

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Kilgore

Item 40 #1h

Amend Provisions Related to Recalled Judges

Judicial Department

Supreme Court

Language

Language:

Page 25, after line 14, insert:

"K. That, notwithstanding the provisions of § 17.1-106, any person who transferred service credit from the Judicial Retirement System under the provisions of § 51.1-303 to the Virginia Retirement System and retired under the Virginia Retirement System after January 1, 2014 but prior to May 1, 2014, may be recalled under the provisions of § 17.1-106 as a long such person does not engage in the practice of law within or without the Commonwealth."

Explanation:

(This amendment allows persons who used to be judges under the JRS, but retired under the regular VRS between January 1 and May 1 of 2014, to sit as temporary recalled judge. Currently you have to have retired from JRS to be a recalled judge. Recalled judges can sit in circuit court while substitute judges are limited to district court.)

Chief Patron: Bell R.P.

Item 132 #2h

Interagency Workgroup for Special Education

Education

Department of Education, Central Office Operations

Language

Language:

Page 103, after line 5, insert:

"E. The Department of Education is directed to convene an interagency workgroup to assess the barriers to serving students with disabilities in their local public schools. The workgroup shall assess existing policies and funding formulas including the school division's program requirements, localities' composite indices, local Children Services Act (CSA) match rate allocations, local CSA rate setting practices, the impact of caps on support positions, policies for transitioning students back to the public school, and funding for local educational programming based on models which are collaborative and create savings for both local and state government while providing youth an educational option within their communities. Membership shall include a balance of local and state representatives, all impacted state agencies, local education agency (LEA) representatives, local CSA representatives, local government officials, local special education administrators, stakeholder organizations, parent representatives, the ARC of Virginia, the Coalition for Students with Disabilities, and members of the General Assembly. The workgroup shall make recommendations to the Virginia Commission on Youth prior to the 2017 General Assembly Session."

Explanation:

(This language amendment directs the Department of Education to convene a workgroup consisting of members from a number of interagency groups to review possible barriers impacting special education students. The workgroup is directed to report any recommendations to the Commission on Youth and the General Assembly before the 2017 Session.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Simon

Item 139 #21h

Two-Year Moratorium on Installation of Synthetic Turf

Education

Direct Aid to Public Education

Language

Language:

Page 121, after line 33, insert:

"28. It is the intent of the General Assembly that there be a two-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public preschool, elementary or secondary school."

Explanation:

(This amendment is self-explanatory.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Bell J.

Item 139 #22h

Clarifies No Charge for Full-Day Kindergarten

Education

Direct Aid to Public Education

Language

Language:

Page 121, after line 33, insert:

"28. No locality shall charge fees, tuition or any payment to fund the cost of full-day kindergarten for students as mandated by Article VIII, Section 1 of the Constitution of Virginia."

Explanation:

(This amendment clarifies that no locality can impose charges or fees for any child to attend a full-day kindergarten.)

Chief Patron: Campbell

Item 319 #1h

No Involuntary Discharges from SWVTC

Health and Human Resources

Mental Health Treatment Centers

Language

Language:

Page 286, after line 29, insert:

"D. As a condition of the appropriation in this item, no individual currently residing at the Southwestern Virginia Training Center shall be discharged from the Southwestern Virginia Training Center if the individual or his legally authorized representative on his behalf chooses to continue receiving services in the training center in accordance with § 37.2-837 of the Code of Virginia. The Department of Behavioral Health and Developmental Services shall provide written notice of this provision to the resident or his legally authorized representative within 30 days of enactment herein."

Explanation:

(This amendment adds language prohibiting the discharge of residents at the Southwestern Virginia Training Center if the individual or his legally authorized representative chooses to remain at the training center.)

Chief Patron: O'Quinn

Item 369 #1h

Prohibition on Implementation Clean Power Plan Until Supreme Court Stay is Lifted

Natural Resources

Department of Environmental Quality

Language

Language:

Page 318, after line 49, insert:

"C. Funding provided in this item is contingent upon no amount contained herein being used to prepare or submit to the Environmental Protection Agency (EPA) a state implementation plan, or other document with respect to the Environmental Protection Agency's "Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units," 80 Fed. Reg. 64,662 (October 23, 2015), unless the stay issued by the United States Supreme Court is released pending disposition of the applicants' petitions for review in the United States Court of Appeals for the District of Columbia Circuit and disposition of the applicants' petition for a writ of certiorari, if such writ is sought."

Explanation:

(This amendment prohibits DEQ from expending any funds provided for air protection to develop or implement EPA's Clean Power Plan until the Supreme Court's stay of such Plan is released.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Simon

Item 388 #2h

Restore MH Specialists in Community Corrections

Public Safety and Homeland Security

FY16-17

FY17-18

Department of Corrections

\$2,200,000

\$2,200,000

GF

11.00

11.00

FTE

Language:

Page 328, line 48, strike "\$31,016,944" and insert "\$33,216,944".

Page 328, line 48, strike "\$31,189,332" and insert "\$33,389,332".

Explanation:

(This amendment restores \$2.2 million each year from the general fund and 11 positions included in the introduced budget for new mental health specialists in the DOC community corrections program.)

Chief Patron: Marshall R.

Item 4-1.01 #1h

Application of Dillon Rule to Expenditures of Political Subdivisions

Appropriations

Prerequisites for Payment

Language

Language:

Page 453, after line 30, insert:

“d. A political subdivision of the Commonwealth, including, but not limited to, a locality, school board or other instrumentality, may only spend monies from whatever source received, for the following objects and no others: first, those granted in express words; second, those necessarily or fairly implied in or incident to the powers expressly granted; third, those essential to the declared objects and purposes of the political subdivision, not simply convenient, but indispensable. In deciding whether funds may be authorized to be spent, the authority for such expenditure must rigorously comply with the Dillon Rule of strict construction; and if there is a reasonable doubt whether the political subdivision has powers, the doubt must be resolved against such expenditures by the political subdivision. Accordingly, the Dillon Rule is applicable to all funds spent by political subdivisions and therefore political subdivisions may not spend any funds for purposes prohibited or not otherwise authorized by the Dillon Rule of strict legislative construction.”

Explanation:

(This amendment provides that the Dillon Rule applies to all expenditures by all political subdivisions of the Commonwealth.)

Chief Patron: Marshall R.

Item 4-1.02 #1h

Certain Restrictions on Funding for Enforcement of Firearms Regulations

Appropriations

Withholding of Spending Authority

Language

Language:

Page 455, after line 48, insert:

"e. Notwithstanding any provision of law to the contrary, no funding shall be provided to any agency or political subdivision of the Commonwealth, as those terms are defined in § 8.01-835, or any employee or agent thereof acting in his official capacity, to knowingly aid any employee or entity of the federal government of the United States (i) in any investigation, prosecution, detention, or arrest or participate in any search or seizure relating to any criminal, civil, or administrative restrictions on firearms, firearm magazines, ammunition, or components thereof based on any federal statute enacted or any executive order or regulation issued on or after December 1, 2015, or (ii) in the conduct of, or the enforcement of any requirement for, any background check related to any intrastate sale, loan, gift, or other transfer of a firearm between citizens of the Commonwealth who do not possess a federal firearms license under 18 U.S.C. § 923. However, nothing herein shall affect any investigation, prosecution, detention, or arrest or participation in any search or seizure based on any federal statute enacted or any executive order or regulation issued before December 1, 2015. Further provided that this provision shall not apply to any agreement between the Commonwealth and any agency of the federal government relating to voluntary background checks conducted by the Virginia state police at gun shows."

Explanation:

(This amendment prohibits the spending of funds by any agency or political subdivision of the Commonwealth to aid in the enforcement of federal firearms regulation or executive order issued on or after December 1, 2015.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Hugo

Item 4-2.01 #2h

Out-of-State Enrollment Limit

Revenues

Nongeneral Fund Revenues

Language

Language:

Page 460, strike lines 35 through 37 and insert:

"d) The Boards of Visitors or other governing bodies of institutions of higher education shall require that at least 75 percent of undergraduate students admitted to the institution have established domicile in Virginia. Each Board of Visitors or other governing body of institutions of higher education shall recover any lost revenue caused by this requirement by increasing the tuition charged to out-of-state undergraduate students. Compliance with these requirements shall begin no later than June 30, 2021. Norfolk State University, Virginia Military Institute, and Virginia State University are exempt from this restriction.

Explanation:

(This amendment requires that at least 75 percent of undergraduate students admitted to the institution have established domicile in Virginia by June 30, 2021.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Hugo

Item 4-5.01 #4h

Financial Aid Prohibitions

Special Conditions and Restrictions on Expenditures

Transactions With Individuals

Language

Language:

Page 474, after line 46, insert:

"7. Notwithstanding any other provision of the Code of Virginia or this act to the contrary, no revenue from taxes, fees or out-of-state tuition shall be used for student financial aid to out-of-state students."

Explanation:

(This amendment prohibits the use of revenues from taxes, fees or out-of-state tuition for student financial aid to out-of-state students.)"

Chief Patron: Marshall R.

Item 4-5.03 #2h

Use of Toll Revenues from I-66 Inside the Beltway

Special Conditions and Restrictions on Expenditures

Services and Clients

Language

Language:

Page 477, after line 28, insert:

"e. RESTRICTION ON USAGE OF TRANSPORTATION FUNDS

1. No funding appropriated in this Act may be used to implement the Memorandum of Agreement for the Transform66: Inside the Beltway Project entered into on January 5, 2016 between the Commonwealth Transportation Board and the Virginia Department of Transportation and the Northern Virginia Transportation Commission. Such funds shall be released for use only if the Commonwealth Transportation Board and the Virginia Department of Transportation enter into an alternate agreement with the Northern Virginia Transportation Authority."

Explanation:

(This amendment prohibits the use of any funds included in the Appropriation Act for improvements to I-66 from the Beltway to Haymarket unless at least 4 non-tolled lanes are open for general use during peak periods.)

Chief Patron: Marshall R.

Item 4-5.04 #3h

Certain Restrictions on Expenditures of Political Subdivisions

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 480, after line 24, insert:

“1. A political subdivision of the Commonwealth, including, but not limited to, a locality, school board or other instrumentality, may only spend monies from whatever source received for the following objects and no others: first, those granted in express words; second, those necessarily or fairly implied in or incident to the powers expressly granted; third, those essential to the declared objects and purposes of the political subdivision, not simply convenient, but indispensable. In deciding whether funds may be authorized to be spent, the authority for such expenditure must rigorously comply with the Dillon Rule of strict construction; and if there is a reasonable doubt whether the political subdivision has powers, the doubt must be resolved against such expenditures by the political subdivision. Accordingly, the Dillon Rule is applicable to all funds spent by political subdivisions and therefore political subdivisions may not spend any funds for purposes prohibited or not otherwise authorized by the Dillon Rule of strict legislative construction.”

Explanation:

(This amendment prohibits political subdivisions from spending funds for any action unless expressly authorized to do so by the Commonwealth.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Marshall R.

Item 4-5.04 #5h

Restrictions on Funding for Abortion Services

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 480, after line 24, insert:

"1. MEDICAL SERVICES: Notwithstanding state law or any other provision of this act, no expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except as otherwise required by federal law."

Explanation:

(This amendment adds language to restrict the use of general or nongeneral funds to fund abortion services, except as otherwise required by federal law. Language restricting funding for abortions contained in Chapter 665, 2015 Acts of Assembly, was eliminated in the introduced budget.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Marshall R.

Item 4-5.04 #6h

Restriction on Funding for Abortion Services-Eliminates Certain Provisions

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 480, after line 24, insert:

"1. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except as otherwise required by federal law."

Explanation:

(This amendment restores language contained in Chapter 665, 2015 Virginia Acts of Assembly related to funding for abortion services. The language is modified to eliminate an exception for those services required by state statute.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: LaRock

Item 4-5.04 #7h

Restriction on Expenditures to Implement Local Ordinances or Policies

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 480, after line 24, insert:

"1. A political subdivision of the Commonwealth, including, but not limited to, a locality, school board or other instrumentality, shall not spend monies, from whatever source received, for the purpose of implementing an ordinance or policy that deviates from the explicit text of the first paragraph of Article I, Section 11 of the Constitution of Virginia."

Explanation:

(This amendment prohibits political subdivisions of the Commonwealth from expending funds to implement ordinances or policies that deviate from the text of Article I, Section 11 of the Virginia Constitution.)

Anti-Discrimination Policy Applicable to State Employees

Positions and Employment

Anti-Discrimination Policy

Language

Language:

Page 494, after line 49 insert:

"§ 4-6.07 ANTI-DISCRIMINATION POLICY APPLICABLE TO STATE EMPLOYEES

a.1. No state agency, institution, board, bureau, commission, council, or instrumentality of the Commonwealth shall discriminate in employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, gender identity and expression, or status as a special disabled veteran or other veteran covered by the Veterans Readjustment Assistance Act of 1974, as amended (38 U.S.C. § 4212). No state agency, institution, board, bureau, commission, council, or instrumentality of the Commonwealth shall discriminate in employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, gender identity, or status as a special disabled veteran or other veteran covered by the Veterans Readjustment Assistance Act of 1974, as amended (38 U.S.C. § 4212).

2. For the purposes of this section: "Sexual orientation" means a person's actual or perceived heterosexuality, bisexuality, or homosexuality and "Gender identity" means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.

b. Notwithstanding any other provision of law, any employee of the Commonwealth, including employees of public institutions of higher education, who has been subjected to discriminatory treatment in hiring, promotion, compensation, treatment, discipline or termination in violation of the Virginia Human Rights Act, § 2.2-3900, et seq., Article 1, Section 11 of the Virginia Constitution or the Equal Protection Clause of the Constitution of the United States, shall have the right to bring a grievance and be protected from retaliation for doing so as provided in the Code of Virginia, § 2.2-3000, et seq. and to seek and obtain any of the remedies permitted pursuant to § 2.2-3005.1 A. The Department of Human Resources Management shall ensure that all state employees are aware of the right to bring a grievance and to be protected from retaliation as provided herein."

Explanation:

(This amendment is self-explanatory.)

Floor Request to Amend House Bill 30, as Introduced

Chief Patron: Marshall R.

Item 4-14 #3h

Restriction of Widening I-66 Outside the Beltway

Effective Date

Effective Date

Language

Language:

AMENDMENT IS DRAWN TO COMMITTEE AMENDMENT 4-14 #1H:

§ 33.2-118, at the end of paragraph B, after "*miles*" Insert:

"; provided that any alteration of Interstate 66 from Haymarket to Interstate 495 shall provide four non-tolled lanes which may include any auxiliary or shoulder lane for use during the morning and evening peak periods, or at other designated times"

Explanation:

(This amendment proposes to add additional conditions on tolling in the Commonwealth.)
