

*Joint  
Conference Committee  
Report on*

*House Bill 29*

*2016 Session*

March 9, 2016

**We, the conferees, appointed by the respective bodies to consider and report the disagreeing vote on House Bill 29 report as follows:**

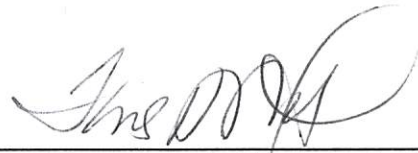
- A. We recommend that the House and Senate amendments be rejected.**
- B. We recommend that House Bill 29, as introduced, be amended as follows to resolve the matters under disagreement.**

Respectfully submitted,



---

S. Chris Jones



---

Thomas K. Norment, Jr.



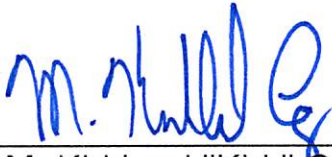
---

R. Steven "Steve" Landes



---

Emmett W. Hanger, Jr.



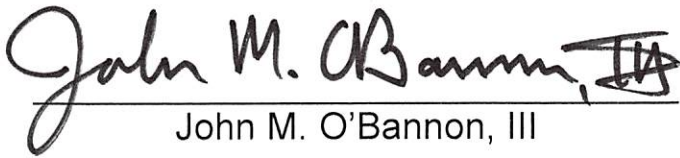
---

M. Kirkland "Kirk" Cox



---

Janet D. Howell



---

John M. O'Bannon, III



---

Richard L. Saslaw



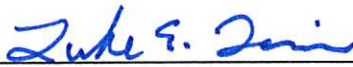
---

Thomas A. "Tag" Greason



---

Stephen D. Newman



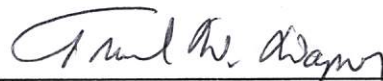
---

Luke E. Torian



---

Frank M. Ruff, Jr.



---

Frank W. Wagner

**House Conferees**

**Senate Conferees**

**Conference Report to House Bill 29**

Item 0 #1c

**Revenues**

Revenues

Language

**Language:**

Page 1 strike lines 25 through 37 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2014	\$835,153,067	\$0	\$835,153,067
Additions to Balance	(\$219,394,360)	(\$425,117,598)	(\$644,511,958)
Official Revenue Estimates	\$17,186,022,255	\$18,309,047,069	\$35,495,069,324
Revenue Stabilization Fund	\$470,000,000	\$235,000,000	\$705,000,000
Transfers	\$644,994,561	\$571,980,613	\$1,216,975,174
Total General Fund Revenues Available for Appropriation	\$18,916,775,523	\$18,690,910,084	37,607,685,607"

Page 1, strike lines 39 through 46.

Page 2, strike lines 1 through 6 and insert:

	"First Year	Second Year	Total
Balance June 30, 2014	\$4,945,503,350	-	\$4,945,503,350
Official Revenue Estimates	\$25,734,466,497	\$26,467,368,074	\$52,201,834,571
Lottery Proceeds Fund	\$557,555,450	\$538,955,547	\$1,096,510,997
Internal Service Fund	\$1,771,892,976	\$1,908,509,481	\$3,680,402,457
Bond Proceeds	\$792,874,586	\$248,608,000	\$1,041,482,586
Total Nongeneral Fund Revenues Available for Appropriations	\$33,802,292,859	\$29,163,441,102	\$62,965,733,961
<b>TOTAL PROJECTED REVENUES</b>	\$52,719,068,382	\$47,854,351,186	\$100,573,419,568"

*Conference Report to House Bill 29*

**Explanation:**

(This amendment contains the resource adjustments included in the Conference Report for House Bill/Senate Bill 29.)

---

Item 70 #1c

**Administration**

Compensation Board

Language

**Language:**

Page 16, line 35, after "fee." insert:

"Effective July 1, 2015, as provided in § 19.2-349, Code of Virginia, treasurers not being compensated on a contingency basis as of January 1, 2015 shall be prohibited from being compensated on a contingency basis but shall instead be compensated for administrative costs pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency fee shall be eligible to contract on a contingency fee basis. Effective July 1, 2015, any treasurer collecting a contingency fee shall retain only the expenses of collection, and the excess collection shall be divided between the state and the locality in the same manner as if the collection had been done by the attorney for the Commonwealth."

**Explanation:**

(This amendment restores language approved by the 2015 General Assembly and modifies the language to permit treasurers currently collecting on a contingency fee basis to continue to do so. An identical amendment is included in House Bill/Senate Bill 30 in Item 73.)

---

Item 82 #1c

**Administration**

Administration of Health Insurance

Language

**Language:**

Page 22, after line 14 insert:

"I. The Department of Human Resource Management shall compile a list of the one hundred (100) most currently prescribed drugs in the state's employee healthcare plan, and the average cost to the member associated with each of the 100 most currently prescribed drugs. The Department shall make this list accessible prior to the annual open enrollment period to assist in plan selection."

**Explanation:**

*Conference Report to House Bill 29*

(This amendment directs DHRM to compile a list of the 100 most prescribed drugs and make this list accessible to plan members prior to the annual open enrollment period to assist in plan selection.)

---

Item 135 #1c

<b>Education: Elementary and Secondary</b>	<b>FY14-15</b>	<b>FY15-16</b>	
Direct Aid to Public Education	\$0	\$123,000	GF

**Language:**

Page 28, line 12, strike "\$22,066,149" and insert "\$22,189,149".  
Page 28, line 38, after "year", insert "and \$123,000 the second year."

**Explanation:**

(This amendment provides \$123,000 the second year from the general fund to Norton City Public School Division to address a technical adjustment relative to the school-aged population estimate reported by the Weldon Cooper Center that was inadvertently overlooked.)

---

Item 136 #1c

<b>Education: Elementary and Secondary</b>	<b>FY14-15</b>	<b>FY15-16</b>	
Direct Aid to Public Education	\$0	(\$1,268,904)	GF

**Language:**

Page 33, line 1, strike "\$6,404,066,640" and insert "\$6,402,797,736".  
Page 33, line 46, strike "\$5,739,977" and insert "\$4,209,784".  
Page 34, line 7, strike "\$25,324,478" and insert "\$25,524,750".  
Page 34, line 9, strike "\$5,541,815,321" and insert "\$5,540,544,135".  
Page 34, line 14, strike "\$15,792,430" and insert "\$15,853,447".  
Page 34, line 35, strike "\$73,838,477" and insert "\$73,899,494".  
Page 34, line 51, strike "\$8,824,359" and insert "\$9,115,167".  
Page 35, line 18, strike "\$84,943,308" and insert "\$83,122,307".  
Page 35, line 31, strike "\$60,882,610" and insert "\$62,412,803".  
Page 46, line 8, strike "\$5,739,977" and insert "\$4,209,784".  
Page 46, line 9, strike "\$60,882,610" and insert "\$62,412,803".  
Page 49, line 23, strike "\$25,324,478" and insert "\$25,583,485".  
Page 59, line 28, strike "\$84,943,308" and insert "\$83,122,307".  
Page 60, line 47, strike "\$8,824,359" and insert "\$9,115,167".

**Explanation:**

*Conference Report to House Bill 29*

(This amendment captures a net savings of \$1.3 million in the second year from the general fund from revising the student participation totals for several programs. The Special Education - Regional Tuition costs decreased by \$1.8 million, the cost for Foster Care increased by \$290,808, Remedial Summer School increased by \$200,272, and A. Linwood Holton Governor's School increased by \$61,017.)

---

Item 136 #2c

**Education: Elementary and Secondary**

Direct Aid to Public Education

Language

**Language:**

Page 35, line 36, strike "\$71,163,200" and insert "\$66,880,700".  
Page 51, line 46, strike "\$71,163,200" and insert "\$66,880,700".  
Page 52, line 11, strike "\$71,163,200" and insert "\$66,880,700".

**Explanation:**

(This technical amendment updates the language for the Virginia Public School Authority (VPSA) Educational Technology total for the revised Spring 2016 issuance of debt based on actual participation.)

---

Item 136 #3c

**Education: Elementary and Secondary**

**FY14-15**

**FY15-16**

Direct Aid to Public Education

\$0

(\$4,834,727) GF

**Language:**

Page 33, line 1, strike "\$6,404,066,640" and insert "\$6,399,231,913".

**Explanation:**

(This amendment updates net Direct Aid funding based on the revised sales tax estimates from the mid-session re-forecast. Embedded language dollar amounts will be updated in enrolling.)

---

Item 290 #1c

**Health and Human Resources**

**FY14-15**

**FY15-16**

Department of Health

\$0

(\$22,455) NGF

**Language:**

**Conference Report to House Bill 29**

Page 86, line 8, strike "\$238,707,003" and insert "\$238,684,548".  
Page 87, strike lines 46 through 49.

**Explanation:**

(This amendment eliminates \$22,455 the second year in Temporary Assistance to Needy Families block grant funds and language and one position to develop a pilot program in the Virginia Department of Health to expand access to long-acting reversible contraceptives.)

---

	FY14-15	FY15-16
<b>Health and Human Resources</b>		
Behavioral Health and Developmental Services, Department of	\$0	\$400,000 GF

Item 307.10 #1c

**Language:**

Page 118, after line 1, insert:

"307.10 Administrative and Support Services	\$71,784,395	\$76,285,382	
Fund Sources:			
General	\$44,268,192	\$48,136,305	
Special	\$16,653,770	\$15,756,506	
Federal Trust	\$10,862,433	\$12,392,571	"

"Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.



*Conference Report to House Bill 29*

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, \$656,538 the first year and \$656,538 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H. Out of this appropriation, \$2,059,930 the first year and \$2,419,930 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators including the following: (i) clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) conditional release services, including treatment, and (iii) costs associated with contracting with a Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

I. Out of this appropriation, \$136,715 the first year and \$146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

*Conference Report to House Bill 29*

K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

L.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers.

2. At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees.

3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability. In its Medicaid waiver redesign, the department shall include as stakeholders and eligible participants, individuals with acquired brain injury regardless of age in which the injury was sustained, who have serious physical, cognitive, and/or behavioral health issues who are at risk for institutionalization or who are institutionalized but could live in the community with adequate supports.

4. In the event that provider capacity cannot meet the needs of individuals transitioning from

## *Conference Report to House Bill 29*

training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.

M. The State Comptroller shall provide the Department of Behavioral Health and Developmental Services an interest-free anticipation loan not to exceed \$3,100,000 to serve as an advance stream of funds in anticipation of Medicare Meaningful Use funds related to successful implementation of the Electronic Health Records project at state-operated behavioral health and intellectual disability facilities. The loan will be repaid no later than June 30, 2015.

N.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the closure plans for the three remaining training centers scheduled to close by 2020. As part of this review process the joint subcommittee may evaluate options for those individuals in training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review the plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.

2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain each of the existing training centers at a level of detail as determined by the joint subcommittee. The quarterly reports shall be submitted to the joint subcommittee 20 days after the close of each quarter with the first report due October 20, 2015 and every three months thereafter.

O. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

## *Conference Report to House Bill 29*

P. The Department of Behavioral Health and Developmental Services shall report on the number of individuals with acquired brain injury exhibiting behavioral/mental health problems requiring services in state mental health facilities and/or community services boards to the House Appropriations and Senate Finance Committees by October 1 of each year. The report shall provide, to the extent possible, the following information: (i) the general fund and nongeneral fund cost of the services provided to individuals; and (ii) the types and amounts of services received by these individuals.

Q. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

R. The Department of Behavioral Health and Developmental Services shall undertake a review of Piedmont Geriatric and Catawba Hospitals. This review shall evaluate the operational, maintenance and capital costs of these hospitals, and study alternate options of care, especially geriatric psychiatric care for patients residing in these hospitals. The department shall develop recommendations and report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015.

S. The Department of Behavioral Health and Developmental Services in collaboration with the Community Services Boards shall compile and report all available information regarding the services and support needs of the individuals on waiting lists for Intellectual and Developmental Disability (I/DD) waiver services, including an estimate of the number of graduates with I/DD who are exiting secondary education each fiscal year. The department shall submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2015.

T. 1. Out of this appropriation, ~~\$400,000~~ \$800,000 the second year from the general fund is included to provide compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015. *Any funds that are appropriated but remain unspent at the end of the fiscal year shall be carried forward into the subsequent fiscal year in order to provide compensation to individuals who qualify for compensation.*

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of, an individual who dies on or after February 1, 2015.

3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to verify the claim under guidelines established by the department.

4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.

**Conference Report to House Bill 29**

5. Should the funding provided for compensation be exhausted prior to the end of fiscal year 2016, the department shall continue to collect applications. The department shall provide a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have been applied.

6. The Department of Medical Assistance Services shall seek federal authority to ensure that funds received through this act shall not be counted in determination of Medicaid eligibility.

7. In order for the Department of Behavioral Health and Developmental Services, and the Department of Medical Assistance Services to implement the provisions of this act, both departments shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act."

**Explanation:**

(This amendment adds \$400,000 in the second year from the general fund for compensation for victims of sterilization pursuant to the Virginia Eugenical Sterilization Act who were living as of February 1, 2015. Language is added to allow any funds that remain unspent at the end of the fiscal year to be carried over into the subsequent fiscal year for purposes of compensation of these individuals. This amendment will be enrolled in Item 307, Chapter 665, 2015 Acts of Assembly, during enrolling of House Bill 29.)

---

	Item 307.10 #2c	
<b>Health and Human Resources</b>	<b>FY14-15</b>	<b>FY15-16</b>
Behavioral Health and Developmental Services, Department of		

**Language:**

Page 118, after line 1, insert:

"307.10 Administrative and Support Services	\$71,784,395	\$75,885,382	
Fund Sources:			
General	\$44,268,192	\$47,736,305	
Special	\$16,653,770	\$15,756,506	
Federal Trust	\$10,862,433	\$12,392,571	"

"Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of

*Conference Report to House Bill 29*

the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, \$656,538 the first year and \$656,538 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H. Out of this appropriation, \$2,059,930 the first year and \$2,419,930 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators including the following: (i) clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) conditional release services, including treatment, and (iii) costs associated with contracting with a Global Positioning System service to closely monitor the movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

*Conference Report to House Bill 29*

I. Out of this appropriation, \$136,715 the first year and \$146,871 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

K. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the general fund shall be used for a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity.

L.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers.

2. At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner

*Conference Report to House Bill 29*

shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees.

3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability. ~~In its Medicaid waiver redesign, the department shall include as stakeholders and eligible participants, individuals with acquired brain injury regardless of age in which the injury was sustained, who have serious physical, cognitive, and/or behavioral health issues who are at risk for institutionalization or who are institutionalized but could live in the community with adequate supports.~~

4. In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of the quarterly report, pursuant to paragraph L.1.

M. The State Comptroller shall provide the Department of Behavioral Health and Developmental Services an interest-free anticipation loan not to exceed \$3,100,000 to serve as an advance stream of funds in anticipation of Medicare Meaningful Use funds related to successful implementation of the Electronic Health Records project at state-operated behavioral health and intellectual disability facilities. The loan will be repaid no later than June 30, 2015.

N.1. A joint subcommittee of the House Appropriations and Senate Finance Committees, in collaboration with the Secretary of Health and Human Resources and the Department of Behavioral Health and Developmental Services, shall continue to monitor and review the closure plans for the three remaining training centers scheduled to close by 2020. As part of this review process the joint subcommittee may evaluate options for those individuals in training centers with the most intensive medical and behavioral needs to determine the appropriate types of facility or residential settings necessary to ensure the care and safety of those residents is appropriately factored into the overall plan to transition to a more community-based system. In addition, the joint subcommittee may review the plans for the redesign of the Intellectual Disability, Developmental Disability and Day Support Waivers.

2. To assist the joint subcommittee, the Department of Behavioral Health and Developmental Services shall provide a quarterly accounting of the costs to operate and maintain each of the



## *Conference Report to House Bill 29*

existing training centers at a level of detail as determined by the joint subcommittee. The quarterly reports shall be submitted to the joint subcommittee 20 days after the close of each quarter with the first report due October 20, 2015 and every three months thereafter.

O. The Department of Behavioral Health and Developmental Services in collaboration with the Department of Medical Assistance Services shall provide a detailed report for each fiscal year on the budget, expenditures, and number of recipients for each specific intellectual disability (ID) and developmental disability (DD) service provided through the Medicaid program or other programs in the Department of Behavioral Health and Developmental Services. This report shall also include the overall budget and expenditures for the ID, DD and Day Support waivers separately. The Department of Medical Assistance Services shall provide the necessary information to the Department of Behavioral Health and Developmental Services 90 days after the end of each fiscal year. This information shall be published on the Department of Behavioral Health and Developmental Services' website within 120 days after the end of each fiscal year.

P. The Department of Behavioral Health and Developmental Services shall report on the number of individuals with acquired brain injury exhibiting behavioral/mental health problems requiring services in state mental health facilities and/or community services boards to the House Appropriations and Senate Finance Committees by October 1 of each year. The report shall provide, to the extent possible, the following information: (i) the general fund and nongeneral fund cost of the services provided to individuals; and (ii) the types and amounts of services received by these individuals.

Q. Effective July 1, 2015, the Department of Behavioral Health and Developmental Services shall not charge any fee to Community Services Boards or private providers for use of the knowledge center, an on-line training system.

R. The Department of Behavioral Health and Developmental Services shall undertake a review of Piedmont Geriatric and Catawba Hospitals. This review shall evaluate the operational, maintenance and capital costs of these hospitals, and study alternate options of care, especially geriatric psychiatric care for patients residing in these hospitals. The department shall develop recommendations and report to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015.

S. The Department of Behavioral Health and Developmental Services in collaboration with the Community Services Boards shall compile and report all available information regarding the services and support needs of the individuals on waiting lists for Intellectual and Developmental Disability (I/DD) waiver services, including an estimate of the number of graduates with I/DD who are exiting secondary education each fiscal year. The department shall submit a report to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2015.

T. 1. Out of this appropriation, \$400,000 the second year from the general fund is included to provide compensation to individuals who were involuntarily sterilized pursuant to the Virginia Eugenical Sterilization Act and who were living as of February 1, 2015.

*Conference Report to House Bill 29*

2. A claim may be submitted on behalf of an individual by a person lawfully authorized to act on the individual's behalf. A claim may be submitted by the estate of or personal representative of, an individual who dies on or after February 1, 2015.
3. Reimbursement shall be contingent on the individual or their representative providing appropriate documentation and information to verify the claim under guidelines established by the department.
4. Reimbursement per verified claim shall be \$25,000 and shall be contingent on funding being available, with disbursements being prioritized based on the date at which sufficient documentation is provided.
5. Should the funding provided for compensation be exhausted prior to the end of fiscal year 2016, the department shall continue to collect applications. The department shall provide a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on a quarterly basis on the number of additional individuals who have been applied.
6. The Department of Medical Assistance Services shall seek federal authority to ensure that funds received through this act shall not be counted in determination of Medicaid eligibility.
7. In order for the Department of Behavioral Health and Developmental Services, and the Department of Medical Assistance Services to implement the provisions of this act, both departments shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act."

**Explanation:**

(This amendment strikes language contained in Chapter 665, 2015 Virginia Acts of Assembly related to Department of Behavioral Health and Developmental Services quarterly meetings with stakeholders on training center closures and Intellectual and Developmental Disability waiver redesign. Language is eliminated including stakeholders with acquired brain injuries regardless of age. The Centers for Medicare and Medicaid Services (CMS) determined that including services for individuals with acquired brain injury, regardless of age, as part of the waiver redesign was not consistent with CMS regulations. This amendment will be enrolled in Item 307, Chapter 665, 2015 Acts of Assembly, during enrolling of House Bill 29.)

---

		Item 308 #1c
<b>Health and Human Resources</b>	<b>FY14-15</b>	<b>FY15-16</b>
Grants to Localities	\$0	\$750,000 NGF

**Language:**

Page 118, line 2, strike "\$379,715,193" and insert "\$380,465,193".

Page 121, after line 16, insert:

"EE.1. Out of this appropriation, \$750,000 the second year from the Behavioral Health and Developmental Services Trust Fund, established pursuant to § 37.2-318 of the Code of Virginia, shall be used for one-time capital and transition costs associated with the development of community-based waiver group homes and/or community-based intermediate care facilities for individuals with intellectual disabilities who are transitioning to community living from Southwestern Virginia Training Center and who choose to remain in Southwest Virginia. The housing options shall be located in Virginia no farther than 100 miles from the Southwestern Virginia Training Center. The Department of Behavioral Health and Developmental Services shall give preference to projects involving existing Virginia Providers to expand service capacity.

2. Expenditures of any remaining balances in the Behavioral Health and Developmental Services Trust Fund shall be subject to an appropriation included in an appropriation bill passed by the General Assembly.

3. Any remaining balances in the Behavioral Health and Developmental Services Trust Fund shall be carried forward to the subsequent fiscal year."

**Explanation:**

(This amendment appropriates \$750,000 the second year from proceeds from sale of land at state training centers that have been deposited in the Behavioral Health and Developmental Services Trust Fund for one-time capital and transition costs associated with the development of community living options for individuals with intellectual disability who are transitioning from Southwestern Virginia Training Center. The community living options must be located in Virginia within 100 miles of Southwestern Virginia Training Center.)

---

Item 308 #2c

**Health and Human Resources**

Grants to Localities

Language

**Language:**

Page 121, line 9, after "housing" strike "and appropriate" and insert:  
"and transportation or other appropriate therapeutic".

Page 121, line 16, strike "September 1, 2015" and insert "June 30, 2016".

**Explanation:**

(This amendment expands the use of one-time funding, added in the 2015 Session, to assist The ARC of Prince William with the transition of residents from Northern Virginia Training Center to the community. The \$250,000 was provided to assist with housing and clinical needs. Based on the experience with the intensive needs of the individuals, the higher need for this funding is for specialized vans to transport the individuals. The date of the reporting

*Conference Report to House Bill 29*

requirement is also updated.)

Item 332.10 #1c

**Health and Human Resources**

**FY14-15**

**FY15-16**

Wilson Workforce and Rehabilitation  
Center

\$0

\$100,000 GF

**Language:**

Page 122, after line 37, insert:

"332.10 Rehabilitation Assistance Services	\$11,689,804	\$11,431,745	
Fund Sources:			
General	\$2,813,508	\$2,755,449	
Special	\$8,576,296	\$8,576,296	
Federal Trust	\$300,000	\$100,000	"

"Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482 and P.L. 95-602, Federal Code.

Out of this appropriation, \$100,000 from the general fund the second year shall be provided to establish a Manufacturing Skills Training Program."

**Explanation:**

(This amendment provides \$100,000 from the general fund in fiscal year 2016 to implement a manufacturing skills training program at the Wilson Workforce and Rehabilitation Center to prepare workers to excel at top sectors needed in today's workforce development. These sectors include logistics, healthcare, information technology, and advanced manufacturing and energy. Eligible individuals in this curriculum will be able to obtain the Manufacturing Specialist and/or the Manufacturing Technician 1 credential. The funds will support (i) a manufacturing camp in Summer 2016 for 25 participants, (ii) laboratory machines, (ii) laboratory materials, and (iv) one additional staff person. This amendment will be enrolled in Item 332, Chapter 665, 2015 Acts of Assembly, during enrolling of HB 29.)

Item 335 #1c

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 124, line 28, strike "82,268,689" and insert "79,29,138".  
Page 124, line 37, strike "64,062,303" and insert "59,062,303".  
Page 124, line 54, strike "63,378,512" and insert "70,522,775".

*Conference Report to House Bill 29*

**Explanation:**

(This technical amendment makes changes to the service areas for the Temporary Assistance to Needy Families (TANF) program to accurately reflect the amount provided for TANF income benefits and TANF child care subsidies and at-risk child care subsidies in the introduced budget. In addition, language is modified to accurately reflect the balance in the TANF program at the end of fiscal year 2016.)

---

Item 335 #2c

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 126, after line 25, insert:

"N. The Director, Department of Planning and Budget, shall, on or before June 30, 2016, unallot \$500,000 from the general fund in this item, which reflects unused balances in the Unemployed Parents Cash Assistance program."

**Explanation:**

(This amendment adds language capturing unspent funding of \$500,000 from the general fund in the Unemployed Parents Cash Assistance program within the Department of Social Services. Caseloads have steadily declined, leaving unspent general fund amounts in the program.)

---

Item 338.10 #1c

**Health and Human Resources**

**FY14-15**

**FY15-16**

Social Services, Department of

**Language:**

Page 128, after line 2, insert:

"338.10 Adult Programs and Services (46800)	\$38,461,169	\$39,561,169
Fund Sources:		
General	\$22,756,141	\$23,856,141
Federal Trust	\$15,705,028	\$15,705,028    "

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective January 1, 20142015, the Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85

*Conference Report to House Bill 29*

percent of licensed capacity, not to exceed a maximum rate of \$1,207\$1,219 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be \$82 per month, unless modified as indicated below.

3. The Department of Social Services, in collaboration with the Department for Aging and Rehabilitative Services, is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with an explanation of the reasons for the increase.

B. Out of this appropriation, \$4,185,189 the first year and \$4,185,189 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.

D. Out of this appropriation, \$248,750 the first year and \$248,750 the second year from the general fund and \$1,346,792 the first year and \$1,346,792 the second year from federal Temporary Assistance for Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

E. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

F. Out of this appropriation \$1,100,000 the second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second year from federal Temporary Assistance to Needy Families (TANF) funds shall be provided as a grant to local domestic violence programs for services.

G. The Director, Department of Planning and Budget, shall, on or before June 30, 2015, unallot \$400,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program.

H. *The Director, Department of Planning and Budget, shall, on or before June 30, 2016,*

## Conference Report to House Bill 29

*unallot \$1,000,000 from the general fund in this item, which reflects unused balances in the Auxiliary Grant program."*

### Explanation:

(This amendment adds language capturing unspent funding of \$1.0 million from the general fund in the Auxiliary Grant program within the Department of Social Services. This amendment will be enrolled in Item 338, Chapter 665, 2015 Acts of Assembly, during enrolling of HB 29.)

---

Item 339 #1c

### Health and Human Resources

Department of Social Services

Language

### Language:

Page 129, after line 36, insert:

"L.1. The Department of Social Services shall establish a pilot program to partner with Patrick Henry Family Services in Planning District 11 for the temporary placements of children in families in crisis. This pilot program would allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person, by a properly executed power of attorney, any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. This program would allow for an option of a one-time 90 day extension. Prior to the expiration of the 180 day period, if the child is unable to return to his home, then Patrick Henry Family Services shall contact the local department of social services and request an assessment of the child and an evaluation of services needed and to determine if a petition to assess the care and custody of the child should be filed in the local juvenile and domestic relations court. DSS shall ensure that this pilot program meets the following specific programmatic and safety requirements outlined in Virginia Administrative Code § 22 VAC 40-131 and § 22 VAC 40-191.

2. The Department of Social Services shall ensure that the pilot program organization shall meet the background check requirements described in Virginia Administrative Code § 22 VAC 40-191. The pilot program organization shall develop and implement written policies and procedures for governing active and closed cases, admissions, monitoring the administration of medications, prohibiting corporal punishment, ensuring that children are not subjected to abuse or neglect, investigating allegations of misconduct toward children, implementing the child's back-up emergency care plan, assigning designated casework staff, management of all records, discharge policies, and the use of seclusion and restraint pursuant to Virginia Administrative Code § 22 VAC 40-131-90. In addition, the pilot program organization shall provide pre-service and ongoing training for temporary placement providers and staff pursuant to Virginia Administrative Code § 22 VAC 40-131-210 and § 22 VAC 40-131-150.

*Conference Report to House Bill 29*

3. The Department of Social Services shall evaluate the pilot program and determine if this model of prevention is effective. A report of the evaluation findings and recommendations shall be submitted to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, and Commission on Youth by December 1, 2017."

**Explanation:**

(This amendment directs the Department of Social Services to establish a pilot program in Planning District 11 (Counties of Amherst, Appomattox, Bedford, Campbell Counties and the City of Lynchburg) for the temporary placements of children in families in crisis. The pilot will allow the Department of Social Services to examine the use of a power of attorney to delegate parental authority. Virginia statute already allows for limited use of a power of attorney for kinship care cases. However, many other states go further and follow the Uniform Guardianship and Protective Proceedings Act which allows a parent to delegate to another person, for a period (usually between six months and one year), any power regarding care, custody, or property of their child. The pilot program will take a similar approach. The Department is required to evaluate the effectiveness of the program and report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees and the Commission on Youth.)

---

Item 384 #1c

<b>Public Safety and Homeland Security</b>	<b>FY14-15</b>	<b>FY15-16</b>
Department of Corrections	\$0	(\$307,296) GF

**Language:**

Page 141, line 45, strike "\$935,975,882" and insert "\$935,668,586".

**Explanation:**

(This amendment reduces by \$307,296 in fiscal year 2016 the general fund appropriation for the Department of Corrections. These funds were included to hire staff in order to prepare for the opening of the Culpeper Women's Correctional Center on January 1, 2017. A companion amendment to House Bill 30 delays the opening of this facility until July 1, 2017.)

---

Item 406 #1c

<b>Public Safety and Homeland Security</b>	
Department of Juvenile Justice	Language

**Language:**

Page 154, strike lines 31 through 34 and insert:  
"D.1. The Director, Department of Juvenile Justice (the "Department") shall develop a



## *Conference Report to House Bill 29*

transformation plan to provide more effective and efficient services for juveniles, using data-based decision-making, that is designed to improve outcomes, including reduced recidivism, and to reduce the number of juveniles housed in state-operated juvenile correctional centers, consistent with public safety. Prior to implementation, the plan shall be approved by the Secretary of Public Safety. A progress report on actions taken and additional recommendations under consideration shall be provided no later than June 30, 2016, to the Director of the Department of Planning and Budget, the Chairman of the Virginia Commission on Youth, and the Chairmen of the Senate Finance and House Appropriations Committees.

2. To accomplish these".

Page 154, line 39, strike "2" and insert "3".

Page 154, strike lines 51 through 54.

Page 155, strike lines 1 through 7.

### **Explanation:**

(This amendment clarifies proposed language authorizing the transformation of Virginia's state juvenile correctional centers and the reallocation of the resulting savings into alternative placements for juvenile offenders. This amendment also requires a report by June 30, 2016. A companion amendment to Item 415 in House Bill/Senate Bill 30 adjusts the corresponding language in that item and provides for the appropriate reporting requirements in fiscal year 2017 and fiscal year 2018.)

---

Item 458 #1c

### **Veterans and Defense Affairs**

Secretary of Veterans and Defense Affairs

Language

### **Language:**

Page 170, line 40, strike "an easement or rental proceeds" and insert:

"an easement over the property or leased the property and returned 50 percent of those easement or rental proceeds".

### **Explanation:**

(This amendment clarifies language concerning the disposition of property which was acquired pursuant to the Commonwealth's and localities' efforts to reduce encroachment on certain military bases.)

---

Item 461 #1c

### **Veterans and Defense Affairs**

*Conference Report to House Bill 29*

Department of Veterans Services

Language

**Language:**

Page 172, lines 21 and 22, strike "and has been unemployed for at least one year; (b) and" and insert "; and (b)".

**Explanation:**

(This amendment removes the requirement which was proposed in the budget as introduced that veterans hired under the incentive grant program must have been unemployed for at least one year in order for the employer to qualify for the incentive grant of \$1,000 for each veteran hired. A companion amendment to Item 470 in House Bill / Senate Bill 30 makes the corresponding change in Fiscal Years 2017 and 2018.)

Item 467 #1c

<b>Central Appropriations</b>	<b>FY14-15</b>	<b>FY15-16</b>	
Central Appropriations	\$0	\$172,682,948	GF

**Language:**

Page 174, line 34, strike "\$226,659,581" and insert "\$399,342,529".

Page 184, after line 39, insert:

"Z. On or before June 30, 2016, the State Comptroller shall deposit \$172,682,948 from the general fund into the Virginia Retirement System (VRS) trust fund representing the expedited repayment to the VRS for the contributions that were deferred during the 2010-12 biennium. Of the amount provided, \$145,606,674 from the deposit shall be allocated to the state employee plan; \$8,465,759 shall be allocated to the Judicial Retirement System; \$16,491,559 shall be allocated to the Virginia Law Officers Retirement System; and \$2,118,956 shall be allocated to the State Police Officers Retirement System."

**Explanation:**

(This amendment provides \$172.7 million from the general fund to expedite the repayment to the VRS of the 2010-12 biennium deferred retirement contributions for the four state employee plans.)

Item 468 #1c

<b>Central Appropriations</b>	
Central Appropriations	Language

**Language:**

Page 187, after line 53, insert:

*Conference Report to House Bill 29*

"O. Notwithstanding the provisions of Chapter 21 of Title 46.2, the Commissioner of the Department of Motor Vehicles shall be authorized to grant temporary authority to a motor carrier to transport property for compensation on an intrastate basis utilizing a digital platform that connects persons seeking a property transportation service with persons authorized by the motor carrier to transport property. Such temporary authority shall be subject to such reasonable conditions as the Commissioner may impose, and shall be valid only for passenger cars and pickup or panel trucks, as those terms are defined in § 46.2-100, which vehicles shall not be required to be issued for-hire license plates under § 46.2-711. Such temporary authority, unless suspended or revoked, shall be valid for such time as the Department shall specify, but such authority shall not extend beyond 130 days following the adjournment of the next regular session of the General Assembly and shall create no presumption that corresponding permanent authority will be granted thereafter."

**Explanation:**

(This amendment authorizes DMV to issue temporary operating authority for businesses engaged in the transportation of personal property. Because that item was not set out in House Bill/Senate Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

---

Item 468 #2c

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 187, after line 53, insert:

"O. The Director, Department of Planning and Budget, shall increase the maximum employment level of the Virginia Conflict of Interest and Ethics Advisory Council by two full-time equivalent positions in the second year."

**Explanation:**

(This amendment is self-explanatory. Because that item was not set out in House Bill/Senate Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

---

Item 468 #3c

**Central Appropriations**

Central Appropriations

Language

**Language:**

*Conference Report to House Bill 29*

Page 187, after line 53, insert:

"O. On or before June 30, 2016, the Director, Department of Planning and Budget, shall authorize the reversion to the general fund of \$400,000, representing estimated Judicial agency balances."

**Explanation:**

(This amendment is self-explanatory. Because that item was not set out in House Bill/Senate Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

---

		Item 468 #4c
<b>Central Appropriations</b>	<b>FY14-15</b>	<b>FY15-16</b>
Central Appropriations	\$0	\$349,835 NGF

**Language:**

Page 184, line 40, strike "\$13,613,298" and insert "\$13,963,133".

Page 187, after line 53, insert:

"O. The Director, Department of Planning and Budget, shall increase the dedicated special fund revenue appropriation set out in Item 6, Paragraph F, Chapter 665, Acts of Assembly, for the Chesapeake Bay Restoration Fund Advisory Committee by \$349,835 in the second year."

**Explanation:**

(This amendment reflects the nongeneral fund license plate revenues dedicated to the Chesapeake Bay restoration. Because that item was not set out in House Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

---

		Item 468 #5c
<b>Central Appropriations</b>	<b>FY14-15</b>	<b>FY15-16</b>
Central Appropriations	\$0	\$800,000 GF

**Language:**

Page 184, line 41, strike "\$13,613,298" and insert "\$14,413,298".

Page 187, after line 53, insert:

""O.1 Out of this appropriation, \$800,000 the second year from the general fund is provided to assist the Center for Innovative Technology in addressing a projected operating shortfall for fiscal year 2016. Beginning in April 2016, the Center for Innovative Technology shall provide the Director, Department of Planning and Budget, and the Staff Directors of the

**Conference Report to House Bill 29**

House Appropriations Committee and the Senate Finance Committee, with monthly progress reports that depict the cash position of the Center and the itemized specific corrective actions taken to address the shortfall. If review of the monthly documentation indicates a good faith effort on the part of the Center to properly track and minimize the projected shortfall, the Director, Department of Planning and Budget, upon request of the Secretary of Technology, may transfer up to the \$800,000 provided in this item to the Innovation and Entrepreneurship Investment Authority by June 30, 2016.

2. Furthermore, any form of proposed increase in employee compensation above the base salaries of employees, including one-time bonuses, except for salary adjustments explicitly authorized in this Act, must be communicated to the Director, Department of Planning and Budget, and the Staff Directors of the House Appropriations Committee and the Senate Finance Committee, more than ninety days in advance of effectuating such increase."

**Explanation:**

(This amendment provides \$800,000 from the general fund in fiscal year 2016 for the Innovation and Entrepreneurship Investment Authority (IEIA). The IEIA is currently projecting a revenue shortfall that would require the authority to lay off 20% of their staff. The newly appointed CEO has requested these funds to get through the current fiscal year and to allow him and the Board time to thoroughly review the authority's operations and business model.)

---

		Item 468 #6c	
<b>Central Appropriations</b>	<b>FY14-15</b>	<b>FY15-16</b>	
Central Appropriations	\$0	\$1,000,000	GF

**Language:**

Page 184, line 40, strike "\$13,613,298" and insert "\$14,613,298".

Page 187, after line 53, insert:

"O. Out of this appropriation, \$1,000,000 from the general fund in the second year shall be transferred to the Commonwealth Opportunity Fund.

P. In addition to all other economic incentive payments already approved for the project, the Governor may authorize an additional \$1,500,000 from the Commonwealth Opportunity Fund as needed to assist with site development improvements for a regional economic development project related to the location of a major automotive supplier manufacturer in Botetourt County."

**Explanation:**

(This amendment provides \$1.0 million from the general fund in additional funding for the Commonwealth Opportunity Fund. In addition, the language allows the Governor to provide an additional \$1.5 million from the Commonwealth Opportunity Fund to assist Botetourt

*Conference Report to House Bill 29*

County with site improvements related to the location of a major automotive supplier manufacturer in the Roanoke Valley Region, should the Governor deem it necessary and appropriate.)

---

Item 468 #7c

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 187, after line 53, insert:

"O. On or before June 30, 2016, the Committee on Joint Rules shall authorize the reversion to the general fund of \$1,425,264, representing savings generated by legislative agencies in the second year. The total savings amount includes estimated savings within the following legislative agencies:

**Legislative Agency Estimated Savings**

Auditor of Public Accounts (133) .....	\$375,264
Division of Legislative Services (107) .....	\$950,000
Division of Legislative Automated Systems (109) .....	\$100,000".

**Explanation:**

(This amendment provides for the transfer to the general fund of estimated unexpended balances from legislative agencies totaling \$1,425,264 as of June 30, 2016. Because that item was not set out in House Bill/Senate Bill 29 as introduced, it is the intent of the General Assembly that the item will be revised upon enrolling.)

---

Item C-41 #1c

**Central Appropriations**

**FY14-15**

**FY15-16**

Central Capital Outlay

\$0

(\$1,500,000) GF

**Language:**

Page 202, line 12, strike "\$86,000,000" and insert "\$84,500,000".

Page 202, line 34, unstrike "\$6,577,729".

Page 202, line 35, strike "\$8,077,729".

Page 204, line 8, unstrike "\$84,500,000".

Page 204, line 9, strike "\$86,000,000".

Page 204, strike lines 37 through 38.

**Explanation:**

*Conference Report to House Bill 29*

(This amendment eliminates proposed one-time funding for a state-owned facility in the City of Richmond. A companion amendment to House Bill / Senate Bill 30 provides for on-going maintenance and repair efforts.)

---

Item 3-1.01 #1c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 211, line 35, after "II." insert "1."

Page 211, after line 36, insert:

"2. On or before June 30, 2016, the State Comptroller shall transfer to the general fund an amount estimated at \$1,000,000 from Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program."

**Explanation:**

(This amendment transfers \$1.0 million in fiscal year 2016 from estimated special fund balances of the Commission on the Virginia Alcohol Safety Action Program to the general fund.)

---

Item 3-1.01 #2c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 211, line 24, strike "439,180" and insert "619,180".

**Explanation:**

(This amendment increases the transfer to the general fund of fee revenues generated by the Firearms Transaction and Concealed Weapons Programs at the Department of State Police by \$180,000 in fiscal year 2016. A companion amendment to Part 3 in House Bill / Senate Bill 30 increases the corresponding transfers in fiscal year 2017 and fiscal year 2018.)

---

Item 3-1.01 #3c

**Transfers**

Interfund Transfers

Language

**Language:**

*Conference Report to House Bill 29*

Page 215, after line 14, insert:

AAA.1 On or before June 30, 2016, the State Comptroller shall transfer \$16,201,272 from unobligated nongeneral fund cash balances within the Virginia Department of Transportation (VDOT) to the Virginia Retirement System representing VDOT's portion of the remaining liability from the VRS contributions that were deferred during the 2010-12 biennium.

2. On or before June 30, 2016, the State Comptroller shall transfer \$598,327 from unobligated nongeneral fund cash balances within the Virginia Department of Game and Inland Fisheries (DGIF) to the Virginia Retirement System (VRS) representing DGIF's portion of the remaining liability from the VRS contributions that were deferred during the 2010-12 biennium.”

**Explanation:**

(This amendment authorizes the transfer from nongeneral fund cash balances at VDOT and DGIF to the Virginia Retirement System to expedite the repayment to the VRS of the 2010-12 biennium deferred contributions. A companion amendment in Item 467 deposits \$172.7 million from the general fund into the VRS. In combination, these two amendments will fully repay the VRS for the deferred payments for the four state employee plans.)

---

Item 3-1.01 #4c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 207, line 47, strike "80,200,000" and insert "84,000,000".

**Explanation:**

(This amendment increases the transfer of net profits from the Department of Alcoholic Beverage Control to the general fund by \$3.8 million in fiscal year 2016. A companion amendment to Part 3 in House Bill/Senate 30 increases the transfer of net profits in fiscal years 2017 and 2018.)

---

Item 3-1.01 #5c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 215, after line 14, insert:

"AAA. On or before June 30, 2016, the State Comptroller shall transfer a balance estimated



*Conference Report to House Bill 29*

at \$64,000 from the Disaster Recovery Fund in the Department of Emergency Management to the general fund."

**Explanation:**

(This amendment directs the Comptroller to transfer a June 30, 2016 balance, estimated at \$64,000 in the Disaster Recovery Fund, to the general fund.)

---

Item 3-1.01 #6c

**Transfers**

Interfund Transfers

Language

**Language:**

Page 215, after line 14, insert:

"AAA. On or before June 30, 2016, the State Comptroller shall transfer to the general fund \$500,000 in nongeneral fund cash balances from the Department of Small Business and Supplier Diversity (agency code 350), representing excess balances in the Small Business Investment Grant Fund.

BBB. On or before June 30, 2016, the State Comptroller shall transfer to the general fund \$1,000,000 in unobligated nongeneral fund cash balances from the Virginia Workers Compensation Commission (agency code 191)."

**Explanation:**

(This amendment transfers \$500,000 in nongeneral fund cash balances from the Small Business Investment Grant Fund and \$1.0 million in nongeneral fund cash balances from the Workers Compensation Commission to the general fund.)

---

Item 3-5.03 #1c

**Adjustments and Modifications to Tax Collections**

Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I

Language

**Language:**

Page 222, line 24, strike "\$370,000,000" and insert "\$366,700,000".

**Explanation:**

(This amendment updates the estimated amount to be transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund. These funds are derived from the 0.375 cent increase in the state sales and use tax levied pursuant to § 58.1-638, Code of Virginia, and are used to meet the Commonwealth's responsibilities

for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The revised estimate is based on the Department of Taxation's Midsession 2016 Standard Forecast.)

---

Item 4-6.01 #1c

**Positions and Employment**

Employee Compensation

Language

**Language:**

Page 265, after line 22, insert:

"t.1. Notwithstanding the salaries set out in Items 2, 4, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in § 4-6.01 of this act.

2. Notwithstanding the salaries listed in Item 3 of this act, the Commission on the Virginia Alcohol Safety Action Program may establish a salary range for the Executive Director of the program.

3. Notwithstanding the salaries listed in Item 30 of this act, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC."

**Explanation:**

(This amendment authorizes the establishment of salary ranges for the Chief of the Capitol Police, the Executive Director of VASAP, and the Director of JLARC.)

---