sessions or when absent from county of residence shall be paid from time to time on request of each Speaker.

SECTION 28. In order to prevent duplication of effort and to establish professional standards, audits to be performed by internal audit staffs or grantees of departmental activities funded from appropriations made in this act shall be coordinated with the Office of the Comptroller of the Treasury, and such reports as may be issued shall be prepared in accordance with standards established as required by law by the Comptroller of the Treasury. No department, agency, institution, board, or commission shall cause internal auditing to be performed by persons who do not meet the job specifications for internal auditors established by the Commissioner of Human Resources and approved by the Commissioner of Finance and Administration.

SECTION 29. The appropriations to public institutions of higher education set forth in Section 1 of this act shall be subject to the conditions and limitations set forth in this section, and shall not be subject to other provisions of this act except as otherwise expressly stated.

Item 1. Salaries to be paid from the appropriations made to educational institutions shall be fixed as follows:

The President and the staff of the University of Tennessee, by the Board of Trustees; the Presidents and staffs of the institutions within, and the Chancellor and staff of, the State University and Community College System of Tennessee, by the Board of Regents; and the Directors and staffs of the technology centers by the Board of Regents; all of which shall be within the appropriations provided and available for said purposes.

Item 2. Each higher education institution, including technology centers, shall report to the Commissioner of Finance and Administration, the Tennessee Higher Education Commission, and the Office of Legislative Budget Analysis, the actual amount of expenditures for maintenance and operation of the physical plant, exclusive of utilities, for the fiscal year, and any deviation in these expenditures from the amounts

recommended in the funding formula for these purposes, prorated to reflect actual funding levels appropriated in this act.

Item 3. All institutional revenues of any kind collected by the institutions in the course of their operations for their own use are hereby appropriated to the institutions in addition to the specific appropriations made by this act.

Item 4. It is the intent of the General Assembly that the fee charges among the public institutions of higher education of the state, be subject to the nature and scope of the institutions, and that the State Board of Regents and the Board of Trustees of the University of Tennessee shall consult with the Higher Education Commission before establishing the fee schedules for the universities, community colleges and technology centers.

Item 5. The appropriations herein for higher education and appropriations of all higher education departmental and institutional revenue are subject to the provisions of Tennessee Code Annotated, Title 9, Chapter 4, and subsections (4) and (5) of Tennessee Code Annotated, Section 4-3-1006. Within the general requirements of these provisions, the Commissioner of Finance and Administration, in consultation with the Comptroller of the Treasury and the Higher Education Commission, shall specify the content and procedures for submitting operating budgets and revisions thereto. The operating budgets shall be submitted to the Higher Education Commission by the respective governing boards. The Higher Education Commission shall then submit such operating budgets with their comments to the Department of Finance and Administration for approval. In addition, the appropriations in this act to institutions of higher education shall be subject to the requirements, restrictions and controls of the State Board of Claims and the State Building Commission in the same manner as other agencies of the state. The governing boards shall submit to the Office of Legislative Budget Analysis both the original and revised operating budgets proposed. The Tennessee Higher Education Commission shall submit to the Office of Legislative Budget Analysis the revised higher education funding formula for the ensuing fiscal year no later than December 1 of each year.

Item 6. From the appropriations made herein, institutions of higher education are hereby authorized to pay, on behalf of each participating employee, a percentage amount equal to the amount paid by other agencies of the state of the cost of each employee's participation in the state-approved Group Insurance Plan for state employees.

Item 7. Except where sovereign immunity has been or shall hereafter be expressly waived by the General Assembly, all appropriations of state funds and institutional revenues made in this act and prior acts to institutions of higher education shall be state funds and shall be protected by the state's sovereign immunity from any court's judgment, decree, attachment, or other legal process, provided, that any statutory or other provision authorizing any entity to sue and be sued shall not constitute a waiver of sovereign immunity.

Item 8. From the appropriations made in this act and other appropriations acts, the budgetary units in higher education shall pay to the Tennessee Consolidated Retirement System the employer's share of retirement and shall pay to the Social Security Administration the Social Security costs including the additional benefit costs associated

with pay, pay raises funded from fees, revenues, payroll savings or any other funding source.

Item 9. The appropriations in this act for Centers of Excellence and Campus Centers of Emphasis are subject to allocation by the Higher Education Commission and the Commissioner of Finance and Administration. In allocating the appropriation for Centers of Excellence, a consideration shall be planned reductions to existing expenditures to supplement funding for the centers. The obligation and expenditure of funds appropriated for Centers of Excellence shall be subject to oversight by the special joint committee of the General Assembly created pursuant to the provisions of the Comprehensive Education Reform Act of 1984.

Item 10. There is hereby appropriated a sum sufficient to pay insurance claims filed by lending institutions under the provisions of the Federal Family Education Loan Program and the costs associated with administering that program. Provided, however, such payments shall be made and such costs shall be paid from funds and reserves received and maintained by the Tennessee Student Assistance Corporation for the Federal Family Education Loan Program and the State of Tennessee shall in no way be liable for such claims.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Student Assistance Corporation all reserve balances now held by the Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5. It being the legislative intent that these reserves may be used to cover any expenditures resulting from over-awards of assistance to students enrolled during the 2010-2011 academic year under the Student Assistance Program and may use that portion of earnings from the Student Loan Program reserves to conduct the training, administration and default management for students, schools and lenders in the Federal Family Education Loan Program, Part 4 and the Student Loan Program, Part 5. The allotment of funds appropriated by this item shall be subject to the provisions of Tennessee Code Annotated, Title 4, Chapter 3, Part 10 and Title 9, Chapter 4, Part 51.

Item 12. In the Tennessee Student Assistance Awards Program any prior year appropriations recovered from prior recipients by June 30, 2011, shall not revert to the fund balance but shall be added to the reserve balances now held by the Student Assistance Corporation for the Student Loan Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 5.

Item 13. Proceeds collected from prior recipients of the teacher loan/scholarship programs authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 2, shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Teaching Scholars Program (Tennessee Code Annotated, Section 49-4-212).

Item 14. Proceeds collected from prior recipients of the Minority Teaching Fellows Program authorized by Tennessee Code Annotated, Title 49, Chapter 4, Part 7, shall not revert to the fund balance but shall be deferred and added to the funds appropriated in the succeeding year for expenditure as awards in the Minority Teaching Fellows Program (Tennessee Code Annotated, Section 49-4-706).

Item 15. There is hereby appropriated a sum sufficient to the Tennessee Student Assistance Corporation from accumulated interest earnings in the Academic Scholars Program (Tennessee Code Annotated, Section 49-4-203) and in the Christa McAuliffe Scholarships Program (Tennessee Code Annotated, Section 49-4-705).

Item 16. In the fiscal year ending June 30, 2011, there is appropriated a sum sufficient to the Tennessee Student Assistance Corporation from revenues received pursuant to TCA 49-4-702(c) for the loan-scholarship program for graduate students in professional nursing. Said funds shall not revert to the general fund, but shall be carried forward for future student awards.

Item 17. There is hereby appropriated a sum sufficient to the Baccalaureate Education System Trust Board of Directors from fees and other charges for participation in the prepayment tuition program operated by the board under the provisions of Tennessee Code Annotated, Title 49, Chapter 7, Part 8.

Item 18. It is hereby declared to be the legislative intent that the Tennessee Higher Education Commission shall, as part of the budget recommendation to the Governor each year, provide estimates of likely increases in student fees at various levels of state appropriations varying from zero increase in state appropriations to full funding of the Commission's recommendations. It is further the intent of the General Assembly that the Commission include within its recommendations the total revenues expected to be available to each higher education institution for educational and general purposes (including state appropriations, student fees and any other available funds), compared to total educational and general revenues recommended for each institution under the Commission's formula at full funding.

Item 19. State appropriations to higher education institutions will be budgeted and expended in a manner that advances the priorities and goals of the approved higher education master plan.

Item 20. From the appropriations made in Section 1, Title III-10, of this act, to Higher Education, there is a non-recurring amount of \$59,024,200 for the purpose of complying with the requirements of the American Recovery and Reinvestment Act of 2009, U.S. Public Law 111-5, State Fiscal Stabilization Fund, relative to state maintenance-of-effort at fiscal year 2005-2006 levels and use of Federal Recovery Act funds to achieve fiscal year 2007-2008 levels. The Commissioner of Finance and Administration is authorized to adjust these appropriations to offset any change in the total appropriations to the Public Institutions of Higher Education to maintain compliance with said requirements.

Item 21. The capital outlay projects listed in the 2010-2011 Budget Document and which are identified with the heading "Capital Projects from School Bonds and Other Sources, Fiscal Year 2010-2011", are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

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-146 in the 2010-2011 Budget Document:

Austin Peay State University	
Baseball Fields Restroom	\$ 150,000
Clement & MMC Building Water Heaters	250,000
Clement Hall Window Replacements	850,000
Dunn Center Steam Line Replacement	740,000
Ellington Hall HVAC Upgrades	1,200,000
Harned Hall HVAC Replacement	610,000
Math and Computer Science Building	5,700,000
Emerald Hills Sprinkler System	1,200,000
Total APSU	<u>\$ 10,700,000</u>

East Tennessee State University	
Athletic Weight Room Relocation & Renovation	\$ 300,000
Brown Hall Infrastructure Replacements	2,000,000
Center for Academic Achievement Renovation	300,000
COM Building 4 First Floor Renovation	150,000
Sam Wilson Hall Renovation	250,000
Campus Welcome Center	2,000,000
Total ETSU	<u>\$ 5,000,000</u>

Middle Tennessee State University	
Feedwater System and Steam Line Improvements	\$ 1,700,000
Steam Plant & Water Treatment Plant Upgrades	850,000
Fairview Building Renovation	500,000
Health and Wellness Building Addition	5,750,000
Mass Communications Media Convergence Center	570,000
Peck Hall Forensic Labs	270,000
Several Buildings Envelope Repairs	1,100,000
Several Buildings Window Replacements	2,650,000
Total MTSU	<u>\$ 13,390,000</u>

Tennessee State University	
Research Facility Buildout	\$ 2,000,000
Torrence Engineering Building Upgrades	1,550,000
Total TSU	<u>\$ 3,550,000</u>

Tennessee Technological University	
Johnson Hall Classroom Upgrade	\$ 210,000
Prescott Lecture Hall Update	320,000
T.J. Farr Classroom Upgrades	260,000
Total TTU	<u>\$ 790,000</u>

University of Memphis	
Business and Economics Building Restroom Upgrades	\$ 260,000

Clement and Mitchell Hall HVAC Updates	3,100,000
Daycare Expansion	300,000
Hiring Lab Renovations	1,600,000
Indoor Football Practice Facility	9,000,000
Intramural Field Turf and Lighting Upgrades	1,300,000
Music and ROTC Tower	130,000
Normal Hall Building Improvements	200,000
Park Avenue Heating Plant Demolition	400,000
Pool Deck Replacement	250,000
Scates Hall Restroom Renovations	450,000
Large Classroom Improvements	300,000
Student Housing	33,000,000
Total UOM	<u>\$ 50,290,000</u>
Cleveland State Community College	
Science Laboratories Modernization	\$ 600,000
Student Center Renovation	220,000
Total CISCC	<u>\$ 820,000</u>
Jackson State Community College	
Several Buildings Lighting Upgrades	\$ 900,000
Student Parking Repairs	210,000
Total JSCC	<u>\$ 1,110,000</u>
Motlow State Community College	
Eoff Hall Ceiling and Lighting Renovation	\$ 220,000
Several Campus Buildings Exterior Repair	430,000
Power Building Chiller Engine Replacements	140,000
SCAT Building Foundation Repairs	150,000
Total MSCC	<u>\$ 940,000</u>
Roane State Community College	
Student Services Renovations	\$ 230,000
Total RSCC	<u>\$ 230,000</u>
Southwest Tennessee Community College	
M Building Renovations	\$ 400,000
Macon Cove Campus Parking Lot	650,000
Total STCC	<u>\$ 1,050,000</u>
Volunteer State Community College	
Energy Management System Upgrades	\$ 1,300,000
Warf Parking Lot Expansion	700,000
Total VSCC	<u>\$ 2,000,000</u>
Walters State Community College	
Emergency Generator Installation	\$ 100,000

Total WSCC	<u>\$ 100,000</u>
Total Tennessee Board of Regents	<u>\$ 89,970,000</u>
University of Tennessee System	
University of Tennessee Chattanooga	
Bretske Hall Upgrades	\$ 1,540,000
Several Buildings Roof Replacements	300,000
Several Buildings Floor Finish Replacements	300,000
MacLellan Gym Improvements	1,350,000
Guerry Center Food Service Operations	<u>3,500,000</u>
Total UT Chattanooga	<u>\$ 6,990,000</u>
UT Health Science Center	
Emergency Power Upgrades	\$ 2,000,000
GEB Improvements	<u>2,750,000</u>
Total UTHSC	<u>\$ 4,750,000</u>
UT Institute of Agriculture	
Johnson Research Unit HVAC Improvements	\$ 120,000
Clyde Austin Water Line Extension	<u>310,000</u>
Total UT Institute of Agriculture	<u>\$ 430,000</u>
University of Tennessee Martin	
Upgrade Campus Lighting	<u>\$ 3,300,000</u>
Total UT Martin	<u>\$ 3,300,000</u>
Total University of Tennessee	<u>\$ 15,470,000</u>
Grand Total	<u>\$105,440,000</u>

The East Tennessee State University project, Downtown Clinic, listed on page A-138 of the 2009-2010 Budget Document in the amount of \$2,000,000 and amended per Section 29, Item 18 of Chapter 554, Public Acts of 2009, is to be canceled.

Item 22. From the appropriations made in Section 1, Title III-10, Item 1, for administration and support services, the Commissioner of Finance and Administration is authorized to make appropriation transfers to implement an administrative reorganization between the Tennessee Student Assistance Corporation and the Tennessee Higher Education Commission.

Item 23. The provisions of this item are effective upon becoming a law, the public welfare requiring it. It is the intent of the general assembly to facilitate the provision of financial assistance to unemployed persons seeking educational services who reside in counties experiencing sustained high levels of unemployment. The Governor may invoke the provisions of this item where he determines that a county is experiencing sustained high levels of unemployment. To be eligible to receive such aid, a person must be a

resident of such county and unemployed as of the date of the declaration by the Governor, or thereafter becomes unemployed, and is or has been eligible for unemployment compensation benefits. The Tennessee Board of Regents and University of Tennessee Board of Trustees shall each develop a means by which financial assistance is provided to individuals attending their respective institutions. It is the legislative intent that financial assistance provided by public higher education institutions pursuant to this item shall be limited to fees not covered by other scholarships or grants, including lottery scholarships and Pell grants, for which the individual is qualified to receive.

Item 24. From the funds appropriated in Section 1, Title III-10, to the University of Tennessee System, there is earmarked for the UT Agricultural Experiment Station, an amount of \$200,000 for operational expenses.

SECTION 30. Salaries provided under the appropriations made in Sections 1 and 4 of this act to the respective departments, institutions, offices and agencies shall be fixed as under the provisions of Tennessee Code Annotated, Title 8, Chapter 23.

Within the appropriations made for the Office of the Attorney General and Reporter under this act, the salaries of the attorneys, legal and clerical staff and other employees shall be fixed by the Attorney General. The expenditures provided for herein shall not exceed the amount of the appropriation to the Office of the Attorney General and Reporter.

The salaries of all employees of the Judicial Branch, except those whose salaries are set by law, shall be fixed by the Director of the Administrative Office of the Courts with the approval of the Chief Justice of the Supreme Court. The compensation of the judges, chancellors, and justices of the state's trial and appellate courts shall be set in accordance with Tennessee Code Annotated, Section 8-23-103.

Within the appropriations herein made, the salaries of the subordinates and employees of the Treasurer, Comptroller, Secretary of State, and the Fiscal Review Committee shall be fixed by the heads thereof, respectively, and the salaries of the employees and subordinates of the Joint Legislative Services Committee shall be fixed by such committee in accordance with the provisions of Tennessee Code Annotated, Title 3, Chapters 10 through 14, inclusive; all other salaries and wages in departments, institutions, offices and agencies shall be approved by the Commissioner of Human Resources, provided, however, that the establishment of salary ranges within such departments, institutions, offices and agencies shall be subject to the approval of the Commissioner of Finance and Administration. To the extent that additional funds are appropriated or are generated within a department or agency by abolishing vacant and funded positions, subject to review and approval of the Commissioner of Finance and Administration and the Commissioner of Human Resources, salary increases may be granted from such funds.

Employee promotions shall be reported to the General Assembly under the provisions of Tennessee Code Annotated, Section 8-30-211(b).

SECTION 31. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Under the provisions of Section 4 and Section 23 of this act, it is the legislative intent to appropriate the proceeds of federal block grant programs, as assumed by the State of Tennessee, in the following manner:

1. Social Services block grant in the amount of \$13,047,700 to the Department of Human Services and in the amount of \$21,210,500 to the Department of Children's Services.

2. Mental Health Services block grant in the amount of \$8,080,300 to the Department of Mental Health and Developmental Disabilities.

3. Child Care Development Funds block grant in the amount of \$115,528,200 to the Department of Human Services.

4. Maternal and Child Health block grant in the amount of \$13,837,200 to the Department of Health.

5. Preventive Health block grant in the amount of \$1,705,900 to the Department of Health.

6. Community Services block grant in the amount of \$11,977,900 to the Department of Human Services.

7. Low-Income Energy Assistance block grant in the amount of \$27,197,800 to the Department of Human Services.

8. Substance Abuse Prevention and Treatment block grant in the amount of \$29,673,100 to the Department of Mental Health and Developmental Disabilities.

9. Temporary Assistance to Needy Families (TANF) block grant in the amount of \$213,058,000 to the Department of Human Services.

10. Small Cities Community Development block grant in the amount of \$53,321,800 to the Department of Economic and Community Development. Said sum being the estimated allocation of funds for the fiscal years 2009-2010 and 2010-2011 combined.

Provided, however, that all expenditures of any community development block grant funds in addition to those appropriated and enumerated in this section shall be subject to the following limitations and restrictions:

The Housing and Community Development Act of 1981 made it possible for states to assume administration of the Small Cities Community Development Block Grant (CDBG) previously administered by the U.S. Department of Housing and Urban Development (HUD). In Tennessee, the CDBG Program shall be administered by the Department of Economic and Community Development (ECD).

There shall be appropriated by the General Assembly to ECD such funds as may be allocated to Tennessee by the federal government for the CDBG Program. The state-administered CDBG Program shall be developed within the parameters of the CDBG legislation, applicable federal regulations, and consultation with citizens and elected officials in Tennessee.

The CDBG goals shall be three-fold: (1) target on areas of economic distress; (2) stimulate the growth of jobs and income in these areas; and (3) maximize the number of grantees. Additionally, all CDBG projects must meet one of the three national objectives of (1)

principally benefiting persons of low and moderate income; (2) elimination or prevention of slums and blight; or (3) elimination of conditions detrimental to health, safety or public welfare. ECD shall be authorized to make grants and/or loans of CDBG monies to eligible city and county governments in Tennessee to achieve these goals. Loan payments and interest shall be reserved for reappropriation and shall not revert to the general fund balance at year end.

Eligible applicants shall be all city and county governments in Tennessee except those cities of and counties designated by HUD as CDBG entitlement areas. Cities excluded from the state-administered CDBG Program include Memphis and Shelby County, Nashville (Davidson County), Chattanooga, Knoxville and Knox County, Clarksville, Bristol, Johnson City, Oak Ridge, Murfreesboro, Kingsport and Jackson. These cities and counties will receive their CDBG funds directly from HUD.

Based upon anticipated CDBG allocations of \$26,660,900 in fiscal year 2010 and of \$26,660,900 in fiscal year 2011, the following target funding levels shall be established:

	<u>FY '10</u>	<u>FY '11</u>
Administrative Costs	\$ 633,200	\$ 633,200
Industrial Location/Expansions/Retentions	500,000	500,000
Community Livability	2,379,200	2,379,200
Water/Sewer/Solid Waste	21,093,800	21,093,800
Housing and Neighborhood Revitalization	1,054,700	1,054,700
Set-Aside.....	1,000,000	1,000,000

A fifty percent (50%) reduction in any category will be permitted to facilitate proper program management and allow administrative flexibility. The funds so reduced shall be allocated to other categories with priority given to water/sewer/solid waste projects.

Selection criteria for project approvals shall be uniform within categories, objective and quantitative, and shall be based on project need, project feasibility, project impact, community need, and, for community livability projects, essentialness.

Project application materials will be supplemented, as appropriate, by site visits and by informed opinions of state agencies knowledgeable about particular projects.

The level of CDBG assistance for individual projects shall be determined by the following factors: (1) the percent of project beneficiaries that have family incomes below the low and moderate income (LMI) levels; (2) a maximum grant and/or loan of \$750,000.00 for individual projects (\$300,000.00 for community livability projects); (3) a maximum grant and/or loan to any applicant of \$750,000.00 in two successive years; and (4) the grantee's ability to pay. Higher grant levels (up to \$1,000,000.00) may be approved for regional projects.

If modifications in the expenditure plan for the CDBG Program are required, said modifications shall be accomplished in the following manner: (1) if the General Assembly is in session such modifications shall be approved by the General Assembly, or (2) if the General Assembly is not in session, the Governor may, (a) submit such modifications to the State Funding Board for approval or, (b) call a special session of the General Assembly for approval.

The American Recovery and Reinvestment Act of 2009, U.S. Public Law 111-5, authorizes additional funding for federal block grant programs in fiscal years 2009-2010 and

2010-2011. It is the legislative intent to appropriate the proceeds, as assumed by the State of Tennessee, in the following manner:

1. Child Care Development Funds block grants in the amounts of \$36,932,000 in fiscal year 2009-2010 to the Department of Human Services.
2. Community Services block grants in the amounts of \$19,699,000 in fiscal year 2009-2010 to the Department of Human Services.
3. Temporary Assistance to Needy Families (TANF) block grants in the amounts of \$119,702,200 in fiscal year 2009-2010 to the Department of Human Services.
4. Small Cities Community Development block grants in the amounts of \$6,682,600 in fiscal year 2009-2010 and \$413,000 in fiscal year 2010-2011 to the Department of Economic and Community Development.

The Housing and Economic Recovery Act of 2008, U.S. Public Law 110-289, authorizes additional funding for the Small Cities Neighborhood Stabilization Community Development block grant. It is the legislative intent to appropriate the proceeds, as assumed by the State of Tennessee, in fiscal year 2008-2009 in the amount of \$49,360,400 to the Tennessee Housing Development Agency. Any unexpended funds at June 30, 2010, are hereby reappropriated in the 2010-2011 fiscal year.

SECTION 32. The appropriations made in Section 1, Title III-8, Item 4, to the Department of Economic and Community Development for the FastTrack Infrastructure and Job Training Assistance Programs shall be expended pursuant to Tennessee Code Annotated, Sections 4-3-716 and 4-3-717. The Commissioner of Finance and Administration is authorized to transfer sums sufficient from the appropriation for FastTrack Infrastructure and Job Training Assistance to Community Development and Business Development for economic development projects. The Commissioner of Economic and Community Development is authorized to transfer sums sufficient from the appropriation for FastTrack Infrastructure and Job Training Assistance to Tennessee Jobs Skills Program, subject to the approval of the Commissioner of Finance and Administration.

SECTION 33. On or before January 31 of each calendar year, the Center for Business and Economic Research of the University of Tennessee shall cause to be published a comprehensive report on the state's economy. Said report shall be based on projections from the Tennessee Econometric Model and such other information as the Center may deem appropriate. The report shall contain projections for ten years (beginning with the calendar year preceding the year in which the report is due) of the annual economic activity (level and percent change over prior year) for each of the state's major economic sectors; shall include ten-year projections of selected economic indicators, as specified by the State Funding Board; and shall also include a narrative description of the short-term and long-term prospects for economic and business activity in the state based on these indicators. Quarterly projections shall also be published if available.

Said report shall be distributed to the Governor and the other members of the State Funding Board. The State Funding Board shall report to the General Assembly as provided in Tennessee Code Annotated, Section 9-4-5202.

SECTION 34. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. From the appropriations made in Chapter 554, Public Acts of 2009, the Commissioner of Finance and Administration is authorized to make transfers from the appropriations made:

Item 1. To the District Attorneys General in Section 1, Title III-1-2.

Item 2. To the Department of Finance and Administration in Section 1, Title III-2-3, and to adjust federal aid and other departmental revenue accordingly.

Item 3. To the Department of Agriculture in Section 1, Title III-3, and to adjust federal aid and other departmental revenue accordingly.

Item 4. To the Department of Environment and Conservation in Section 1, Title III-5, and to adjust federal aid and other departmental revenue accordingly.

Item 5. To the Department of Economic and Community Development in Section 1, Title III-8.

Item 6. To the Department of Education in Section 1, Title III-9, and to adjust federal aid and other departmental revenue accordingly.

Item 7. To the Department of Safety in Section 1, Title III-20, and to adjust federal aid and other departmental revenue accordingly.

SECTION 35. The Commissioner of Finance and Administration is authorized to make the following transfers from the appropriations made in this act:

Item 1. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Board of Law Examiners, Board of Professional Responsibility, Tennessee Lawyers Assistance Program, Continuing Legal Education and Client Protection Fund. Transfer of appropriations to or between Guardian ad Litem, Indigent Defendants' Counsel, Civil Legal Representation, and Verbatim Transcripts are sanctioned, but transfers from these programs to other programs are excluded.

Item 2. In Section 1 for the IV-D Child Support Program, a reallocation of funds between the District Attorneys General and the Department of Human Services is authorized. The Commissioner of Finance and Administration is further authorized to adjust federal aid and other departmental revenues, and to establish positions as may be required.

Item 3. To the Treasury Department in Section 1, Title III-1, Item 7.3, for the Baccalaureate Education System Trust Fund (Tennessee Code Annotated, Title 49, Chapter 7, Part 8), to eliminate the current unfunded liability of the Baccalaureate Education System Trust prepaid plan. The Commissioner of Finance and Administration is authorized to transfer the appropriation from the general fund to the Baccalaureate Education System Trust Fund. Notwithstanding this act or any other law to the contrary, the Board of Trustees of the Baccalaureate Education System Trust is hereby authorized to allocate a sum not to exceed \$250,000 from the appropriations made in Section 1, Title

III-1, Item 7.3 for the purpose of implementing Public Chapter No. 884 of the Public Acts of 2010.

Item 4. To the Department of Finance and Administration in Section 1, Title III-2, Item 3.3, for the Office for Information Resources, the sum of \$675,800 is allocated for the Geographic Information System (GIS) services. The Commissioner of Finance and Administration is authorized to transfer the appropriation to the GIS user agencies and to adjust federal and departmental revenue accordingly.

Item 5. From the funds appropriated in Section 1, Title III-3, to the Department of Agriculture for the agricultural enhancement program.

Item 6. To the Department of Environment and Conservation in Section 1, Title III-5, to recognize administrative reorganizations and to adjust authorized positions, federal aid and other departmental revenue accordingly.

Item 7. To the Department of Correction in Section 1, Title III-7, and to adjust the number of authorized positions within the department's authorized level.

Item 8. To the Department of Economic and Community Development, in Section 1, Title III-8, from Community Development and Regional Grants Management to Economic Development District Grants to comply with the requirements of Chapter 521, Public Acts of 2007.

Item 9. In Section 1 for Targeted Case Management Services, a reallocation of funds between the Department of Education and the Department of Children's Services is authorized. The Commissioner of Finance and Administration is further authorized to adjust departmental revenues as may be required.

Item 10. To the Department of Education in Section 1, Title III-9, to recognize administrative reorganizations addressing the management of the federal Race to the Top grant program and implementation of Public Acts of 2010 (E.S.), Public Chapter 2, the Tennessee First to the Top Act of 2010, and to adjust authorized positions, federal aid and other departmental revenue accordingly.

Item 11. To the University of Tennessee System in Section 1, Title III-10, Item 3, but excluding UT Research Initiatives and UT University-Wide Administration, for U.S. Economic Recovery – State General Fund – Maintenance of Effort.

Item 12. To the Tennessee Board of Regents System in Section 1, Title III-10, Item 4, but excluding Item 4.1(a), Tennessee Board of Regents, for U.S. Economic Recovery – State General Fund – Maintenance of Effort.

Item 13. To the Department of Labor and Workforce Development in Section 1, Title III-13, and to adjust federal aid and other departmental revenue accordingly.

Item 14. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14, and to adjust federal aid and other departmental revenue accordingly.

Item 15. To the Department of Military in Section 1, Title III-15, and to adjust federal aid and other departmental revenue accordingly.

Item 16. To the Department of Health in Section 1, Title III-16, and to adjust federal aid and other departmental revenue accordingly.

Item 17. From the appropriations made to the Department of Human Services and the TennCare program in Section 1, for eligibility determination for the Medicaid Program and various federal family assistance programs, the Commissioner of Finance and Administration is authorized to reallocate appropriations between the department and program, and to adjust federal and departmental revenue estimates accordingly, in order to reflect actual costs of eligibility determination services and Medicaid case management services.

Item 18. To the Department of Human Services in Section 1, Title III-17, and to adjust federal aid and other departmental revenue accordingly.

Item 19. To the Department of Revenue in Section 1, Title III-18, and to adjust departmental revenue accordingly.

Item 20. To the Cover Tennessee Health Care Programs in Section 1, Title III-21, and to adjust federal aid and other departmental revenues accordingly.

Item 21. The appropriations made in Section 1, Title III-22, Miscellaneous Appropriations, are authorized to be allocated and transferred to the appropriate organizational units and programs of state government by the Commissioner of Finance and Administration. For each appropriation so allocated and transferred, there is further appropriated sums sufficient from dedicated and earmarked revenues to provide for the comparable allocation of appropriations to those agencies and programs funded by dedicated and earmarked revenues. The appropriation for the Homeland Security Emergency Fund is subject to approval by the Director of Homeland Security.

In addition to the appropriations made in Section 4 of this act, there is hereby appropriated to the organizational units and programs of state government all federal aid funds and departmental revenue earnings associated with the allocation and transfer of Miscellaneous Appropriations authorized under the preceding paragraph in this item.

Item 22. To the Department of Children's Services in Section 1, Title III-23, and to adjust federal aid and other departmental revenue accordingly.

Item 23. To the Department of Finance and Administration – Intellectual Disabilities Services in Section 1, Title III-25, and to adjust federal aid and other departmental revenue accordingly.

Item 24. To the Department of Finance and Administration, TennCare program in Section 1, Title III-26, and to adjust federal aid and other departmental revenue accordingly.

Item 25. To the Department of Transportation in Section 1, Title III-30, to provide additional funds for resurfacing as determined by the Commissioner of Transportation.

Item 26. To the Department of Transportation in Section 1, Title III-30, to recognize administrative reorganizations and to adjust authorized positions, federal aid and other departmental revenue accordingly.

The Commissioner of Transportation, with the approval of the Commissioner of Finance and Administration, is authorized to reorganize programs within the Department of Transportation for better accounting and personnel management practices made possible by implementation of the enterprise resource planning system.

SECTION 36. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of funding at June 30, 2010, any unexpended balances of appropriations made under Chapter 554, Public Acts of 2009, other acts of this General Assembly or acts by previous General Assemblies, listed in this section are hereby reappropriated to be expended in the 2010-2011 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2010. The reappropriation and carry-forward of these funds is subject to approval by the Commissioner of Finance and Administration. Unless otherwise noted, the unexpended balances reappropriated are authorized under Chapter 554, Public Acts of 2009, and they are the appropriations made:

Item 1. For data processing services, systems development, data processing equipment purchases and leases and telecommunication systems purchases and leases. The Commissioner of Finance and Administration is authorized to transfer from the amounts carried forward sums sufficient for the Computer Equipment Replacement Fund and to the Systems Development Fund.

Item 2. Notwithstanding any provision of law to the contrary, all funds appropriated to the Legislative Branch which remain unobligated and unexpended at the end of any fiscal year, shall not revert to the general fund but shall be carried forward in a reserve to be expended in accordance with the approval of the Speaker of the House of Representatives and the Speaker of the Senate. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

Item 3. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Guardian ad Litem, Indigent Defendants' Counsel, Civil Legal Representation, Verbatim Transcripts, Board of Law Examiners, Board of Professional Responsibility, Tennessee Lawyers Assistance Program, Continuing Legal Education, Client Protection Fund and Council of Juvenile and Family Court Judges. The reappropriated funds shall be expended for the integrated computer system for the Tennessee Court System under the provisions of Tennessee Code Annotated, Section 16-3-807. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

Item 4. To the Judicial Branch, Administrative Office of the Courts in Section 1, Title II, Item 11, to defray expenses of serving the General Sessions Courts and the General Sessions Judges' Conference pursuant to Tennessee Code Annotated, Section 16-15-5007 and Section 67-4-606(a)(B)(9).

Item 5. To the Administrative Office of the Courts from the unexpended balance of revenue from the gift received to benefit the Hillman Taylor Library in Memphis.

Item 6. To the Judicial Branch, Board of Law Examiners in Section 1, Title II, Item 13. The carry-forward amount shall be the difference between expenditures and revenues, including any reserve balance.

Item 7. To the Judicial Branch, Council of Juvenile and Family Court Judges in Section 65, Item 6, the non-recurring appropriation to provide for juvenile mental health evaluations.

Item 8. To the District Attorneys General from revenues earned from the Department of Human Services for food stamp fraud prosecution activities, the unexpended balance of such funds, not to exceed \$100,000.

Item 9. To the Secretary of State for publication of the Blue Book pursuant to Section 1, Title III-1, Item 3.3 and Section 36, Item 8.

Item 10. To the Secretary of State, Help America Vote Act in Section 36, Item 9, and in Section 61, Item 11, of Chapter 603, Public Acts of 2007, for providing state match to federal funds.

Item 11. To the Secretary of State, Charitable Solicitations and Charitable Gaming, in Section 36, Item 55 and in Section 1, Title III-1, Item 3.8 and in Section 4, Title III-1, Item 3.6. The unexpended balances of state appropriation and departmental revenue are hereby reappropriated to fund a charitable solicitations systems development project.

Item 12. To the Alcoholic Beverage Commission from the unexpended balance of departmental revenues of the Alcohol Server Responsibility and Training Program authorized by Tennessee Code Annotated, Title 57, Chapter 3, Part 7.

Item 13. To the Human Rights Commission in Section 1, Title III-2, Item 2.4, an amount not to exceed \$200,000.

Item 14. To the Health Services and Development Agency in Section 1, Title III-2, Item 2.5, in an amount not to exceed \$300,000 for the purpose of paying audit costs.

Item 15. To the Department of Finance and Administration in Section 36, Item 14, and in Section 1, Title III-2, Item 3.10 of Chapter 603, Public Acts of 2007, for the State Planning Office, in an amount not to exceed \$1,000,000 (non-recurring).

Item 16. To the Department of Finance and Administration from the appropriation made in Section 36, Item 15, and in Section 1, Title III-2, Item 3.8 of Chapter 603, Public Acts of 2007, for State Health Planning Division, in a non-recurring amount not to exceed \$1,919,392.54.

Item 17. To the Department of Finance and Administration any unexpended real estate fees collected by the Real Property Management Division.

Item 18. To the Department of Finance and Administration in Section 36, Item 45, and in Section 1, Title III-22, Item 33.4, of Chapter 603, Public Acts of 2007, for the use of Nashville MTA bus services for state employees, in an amount not to exceed \$200,000.

Item 19. To the Department of Human Resources in Section 1, Title III-2, Item 4, and in Section 36, Item 18, to fund Training Initiatives.

Item 20. To the Department of Veterans Affairs in Section 36, Item 19, and in Section 1, Title III-2, Item 6, of Chapter 503, Public Acts of 2005, the unexpended balance of the \$300,000 appropriation for Memphis cemetery headstones realignment, which is hereby reappropriated for that purpose and for other non-recurring costs at the veterans cemeteries.

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

Item 22. To the Department of General Services, in Section 4, any unexpended revenues received for conducting conferences for the Governor's Office of Diversity and Business Enterprise shall not revert to the general fund.

Item 23. To the Department of Agriculture the unexpended balance of revenues from timber sales at state forests and state parks.

Item 24. To the Department of Agriculture for the agricultural enhancement program in Section 36, Item 23 and in Section 1, Title III-3, Items 2 and 3.

Item 25. To the Department of Agriculture in Section 36, Item 24, and in Section 1, Title III-3, Item 4, of Chapter 603, Public Acts of 2007 for Forestry Operations, in the non-recurring amount not to exceed \$775,183.60 to replace aging equipment.

Item 26. To the Department of Environment and Conservation, Land Reclamation, in Section 1, Title III-5, Item 16, and in Section 36, Item 25.

Item 27. To the Department of Environment and Conservation, State Parks in Section 36, Item 26 and in Section 38 of Chapter 963, Public Acts of 2006.

Item 28. To the Department of Environment and Conservation for a rural water supply study in Section 36, Item 27 and in Section 57, Item 22, of Chapter 963, Public Acts of 2006. The unexpended balance is reappropriated for a water resources management and planning study.

Item 29. To the Tennessee Historical Commission in Section 1, Title III-5, Items 3 and 9, for the Tennessee Wars Commission.

Item 30. To the Tennessee Historical Commission the unexpended funds from any prior appropriations for publications, historical markers and other historical activities.

Item 31. To the Department of Economic and Community Development in Section 36, Item 30, and from the appropriations made in Section 1, Title III-8, to support the Three-Star community program, the Main Street program, and other community development programs.

Item 32. To the Department of Economic and Community Development for non-FastTrack economic development project grants made in the Business Development program.

Item 33. To the Department of Economic and Community Development, Tennessee Film/Television Incentive Fund, pursuant to T.C.A., Section 4-3-4903(e), the Commissioner of Finance and Administration is authorized to carry forward unexpended balances of any appropriations made for the incentive fund.

Item 34. To the Department of Economic and Community Development in Section 12, Item 24, of Chapter 554, Public Acts of 2009, for rural assistance grants.

Item 35. To the Department of Economic and Community Development in Section 36, Item 50 and in Section 61, Item 21 of Chapter 603, Public Acts of 2007, to provide a non-recurring grant to the State Legislative Leaders Foundation.

Item 36. All funds appropriated to the Department of Education for the purposes of the state testing programs which remain unobligated and unexpended at the end of any fiscal year shall not revert to the general fund but shall be carried forward in a reserve to be expended for the purposes of such programs.

Item 37. To the Department of Education in Section 36, Item 34 and in Section 1, Title III-9, Item 2.1(e), of Chapter 603, Public Acts of 2007, in a non-recurring amount of \$2,000,000 for the Teach Tennessee Program.

Item 38. To the Department of Education in Section 36, Item 35 and in Section 1, Title III-9, Item 2.1(e), of Chapter 503, Public Acts of 2005, in a non-recurring amount of \$5,000,000 to fund a professional development, leadership, and training initiative program.

Item 39. To the Department of Education in Section 36, Item 36 and in Section 1, Title III-9, Item 2.1(a), for the Governor's Schools Program.

Item 40. To the State Board of Education, in Section 36, Item 56 and in Section 12, Item 54, of Chapter 603, Public Acts of 2007, in the non-recurring amount of \$200,000 for the sole purpose of facilitating program development in accordance with Chapter 459, Public Acts of 2007.

Item 41. To the Department of Labor and Workforce Development in Section 36, Item 37 and in Section 1, Title III-13, Item 7, for the Second Injury Fund.

Item 42. To the Department of Mental Health and Developmental Disabilities in Section 1, Title III-14, Item 2.6, for housing initiatives for the seriously and persistently mentally ill.

Item 43. To the Department of Military in Section 1, Title III-15, Item 1 and Item 3, for tuition assistance.

Item 44. To the Department of Revenue for the production of license plates.

Item 45. To the Department of Safety and the Tennessee Bureau of Investigation from the handgun carry permit fees paid pursuant to Tennessee Code Annotated, Section 39-17-1351.

Item 46. To the Department of Children's Services in Section 1, Title III-23. Subject to the availability of revenue, the Commissioner of Finance and Administration is authorized to carry forward funds to provide for a statewide needs assessment of child welfare services.

Item 47. To the Board of Probation and Parole, Community Corrections, in Section 1, Title III-24, Item 2, pursuant to Tennessee Code Annotated, Section 40-36-304(c)(1).

Item 48. To Miscellaneous Appropriations in Section 36, Item 46, and in Section 60, Item 1, of Chapter 1203, Public Acts of 2008, for the 5% Personnel Reduction Plan – Voluntary Buyout Costs. The funds are hereby reappropriated to provide for any additional severance pay costs in 2009-2010 and 2010-2011 required by legislative action in the 2010 legislative session.

Item 49. To Miscellaneous Appropriations in Section 36, Item 47, and in Section 60, Item 1(3) for Voluntary Buyout Costs – Tuition Assistance, in Chapter 1203, Public Acts of 2008.

Item 50. To Miscellaneous Appropriations in Section 65, Item 1, to fund a severance benefit plan for reduction-in-force separations.

Item 51. To the Biofuels Project in Section 36, Item 44 and in Section 57, Item 21, of Chapter 963, Public Acts of 2006.

Item 52. To the Department of Transportation in Section 1, Title III-30, Item 2, for equipment purchases.

Item 53. To the Department of Transportation for any appropriations which are reserved at June 30, 2010.

Item 54. To the Department of Human Services for the purpose of Child Support Enforcement which remain unobligated and unexpended may be carried forward in reserve.

Item 55. To the Department of Human Services for the purpose of Vocational Rehabilitation services to clients which remain unobligated and unexpended may be carried forward in reserve.

SECTION 37. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. Subject to the availability of revenue at June 30, 2010, any unexpended balances of appropriations made under Chapter 554, Public Acts of 2009, other acts of this General Assembly or acts by previous General Assemblies for benefit of an agency of local government or a third-party nonprofit organization for which there is a grant agreement/contract approved by the Commissioner of Finance and Administration or the Secretary of State are hereby reappropriated to be expended in the 2010-2011 fiscal year and such appropriations shall be carried forward in a reserve into the fiscal year beginning July 1, 2010. The Commissioner of Finance and Administration or the Secretary of State shall provide a

list of any unexpended balances carried forward to the Director of Accounts and to the Division of State Audit. The reappropriation and carry-forward of these funds is subject to approval by the Commissioner of Finance and Administration or the Secretary of State, respectively, and expenditure and reporting requirements to the Secretary of State are adjusted accordingly to the fiscal year in which the funds are received by the grant recipient, notwithstanding any provision in the grant agreement to the contrary.

SECTION 38. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 554, Public Acts of 2009:

Court System		
1.	Guardian ad Litem.....	\$ 1,000,000.00
2.	Indigent Defendants' Counsel	3,000,000.00
	Total Court System	\$ 4,000,000.00
General Services		
1.	Property Utilization	\$ 520,000.00
Economic and Community Development		
1.	FastTrack Infrastructure and Job Training Assistance	
	1.1 Volkswagen Suppliers	\$ 13,400,000.00
	1.2 Other FastTrack Projects	11,500,000.00
	Total Economic and Community Development.....	\$ 24,900,000.00
Commerce and Insurance		
1.	POST Commission – Police Pay Supplement.....	\$ 259,800.00
2.	Fire Fighting Personnel Standards and Education – Fire Fighter Pay Supplement.....	59,800.00
	Total Commerce and Insurance	\$ 319,600.00
Intellectual Disabilities Services		
1.	Community Mental Retardation Services – Community Services Network	\$ 6,100,000.00
Miscellaneous Appropriations		
1.	Retirees Health Insurance.....	\$ 429,000.00
2.	State Agencies – Lodging Rates	675,000.00
	Total Miscellaneous Appropriations.....	\$ 1,104,000.00
	TOTAL	\$ 36,943,600.00

The Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within each department, agency or branch

of government and to adjust authorized positions accordingly. The Commissioner of Finance and Administration is further authorized to adjust federal aid and departmental revenues accordingly.

SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2010, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2010.

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

	<u>2009-2010</u>	<u>2010-2011</u>
Commissions		
1. Commission on Aging and Disability	541,400	1,005,700
Education (K-12)		
1. Improving Schools Program	10,000	3,330,000
Higher Education – State-Administered Programs		
1. Tennessee Higher Education Commission	41,700	300,000
Health		
1. Local Health Services	9,522,500	9,522,500
Human Services		
1. Disability Determination	0	3,000,000
Tennessee Bureau of Investigation		
1. Tennessee Bureau of Investigation	<u>100,700</u>	<u>100,700</u>
Subtotal Section 39(a)	<u>10,216,300</u>	<u>17,258,900</u>

The Commissioner of Finance and Administration is authorized to establish thirty-four (34) full-time and one (1) part-time positions and to allocate them to the appropriate organizational units, including one (1) part-time position in the District Public Defenders Conference, Executive Director's Office, and one (1) full-time position in the Department of Education, Accountability and Assessment program.

(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>2009-2010</u>	<u>2010-2011</u>
Commissions		
1. Commission on Aging and Disability	198,000	800,000
2. Arts Commission	<u>68,000</u>	<u>(68,000)</u>
Subtotal Commissions	266,000	732,000
Finance and Administration		
1. Electronic Health Initiative	2,655,200	433,800
2. Governor's Office of State Planning and Policy	<u>0</u>	<u>2,168,400</u>

Subtotal Finance and Administration	2,655,200	2,602,200
Finance and Administration, Bureau of TennCare		
1. TennCare Administration	1,369,000	2,700,000
2. TennCare Services	<u>0</u>	<u>60,000,000</u>
Subtotal Finance and Administration, Bureau of TennCare	1,369,000	62,700,000
Education (K-12)		
1. Energy Efficient Schools Initiative	700,000	2,300,000
Higher Education – State-Administered Programs		
1. Tennessee Higher Education Commission	774,000	4,735,600
Health		
1. Policy Planning and Assessment	0	75,000
2. Communicable and Environmental Disease Services	35,400	533,900
3. Community and Medical Services	<u>400,800</u>	<u>962,000</u>
Subtotal Health	436,200	1,570,900
Transportation		
1. Air, Water, and Rail Transportation	<u>0</u>	<u>55,300,000</u>
Subtotal Section 39(b)	<u>6,200,400</u>	<u>129,940,700</u>

The Commissioner of Finance and Administration is authorized to establish twenty (20) full-time positions, and to allocate positions to the appropriate organizational units, and to transfer four (4) positions from the Department of Education to the Higher Education Commission for the federal Race to the Top grant. The Commissioner of Finance and Administration is further authorized to delete one position in the Department of Education and establish one position in the Higher Education Commission, relative to the federally funded program improvement identified on page B-379 of the Budget Document for the statewide longitudinal data system.

Within federal Race to the Top funds available to the Department of Education, the Commissioner of Finance and Administration is authorized to adjust interdepartmental revenue estimates and position authorizations of other state agencies as necessary to assist the Department of Education in implementation of the program.

Grand Total Section 39	<u>16,416,700</u>	<u>147,199,600</u>
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SECTION 40. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated a sum sufficient to recognize any accrued liability of the state and any obligations between state agencies at June 30, 2011, and federal aid and departmental revenues may be adjusted accordingly. This appropriation is subject to certification of the accrued liability and obligations between state agencies by the Commissioner of Finance and Administration to the State Comptroller.

SECTION 41. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1.

(1) All savings of appropriations made in this act from employer FICA taxes as a result of employee participation in any Section 125 cafeteria plan established for state employees are hereby appropriated in the following sequence:

(a) An amount sufficient to implement and pay the cost of administering the cafeteria plan established for such employees is hereby appropriated for that purpose. From the appropriation made in this item, the State Treasurer, with the approval of the Commissioner of Finance and Administration, is authorized to establish positions and funding for such positions in the Department of Treasury to fund recurring and non-recurring costs of administering the cafeteria plan established for such employees. There is hereby appropriated a sum sufficient to pay additional costs of administering the State Employee Cafeteria Plan as a result of increased participation in the plan by state employees; and

(b) An amount up to but not exceeding \$600,000 for the wellness program or other state employee insurance programs administered by the Department of Finance and Administration; and

(c) An amount up to but not exceeding \$150,000 for the daycare program for children of state employees as administered by the Department of Human Services, provided, that allotment of funds under this sub-item is subject to approval of the Commissioner of Finance and Administration; and

(d) An amount up to but not exceeding \$130,000 to fund the administrative costs of the state employee sick leave bank administered by the Department of Human Resources; and

(e) The amount remaining to provide a source of funding for the employer match to the state's 401(k) plan for state employees compensated on the centralized state payroll system pursuant to TCA, Title 8, Chapter 25.

(2) There is hereby appropriated in Section 1, Title III-22, Item 16, of this act the sum of \$9,197,000 for the fifty dollar (\$50) match for state employees compensated on the centralized state payroll system if the amount appropriated from the employer FICA tax savings from the Section 125 cafeteria plan is insufficient.

(3) There is hereby appropriated a sum sufficient from employer FICA tax savings from the Section 125 cafeteria plan maintained by the University of Tennessee to provide for the employer match to the state's 401(k) plan for employees of institutions under the University of Tennessee system pursuant to TCA, Title 8, Chapter 25. Should this be insufficient to provide for the fifty dollar (\$50) match, there is appropriated in Section 1, Title III-10, of this act, the sum of \$2,838,100 to supplement funding for such match.

(4) There is hereby appropriated a sum sufficient from employer FICA tax savings from the Section 125 cafeteria plan maintained by the Board of Regents system to provide for the employer match to the state's 401(k) plan for employees of institutions under the Board of Regents system pursuant to TCA, Title 8, Chapter 25. Should this be insufficient to provide for the fifty dollar (\$50) match, there is appropriated in Section 1, Title III-10, of this act, the sum of \$4,328,500 to supplement funding for such match.

(5) The State Treasurer shall have the authority to contract with the optional retirement plan vendors to provide investment products to optional retirement plan participants under the state's 401(k) program.

(6) It is the legislative intent that the supplemental appropriations made in subdivisions (2), (3) and (4) of this item are non-recurring; provided, that an amount equal to the estimated actual supplemental appropriations be included in the core services reserve for 2011-2012 as otherwise provided in this act.

Item 2. In the fiscal years ending June 30, 2010, and June 30, 2011, there are hereby appropriated sums sufficient from the state reserve for the Help America Vote Act for the purpose of matching federal funds.

Item 3. The remaining funds from the \$1,000,000 appropriated in Chapter 963, Section 1, Title III-1, Item 3.9 of the Public Acts of 2006 for library construction are hereby reappropriated to the Department of State. The Secretary of State is authorized to reallocate remaining funds from projects that have not developed to other unspecified locations and counties where future library construction projects may develop.

Item 4. There is hereby appropriated a sum sufficient from earmarked and/or dedicated agency revenues and reserves to provide for the costs of implementing the state's Underground Storage Tanks Program. The Commissioner of Finance and Administration shall allocate the costs to the individual agencies and establish the appropriations required from revenues and reserves available to the individual agencies.

Item 5. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the State of Tennessee's liability under IRS regulations for arbitrage interest earnings on proceeds from general obligation debt.

Item 6. There is hereby appropriated a sum sufficient from general fund interest earnings for the purpose of funding the state's liability for the exchange of interest with the federal government as provided for in the Cash Management Act of 1990.

Item 7. There is hereby appropriated a sum sufficient to provide for a consultant's services in review of accounts receivable management for the State of Tennessee and for the implementation of those recommendations to the extent the recommendations are approved by the Commissioner of Finance and Administration. It is the intent of the legislature that said appropriation shall be funded from revenues collected from accounts receivable. The Commissioner of Finance and Administration may establish such positions as may be required to cost-effectively implement such recommendation. The Commissioner also is authorized to allocate a portion of the revenues collected to the appropriate organizational units and programs of state government and to adjust federal aid and other departmental revenue accordingly. Each allocation shall be a one-time

incentive to maximize accounts receivable collections and shall be used to fund non-recurring items only.

Item 8. There is hereby appropriated a sum sufficient for the purpose of implementing an employee maintenance policy by the Department of Finance and Administration effective July 1, 2010. It is the legislative intent to hold harmless, employees affected by the maintenance policy who were employed as of June 30, 1998. The Commissioner of Finance and Administration is authorized to allocate the appropriation to the appropriate organizational units and programs of state government and to adjust federal aid and departmental revenue allotments accordingly.

Item 9. From the appropriations in Sections 1 and 4 of this act, sums sufficient are appropriated for state agencies to pay the professional privilege tax levied in Tennessee Code Annotated, Title 67, Chapter 4, Part 17, on behalf of full-time state employees who are subject to the tax; and who use the certification in their job duties. The payment is subject to approval by the department or agency head in accordance with the provisions of Tennessee Code Annotated, Section 67-4-1709.

Item 10. From the appropriations made in Section 1, Titles III-2 through III-30 and in Section 4, Titles III-2 through III-28, to the Executive Branch departments and agencies, the Commissioner of Finance and Administration is authorized to transfer amounts budgeted for contract services to payroll and to increase the number of authorized positions to replace contractors with state employees.

Item 11. Subject to the financial reporting requirement that the value of federal food stamps be recognized in the state's accounting system, there is hereby appropriated a sum sufficient from federal funds to recognize the value of food stamps.

Item 12. The Commissioner of Finance and Administration is hereby authorized to establish a reserve account for Community Services Agency (CSA). If any CSA ceases to operate, any fund balances may be deposited to this account. There is hereby appropriated a sum sufficient from the reserve account to provide for outstanding obligations of any CSA or the ongoing operational cost of any CSA. Disbursement from this fund is subject to the approval of the Commissioner of Finance and Administration.

Item 13. From the funds appropriated by this act, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Department of General Services, Division of Motor Vehicle Management Internal Service Fund for the acquisition of motor vehicles.

Item 14. In the fiscal year ending June 30, 2011, the proceeds from the sale of surplus property assigned to General Services, Property Management, may be carried forward in a reserve into the subsequent fiscal year and is hereby reappropriated. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 15. The appropriations made in Section 1, Title III-22, Items 18 and 19, of this act to the UT Center for Business and Economic Research are reimbursement for research assistance to the Department of Finance and Administration (\$125,000) and for services delivered under the state data contract with the U.S. Census Bureau (\$40,000) and (\$238,000).

Item 16. There is appropriated to the Department of the Treasury a sum not to exceed \$230,400 from the Criminal Injuries Compensation Fund for grants to the District Attorneys General for domestic violence prevention and drug enforcement activities authorized under Tennessee Code Annotated, Section 29-13-116.

Item 17. There is hereby appropriated from the earnings of the funds of the Tennessee Consolidated Retirement System to the Tennessee Department of Treasury a sum sufficient for implementation of project CONCORD as authorized in TCA 8-34-321; provided, however, that said sum sufficient shall be subject to the approval of the Commissioner of Finance and Administration. The State Treasurer shall file a request to establish such sum sufficient with the Commissioner of Finance and Administration and the Chair and Vice Chair of the Council on Pensions and Insurance. The Commissioner of Finance and Administration shall not act upon such request until in receipt of a letter from the Chair and Vice Chair of the Council on Pensions and Insurance acknowledging receipt of the State Treasurer's request. Within the appropriation approved pursuant to this item the State Treasurer, with the approval of the Speaker of the Senate and the Speaker of the House of Representatives, is authorized to establish positions and funding needed to effectuate TCA 8-34-321.

Item 18. In addition to the appropriation made in Section 1, Title III-30, Item 3, for Highway Maintenance, and Item 5.5, for State Highway Construction, in Chapter 554, Public Acts of 2009, there is further appropriated such amount as the Commissioner of Finance and Administration shall determine is available from tax revenues allocated to the highway fund and from the highway fund balance.

Item 19. In the fiscal year ending June 30, 2010, there are hereby appropriated sums sufficient in amounts equal to the unexpended balances of prior year accrued liabilities in the following education programs: (a) Safe Schools Act of 1998; (b) Coordinated School Health Program; (c) State testing programs; (d) Governor's Schools; and (e) Governor's Institute for Science and Math. The appropriations shall not revert at June 30, 2010, but shall be carried forward and are hereby reappropriated in the fiscal year beginning July 1, 2010.

Item 20. In the fiscal year ending June 30, 2010, there are hereby appropriated sums sufficient from the unexpended balances of prior year accrued liabilities for the Special Schools and the Tennessee Infant Parent Services School. The Commissioner of Finance and Administration shall determine the amounts of appropriations to be established pursuant to the requirements of Tennessee Code Annotated, Section 49-50-1002(b)(2). These appropriations are in addition to appropriations made to the Department of Education in Section 1, Title III-9 of the 2008 Appropriations Act.

Item 21. In the fiscal year ending June 30, 2011, any unexpended state appropriations, not to exceed ten percent (10%) of the total appropriated funds, made for the Tennessee Early Intervention Services program may be reserved to be carried forward to the next fiscal year. Said reserve is subject to the approval of the Commissioner of Finance and Administration.

Item 22. From the appropriation in Section 41, Item 52, of Chapter 603, Public Acts of 2007, and in Section 59, Item 1, of Chapter 963, Public Acts of 2006, to the Department of Education for the Coordinated School Health Program, the Commissioner of Finance and Administration is authorized to carry forward in a reserve an amount not

to exceed \$500,000 at June 30, 2010. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 23. In the fiscal year ending June 30, 2009, there was appropriated the sum of \$1,500,000 (non-recurring) to the Attorney General and Reporter from Tobacco Master Settlement Agreement (MSA) payments received in February 2009 that were previously withheld by tobacco companies. The appropriation is for the purpose of funding costs related to impending diligent enforcement arbitration proceedings. The appropriation shall not revert to the general fund at June 30, 2010 and June 30, 2011, and shall remain available until expended.

Item 24. In the fiscal year ending June 30, 2011, there is appropriated a sum sufficient to the Tennessee Housing Development Agency from the sale or rent of housing and other property rehabilitated by the Neighborhood Stabilization Program.

Item 25. From the appropriations made in Section 1, Title III-8, to the Department of Economic and Community Development, the Commissioner of Finance and Administration is authorized to make transfers to recognize administrative reorganizations and to adjust authorized positions, federal aid, and other departmental revenue accordingly.

Item 26. In the fiscal year ending June 30, 2011, there is hereby appropriated sums sufficient to the Department of Environment and Conservation, Tennessee State Parks, from revenues collected by the parks system.

Item 27. In the fiscal year ending June 30, 2010, funds appropriated to the Department of Human Services for the purpose of Child Support Enforcement which remain unobligated and unexpended may be carried forward in reserve. This carry-forward and reappropriation of funds is subject to approval of the Commissioner of Finance and Administration.

Item 28. In the fiscal year ending June 30, 2010, there are hereby appropriated sums sufficient to the Department of Environment and Conservation from the revenues and reserves available to (a) Solid Waste Disposal Site Restoration Fund pursuant to Tennessee Code Annotated, Section 68-211-116, and (b) Hazardous Waste Trust Fund pursuant to Tennessee Code Annotated, 68-212-108.

Item 29. The fourteen (14) capital outlay projects of the Department of Transportation, listed on page A143 of the 2010-2011 Budget Document in the amount of \$5,580,000 are deleted from the list.

Item 30. The Commissioner of Finance and Administration is authorized to establish three full-time positions in the Department of Correction for cook-chill program security.

Item 31. In the fiscal year ending June 30, 2010, the unexpended balances of appropriations made under Chapter 554, Public Acts of 2009, in Section 65, Item 3, for an advanced manufacturing technology center, and Item 4, to the Energy Efficiency and Clean Energy Technology Initiatives, are hereby reappropriated to be expended in the 2010-2011 fiscal year.

The appropriation in sub-item (c)(i) of Item 4 is further reappropriated, as follows. To assist commercial and industrial businesses in Tennessee implementing energy efficiency improvements, the sum of \$15,000,000 to establish a low-interest revolving loan fund or to provide a grant to participate in a loan fund consortium. Such direct appropriation grant may be made to the Southeast Community Capital Corporation or other entity as determined by the Commissioner of Economic and Community Development and approved by the Commissioner of Finance and Administration; provided, however, that the state may recoup any unused loan guarantee, it being the legislative intent that \$14,000,000 be used for the purpose of creating a revolving loan fund or loan consortium; these funds may be used as loan capital, loan guarantees or loan loss reserves to leverage additional loan capital, provided such amounts are approved by the State, for the purpose of making low-interest loans to businesses; and no more than \$1,000,000 of the grant used for operating purposes.

The appropriation in sub-item (c)(ii) of Item 4 is further reappropriated, as follows. For participation in a multi-state initiative with the U.S. Department of Energy to demonstrate electric vehicle technologies, the sum of \$2,500,000 for a grant and the sum of \$2,500,000 for rebates to purchase electric vehicles that are eligible under the multi-state initiative.

Item 32. The appropriation made to the state office building and support facilities revolving fund pursuant to Chapter 554, Section 68, Item 8(b) of Public Acts of 2009, is hereby reappropriated for the same purpose in the fiscal year beginning July 1, 2010.

SECTION 42.

(a) Notwithstanding any provision of the law to the contrary, no law of general application which imposes increased expenditure requirements on cities and counties in excess of one million dollars (\$1,000,000.00) shall take effect unless the state share of the cost of such law is specifically appropriated by the provisions of this act.

(b) From the growth in state-shared taxes apportioned to cities and counties and from the increase in local revenue generated from passage of any general law during the 2010 annual session of the 106th General Assembly not otherwise appropriated pursuant to this act, a sum sufficient hereby is appropriated to fund the state share of the cost of any law of general application which requires, without local discretion, that incorporated municipalities or county governments increase expenditures as a direct consequence of passage of any general law.

(c) The provisions of this subsection (c) shall take effect upon becoming law, the public welfare requiring it. To municipalities and counties, the sum of \$100,000 hereby is appropriated to supplement the appropriation made in Public Acts of 2009, Chapter 554, Section 42(b). It is the legislative intent that such sum be divided and distributed as state-shared taxes to the various municipalities and counties for deposit to their general funds, as follows: fifty percent (50%) to municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

SECTION 43. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. It is the legislative intent to recognize over-appropriation reversion savings in the general fund in the following amounts:

(a) In fiscal year 2009-2010 to recognize a base recurring over-appropriation of \$100,300,000 and a TennCare reversion of \$20,000,000 and a non-recurring reversion of \$249,038,000.

(b) In fiscal year 2010-2011 to recognize a base recurring over-appropriation of \$100,300,000 and a TennCare reversion of \$20,000,000 and a reversion of \$17,213,400 in base budget adjustments and reductions.

(c) It is further the legislative intent to recognize enhanced federal match and clawback savings in the TennCare Program in fiscal year 2009-2010 and fiscal year 2010-2011 in a total amount of \$121,551,300. The estimates are \$98,300,000 in fiscal year 2009-2010 and \$23,251,300 in fiscal year 2010-2011.

Pursuant to Section 43, Item 2 of this act, the Commissioner of Finance and Administration shall determine the amount available in the TennCare Program at June 30, 2010, and establish a Reserve for 2010-2011 Appropriations in the amount determined.

Item 2. In the fiscal year ending June 30, 2010, there shall be reserved or designated a sum in the general fund balance to provide for non-recurring appropriations and other appropriations intended to be funded in the 2010-2011 fiscal year from the general fund balance at June 30, 2010. The Commissioner of Finance and Administration shall determine the amount to be reserved or designated.

(a) It is the legislative intent that the reserve established at June 30, 2010, shall include a designation in the amount of \$100,492,300 for 2009-2010 Closing Plan – Available Funds.

(b) It is the legislative intent that, at June 30, 2011, the Commissioner of Finance and Administration establish in the general fund a reserve for 2011-2012 appropriations, to be known as the reserve for 2011-2012 core services, in the amount of \$141,000,000. In addition to the amounts for this reserve identified in the 2010-2011 Budget Document, Volume 2, Base Budget Reductions, pages 163-186, the reserve shall provide for the following additional core services amounts:

Attorney General and Reporter.....	\$ 464,500
Education – Alvin C. York Institute	2,294,400
Mental Health – Mental Health Recovery Services	1,215,200
Mental Health – Alcohol and Drug Abuse Services	1,384,800
Rounding	<u>41,100</u>
Total Additional	\$ 5,400,000

Item 3. Under the provisions of Tennessee Code Annotated, Section 55-6-107(a), the sum of \$4,100,000 shall be allocated to the general fund for the cost of issuing motor vehicle registration plates in the fiscal year ending June 30, 2011.

Item 4. Unexpended appropriations in an amount to be determined by the Commissioner of Finance and Administration shall be transferred from the debt service fund to the general fund in the fiscal year ending June 30, 2010.

Item 5. In the fiscal year ending June 30, 2010, tax revenues allocated to the debt service fund, including motor vehicle title fees, in excess of \$388,400,000 shall be transferred to the general fund. If said allocation to the debt service fund is less than \$388,400,000, then the allocation of excise tax revenues to the debt service fund shall be increased in an amount to provide the allocation of \$388,400,000 to the debt service fund.

Item 6. In the fiscal year ending June 30, 2010, the allocation of motor vehicle title fees to the debt service fund shall be the lesser of \$2,700,000 or the sum generated by the \$1.50 fee under the provisions of Tennessee Code Annotated, Section 55-6-101(a)(1).

Item 7. It is the legislative intent that any required reversion from higher education appropriations to the general fund balance at June 30, 2010, be drawn from the unexpended balance in the Tennessee Higher Education Commission, the Tennessee Student Assistance Corporation, and from Tennessee Student Assistance Awards, in the amount of \$2,700,000 plus any additional amounts from the plan for closing the 2009-2010 fiscal year.

Item 8. In the fiscal year ending June 30, 2010, the appropriations made in Section 1, Title III-17 of the 2009 Appropriations Act to the Department of Human Services to fund programs or services for temporary assistance shall be reduced in an amount equal to the unexpended and unobligated balances of the appropriations. The reductions shall be made to recognize over-appropriation savings in programs or services for temporary assistance in the fiscal year ending June 30, 2010.

Item 9. From funds available in the statutory reserve fund created in Tennessee Code Annotated, Section 4-31-108, and from funds available in the State Loans Program Fund, the Commissioner of Finance and Administration, with the consent of the Comptroller of the Treasury, is authorized to transfer the sum of \$400,000 to the general fund in the 2010-2011 fiscal year.

SECTION 44. There is hereby appropriated a sum sufficient from the State Office Buildings and Support Facilities Revolving Fund to provide for expenditures authorized under Title 9, Chapter 4, Part 9, of the Tennessee Code Annotated. There is appropriated a sum sufficient to the revolving fund in recognition of the lease cost of space for which recovery is not in the state's best interest. The Commissioner of Finance and Administration is authorized to allot, from the amount carried forward under Tennessee Code Annotated, Title 9, Chapter 4, Part 9, to provide funding for state office buildings and support facilities, and is further authorized to make appropriation transfers between the revolving fund and state departments and agencies.

SECTION 45. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There is hereby created a Capital Projects Account in the Office of Information Resources for the administration of the Information Systems Capital Projects Budget.

This account is established to provide for:

- (a) Implementation of the statewide Management Information Systems Plan;
- (b) Ability to separate the operational budget of the Office of Information Resources and the system development projects contained in the MIS Plan; and
- (c) Financial control of the system development projects, including equipment replacement for the various agencies of state government.

Item 2. There is hereby authorized the transfer of those sums appropriated for Information Systems Capital Projects in Sections 1 and 4 and in Section 36, Item 1, of this act. Federal aid funds and other departmental revenues shall be adjusted accordingly to reflect the transfer of state appropriations.

Item 3. The Commissioner of Finance and Administration is authorized to transfer to the Capital Projects Account any appropriations made in Sections 1 and 4 of this act resulting from operating savings derived from implementation of information systems funded through this section.

Item 4. From the appropriations made for systems development and other data processing activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to establish and charge the costs of information systems analyst positions and other data processing positions to said appropriations. The Commissioner of Finance and Administration is further authorized to transfer between departments and agencies existing information systems analyst positions, other data processing positions and the funding provided in this act for transferred positions. This appropriation is subject to approval by the Information Systems Council.

Item 5. Expenditure of any funds, subject to the jurisdiction of the Information Systems Council, appropriated for systems development, the purchase of computer software or the purchase of computer hardware shall be subject to the policies of such Council.

Item 6. From the appropriations made for information systems activities in this act and other acts of the legislature, the Commissioner of Finance and Administration is authorized to transfer from professional services to payroll amounts budgeted for contractors. Additionally, the Commissioner of Finance and Administration is authorized to increase authorized positions in order to replace contractors with state employees.

Item 7. The Commissioner of Finance and Administration is authorized to approve an adjustment in rates charged by the Office of Information Resources and to reserve any funds needed to rebate savings to the federal government and to reallocate state appropriations between departments and to adjust federal aid and other departmental revenue accordingly. Any adjustment of rates or reserve of funds pursuant to the provisions of this act shall be reported to the Information Systems Council.

Item 8. The Commissioner of Finance and Administration shall have the authority to allocate savings generated from rate reductions from the Office of Information

Resources Services to support modifications needed to be made to existing applications resulting from technology obsolescence or product nonperformance to extend the life of a system.

Item 9. From the funds appropriated in Section 1, Titles III-2 through III-30 and in Section 4, Titles III-2 through III-28 of this act, the Commissioner of Finance and Administration is authorized to establish positions and to transfer positions to provide staff for the Enterprise Resource Planning (ERP) systems development project.

SECTION 46.

Item 1. The revenues allocated under the provisions of Tennessee Code Annotated, Title 55, Chapter 4, Part 2 – Special License Plates, are hereby appropriated in a sum sufficient amount as provided in Part 2.

Item 2. From the motor vehicle registration fees imposed pursuant to Tennessee Code Annotated, Section 55-4-132, there is hereby appropriated a sum sufficient in the fiscal year ending June 30, 2011, to be used solely for the development, acquisition, and updating of a computerized titling and registration system, and for the operation of the titling and registration system. The Commissioner of Finance and Administration is authorized to allocate the funds to implement the intent of the act.

SECTION 47. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2010, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$453,100,000 on June 30, 2010.

Item 2. From state revenues and other funds available to the general fund in excess of requirements for the fiscal year ending June 30, 2011, the Commissioner of Finance and Administration shall establish the Revenue Fluctuation Reserve in such amount as may be available under the provisions of Tennessee Code Annotated, Section 9-4-211. Provided, it is the legislative intent that the Revenue Fluctuation Reserve be set at a level of not less than \$257,300,000 on June 30, 2011.

SECTION 48. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. The Commissioner of Finance and Administration is authorized to transfer all federal and state health care funds, except those funds appropriated to support the State Group Insurance Program, the Local Education Insurance Program and the Local Government Health Insurance Program, to the TennCare Program for the purpose of implementing any program approved by waiver, state plan amendment and/or state and federal legislation pursuant to the provisions of health care services to Tennesseans designated as eligible by TennCare. In addition, any premiums collected by the TennCare Program are explicitly authorized to be appropriated to the program for the purpose of carrying out the provisions of TennCare.

The Commissioner of Finance and Administration is further authorized to transfer state funds and positions, as required, between TennCare and Mental Health Services; Mental Retardation Services; other Health Services; Children's Services; Human Services; and Commerce and Insurance, Division of TennCare Oversight.

Item 2. For fiscal year 2010-2011, in addition to all other appropriations to the TennCare Program, the Commissioner of Finance and Administration is authorized to use certified public expenditures and/or intergovernmental transfers from all government-related TennCare service providers and local governments for the purpose of matching funds under federal law for the TennCare Program. The use of the certified public expenditures and/or intergovernmental transfers shall be in accordance with federal law and regulations.

Item 3. Subject to the availability of funding at June 30, 2010, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2010, any unexpended balances of appropriations made under Chapter 554, Public Acts of 2009, for TennCare and such funds as are carried forward are hereby reappropriated to be expended in the 2010-2011 fiscal year.

Item 4. The Commissioner of Finance and Administration is hereby authorized to expend or lend from the funds appropriated such sums as the Commissioner deems appropriate to assist TennCare HMO(s) in their operations and obtain services from contractors, consultants, and other third parties to give such assistance, such being determined by the General Assembly to be for a public purpose. The Commissioner shall provide prompt notification to the Speakers of the Senate and House of Representatives and to the Chairs of the Finance, Ways and Means Committees regarding any such expenditure or loan with complete details of the amounts and recipients involved in such transactions.

Item 5. The Commissioner of Finance and Administration is hereby authorized to adjust revenue estimates and related expenditures in Section 4, Title III-25, related to premiums and drug rebates for the purpose of carrying out the provisions of TennCare.

Item 6. The Commissioner of Finance and Administration is authorized to impose service limitations, to reduce optional eligibility categories, mandate standardized reimbursement levels, and/or reduce, or limit, optional benefits in the TennCare Program as necessary to control program expenditures in the fiscal year ending June 30, 2010, and June 30, 2011.

Item 7. In the fiscal year ending June 30, 2011, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient, not to exceed \$10,100,000, from the TennCare reserve to the Division of Intellectual Disabilities Services for systems development purposes.

Item 8. Subject to the availability of funding at June 30, 2010, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2010, any unexpended balances of appropriations made under Chapter 554, Public Acts of 2009, for the Governor's Office of Children's Care Coordination and such funds as are carried forward are hereby re-appropriated to be expended in the 2010-2011 fiscal year.

Item 9. From the appropriations made to the TennCare Program in this act in Section 1, Title III-26 and Section 4, Title III-25, for the Program Integrity Unit, the Commissioner of Finance and Administration is authorized to transfer positions from TennCare to the Attorney General and to adjust departmental revenue estimates accordingly.

Item 10. The Commissioner of Finance and Administration is authorized to implement in the fiscal year beginning July 1, 2010, the 7% provider rate reduction made under Chapter 554 of the Public Acts of 2009, which was restored for fiscal year 2009-2010 with non-recurring funds.

SECTION 49.

Item 1. (a) It is the legislative intent that the survey portion of the commissioned officer pay plan in the Department of Safety and the Tennessee Law Enforcement Training Academy as referenced in Tennessee Code Annotated, Section 4-7-205, shall not be implemented effective July 1, 2010.

(b) It is the legislative intent that the survey portion of the Tennessee Wildlife Resources Agency pay plan shall not be implemented effective July 1, 2010.

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund the sum of \$1,897,400, and from dedicated funds the sum of \$545,000 for the sole purpose of funding the statutory salary step raises in the 2010-2011 fiscal year for the following officials and commissioned officers: (a) assistant district attorneys general and criminal investigators; (b) assistant public defenders and investigators; (c) assistant post conviction defenders; (d) commissioned officers in the Department of Safety and the Tennessee Law Enforcement Training Academy; and (e) wildlife officers, biologists and unique positions of the Tennessee Wildlife Resources Agency. The Commissioner of Finance and Administration is authorized to allocate this appropriation to the appropriate organizational units and to adjust dedicated appropriations and departmental revenue accordingly.

SECTION 50. From the appropriation in Section 1, Title III-11, Item 4, Regulatory Boards, an amount of \$200,000 is earmarked from the Board of Architectural and Engineering Examiners revenues or reserve funds for disbursement to accredited interior design programs, accredited architectural programs, accredited engineering programs and accredited landscape architectural programs of state-funded colleges and universities, after application to and subject to approval by the Board of Architectural and Engineering Examiners. The Board will develop guidelines for application, award and disbursement of the funds appropriated herein.

SECTION 51. From the appropriations made in Section 1 and Section 4 of this act, the Commissioner of Finance and Administration is authorized to transfer appropriation savings resulting from energy management projects to the major maintenance accounts of the departments and agencies. These funds may be used to pay debt service on associated bonds, to reimburse the general fund for appropriations made for energy management capital projects, to pay energy management fees, and to fund energy projects approved by the State Building Commission.

SECTION 52.

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 Tennessee Code Annotated, Title 49, Chapter 4, Part 9, relative to higher education scholarships; and Title 49, Chapter 6, Part 7, relative to after-school educational programs. 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, 2010, and such balance hereby is appropriated for expenditure in the fiscal year beginning July 1, 2010; 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 Select Committee on the Tennessee Education Lottery Corporation and the Office of Legislative Budget Analysis.

Item 2. Higher Education Lottery Scholarship award amounts for the 2010-2011 academic year shall be:

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

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

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

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

(e) \$2,000 for an eligible student under the Wilder-Naifeh Technical Skills Grant pursuant to § 49-4-921;

(f) Pursuant to the provisions of Section 49-4-920, the award amount for an eligible student under the Tennessee HOPE access grant shall be \$2,750 at four-year schools and \$1,750 at two-year schools;

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

(h) \$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 as amended by Senate Bill No. 37/House Bill No. 839, if such bill becomes a law; provided, however, that the total amount expended for Helping Heroes Grants shall not exceed \$750,000;

(i) 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

(j) Determined by the Tennessee Student Assistance Corporation in accordance with § 49-4-930 for an eligible student under the dual enrollment grant.

Item 3. A sum sufficient, not to exceed the available balance in the LEAP Grant Fund, is appropriated from the fund for the purpose of awarding 3-year grants in accordance with the provisions of Chapter 1175, Public Acts of 2008.

Item 4. A sum sufficient, not to exceed the available balance in the Energy Efficient Schools Council Fund, is appropriated from the fund for the purpose of the Energy Efficient Schools Initiative in accordance with the provisions of Chapter 1188, Public Acts of 2008.

Item 5. From the Lottery for Education Account and other accounts and sub-accounts established pursuant to Tennessee Code Annotated, Title 4, Chapter 51, the Tennessee Education Lottery Implementation Law, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill No. 2899/House Bill No. 3479, relative to eligible institutions under the lottery scholarship program, if such bill becomes a law.

SECTION 53. From the appropriation made in Section 4 of this act, to the Department of Commerce and Insurance, Division of Insurance, it is the legislative intent to recognize base level funding of \$7,479,700 in the fiscal year ending June 30, 2011. It is further the legislative intent that expenditures in excess of the \$7,479,700 base level shall be funded from the increase in revenues generated by Chapter 333, Public Acts of 2001, which established funding appropriated to the Division of Insurance in the fiscal year ending June 30, 2001, as the base level.

SECTION 54. There are appropriated all tax revenues which are allocated by statute in accordance with the provisions of such statutes. The provisions of this section shall apply to all statutes becoming a law prior to July 1, 2011.

SECTION 55. Notwithstanding any provision of this act to the contrary, a direct appropriation to a non-governmental agency or entity shall not be disbursed until the recipient has filed with the head of the agency through which such disbursement is being made a plan specifying the proposed use of such funds and the benefits anticipated to be derived therefrom. As a prerequisite to the receipt of such direct appropriation, the recipient shall agree to provide to the agency head, within ninety (90) days of the close of the fiscal year within which such direct appropriation was received, an accounting of the actual expenditure of such funds including a notarized statement that the report is true and correct in all material respects; provided, however, that the head of the agency through which such disbursement is being made may require, in lieu of the accounting as provided above, an audited financial statement of the non-governmental agency or entity. A copy of such accounting or audit, as the case may be, shall be filed with the Office of the Comptroller of the Treasury.

SECTION 56.

Item 1. The provisions of this item shall take effect upon becoming law, the public welfare requiring it.

(a) In the fiscal years ending June 30, 2010, and June 30, 2011, the unexpended balances of health care safety net appropriations, including Project Diabetes, in Public Acts of 2005, Chapter 503, and in Public Acts of 2006, Chapter 963, and in Public Acts of 2007, Chapter 603, and in the Public Acts of 2008, Chapter 1203, and in Public Acts of 2009, Chapter 554, and in this act may be carried forward and hereby are reappropriated for expenditure in the succeeding fiscal year, subject to approval of the Commissioner of Finance and Administration. Provided, however, that payroll savings from Department of Health positions established for the health care safety net shall revert to the general fund.

(b) From the health care safety net reserves carried forward at June 30, 2010, the Commissioner of Finance and Administration is authorized to transfer funds between health care safety net programs and to Cover Tennessee Health Care Programs.

Item 2. All appropriations in this act for the AccessTN may be used for matching federal funds available, through waiver or otherwise, for expanding premium assistance, subject to the approval of the Commissioner of Finance and Administration.

Item 3. In addition to the appropriations elsewhere in this act, sums sufficient hereby are appropriated to the appropriate programs from the revenues and reserves of CoverTN, AccessTN, CoverRx, CoverKids, Project Diabetes, and health care safety net programs.

SECTION 57.

Item 1. The departmental revenues appropriated in this act from federal Homeland Security grant programs are subject to the following provisions:

(a) The allotment of these funds is subject to approval of the Commissioner of Finance and Administration, and the distribution among state and local agencies shall be subject to approval of or under procedures of the state Homeland Security Council.

(b) The Commissioner of Finance and Administration is hereby authorized to reallocate appropriations within the affected state agencies and to reallocate Homeland Security appropriations among the affected agencies for the purpose of providing the required state match to these and other federal Homeland Security and bioterrorism grants; to adjust position authorizations among affected departments, offices, and programs for that purpose; and to adjust federal and other departmental revenue estimates accordingly. The commissioner shall file any such reallocations or adjustments with the Fiscal Review Committee and the Office of Legislative Budget Analysis.

Item 2. There are appropriated sums sufficient to the Office of Homeland Security from federal grant funds and to other agencies of state government receiving Homeland Security federal grant funds.

Item 3. In the fiscal year ending June 30, 2011, any unexpended state appropriations made for Homeland Security purposes may be reserved to be carried forward to the next fiscal year. Said reserve is subject to the availability of revenue and to the approval of the Commissioner of Finance and Administration.

Item 4. The appropriation made in Section 1, Title III-22, Item 7, Miscellaneous Appropriations, for Homeland Security Emergency Fund shall not revert to the general fund balance at June 30, 2011.

SECTION 58. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. Pursuant to Chapter 531, Public Acts of 2009, and Senate Bill No. 3880/House Bill No. 3796, if such bill becomes a law, it is the legislative intent to reallocate to the education fund and general fund portions of certain dedicated revenues in the fiscal year 2010-2011. The dedicated revenues and the amounts reallocated to the education fund and general fund are:

Education Fund	
(a) Tobacco Taxes – Agricultural Enhancement Program.....	\$ 11,000,000
General Fund	
(b) Environment and Conservation – Environmental Assurance Fee (Underground Storage Tanks)	3,000,000
(c) Environment and Conservation – Solid Waste 90¢ Tipping Fee...	2,600,000
Subtotal General Fund.....	\$ 5,600,000
TOTAL.....	\$ 16,600,000

Item 2. There are hereby appropriated sums sufficient from the TennCare reserve to the TennCare Program to provide for state-match that may be required to receive federal funds pursuant to the U.S. Economic Recovery Act.

Item 3. There are hereby appropriated sums sufficient from the Revenue Fluctuation Reserve to provide for state-match that may be required to receive federal funds pursuant to the U.S. Economic Recovery Act in state programs, excluding the TennCare Program.

Item 4. In the fiscal year ending June 30, 2011, any unexpended appropriations of U.S. Economic Recovery Act Funds made in this act are hereby reappropriated to be expended in the 2011-2012 fiscal year and such appropriations shall be carried in a reserve into the fiscal year beginning July 1, 2011. This appropriation and carry-forward is subject to approval by the Commissioner of Finance and Administration.

SECTION 59.

Item 1. It is the legislative intent that the enacted budget for the 2010-2011 fiscal year shall include an allocation to establish a reserve in the amount of \$135,600,000 at

June 30, 2011, to fund appropriations in the 2011-2012 fiscal year for core services. The reserve shall provide funding for services, including non-recurring positions, education and health program services, and other program services.

At June 30, 2010, a reserve in the amount of \$100,492,300 shall be established as the 2009-2010 Closing Plan – Available Funds.

Item 2. From the appropriation made in Section 1, Title III-32, Item 4, of this act to the Department of Finance and Administration – Intellectual Disabilities Services, to provide alternative residential settings for clients and plan for the future, the Commissioner of Finance and Administration is authorized to transfer sums sufficient to the general fund to provide for other transitional costs.

Item 3. From the appropriation made in Section 1, Title III-25, of this act to the Department of Finance and Administration – Intellectual Disabilities Services, for Clover Bottom Developmental Center, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Department of Mental Health and Developmental Disabilities, subject to the organizational transfer of the Harold Jordan Center.

Item 4. From the appropriation made in Section 1, Title III-2, Item 3, to the Department of Finance and Administration to provide non-recurring funds to advance the appropriate use of health information technology to improve quality of care, the Commissioner of Finance and Administration is authorized to transfer sums sufficient to the information systems fund and to other appropriate organizational units of state government.

SECTION 60.

Item 1. The appropriation in Section 1, Title III-22, to miscellaneous appropriations for a 3 percent salary bonus is reduced by the sum of \$45,600,000 (non-recurring) to eliminate the salary bonus.

Item 2. The appropriation in Section 1, Title III-10, to higher education for a 3 percent salary bonus is reduced by the sum of \$51,300,000 (non-recurring) to eliminate the salary bonus.

Item 3. The appropriation in Section 1, Title III-9, Item 2.1c, Basic Education Program, for a 3 percent salary bonus is reduced by the sum of \$67,800,000 (non-recurring) to eliminate the salary bonus.

Item 4.

(a) Notwithstanding any provision of this act to the contrary, if accrued, recurring general fund revenues collected by the Department of Revenue exceed \$8,186,300,000 by at least \$50,000,000, as determined by the Commissioner of Finance and Administration after consultation with the Comptroller of the Treasury no later than October 1, 2010, then:

(i) In addition to any other appropriations made by the provisions of this act, there is appropriated a sum sufficient for the purpose of funding

an additional one-time longevity payment to state employees and employees of higher education institutions. It is the legislative intent that such payment be paid to state employees on or about October 31, 2010, and shall be based upon, insofar as possible, an amount equal to \$50.00 per year of service; provided, no total payment shall be less than \$150 nor more than \$1,250. It is further the legislative intent that additional longevity payments for employees of higher education be distributed in a similar manner. Amounts paid under this item shall be included as earnable compensation for retirement purposes. To be eligible for a payment under this section, an employee shall have at least one (1) year of service prior to October 1, 2010.

(ii) In addition to all other appropriations made by the provisions of this act, there is appropriated a sum sufficient for the purpose of funding a like payment as provided in sub-item (a) for all licensed personnel within local education agencies for fiscal year 2010-2011. It is the legislative intent that each person eligible for such payment shall receive an equal share. The Commissioner of Education shall develop a plan for distribution of such amount to achieve this intent, with such plan subject to approval of the Commissioner of Finance and Administration. It is further the legislative intent that such stipend shall be paid on or about October 31, 2010; and that amounts paid under this item shall be included as earnable compensation for retirement purposes.

(b) In determining the amount by which the revised recurring estimate of \$8,186,300,000 is exceeded, the Commissioner of Finance and Administration shall exclude any portion of a \$42,000,000 non-recurring estimate that is collected and accrued to fiscal year 2009-2010.

(c) This item shall not apply to judges, members of the General Assembly, the Comptroller of the Treasury, the Treasurer, the Secretary of State or the Governor.

SECTION 61. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. From the appropriations in Public Acts of 2008, Chapter 1203, in Public Acts of 2009, Chapter 554 and in Section 1, Title III-22, Item 26 of this act, a sum sufficient is appropriated to fund a severance plan to be used in conjunction with the base budget personnel reductions required by this act.

The severance benefit plan shall consist of:

(1) a base payment of \$3,200.

(2) college tuition assistance for 2 years to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Commissioner of Finance and Administration.

SECTION 62. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal year 2009-2010. Pursuant to the plan for closing fiscal year 2009-2010 listed on page A12 of the 2010-2011 Budget Document, it is recognized that certain appropriations made under the provisions of Chapter 554, Public Acts of 2009, require reduction to achieve the plan for closing savings in the listed categories of (a) over-appropriation above \$120.3 million; (b) group health insurance holiday; (c) claims premium additional rebate; (d) group health insurance – dependent reverification – state; and (e) mileage rate reduction – state. The Commissioner of Finance and Administration is authorized to reduce appropriations as required.

Item 2. It is the legislative intent to recognize in the fiscal year 2010-2011 that certain appropriations made under this act require reduction to achieve the over-appropriation savings in the net amount of \$17,318,200 listed on page A13 of the 2010-2011 Budget Document and listed on pages 7 and 8 of the supplemental information "Budget Overview for Budget Document 2010-2011". The Commissioner of Finance and Administration is authorized to reduce appropriations made in this act in the net amount of \$17,318,200 as required to achieve the base budget adjustments and reductions savings.

SECTION 63. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. In the year ending June 30, 2010, there hereby is appropriated the following amounts, which shall be in addition to the appropriations provided under Public Acts of 2009, Chapter 554, and in Section 38 of this act. The Commissioner of Finance and Administration is authorized to allot and transfer these appropriations to the appropriate expenditure account within each department, agency, or branch of government and to adjust federal aid and other departmental revenue accordingly.

Item 1. To the Comptroller of the Treasury, Property Tax Relief, the additional sum of \$1,000,000. There is further appropriated in fiscal year 2010-2011 the sum of \$2,300,000 for the same purpose.

Item 2. To the Department of Mental Health the additional sum of \$13,200,000 to offset undercollection of departmental revenue in the regional mental health institutes (MHI). There is further appropriated in fiscal year 2010-2011, for the same purpose, the sum of \$18,400,000 (non-recurring), which the Commissioner of Finance and Administration shall set aside in allotment reserves of the institutes and allot only to the extent that departmental revenue undercollections in the institutes require.

The allocation of these appropriations is as follows:

	<u>2009-2010</u>	<u>2010-2011</u>
Lakeshore MHI	\$2,800,000	\$3,900,000
Middle Tennessee MHI	1,700,000	2,400,000
Western MHI	1,700,000	2,400,000
Moccasin Bend MHI	2,000,000	2,800,000
Memphis MHI	<u>5,000,000</u>	<u>6,900,000</u>
Total Mental Health Institutes	<u>\$13,200,000</u>	<u>\$18,400,000</u>

Item 3. To the Miscellaneous Appropriations the sum of \$34,200 for a grant to University of Tennessee Center for Business and Economic Research for research assistance relative to the Basic Education Program (BEP) fiscal capacity and cost-differential factors. There is further appropriated in fiscal year 2010-2011 the sum of \$34,200 for the same purpose.

SECTION 64. The appropriation in Section 1, Title III-9, Item 2.1(c), Basic Education Program (BEP), is reduced by \$26,148,000, for the following purposes:

(a) BEP Growth Fund – Reduced by \$10,248,000, which is an excess amount based on a revised, fully-funded estimate of \$27,000,000.

(b) BEP Program Improvement – Reduced by \$12,000,000 to a revised improvement estimate of \$31,000,000, which reflects revised average daily membership student estimates.

(c) BEP-TCRS Retirement Contribution Rate Increase – Reduced by \$3,900,000 to a revised estimate of \$43,700,000, based on a correction of the weighted average contribution rate of BEP-funded positions.

SECTION 65. In addition to the appropriations in Section 1, Title III-26, the following non-recurring amounts are appropriated to the TennCare Program in order to restore in the fiscal year beginning July 1, 2010, certain recurring reductions made in fiscal year 2009-2010 and recommended in the fiscal year 2010-2011 Budget Document and for other purposes identified in this section. The reductions restored are identified by reference to reduction items stated in Volume 2, Base Budget Reductions, of the 2009-2010 and 2010-2011 Budget Documents.

Item 1.

(a) If Senate Bill No. 3528/House Bill No. 3310, the annual coverage assessment act of 2010, becomes a law, there hereby is appropriated \$431,081,200 (non-recurring) in the fiscal year beginning July 1, 2010, to the TennCare Program for the following purposes, and the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly; provided, however, that if the federal government disallows the coverage assessment as a valid source to match federal Medicaid funds, the appropriations in this Item 1(a) shall be null and void.

Reduction Number	Description	Amount
(i) FY 2009-2010 Base Reductions Restored:		
8	Medically Needy Category	\$ 11,199,300
11	Long Term Care Eligibility Criteria	13,820,000
12	Essential Access Hospital Payments	34,220,000
13	Graduate Medical Education	14,663,500
14	Meharry Medical College Grants	4,466,300
15	Critical Access Hospital Payments	3,422,000
20	Medicare Part A Reimbursement	10,425,900
21	Nursing Home Rates	19,289,700
22	MCO Administration Rate	7,592,500
23	Provider Reimbursement and Co-Pay	75,081,600

24	Dental Provider Rate	3,324,300
25	Private ICF-MR Rates	2,052,900
26	PACE Capitation Rates	<u>256,900</u>
	Subtotal	<u>\$199,814,900</u>

(ii) FY 2010-2011 Base Reductions Restored:

3	Non-Emergency Transportation	\$ 1,123,000
10	Hospital Reimbursement Ceiling	15,280,800
11	MAC Pricing on Pharmacy	4,839,600
14	Meharry Medical College Grants	1,466,400
16	In-Patient Services	43,908,100
17	Lab and X-Ray Procedures	17,680,900
18	Therapies	2,903,600
19	Out-Patient Services	8,350,000
20	Pharmacy Pricing – Reduce MAC Pricing	3,519,200
21	Benefit Limits – Reduced Growth	5,844,400
24	Office Visits	<u>11,197,300</u>
	Subtotal	<u>\$116,113,300</u>

(iii) Other Appropriations:

	State Supplemental Hospital Grant	\$ 10,000,000
	Disproportionate Share Hospital Payments	13,603,200
	Add'l Cost-Based Reimbursement for Critical Access	6,000,000
	Loss of Supplemental Pharmacy Rebates	5,549,800
	Hospital Payments – Unreimbursed Costs	<u>80,000,000</u>
	Subtotal	<u>\$115,153,000</u>

Total \$431,081,200

(b) It is legislative intent that the appropriation for state supplemental hospital grant in Item (a)(iii) address the needs of hospitals that experience high charity-care expenses for services provided in their communities.

(c) There is further appropriated to the TennCare Program, in addition to the appropriation in this item in (a)(iii), Other Appropriations, Hospital Payments – Unreimbursed Costs, a sum sufficient from any amount in excess of \$310,000,000 collected from the coverage assessment for the purpose of hospital payments for unreimbursed costs.

(d) To the extent that revenue collected from the coverage assessment is less than \$310,000,000, the appropriation in this item in (a)(iii), Other Appropriations, Hospital Payments – Unreimbursed Costs, hereby is reduced in the amount of the undercollection.

Item 2.

(a) If Senate Bill No. 3528/House Bill No. 3310, the annual coverage assessment act of 2010, does not become a law, or if the coverage assessment is disallowed by the federal government as a valid source to match federal Medicaid funds, there hereby is appropriated \$121,551,300 (non-recurring) in the fiscal year beginning July 1, 2010, to the TennCare program for the following purposes, and

the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly.

<u>Reduction Number</u>	<u>Description</u>	<u>Amount</u>
(i) FY 2009-2010 Base Reductions Restored:		
11	Long Term Care Eligibility Criteria (6 Months)	\$ 6,910,000
14	Meharry Medical College Grants	1,466,300
21	Nursing Home Rates	7,956,300
22	MCO Administration Rate	2,674,700
23	Provider Reimbursement and Co-Pay	26,667,900
24	Dental Provider Rate	1,371,200
25	Private ICF-MR Rates	846,700
26	Program for All-Inclusive Care for the Elderly (PACE) Capitation Rates	<u>106,000</u>
	Subtotal	<u>\$ 47,999,100</u>
(ii) FY 2010-2011 Base Reductions Restored:		
3	Non-Emergency Transportation	\$ 1,123,000
6	Provider Reimbursement (7% Provider Cuts at FY11 Levels)	4,975,000
11	Maximum Allowable Cost Pricing on Pharmacy	4,839,600
14	Meharry Medical College Grants	1,466,400
16	In-Patient (Exempt Certain Transplants)	1,652,800
17	Lab and X-Ray Procedures	17,680,900
18	Therapies	2,903,600
19	Out-Patient Services	8,350,000
20	Pharmacy Pricing – Reduce Maximum Allowable Cost Pricing	3,519,200
21	Benefit Limits – Reduced Growth	5,844,400
24	Office Visits	<u>11,197,300</u>
	Subtotal	<u>\$ 63,552,200</u>
(iii) Other Appropriations:		
	State Supplemental Hospital Grant	<u>\$ 10,000,000</u>
	Subtotal	<u>\$ 10,000,000</u>
	Total	<u>\$121,551,300</u>

(b) It is the legislative intent that the appropriation for State Supplemental Hospital Grant in Item (b)(iii) address the needs of hospitals that experience high charity-care expenses for services provided in their communities.

SECTION 66. In the year beginning July 1, 2010, in addition to the appropriations in Section 1 of this act, the following amounts are appropriated and certain non-recurring appropriations are reduced for the purpose of restoring base budget reductions that were

enacted in 2009-2010 and had been recommended in the 2010-2011 Budget Document and identified, as noted herein, in Volume 2 of the Budget Documents of both years, Base Budget Reductions. The Commissioner of Finance and Administration is authorized to adjust federal aid and other departmental revenues and position authorizations accordingly. The amounts appropriated, in addition to the amounts in Section 1, and certain non-recurring appropriation reductions are:

Item 1. To the Attorney General and Reporter the sum of \$3,464,500, including \$3,000,000 recurring and \$464,500 non-recurring is appropriated. Of the 2010-2011 base reduction, this restores all of the reduction; of the 2009-2010 reduction, this restores \$1,907,800 as recurring and \$464,500 non-recurring in fiscal year 2010-2011.

Item 2. To the Comptroller of the Treasury, an additional \$1,032,600 (recurring) is appropriated and 20 positions restored, as follows, and the Commissioner of Finance and Administration shall allocate this appropriation among programs as requested by the Comptroller of the Treasury:

(a) To restore in reduction number 2, Property Assessment, for the State Board of Equalization, the sum of \$24,900 (recurring) is appropriated and one (1) vacant position restored.

(b) To restore reduction number 5, Audit Reduction, the sum of \$1,007,700 (recurring) is appropriated and 19 vacant positions restored, as follows:

	<u>Amount</u>	<u>Positions</u>
State Audit Division.....	\$ 659,300	13
County Audit Division.....	238,800	4
Municipal Audit Division.....	<u>109,600</u>	<u>2</u>
Total Audit Divisions	<u>\$1,007,700</u>	<u>19</u>

Item 3. To the Department of Environment and Conservation, Historic Site Maintenance, to restore fiscal year 2010-2011 reduction number 9, Maintenance of Historic Sites, the sum of \$214,700 (recurring) is appropriated and the non-recurring appropriation is reduced by \$214,700.

Item 4. To Bureau of TennCare, the sum of \$234,100 (recurring) to restore reduction number 13, Administrative Contracts, for the purpose of funding Tennessee Chapter of the American Academy of Pediatrics (TNAAP) grant or services, and federal aid revenue also shall be adjusted by \$234,100.

Item 5. To the Bureau of TennCare, for the Division of Intellectual Disabilities Services, the sum of \$2,100,000 (non-recurring) and federal aid of \$6,500,000 is appropriated for an estimated three-month delay in approval of the Medicaid waiver in connection with community services transitions in the base budget reduction and reallocation plans.

Item 6.

(a) To the Department of Education, Alvin C. York Institute, the sum of \$5,494,400, including \$3,200,000 (recurring) and \$2,294,400 (non-recurring) is

appropriated to restore reduction number 13, Alvin C. York Institute, and 84 positions are restored.

(b) The appropriation to the Basic Education Program is reduced by \$3,200,000 (recurring) to reflect the restoration to Alvin C. York Institute.

(c) It is the legislative intent that by July 1, 2012, the budget, staffing, and local financial support of Alvin C. York Institute be adjusted to reflect fully the appropriate state and local shares of the operational costs under the Basic Education Program (BEP) formula. The Commissioner of Education, after consultation with the Commissioner of Finance and Administration, the superintendent of Fentress County schools, the Fentress County mayor, and school superintendents and mayors of other affected school systems and counties, by December 31, 2010, shall submit a financial transition plan to the Governor, the Commissioner of Finance and Administration, and the Chairs of the Finance, Ways and Means Committees and the Education Committees of the Senate and House of Representatives.

Item 7. To the Department of Health, Division of General Environmental Health, for the rabies control program, a sum sufficient not to exceed \$1,000,000 to restore base reduction number 5, Rabies Tags, proposed in the 2010-2011 Budget Document. The Commissioner of Finance and Administration shall reconcile the appropriation required to the fiscal note and is authorized to adjust departmental revenue accordingly.

Item 8. To the Department of Mental Health and Developmental Disabilities, for mental health recovery services, the sum of \$2,800,000 is appropriated, including \$1,584,800 recurring and \$1,215,200 non-recurring, to restore the following reductions made in fiscal year 2009-2010:

(a) Fiscal year 2009-2010 reduction number 7, Peer Support Centers, \$3,775,300, including \$1,398,000 recurring and \$2,377,300 non-recurring.

(b) Fiscal year 2009-2010 reduction number 21, Consumer Housing Specialist, \$93,400 recurring.

(c) Fiscal year 2009-2010 reduction number 23, Regional Housing Facilitators, \$93,400 recurring.

(d) The non-recurring appropriation to Community Mental Health Services is reduced by \$1,162,100, in order to reduce the base restoration in fiscal year 2010-2011 of fiscal year 2009-2010 reallocation number 10, Recovery Services – Homeless, Family Support, on page 184, Volume 2, Base Budget Reductions, 2010-2011 Budget Document, from an amount of \$2,877,100 (non-recurring) to a corrected amount of \$1,715,000 (non-recurring).

Item 9. To the Department of Mental Health and Developmental Disabilities, for Alcohol and Drug Abuse Services, the sum of \$3,000,000 is appropriated, including \$1,615,200 recurring and \$1,384,800 non-recurring, to restore the following reductions made in fiscal year 2009-2010:

(a) Fiscal year 2009-2010 reduction number 11, Priority Training Program, \$56,000 recurring.

(b) Fiscal year 2009-2010 reduction number 12, Community Training Staff and Events, \$102,000 recurring.

(c) Fiscal year 2009-2010 reduction number 20, TN-WITS Data Collection, \$100,000 recurring.

(d) Fiscal year 2009-2010 reduction number 22, Medical Detoxification, \$200,000 recurring.

(e) Fiscal year 2009-2010 reallocation number 6, Community Alcohol and Drug Abuse Services, Grants to Providers, \$2,542,000, including \$1,157,200 recurring and \$1,384,800 non-recurring.

Item 10. To the Department of Children's Services the sum of \$2,786,100 (recurring) is appropriated to partially restore the New Visions Youth Development Center component of fiscal year 2010-2011 reduction number 2, Closing Youth Development Center Beds, and to provide for transitional youth support services, as follows:

(a) There hereby is appropriated for operation of New Visions Youth Development Center the sum of \$4,203,900 from state revenue and \$70,200 from departmental revenue, and eighty-five (85) positions are authorized to be retained.

(b) The appropriation for operation of Woodland Hills Youth Development Center hereby is reduced by \$1,798,800 from state revenue and \$70,200 from departmental revenue, and thirty-three (33) positions are deleted from the authorization.

(c) There is hereby appropriated for the operation of independent living and transitional youth support services the sum of \$381,000 from state revenue.

SECTION 67. In the year beginning July 1, 2010, 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 the Bureau of TennCare, for planning of additional PACE programs (Program of All-Inclusive Care for the Elderly), the sum of \$1,000,000 (non-recurring).

Item 2. From the appropriation in Section 1, Title III-22, Item 22.1, for rent adjustments, the sum of \$33,000 is earmarked for rent of Department of General Services space, and other departmental revenue of the department may be adjusted accordingly.

Item 3. To the Department of Veterans Affairs for the State Veterans Cemetery at Knoxville, the sum of \$203,000, including \$176,000 recurring and \$27,000 non-recurring, and three (3) full-time positions are authorized.

Item 4. To the Department of Environment and Conservation, Clean Water and Drinking Water State Revolving Fund, the sum of \$3,700,000 (non-recurring) to match a federal aid increase of \$18,500,000.

Item 5. To the Department of Correction, State Prosecutions, or the Miscellaneous Appropriations the sum of \$982,000 for a contract with Davidson County for the Davidson County Drug Court (DC4) residential program expenses of housing and treating non-violent felony offenders, including methamphetamine offenders from across the state and other offenders with co-occurring addiction and mental health disorders. Provided, that it is the legislative intent that the department enter a contract with Davidson County under the provisions of Tennessee Code Annotated, Section 40-35-303(k) and Section 41-8-106, relative to reimbursement for reasonable, allowable costs of housing state felons or that otherwise a grant be made and settled annually to reflect reasonable, allowable costs. Provided, further, that such reimbursement shall take into account other funds available to the Davidson County Drug Court, including the state drug-court grant, any other grants received from the state, other federal funds, and other sources.

Item 6. To the Department of Economic and Community Development, for an economic development project, the sum of \$7,000,000 (non-recurring).

Item 7. To Tennessee State University the sum of \$1,542,700 for the university's federal land grant mission and state match allocation, as follows:

(a) TSU McMinnville Center	\$ 26,000
(b) TSU Institute of Agricultural and Environmental Research	103,300
(c) TSU Cooperative Education.....	590,000
(d) TSU McIntire-Stennis Forestry Research	104,400
(e) Tennessee State University	719,000
 Total.....	 \$ 1,542,700

Item 8. To the University of Memphis the sum of \$500,000 (non-recurring) to support start-up and development of the Memphis Research Consortium created by Public Acts of 2010 (Extraordinary Session), Chapter 3, Section 11.

Item 9. To the Military Department, Tennessee Emergency Management Agency, the sum of \$130,000 from state revenue and \$130,000 from federal aid for disaster emergency management operations, and four full-time positions are authorized.

Item 10. To the Department of Health, the sum of \$2,000,000 (non-recurring) for a grant to Meharry Medical College for the "Wellness for Our Community...Fitness is Our Future" program for implementation at historically black colleges and universities in Tennessee. This is year 5 of the grant.

Item 11. From the appropriation in Section 1, Title III-22, Item 22.1, for rent adjustments, the sum of \$211,000 is earmarked for rent of the Department of Health, Upper Cumberland regional office.

Item 12. To the Miscellaneous Appropriations the sum of \$20,000 (non-recurring) for a bust of the late Lt. Governor John Shelton Wilder to be obtained and placed at the direction of the Capitol Commission.

Item 13. To the Cover Tennessee Health Care Programs, for the CoverKids program, the sum of \$1,049,100 from state revenue and \$3,330,000 from federal aid, for dental benefit adjustments provided under the provisions of the 2010 federal healthcare reform law.

SECTION 68. Legislation. In addition to the appropriations in Sections 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 24, Administration Legislation, is reduced by \$300,000, eliminating the entire appropriation.

Item 2. The appropriation in Section 1, Title III-23, Item 3, Custody Services, is reduced by \$98,800 and the remaining \$3,501,200 of the program improvement identified on page B-154 of the 2010-2011 Budget Document for County Over-Commitment to State Custody is appropriated to fund Senate Bill No. 2974/House Bill No. 3020, if the bill becomes a law, or otherwise for the purpose stated in the Budget Document.

Item 3. From the Tennessee Consolidated Retirement System the sum of \$1,800 (non-recurring) for Senate Bill No. 2886/House Bill No. 2989, relative to an interest payment for correction of a benefits error.

Item 4. To a Department of Aging the sum of \$1,900 (non-recurring) earmarked from the appropriation in Section 1, Title III-2, Item 2.2, to the Commission on Aging and Disability for Senate Bill No. 3209/House Bill No. 3529, relative to creation of a Department of Aging. There is further appropriated the sum of \$8,100 (non-recurring) to the General Assembly relative to the bill.

Item 5. To the Tennessee Student Assistance Corporation, from the deferred revenue account of the Minority Teaching Fellows Program there is appropriated the sum of \$65,500 for the sole purpose of implementing Senate Bill No. 3268/House Bill No. 3413, relative to expanding the Minority Teaching Fellows Program. It is the legislative intent that such appropriation is subject to the availability of sufficient funds in the deferred revenue account for such program.

Item 6.

(a) To a Department of Intellectual and Developmental Disabilities the sum of \$16,800, including \$6,800 recurring and \$10,000 non-recurring for Senate Bill No. 3341/House Bill No. 3526, relative to creation of a Department of Intellectual and Developmental Disabilities.

(b) If the bill cited in this item becomes a law, the appropriation in Section 1 of this act to the Department of Mental Health and Developmental Disabilities is reduced by \$3,700 recurring and a non-recurring sum of \$10,000 hereby is appropriated for the purpose of establishing a Department of Mental Health.

Item 7. To the Department of Environment and Conservation, from the departmental revenues or reserves of the Heritage Conservation Trust Fund, the sum of \$1,800 for Senate Bill No. 3390/House Bill No. 3466, relative to the Heritage Conservation Trust Fund, or Senate Bill No. 3880/House Bill No. 3796, provisions relative to matters in the preceding bill citation.

Item 8. To the Procurement Commission created by Senate Bill No. 3598/House Bill No. 3353, the sum of \$51,300 and one (1) full-time position is authorized in addition to appropriations and positions to be transferred from other organizational units and agencies of state government.

Item 9. To the Miscellaneous Appropriations the sum of \$25,000 for Senate Bill No. 3847/House Bill No. 3847, relative to the Tennessee Residence Commission.

Item 10. To the Department of Commerce and Insurance, Division of Regulatory Boards, from dedicated revenue of the following programs, the sums of (a) \$5,000 (non-recurring) for Senate Bill No. 3851/House Bill No. 3812, relative to locksmith registration, and (b) \$5,000 (non-recurring) for Senate Bill No. 3859/House Bill No. 3844, relative to private protective services.

Item 11. To the Miscellaneous Appropriations a sum sufficient estimated at zero dollars for any implementation costs provided in the final fiscal note on Senate Bill No. 3880/House Bill No. 3796, the Omnibus Budget Reconciliation Act relative, to state finances.

Item 12. To the Department of Revenue the sum of \$38,500 (non-recurring) in addition to the amount in Section 1 of this act and identified in the 2010-2011 Budget Document, page B-13, Auditors, for the purpose of implementing Senate Bill No. 3901/House Bill No. 3787, or similar legislation, relative to taxes, technical corrections, and related matters.

Item 13. To the Department of Safety the sum of \$90,900 (recurring) and \$45,000 (non-recurring) for Senate Bill No. 3907/House Bill No. 3791, relative to commercial driver licenses and related matters.

Item 14. To the Department of Correction the sum of \$44,000 from court-awarded fines for Senate Bill No. 3909/House Bill No. 3784, relative to drug enforcement, education, and treatment and non-recurring enforcement expenditures.

SECTION 69. 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 May 2010 floods and related 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, 2010, and June 30, 2011, subject to the approval of the Commissioner of Finance and Administration, and hereby are appropriated for expenditure in the fiscal year beginning July 1, 2010. 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 2009, Chapter 554, Section 1, Title III-22, and in this act in Section 1, Title III-22, for Homeland Security, the Commissioner of Finance and Administration may transfer funds to other programs and state agencies for disaster recovery and to transfer unexpended balances of such transferred funds back to the Homeland Security item, if he deems it appropriate.

Item 2. From the reserves for Homeland Security carried forward in the Miscellaneous Appropriations at June 30, 2009, and authorized to be carried forward at June 30, 2010, the Commissioner of Finance and Administration may transfer funds to other programs and state agencies for purposes of disaster recovery and to 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. Provided, however, that transfers from general fund programs shall consist only of surplus funds that otherwise would revert to the general fund balance at year-end. 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 2009, Chapter 554, and in this act, there hereby is appropriated a sum sufficient for expenses of disaster recovery.

SECTION 70. 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 2009-2010 and 2010-2011. Under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 3880/House Bill No. 3796, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carry-forwards 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, 2010 and June 30, 2011, and for that purpose such funds hereby are appropriated to the general fund. 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 Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 3880/House Bill No. 3796.

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 Tennessee Code Annotated, Section 9-4-211.

SECTION 71.

(a) The provisions of this section are contingent upon determination by the Commissioner of Finance and Administration that a 2010 or 2011 U.S. public law, rule, or policy provides additional federal aid to the state through continuation of an enhanced federal medical assistance percentage (FMAP) in the Medicaid program. Before establishing the appropriations made in this section, 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 aid 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:

Item 1. The appropriation to the TennCare program in Section 1, Title III-26, of this act is reduced by \$341,600,000 (non-recurring reduction) or, alternatively, is reduced by such lower amount of such federal aid 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 \$341,600,000 (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.

Item 2.

(A) Community College Special Capital Outlay Appropriation. The General Assembly recognizes that the Complete College Tennessee Act of 2010 (Public Chapter 3 of the Extraordinary Session of 2010) encourages increasing numbers of Tennesseans to access public higher education, particularly through the community college system. Further, the General Assembly recognizes that the capacity to serve increasing numbers of Tennesseans through the existing community college system is constrained at certain campuses. It is the intent of this item to address the most compelling of these capacity constraints through a targeted capital outlay program. There is hereby appropriated the sum of \$120,000,000 (non-recurring) for purposes of implementing a capital outlay program to increase the capacity of Tennessee community colleges to serve Tennesseans. Notwithstanding the existing capital outlay priority list approved by the Board of Regents or the existing capital outlay priority list approved by the Tennessee Higher Education Commission, the Board of

Regents is directed to develop a targeted capital outlay program that identifies, prioritizes, and funds projects that: (1) build additional instructional capacity in areas that are experiencing sustained high enrollment growth; (2) build additional instructional capacity in locations where current instructional and related student support capacity has been stressed or exhausted; (3) provide for construction of academic classrooms, class labs, and other facilities needed to support academic instruction; (4) promote innovation by use of technology-based delivery systems to provide instruction to students who do not have easy access to on-ground instruction; and (5) leverage financial contributions from non-state sources to fund a substantial portion of the project cost, and such contributions from non-state sources hereby are appropriated for the capital outlay projects.

The capital outlay program developed and approved by the Board of Regents pursuant to this item shall be subject to the approval of the Tennessee Higher Education Commission and the State Building Commission. Consideration of this program by the Tennessee Higher Education Commission and the State Building Commission shall be limited to whether the program addresses the criteria stated above.

Notwithstanding other provisions of this section to the contrary, if the continuation of the enhanced federal medical assistance percentage (FMAP) is not authorized in the Medicaid program by October 1, 2010, there hereby is appropriated the sum of \$12,000,000 (non-recurring) for partial implementation of the community college special capital outlay program, and in this event, the reserve for revenue fluctuations at June 30, 2011, as designated in Section 47, Item 2, is decreased by \$12,000,000.

(B) Notwithstanding any provision of this item to the contrary, the Board of Regents is authorized to utilize an amount not to exceed thirty percent of the funds appropriated by this item for high priority technology centers. Notwithstanding other provisions of this section to the contrary, if the continuation of the enhanced federal medical assistance percentage (FMAP) is not authorized in the Medicaid program by October 1, 2010, there hereby is appropriated the sum of \$16,000,000 (non-recurring) for high priority technology centers, and in this event, the reserve for revenue fluctuations at June 30, 2011, as designated in Section 47, Item 2, is decreased by \$16,000,000.

Item 3. To the Department of Economic and Community Development for capital outlay, the sum of \$9,600,000 (non-recurring) for the West Tennessee Mega-Site industrial infrastructure project.

Item 4. To the TennCare program for grants to critical access hospitals the sum of \$10,000,000 (non-recurring) to address un-reimbursed costs of services provided. It is the legislative intent that such grants be made as soon as practical after July 1, 2010, and shall be allocated pro rata based upon the ratio of uncompensated care to total facility revenue for each critical access hospital as reported in the most recent joint annual report available prior to such distribution of such grants.

Item 5. To the Department of Economic and Community Development, for the small-business job opportunities fund and a grant to Southeast Community Capital Corporation, the sum of \$10,000,000 (non-recurring) is appropriated to match approximately \$10,000,000 to \$15,000,000 from banks. It is the legislative intent that job creation loans provided through this appropriation be awarded in a manner maximizing participation by minority owned businesses and, to that end, such program shall strive to achieve a minimum minority owned business participation goal of fifteen percent.

Item 6.

(A) To the Department of Safety, for the driver licenses issuance system capital outlay project, the sum of \$30,000,000 (non-recurring).

(B) To the Department of Safety, for the highway patrol communications system capital outlay project, the sum of \$90,000,000 (non-recurring).

(C) From the appropriation made in this item to the Department of Safety for the highway patrol communications system and the driver license issuance system, the Commissioner of Finance and Administration is authorized to transfer sums sufficient from the capital outlay fund to the general fund or systems development fund as required.

Item 7.

(A) In addition to any other funds appropriated by the provisions of this act, there is appropriated the total sum of \$72,000,000 (non-recurring) for the following purposes in the following amounts:

- (i) To the Department of Economic and Community Development, for economic development projects, to the FastTrack Infrastructure Development and Job Training Assistance Program and related economic development programs\$51,000,000;
- (ii) To the Department of Agriculture for the purpose of the agricultural enhancement program\$10,000,000;
- (iii) To the Miscellaneous Appropriations, for a grant to the Civil Rights Museum in Memphis for the purpose of supporting the museum's capital campaign for capital improvements and to build an endowment\$5,000,000; provided, that \$50,000 of such grant shall be earmarked for the support of the Alex Haley House and Museum in Henning;
- (iv) To the Department of Environment and Conservation for the sole purpose of issuing grants for developing or repairing sewer service projects to residential and commercial areas with high failure rates located outside the boundaries of an established city or town.....\$ 2,000,000;

- (v) To UT Health Science Center for facility site preparation, demolition and associated costs\$4,000,000; and
- (vi) Subject to availability of funds, to the Department of Tourist Development for a Tennessee is Open for Tourism Campaign.....\$ 1,000,000.

(B) Notwithstanding other provisions of this section to the contrary, if the continuation of the enhanced federal medical assistance percentage (FMAP) is not available in the Medicaid program, there hereby is appropriated the sum of \$31,000,000 (non-recurring) for economic development, and in this event, the reserve for revenue fluctuations at June 30, 2011, as designated in Section 47, Item 2, is decreased by \$31,000,000.

(c) It is the legislative intent that the contingency items provided in this section be funded in the amounts indicated; provided, that if available funds are less than the amounts indicated, then such contingencies shall be accomplished, wholly or partially, pursuant to the order of the items as listed above from Item 1 to Item 7; provided, further, that if available funds exceed \$341,600,000, then:

(1) The appropriation to the TennCare Program in Section 1, Title III-26, of this act is reduced by such additional amount (non-recurring reduction), and in addition to the appropriation of federal aid to the TennCare Program in Section 4, Title III-25, there hereby is appropriated a sum equal to such additional amount (non-recurring) from federal aid revenue; and

(2) There is hereby appropriated a sum equal to such additional amount (non-recurring) for purposes of implementing a capital outlay program to increase the capacity of Tennessee community colleges to serve Tennesseans as otherwise provided in subdivision (b), Item 2 of this Section.

SECTION 72. The Department of Finance and Administration is directed to notify in writing by October 1, 2010, each entity (other than state agencies or individuals) receiving a grant under this act which is from a non-recurring appropriation that such funding has been identified in the Budget or appropriations act to expire at the end of 2010-2011 or 2011-2012, as applicable, and that such entity is advised to seek alternative non-state funding for future fiscal years or to reduce its budget.

SECTION 73. To the extent permissible under federal law, upon completion of all transportation projects funded by federal transportation grants provided under U.S. Public Law 111-5, American Recovery and Reinvestment Act, the combined unexpended balance of the federal funds for all such projects shall be reserved for bridge repair and replacement, and such funds are hereby appropriated. In addition, any federal transportation grants arising from any subsequent and similar U.S. economic recovery act shall be appropriated and used for bridge repair and replacement, to the extent permissible under federal law. Provided, further, to the extent permissible under federal law, any such appropriation or reappropriation shall be used in lieu of bonds to fund projects funded by the bonds authorized in Chapter 552, Public Acts of 2009, and in Senate Bill No. 3916/House Bill No. 3925, and the State Funding Board is directed to cancel bonds in permissible amounts.

SECTION 74. Other provisions of this act to the contrary notwithstanding, the General Assembly recognizes that extraordinary actions by the Commissioner of Finance and Administration may be required to achieve the over-appropriation level provided herein, to manage the base budget reductions reflected in this act, and to fulfill the constitutional duty of state government to orderly close fiscal year 2010-2011. It, therefore, is the legislative intent that the Commissioner of Finance and Administration be authorized to defer and reduce expenditures and otherwise effect savings of funds appropriated herein; provided, however, that the authority granted by this section shall be exercised only insofar as permitted by law and in accordance with applicable law and in accordance with the provisions of Section 24 and provided, further, that the authority granted by this section shall not extend to appropriations made under Section 1, Titles I and II herein.

SECTION 75. The Tennessee Code Commission is requested to place an appropriate, permanent note following the codification of any public act which is codified and which has not received constitutionally required first year's funding through the provisions of this act.

SECTION 76. In addition to amounts otherwise identified in this act and in the 2010-2011 Budget Document for the 2011-2012 core services reserve, it is the legislative intent that the reserve include the following amounts for additional core services as follows:

State Land Acquisition Fund	\$	3,112,500
Local Park Acquisition Fund.....		3,718,700
Agriculture Resources Conservation Fund.....		937,500
Wetlands Acquisition Fund.....		906,300
TSAA Awards.....		3,200,000
TennCare – Perinatal Outreach Grants.....		2,272,800
Employee 401(k) State Match @ \$50.00		16,363,600
Arts Commission Grants		754,900
Governor's Schools		2,241,000
Performance Based Budgeting		986,300
ADM Growth Funding.....		7,000,000
Mental Health – Crisis Stabilization/Behavioral Health		1,500,000
Public Television Grants.....		500,000
Extended Foster Care		<u>1,786,000</u>
Total Additional	\$	45,279,600

SECTION 77. Recognizing the need for state government to operate with a balance of recurring revenues to recurring expenditures, there is hereby appropriated a sum sufficient (non-recurring), not to exceed \$500,000, to the Ad Hoc Task Force on Human Resources for the sole purpose of developing and proposing comprehensive, government personnel management contingency plans for the Executive Branch and the Legislative Branch of State Government and, upon the request of the Supreme Court, for the Judicial Branch of State Government. The Ad Hoc Task Force shall consist of the Comptroller of the Treasury, the State Treasurer, the Secretary of State, the Commissioner of Finance and Administration, and the Commissioner of Human Resources. The Comptroller of the Treasury and the Commissioner of Human Resources shall serve as co-chairs. Within the limits of funding provided by this section, the Task Force may contract with private consultants for technical advice and assistance. Each contingency plan shall include policies and procedures to govern the selection of positions for elimination and shall recommend reorganization of affected departments, agencies, entities and programs as may be needed to fully achieve the annualized savings proposed by the plan. Each

contingency plan shall also identify any provision of general law that would require suspension, amendment or repeal in order to implement the plan. At least one or more of the contingency plans for each branch of state government may include incentive-based separation packages for employees who voluntarily separate from service; and at least one or more of the contingency plans for each branch of state government may include benefit packages for employees who are involuntarily separated from service. The incentives or benefits offered may include, but shall not be limited to, one or more of the following:

(i) A base payment plus an amount based on years of service and capped at an amount, to be determined by the Task Force;

(ii) Extended health insurance benefits for a period of months to be determined by the Task Force, or a cash option to buy into COBRA health coverage, or a cash option equivalent to the extended health insurance benefit; and

(iii) College tuition assistance for a term, to be determined, and to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Task Force.

The Task Force shall endeavor to finalize and propose the comprehensive, reduction-in-force contingency plans on or before January 17, 2011. The plans shall be delivered to the Governor, the Speaker of the Senate and the Speaker of the House of Representatives and, if requested, to the Chief Justice. As circumstances dictate, the respective branches may, consistent with general law, implement one or more of the proposed government personnel management contingency plans. It is the legislative intent to recognize that implementation of the government personnel management contingency plans will reduce reserves for revenue fluctuations amounts stated in Section 47, Items 1 and 2.

SECTION 78. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is hereby declared to be the legislative intent that to the extent permissible under applicable federal law and regulation, local government contributions and/or intergovernmental transfers for the benefit of The Regional Medical Center at Memphis be matched by federal Medicaid funds. If a determination is not made by July 1, 2010, that such contributions that are made in, or attributable to, the fiscal years ending June 30, 2010 or June 30, 2011, can be matched, then there is hereby appropriated twenty million dollars (\$20,000,000) to the Department of Finance and Administration for the purpose of making a grant in such amount to The Regional Medical Center at Memphis. It is the legislative intent that this appropriation be considered non-recurring. It is the legislative intent that, prior to receiving any funds appropriated in this item, the Regional Medical Center at Memphis provides a written plan to the Commissioner of Finance and Administration and the Comptroller of the Treasury detailing the manner in which such funds are to be used and a plan to become self-sustaining.

SECTION 79. It is hereby recognized that the provisions of Senate Bill No. 231/House Bill No. 228, or, alternatively, the provisions of Senate Bill No. 3901/House Bill No. 3787, concerning refunds of state and local sales taxes on the retail sale of certain items of tangible personal property when sold to a natural person who has received disaster assistance through FEMA will result in a revenue loss exceeding \$19,950,000, if either bill containing such provisions becomes a law.

SECTION 80. This section shall take effect upon becoming a law, the public welfare requiring it. From the funds appropriated to the Court System in Public Acts of 2009, Chapter 554, Section 1, Title II, an amount of \$26,000 is reappropriated for start-up costs of implementing Senate Bill No. 3110/House Bill No. 3385, relative to court reporter licensing, if the bill becomes a law. Upon the request of the Administrative Director of the Courts, the Commissioner of Finance and Administration is authorized to transfer funds between programs as necessary to address the start-up costs.

SECTION 81. If additional federal funds for energy related programs not otherwise appropriated or obligated pursuant to the provisions of this act are received in fiscal year 2010-2011 as determined by the Commissioner of Finance and Administration, the sum of \$1,000,000 from such additional federal funds is appropriated to the Department of Economic and Community Development to be available for a geothermal energy demonstration pilot project at a private institution of higher education in Claiborne County.

SECTION 82. 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.

SECTION 83. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 84. No expenditure of public funds pursuant to this act shall be made in violation of the provisions of Title VI of the Civil Rights Act of 1964, as codified in 42 United States Code, 2000(d).

SECTION 85. This act shall take effect July 1, 2010, the public welfare requiring it; provided, however, that any provision of this act which authorizes prior or immediate expenditures and any section or item which specifies an immediate effective date shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 4 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 25th day of June 2010



PHIL BREDESEN, GOVERNOR