

*Request to Amend House Bill 5005, as Introduced*

Chief Patron: Adams D.

Item 138 #1h

**Education**

Department of Education, Central Office Operations

Language

**Language:**

Page 35, after line 5 insert:

"6. Local school divisions shall report to the Department of Education any instance when a service that would be funded through the Department of Medical Assistance Services or the Office of Children's Services cannot be provided in-home to a student receiving remote instruction due to school closures resulting from the COVID-19 emergency. The Department of Education shall collaborate with the relevant funding agencies to identify reported gaps in the availability of these services as a result of remote instruction, and ensure that these services are made available."

**Explanation:**

(This amendment is self-explanatory.)

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Chief Patron: Adams D.

Item 309 #1h

**Health and Human Resources**

Department of Health Professions

Language

**Language:**

Page 110, line 27, strike "Not set out." and insert:

"Regulation of Professions and Occupations (56000)	\$35,249,989	\$35,371,849
Technical Assistance to Regulatory Boards (56044)	\$35,249,989	\$35,371,849
Fund Sources:		
Trust and Agency	\$1,425,987	\$1,425,987
Dedicated Special Revenue	\$33,824,002	\$33,945,862

Authority: Title 54.1, Chapter 25, Code of Virginia.

A. The Department of Health Professions shall have authority to increase fees for the Board of Pharmacy to administer the operations of the five cannabis processors pursuant to legislation in the 2020 Session. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

B. *Nurse practitioners licensed in the Commonwealth of Virginia, except those licensed in the category of Certified Registered Nurse Anesthetists, with two or more years of*

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*clinical experience may continue to practice in the practice category in which they are certified and licensed and prescribe without a written or electronic practice agreement until the termination of a declared state of emergency due to the COVID-19 pandemic."*

**Explanation:**

(This amendment sets out language in Item 309 contained in Chapter 1289 (2020 Acts of Assembly) and adds language extending the ability for certain nurse practitioners to practice without a written or electronic practice agreement until the termination of the declared public emergency due to the COVID-19 pandemic. Nurse Practitioners already have this authority under Executive Order #57 but it expires on September 8, 2020.)

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Chief Patron: Aird

Item 303 #1h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Health

\$5,000,000

\$5,000,000 GF

**Language:**

Page 109, line 7, strike "\$25,879,583" and insert "\$30,879,583".

Page 109, line 7, strike "\$23,379,583" and insert "\$28,379,583".

Page 109, after line 7, insert:

"X. Out of this appropriation, \$5,000,000 the first year and \$5,000,000 the second year from the general fund shall be provided to the Virginia Association of Community Healthcare Association to distribute to the community and migrant health centers to fund the impact of COVID-19 pandemic related services and costs."

**Explanation:**

(This amendment adds \$5.0 million each year from the general fund for community and migrant health centers to provide services to uninsured persons and those at or below 200% of the federal poverty level as a result of the impacts of the COVID-19 pandemic and address other necessary costs. Funding shall be used for services, equipment and infrastructure needs related to the pandemic such as telehealth equipment and communications services, structural needs and other equipment and needs related to the pandemic. Language in this item shall be set out during the enrolling of the bill.)

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Chief Patron: Aird

Item 313 #10h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$14,142,590  
\$12,722,120

\$0 GF  
\$0 NGF

**Language:**

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Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,385,665,486".

Page 142, line 15, strike "2020" and insert "2021".

Page 142, line 16, after "change." insert:

"and the state plan amendment is approved by the Centers for Medicare and Medicaid Services. For claims reduced as of July 1, 2020 the Department shall adjust payments to reflect the delay in implementation."

**Explanation:**

(This amendment adds \$14.1 million the first year from the general fund and \$12.7 million from federal Medicaid matching funds and other nongeneral funds to eliminate savings in fiscal year 2021 from a change to reimbursement for certain avoidable medical services provided emergency room settings. Language delays the implementation of the reimbursement change until fiscal year 2022 and the Medicaid state plan amendment is approved by the federal government.)

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Chief Patron: Aird

Item 313 #11h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$0  
\$0

\$3,564,558 GF  
\$10,395,856 NGF

**Language:**

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,151,514,690".

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services shall work in collaboration with Early Impact Virginia to launch a Medicaid demonstration project to provide Medicaid home visiting services in fiscal year 2022. This demonstration project shall target Medicaid eligible pregnant women for home visiting services to improve maternal and infant health outcomes and reduce health disparities."

**Explanation:**

(This amendment adds language requiring the Department of Medical Assistance Services to launch a Medicaid demonstration project to provide Medicaid home visiting services in fiscal year 2022, in collaboration with Early Impact Virginia. Early Impact Virginia was previously directed by the Virginia General Assembly to conduct a needs assessment for home visiting in the Commonwealth every three years. The demonstration project will build upon the findings of these needs assessments.)

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Chief Patron: Aird

Item 4-14 #4h

**Effective Date**

*Request to Amend House Bill 5005, as Introduced*

Effective Date

Language

**Language:**

Page 241, strike lines 1 through 20, and insert:

"7. a. Notwithstanding any other provision of law, upon the declaration by the Governor of a state of emergency pursuant to § 44-146.17 of the Code of Virginia in response to a communicable disease of public health threat as defined in § 44-146.16 of the Code of Virginia, electric companies, natural gas suppliers, and water service providers ("utilities") are prohibited from disconnecting service for non-payment of bills or fees until at least 60 days after such declared state of emergency ends. The following provisions shall apply:

1.) The utilities shall notify all residential customers of this extension of the utility disconnection moratorium and the Emergency Debt Repayment Plan (EDR Plan); and

2.) The utilities and residential customers shall agree in writing to engage in a EDR Plan.

b. No more than 60 days after the enactment of this act, utilities must offer residential customers the right to enter into a EDR Plan for arrearages accrued during the aforementioned state of emergency. The following provisions shall apply:

1.) The EDR Plan shall not require any new deposits, down payments, or fees to enroll, nor shall such plans accrue any fees, interest or penalties, including prepayment penalties;

2.) The EDR Plan can amortize the repayment over no more than 24 months;

3.) The monthly amortized payments shall be limited to such amount that can be affordable and sustainable throughout the repayment period for the residential customer, and shall be determined by means established by the utility and agreed to by the customer, otherwise such payment shall be no more than \$45.50;

4.) The utilities shall not apply eligibility criteria, such as installment plan history, nor shall utilities report anything to credit bureaus or other debt collectors on payments owed while residential customers on the EDR Plan;

5.) Residential customers shall be able to enroll in and begin repayment under an EDR Plan prior to the end of the state of emergency, if mutually agreed between the utility and the residential customer;

6.) At any time a residential customer can seek relief from an EDR Plan and enter into another payment plan offered by the utility, or ask to renegotiate the terms of their EDR Plan

c. Nothing herein shall limit or prevent the utilities or the residential customers from applying or seeking debt relief or mitigation from any available resource."

**Explanation:**

(This amendment establishes the Emergency Debt Repayment plan for residential customers and utility companies to address past due accounts that stemmed from the public health emergency.)

*Request to Amend House Bill 5005, as Introduced*

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Chief Patron: Austin

Item 482.20 #16h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Central Appropriations	\$0	\$350,000	GF

**Language:**

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,190,477".  
Page 211, strike lines 27 through 28.

**Explanation:**

(This amendment restores funding for the health science and technology pilot at Virginia Western Community College.)

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Chief Patron: Ayala

Item 120 #2h

<b>Commerce and Trade</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Department of Labor and Industry	\$50,000	\$50,000	GF
	1.00	1.00	FTE

**Language:**

Page 30, line 38, strike "\$1,773,255" and insert "\$1,823,255".  
Page 30, line 38, strike "\$2,520,193" and insert "\$2,570,193".  
Page 30, after line 38, insert:

"C. Out of this appropriation, \$50,000 in the first year and \$50,000 in the second year from the general fund is provided for additional staffing at the Department of Labor and Industry to effectuate the provisions of a bill under consideration by the 2020 General Assembly that would require businesses provide hazard pay and personnel protective equipment to its employees if they are deemed essential."

**Explanation:**

(This amendment would provide additional staffing support for the Department of Labor and Industry to enforce the provisions of a bill that would define essential business, and require those business to provide hazard pay and personal protective equipment to their employees. The funding included in this amendment is contingent upon the bill's passage in the 2020 Special Session I of the General Assembly. Upon enrolling, Item 120 will be set out and enrolled appropriately.)

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Chief Patron: Bloxom

Item C-61.50 #1h

*Request to Amend House Bill 5005, as Introduced*

<b>Transportation</b>	<b>FY20-21</b>	<b>FY21-22</b>
Virginia Commercial Space Flight Authority	\$1,000,000	\$0 GF

**Language:**

Page 228, line 23, strike "\$1,000,000" and insert "\$2,000,000".

**Explanation:**

(This amendment restores general fund support for the regional airport hangar project.)

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Chief Patron: Brewer Item 482.20 #57h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>
Central Appropriations	\$0	\$5,592,707 GF

**Language:**

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,947,770".

Page 217, line 17, strike the second "\$5,592,707" and insert "\$0".

**Explanation:**

(This amendment restores \$5.6 million the second year from the general fund to restore funding to adjust minimum salary levels for family service workers and other positions in local departments of social services and address compression issues. Turnover rates for a Family Services Worker Specialist is 42% with retention efforts an even greater issue in small, rural agencies. The impact of high turnover rates is found in Virginia's low rate of permanency for children and the number of placements children experience. Fifteen percent of foster care caseworkers in Virginia carry caseloads of more than 15 children at a time, higher than the widely accepted caseload standard of 12 to 15 children per caseworker. These caseworkers collectively manage one-third of all foster care cases. Restoring the salary increase will also increase minimum salaries for for benefit program services positions, self sufficiency services positions and administration positions that are currently below the new minimum threshold. Funding will be matched by local governments at a match rate of 15.5% beginning July 1, 2021. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Bulova Item 383 #1h

**Natural Resources**

*Request to Amend House Bill 5005, as Introduced*

Department of Game and Inland Fisheries

Language

**Language:**

Page 180, line 37, strike "Not set out." and insert:

"Administrative and Support Services (59900)	\$10,332,931	\$10,332,931
General Management and Direction (59901)	\$6,983,303	\$6,983,303
Information Technology Services (59902)	\$3,349,628	\$3,349,628
Fund Sources:		
Dedicated Special Revenue	\$8,829,996	\$8,829,996
Federal Trust	\$1,502,935	\$1,502,935

Authority: Title 29.1, Chapter 1, Code of Virginia.

A. The department shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The department shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairs of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairs of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance and Appropriations.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

D.1. Subject to review and approval by the Secretary of Natural Resources, the Director of the Department of Game and Inland Fisheries may issue to the Department of Transportation an interim permit to relocate the nest and eggs of any state listed threatened bird species from critical areas of the Hampton Roads Bridge Tunnel Expansion Project's South Island associated with the ingress and egress to the island; the delivery, assembly, and immediate operations of the tunnel boring machine; or other project critical locations as mutually agreed to by the Commissioner of Highways and the Director, which, if not relocated, would effectively require all substantial construction activities to cease.

2. Prior to the issuance of an interim permit as described in Section 1, (i) the Director must determine that the Department of Transportation and its design-build contractor have taken all reasonable steps to prevent birds from nesting on the South Island, in accordance with the

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Colonial Nesting Bird Management Plan dated March 27, 2020, (ii) the Commissioner of Highways must determine that substantial construction activities will have to cease if the nest and eggs are not relocated, and (iii) the Director shall require as a condition of the interim permit that the nest and any eggs will be relocated under the supervision of the Department of Game and Inland Fisheries to a location acceptable to the Director that is as close as possible to the original nesting location while allowing construction activities to continue.

3. Within 30 days of the adoption by the Board of Game and Inland Fisheries of any regulation governing the take of migratory birds or threatened and endangered species, the Department of Transportation shall apply for a permit covering such take for the Hampton Roads Bridge-Tunnel expansion project.

~~4. Any agency that exercises the authority granted in paragraph D.1, or that issues any permit that has an adverse impact on fish and wildlife or their habitat, may require compensatory mitigation for such adverse impact as a condition of issuing the permit.~~

~~a. For the purposes of this section, "compensatory mitigation" means addressing the direct and indirect adverse impacts to fish and wildlife and their habitats that may be caused by a construction project by avoiding and minimizing impacts to the extent practicable and then compensating for the remaining impacts.~~

~~b. Proposed compensatory mitigation agreements between an agency and a permittee shall be subject to the approval of the Secretary of Natural Resources, and may include environmental restoration projects, purchase of mitigation bank credits, or in-lieu payments to existing state funds related to conservation of fish and wildlife and their habitat."~~

**Explanation:**

(This amendment removes language adopted by the Reconvened 2020 Session which provided overly broad authority for agencies within the Natural Resources Secretariat to adopt policies requiring compensatory mitigation agreements outside of the process set out by the administrative process act.)

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Chief Patron: Bulova

Item 479.10 #8h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and



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Economic Security (CARES) Act (P.L. 116-136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be

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carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

*E. Out of this appropriation, \$80,000,000 in the first year from the federal relief funds shall be provided to support child care stabilization grants with local community partnerships and providers. Grant criteria shall be developed by the Department of Social Services in consultation with the Department of Education. Grants awarded shall support communities or regional collaboratives provide additional child care classrooms, home-based child care providers, or responses to short term needs to respond to virtual learning during the COVID-19 emergency."*

**Explanation:**

(This amendment provides \$80 million from the federal Coronavirus Relief Fund generated to establish a grant program to support communities and regional partnerships formed to meet child care needs while many school facilities and child care centers are closed during the COVID-19 emergency.)

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Chief Patron: Bulova

Item 482.20 #34h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$10,000,000

\$0 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992".

Page 209, line 29, strike "\$10,000,000" and insert "\$0".

**Explanation:**

(This amendment restores first year funding for enrollment growth at George Mason University.)

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Chief Patron: Bulova

Item 4-14 #2h

**Effective Date**

Effective Date

Language

**Language:**

Page 241, line 3, after "water", insert "suppliers and wastewater".

Page 241, line 4, after "disconnecting", insert "residential account".

Page 241, line 11, after "agree", insert "by email, telephone, or".

Page 241, line 12, after "water", insert "suppliers and wastewater".

Page 241, line 16, strike "12 months", and insert "six months".

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Page 241, line 27 after "of", strike the remainder of the line.

Page 241, strike lines 28 through 29, and insert:

“six months, or if less than six months remains on the lease agreement, amortize the principal equally over the remainder of the lease agreement.”

**Explanation:**

(This amendment clarifies the provisions of the COVID Relief Payment Plans for utilities managed by local governments, aligns the program to current business practices, and clarifies the program applies only to residential customers. Additionally this amendment amortizes payments over six months for both the housing and utility payment plans established in the introduced budget.)

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Chief Patron: Carr

Item 111 #1h

**Commerce and Trade**

Secretary of Commerce and Trade

Language

**Language:**

Page 23, after line 3, insert:

"E. 1. The Commonwealth's Chief Workforce Advisor to the Governor shall convene a workgroup to review the Commonwealth's state public works payment process to contractor employees to identify whether misclassification of workers is a prevalent problem. If the findings reveal such misclassification, the workgroup shall identify and make process improvement recommendations to correct any identified issues.

2. The workgroup shall consist of the Commonwealth's Chief Workforce Advisor to the Governor, Secretary of Finance, Secretary of Administration, and Secretary of Commerce and Trade, or their designees, staff from the House Appropriations and Senate Finance and Appropriations Committees, representatives from Virginia public colleges and universities and state agencies, two representatives from labor organizations that can bring forth to the workgroup documented situations where such misclassification has occurred on Commonwealth state public work projects, two representatives from the general contractor business community with experience in providing construction services to the Commonwealth, and representatives from the Department of General Services, Department of Small Business and Supplier Diversity, Department of Labor and Industry, and Department of Taxation. The membership of this workgroup shall not exceed 20 individuals.

3. The workgroup shall report their findings and recommendations to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than December 1, 2020."

**Explanation:**

(This amendment creates a workgroup to review the Commonwealth's state public works

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payment process to contractor employees.)

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Chief Patron: Carr

Item 214 #1h

**Higher Education**

Virginia Commonwealth University

Language

**Language:**

Page 85, after line 34, insert:

"3. Funding designated in paragraphs D.1 and D.2 of this item are intended as a pass-through means to support the Center on Aging and dementia-related research by investigators throughout the Commonwealth. These funds shall be exempt from supplantation assessment or other budget management plans at Virginia Commonwealth University."

**Explanation:**

(This amendment clarifies that funding for the Center on Aging is exempt from budget management plans proposed to or implemented by Virginia Commonwealth University.)

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Chief Patron: Carr

Item 247 #1h

**Higher Education**

**FY20-21**

**FY21-22**

The Library Of Virginia

\$1,000,000

\$1,000,000

GF

**Language:**

Page 91, line 43, strike "\$18,233,584" and insert "\$19,233,584".

Page 91, line 43, strike "\$18,233,584" and insert "\$19,233,584".

**Explanation:**

(This amendment restores general fund support for aid to local libraries. The restored funding would be used to provide broadband access to citizens, job search assistance, and a virtual learning environment for students and educators.)

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Chief Patron: Carr

Item 313 #6h

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services, in cooperation with the Virginia

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Department of Health, Medicaid health care providers and Medicaid managed care organizations, shall develop a comprehensive plan to improve awareness and utilization of contraceptives, including long acting reversible contraceptives, by individuals enrolled in the Medicaid managed care and fee-for-service programs. The plan shall be submitted to the Governor, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Secretary of Health and Human Resources by December 31, 2020."

**Explanation:**

(This amendment is self-explanatory.)

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Chief Patron: Carr

Item 356 #2h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Social Services

\$2,500,000

\$2,500,000 GF

**Language:**

Page 160, line 47, strike "\$60,357,967" and insert "\$62,857,967".

Page 160, line 46, strike "\$56,207,967" and insert "\$58,707,967".

Page 165, after line 1, insert:

"X. Out of this appropriation, \$2,500,000 the first year and \$2,500,000 the second year from the general fund shall be provided for the Family and Children's Trust Fund (FACT)."

**Explanation:**

(This amendment adds \$2.5 million each year from the general fund for the Family and Children's Trust Fund (FACT). Funding will be used to: (i) increase the number of competitive grants awarded to local and regional trauma-informed community networks; and (ii) to provide technical assistance and resources to communities seeking to provide collaborative, community-based primary prevention to families before they could become at-risk of abuse or neglects, or entering the foster care system.)

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Chief Patron: Carr

Item 482.20 #17h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$159,479

\$159,479 GF

**Language:**

Page 205, line 1, strike "(\$754,015,992)" and insert "(\$753,856,513)".

Page 205, line 1, strike "(\$1,335,540,477)" and insert "(\$1,335,380,998)".

Page 218, strike lines 39 and 40.

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**Explanation:**

(This amendment restores \$159,000 in general funds each year for the Department of Historic resources to establish an underwater archaeology program.)

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Chief Patron: Carr

Item 482.20 #27h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$4,100,000

\$7,900,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$749,915,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,640,477".

Page 208, strike lines 42 through 43.

**Explanation:**

(This amendment restores funding for the Tuition Assistance Grant (VTAG) to increase the annual award to \$4,000.)

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Chief Patron: Carr

Item 482.20 #30h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$7,500,000

\$7,500,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,040,477".

Page 216, strike lines 18 and 19.

**Explanation:**

(This amendment restores \$7.5 million each year for pilot programs to reduce census in the state-operated psychiatric hospitals that was reduced in the introduced budget. Prior to the COVID-19 pandemic, the census of the state-operated psychiatric hospitals averaged 95 percent or over their total bed capacity. Through the month of July 2020, the state operated psychiatric hospitals experienced an increase in admissions and at times exceeded their operating bed capacity. Restoration of this funding will assist the hospitals in developing public-private partnerships to reduce the census in these facilities. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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*Request to Amend House Bill 5005, as Introduced*

Chief Patron: Carr

Item 482.20 #50h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$2,374,698

\$2,458,479 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$751,641,294".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,081,998".

Page 215, strike line 38.

**Explanation:**

(This amendment restores \$2.4 million each year from the general fund for the an increase in Medicaid mental health provider rates to 110% of Medicare. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Carr

Item 3-4.01 #1h

**Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education**

Auxiliary Enterprise Investment Yields

Language

**Language:**

Page 234, after line 33, insert:

"4. Furthermore, available fund balances from other fund sources, to include educational and general, can be utilized to meet unavoidable auxiliary enterprise expenditures that exceed auxiliary fund capacity due to incurred revenue losses and/or additional expense related the COVID-19 pandemic."

**Explanation:**

(This amendment provides additional flexibility for the use of fund balances to address expenses related to the COVID-19 pandemic.)

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Chief Patron: Carroll Foy

Item 86 #1h

**Administration**

**FY20-21**

**FY21-22**

Department of Elections

\$1,000,000

\$0 GF

5.00

0.00 FTE

**Language:**

Page 16, line 7, strike "\$20,858,038" and insert "\$21,858,038".

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Page 17, after line 21, insert:

"3. Notwithstanding the provisions of § 24.2-707, Code of Virginia, the witness of a signature on the back of an envelope for absentee ballot shall not be considered a material omission and shall not render his ballot void."

Page 17, line 22, strike "3" and insert "4".

Page 18, after line 3, insert:

"N. Out of the amounts included in this appropriation, \$1,000,000 in the first year from the general fund shall be provided to the Department of Elections to distribute voter education materials for the November 3, 2020 general election to registered Virginia voters. The materials distributed by the Department shall include instructions for voters on how to track their absentee ballot in the mail and to drop-off their ballots in designated areas determined by general registrars."

**Explanation:**

(This amendment establishes that the absence of a witness signature on an absentee ballot envelope shall not render the ballot void. It also appropriates \$1 million from the general funds in fiscal year 2021 to support the distribution of voter education materials by the Department of Elections).

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Chief Patron: Carroll Foy

Item 131 #1h

**Commerce and Trade**

**FY20-21**

**FY21-22**

Virginia Employment Commission

\$500,000  
10.00

\$0 GF  
0.00 FTE

**Language:**

Page 33, line 9, strike "\$555,338,468" and insert "\$555,838,468".

Page 33, after line 9, insert:

"G. Out of the amounts included in this item, \$500,000 the first year from the general fund is provided for staffing related costs at the Virginia Employment Commission to handle the volume of unemployment claims resulting from the public health emergency crisis."

**Explanation:**

(This amendment provides \$500,000 in the first year from the general fund to address the staffing needs of the Virginia Employment Commission as a result of increased claims volume due to the COVID-19 pandemic. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

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Chief Patron: Carroll Foy

Item 145 #8h

**Education**

**FY20-21**

**FY21-22**





*Request to Amend House Bill 5005, as Introduced*

Central Appropriations

Language

**Language:**

Page 206, strike lines 42 through 43.

Page 206, line 44, strike "\$3,000,000" and insert "\$1,000,000".

**Explanation:**

(This amendment fully restores funding for the Virginia Jobs Investments Program).

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Chief Patron: Carroll Foy

Item 482.20 #9h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 207, strike lines 24 through 25.

Page 207, line 28, strike "\$4,679,613" and insert "\$0".

**Explanation:**

(This amendment fully restores funding for the Virginia Talent Accelerator program.)

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Chief Patron: Carroll Foy

Item 482.20 #22h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,500,000

\$1,500,000

GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,040,477".

Page 205, strike lines 35 through 39.

**Explanation:**

(This amendment restores \$1.5 million each year in the general fund provided by the 2020 General Assembly for the State Bar to contract for additional civil indigent defense attorneys to represent individuals in eviction cases.)

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Chief Patron: Carroll Foy

Item 482.20 #33h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$178,344,517

\$304,970,121

GF

*Request to Amend House Bill 5005, as Introduced*

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$575,671,475".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,030,570,356".  
Page 207, strike lines 50 and 51.  
Page 208, strike lines 1 through 33.

**Explanation:**

(This amendment restores funding for all of the K-12 direct aid funding initiatives that were unallotted at reconvened session due to the pandemic and eliminated in the introduced budget. Among these initiatives include a 2% salary increase in each year, early childhood expansion, increases to the At-Risk Add-On, and increases to the Cost of Competing Adjustment. This amendment, along with a companion amendment in Item 145 to restore funding for additional school counselors, would restore K-12 direct aid funding to the level provided in the budget approved during the 2020 Regular Session.)

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Chief Patron: Carroll Foy

Item 482.20 #58h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,172,091

\$3,289,890 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".  
Page 215, strike lines 15 through 16.

**Explanation:**

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement.)

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Chief Patron: Carroll Foy

Item 4-14 #1h

**Effective Date**

Effective Date

Language

**Language:**

Page 242, after line 6 insert:  
"9. a. For the purposes of this section: "Eligible taxpayer" means (i) any small business; (ii) any business enterprise that is engaged in agricultural production for market, ranching, raising of

*Request to Amend House Bill 5005, as Introduced*

livestock, or aquaculture; (iii) a nonprofit organization described in 26 U.S.C § 501(c)(3); (iv) a veterans organization; or (v) an individual who operates under a sole proprietorship, as an independent contractor, or as a self-employed individual.

b. Qualified personal protective equipment expense" means amounts paid or incurred by an eligible taxpayer (a) for the sole purpose of reducing the risk of transmission of the virus responsible for COVID-19 between people on the premises of the business of the eligible taxpayer, including (1) gloves, medical masks, N-95 respirators, eye protection, gowns, aprons, boots or closed-toe work shoes, cleaning detergents, hand sanitizers, and cleaning products; (2) installation of equipment; and (3) any other relevant expense determined necessary by the Virginia Department of Health, and (b) at any time during a year in which, with respect to the COVID-19 pandemic, the Governor declares a state of emergency.

c. Small business" means a business entity operating in the Commonwealth and certified by the Department of Small Business and Supplier Diversity as a small, women-owned, or minority-owned business pursuant to the conditions and provisions in § 2.2-1604.

d. For taxable years beginning on and after January 1, 2020, an eligible taxpayer shall be allowed a refundable credit against the tax imposed pursuant to § 58.1-320 or 58.1-400 in an amount equal to the amount paid or incurred by such eligible taxpayer for qualified personal protective equipment expense during such taxable year.

e. Credits granted to a partnership, limited liability company, or electing small business corporation (S corporation) shall be allocated to the individual partners, members, or shareholders, respectively, in proportion to their ownership or interest in such business entities.

f. The Department of Taxation, in consultation with the Department of Agriculture and Consumer Services and the Department of Conservation and Recreation, shall develop guidelines for claiming the credit provided by this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.)."

Page 242, line 7, after "seventh" strike "and".

Page 242, line 7, after "eighth" insert "and ninth".

**Explanation:**

(This amendment creates a tax credit for the purchase of personal protective equipment (PPE) by small businesses, 501(c)(3) non-profits, veterans' organizations, independent contractors, farmers, sole proprietors, and other organizations as defined by the Administration.)

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Chief Patron: Carter

Item 482.20 #40h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

(\$11,408,892)

(\$11,408,892) GF

**Language:**

*Request to Amend House Bill 5005, as Introduced*

Page 205, line 1, strike "\$754,015,992" and insert "\$765,424,884".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,346,949,369".  
Page 219, line 50, strike "\$8,628,574" and "\$8,628,574" and insert:  
"\$20,037,466" and "\$20,037,466".

**Explanation:**

(This amendment increases the reduction in aid to localities with police departments to a total of \$20.0 million from the general fund each year, representing a 10 percent reduction from amounts adopted in Chapter 1289 of the 2020 Session of the General Assembly.)

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Chief Patron: Carter

Item 482.20 #41h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

(\$41,465,090)

(\$41,465,090) GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$795,481,082".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,377,005,567".  
Page 219, line 50, strike "\$8,628,574" and "\$8,628,571" and insert:  
"\$50,093,664" and "\$50,093,664".

**Explanation:**

(This amendment increases the reduction in aid to localities with police departments to a total of \$50.1 million from the general fund each year, representing a 25 percent reduction from amounts adopted in Chapter 1289 of the 2020 Session of the General Assembly.)

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Chief Patron: Carter

Item 482.20 #42h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

(\$29,035,294)

(\$29,009,410) GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$783,051,286".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,364,549,887".  
Page 220, after line 18, insert:

**"Department of State Police (156)**

10% reduction in general fund appropriation

(\$29,035,294)

(\$29,009,410)

**Department of State Police (156) Total**

**(\$29,035,294)**

**(\$29,009,410)".**

*Request to Amend House Bill 5005, as Introduced*

**Explanation:**

(This amendment reverts a total of \$29.0 million from the general fund each year from the Department of State Police, representing a 10 percent reduction in the general fund appropriation for the Department.)

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Chief Patron: Carter

Item 482.20 #43h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

(\$72,588,235)

(\$72,523,525) GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$826,604,227".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,408,064,002".

Page 220, after line 18, insert:

**"Department of State Police (156)**

25% reduction in general fund appropriation

(\$72,588,235)

(\$72,523,525)

**Department of State Police (156) Total**

**(\$72,588,235)**

**(\$72,523,525)".**

**Explanation:**

(This amendment reverts \$72.6 million from the general fund in fiscal year 2021 and \$72.5 million from the general fund in fiscal year 2022 from the Department of State Police, representing a 25 percent reduction in the general fund appropriation for the Department.)

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Chief Patron: Cole M.

Item 1 #1h

**Legislative Department**

General Assembly of Virginia

Language

**Language:**

Page 4, line 3, strike "Not set out." and insert:

**"Enactment of Laws (78200)  
a sum sufficient, estimated at**

**\$54,927,913**

**\$54,908,073**

Legislative Sessions (78204)

\$54,927,913

\$54,908,073

*Request to Amend House Bill 5005, as Introduced*

Fund Sources:

General	\$54,927,913	\$54,908,073
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Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded \$33,609,914 the first year and \$33,595,755 the second year from the general fund. The Senate is funded \$21,317,999 the first year and \$21,312,318 the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be \$36,321 per year. The salaries of other members of the House of Delegates shall be \$17,640 per year. The salaries of the members of the Senate shall be \$18,000 per year.

2. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, \$16,200 each year, to be paid in equal monthly installments during the year.

3. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. \$106,845 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 477 of this act.

b. \$291,517 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. Salary increases shall be governed by the provisions of Item 477 of this act.

c. \$202,781 per calendar year for the compensation of one or more secretaries or legislative assistants for the Senate majority and minority leadership, as determined by the Majority Leader in consultation with the Chair of the Senate Committee on Rules. Salary increases shall be governed by the provisions of Item 477 of this act.

d.1. \$44,125 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and \$49,641 for the compensation of legislative assistants for each member of the Senate. Salary increases granted shall be governed by the provisions of Item 477 of this act.

2. In addition, \$16,547 per calendar year for each member of the House of Delegates and \$11,031 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the

*Request to Amend House Bill 5005, as Introduced*

operation of legislative offices within members' districts. Salary increases granted shall be governed by the provisions of Item 477 of this act.

e. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B.5, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

f. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

g. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

h. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

i. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this item.

j. \$70,578 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate , and to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees. Salary increases shall be governed by the provisions of Item 474 of this act.

4.a All compensation and reimbursement of expenses to members of the General Assembly and non-General Assembly members for attending a meeting described in paragraphs B.4.c., B.4.d., B.5., and B.6. shall be paid solely as provided pursuant to this item.

b. The provisions of paragraphs B.4.c. and B.4.d. of this item shall not apply during any regular session of the General Assembly or extension thereof, or during any special session of



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the General Assembly; provided, however, that the provisions of such paragraphs shall apply during any recess of the same.

c. Notwithstanding any other provision of law, each General Assembly member shall receive compensation for each day, or portion thereof, of attendance at an official meeting of any joint subcommittee, board, commission, authority, council, compact, or other body that has been created or established by the General Assembly or by resolution of a house of the General Assembly, provided that the member has been appointed to, or designated an official member of, such joint subcommittee, board, commission, authority, council, compact, or other body pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation.

Notwithstanding any other provision of law, each General Assembly member shall also receive compensation for each day, or portion thereof, of attendance at an official meeting of (i) any standing committee or subcommittee thereof of the House of Delegates to which the member has been appointed, (ii) any standing committee or subcommittee thereof or Committee on Rules of the Senate to which the member has been appointed, or (iii) the Joint Rules Committee of the General Assembly. Any official meeting of a subcommittee of any of the committees described in clauses (i), (ii), or (iii) shall also be an official meeting for which the member shall receive compensation.

Notwithstanding any other provision of law, any General Assembly member whose attendance, in the written opinion of the Chair of (a) any joint subcommittee, board, commission, authority, council, or other body that has been created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly; (b) any such standing committee of the House of Delegates or of the Senate; (c) the Committee on Rules of the Senate; or (d) the Joint Rules Committee of the General Assembly, is required at an official meeting of the body shall also receive compensation for each day, or portion thereof, of attendance at such official meeting.

Any General Assembly member receiving compensation pursuant to this paragraph for attending an official meeting shall be reimbursed for his or her reasonable and necessary expenses incurred in attending such meeting. Notwithstanding any other provision of law, the reimbursement shall be provided by the respective body holding the meeting or by the entity that supports the work of the body.

d. Compensation to General Assembly members for attendance at any official meeting described under B.4.c. of this item may be at a rate equal to \$300 for each day, or portion thereof, of attendance. If the member attends two or more official meetings during the same day, and at least one of which occurs in the morning and one of which occurs in the afternoon, then the member shall be compensated at a rate of \$400 for the entire day, otherwise compensation is capped at the \$300 per day. *If the member attends meetings held electronically, then the member shall be compensated at a rate of no more than \$50 per day.* The payment of such compensation shall be subject to the restrictions and limitations set forth in subsections B., C., and G. of § 30-19.12, Code of Virginia. Notwithstanding any other

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provision of law, compensation to General Assembly members for attendance at such official meetings shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. The body holding the meeting shall as soon as practicable report the member's attendance at any official meeting of such body to the Clerk of the House of Delegates or the Clerk of the Senate, as applicable, in order to facilitate payment of the compensation. Such body shall report the member's attendance in such manner as prescribed by the respective Clerk.

5. Notwithstanding any other provision of law, whenever any General Assembly member is required to travel for official attendance as a representative of the General Assembly at any meeting, conference, seminar, workshop, or conclave, which is not conducted by the Commonwealth of Virginia or any of its agencies or instrumentalities, such member shall be entitled to (i) compensation in an amount not to exceed the per day rate set forth in paragraph B.4.d., and (ii) reimbursement for reasonable and necessary expenses incurred. Such compensation and reimbursement for expenses shall be set by the Speaker of the House of Delegates for members of the House of Delegates and by the Senate Committee on Rules for members of the Senate.

6. The provisions of this paragraph shall apply only to non-General Assembly members (hereinafter, "citizen members") of any (i) board, commission, authority, council, or other body created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly, or (ii) joint legislative committee or subcommittee.

Notwithstanding any other provision of law, any citizen member of any body described in this paragraph who is appointed at the state level, or designated an official member of such body, pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation, shall receive compensation solely for each day, or portion thereof, of attendance at an official meeting of the same. In no event shall any citizen member be paid compensation for attending a meeting of an advisory committee or other advisory body. Subject to any contrary law that provides for a higher amount of compensation to be paid, compensation shall be paid at the rate of \$50 for each day, or portion thereof, of attendance at an official meeting.

Such citizen members shall also be reimbursed for reasonable and necessary expenses incurred in attending (i) an official meeting of any body described in this paragraph, or (ii) a meeting of an advisory committee or advisory body of any body described in this paragraph.

Compensation and reimbursement of expenses to such citizen members shall be paid by the body holding the meeting (or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held) or by the entity that supports the work of the body.

A citizen member, however, who is a full-time employee of the Commonwealth or any of its local political subdivisions, including any full-time faculty member of a public institution of higher education, shall not be entitled to compensation under this paragraph and shall be

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limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed by his employer. If such full-time employee who is a citizen member is required by his employer to take annual, family and personal, or other paid leave or unpaid leave to attend an official meeting under this paragraph, then such person shall be reimbursed for his reasonable and necessary expenses incurred by the body holding the meeting, or for meetings of advisory committees or advisory bodies, the body on whose behalf the meeting is being held, or by the entity that supports the work of the body. For the purposes of this paragraph, reasonable and necessary expenses shall exclude the reimbursement for leave taken by a citizen member who is a full-time employee of the Commonwealth.

A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed.

7. Pursuant to § 30-19.13, Code of Virginia, allowances for expenses of members of the General Assembly during any regular session of the General Assembly or extension thereof or during any special session of the General Assembly shall be paid in an amount not to exceed the maximum daily amount permitted by the Internal Revenue Service under rates established by the U.S. General Services Administration.

8. Allowance for office expenses and supplies of members of the General Assembly, in the amount of \$1,250 for each month of each calendar year. An additional \$500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate, the Chair of the House Appropriations Committee, and the Chair or Chairs of the Senate Finance and Appropriations Committee.

*9. Notwithstanding any other provision of law or legislative rules, if the member of the General Assembly attends meetings or floor sessions held electronically during any regular or special session of the General Assembly, then the member shall be compensated at a rate of no more than \$50 per day.*

C. One legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph B.3.d.1, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term

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disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and operating expenses during the current biennium shall be transferred to the account established for this purpose.

E. An amount of up to \$10,000 per year shall be transferred from Item 34 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chair of the House Appropriations Committee and the Chair of the Senate Finance and Appropriations Committee.

F.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and to make recommendations to their respective committees. The objective of the review is to develop policies and formulas to provide the public institutions of higher education with an equitable funding methodology that: (a) recognizes differences in institutional mission; (b) provides incentives for achievement and productivity; (c) recognizes enrollment growth; and (d) establishes funding objectives in areas such as faculty salaries, financial aid, and the appropriate share of educational and general costs that should be borne by resident students. In addition, the review shall include the development of comparable cost data concerning the delivery of higher education through an analysis of the relationship of each public institution to its national peers. The public institutions of higher education and the staff of the State Council of Higher Education for Virginia are directed to provide technical assistance, as required, to the joint subcommittee.

2. The Joint Subcommittee on Higher Education Funding Policies shall conduct an assessment of the adequacy of the current educational and general funding levels for Virginia's public institutions of higher education. The assessment shall be used to develop guidelines against which to measure funding requests for higher education. The assessment shall include, but not be limited to, the following components:

- a) Updated student-to-faculty ratios based on current practice or industry norms.
- b) Consideration of support staff needs and the changing requirements of support staff due to technology and privatization of services previously performed by the institutions.

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- c) Costs of instruction, such as equipment, utilities, facilities maintenance, and other nonpersonal services expenses.
  - d) Recognition of the individual mission of the institution, student characteristics, location, or other factors that may influence the costs of instruction.
  - e) Benchmarking of the funding guidelines against a group of peer institutions, or other appropriate comparator group, to assess the validity of the guidelines.
  - f) Means by which measures of institutional performance can be assessed and incorporated into funding and policy guidelines for higher education.
3. The Joint Subcommittee on Higher Education Funding Policies shall develop a more precise methodology for determining funding needs at Virginia's public institutions of higher education related to enrollment growth. The methodology should take into consideration that support staff and operations may need to be expanded when enrollment growth reaches certain levels.
4. The Joint Subcommittee may seek support from the staff of the House Appropriations and Senate Finance and Appropriations Committees, the public institutions of higher education, or other higher education or state agency representatives, as requested by the Joint Subcommittee. At its discretion, the Joint Subcommittee may contract for consulting services.
5. The Joint Subcommittee is hereby continued to provide direction and oversight of higher education funding policies. The Joint Subcommittee shall review and articulate policies and funding methodologies on: (a) the appropriate share of educational and general costs that should be borne by students; (b) student financial aid; (c) undergraduate medical education funding; (d) the mix of full-time and part-time faculty; (e) the mix of in-state and out-of-state students as it relates to tuition policy; and (f) the viability of statewide articulation agreements between four-year and two-year public institutions.
6. a. It is the objective of the General Assembly that funding for Virginia's public colleges and universities shall be based primarily on the funding guidelines outlined in the November, 2001 report of the Joint Subcommittee on Higher Education Funding Policies.
- b. Based on the findings and recommendations of its November, 2001 report, the Joint Subcommittee shall coordinate with the State Council of Higher Education, the Secretary of Education, and the Department of Planning and Budget in incorporating the higher education funding guidelines into the development of budget recommendations.
- c. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly.
- G. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a joint

*Request to Amend House Bill 5005, as Introduced*

subcommittee to review compensation of state agency heads and cabinet secretaries. The Department of Human Resource Management, the Virginia Retirement System and all other agencies and institutions of the Commonwealth are directed to provide technical assistance, as required, to the joint subcommittee.

H. 1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a joint subcommittee to provide on-going direction and oversight of Standards of Quality funding cost policies and to make recommendations to their respective committees.

2. The Joint Subcommittee on Elementary and Secondary Education Funding shall: a) study the Commonwealth's use of the prevailing salary and cost approaches to funding the Standards of Quality, as compared with alternative approaches, such as a fixed point in time salary base that is increased annually by some minimum percentage or funding the national average teacher salary; and b) review the "federal revenue deduct" methodology, including the current use of a cap on the deduction; and c) review the methodology for establishing a consistent funding cap process for all state funded instructional and certain support positions.

3. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee.

I. The Speaker of the House shall establish the salary for the Clerk of the House of Delegates.

J. The Senate Committee on Rules shall establish the salary for the Clerk of the Senate.

K. 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.

L. Included within this appropriation is \$15,400 each year from the general fund for expenses related to the Joint Subcommittee on Tax Preferences, pursuant to House Bill 777 of the 2012 Session. This includes \$6,622 each year to be allocated by the Clerk of the Senate and \$8,778 each year to be allocated by the Clerk of the House of Delegates.

M. Included in the appropriations for this item is \$25,000 the first year and \$25,000 the second year from the general fund for the operations of the Virginia Indian Commemorative Commission and the development of a monument commemorating the life, achievements, and legacy of Native Americans in the Commonwealth.

N.1. The Special Joint Subcommittee to Consult on the Plan to Close State Training Centers shall continue to conduct a review of the assumptions behind the cost and cost savings of implementing the U.S. Department of Justice (DOJ) settlement agreement including but not limited to a review of the cost of providing care in the state intellectual disability (ID) training centers and in the community and an explanation of the difference in costs.

2. The Joint Subcommittee to Consult on the Plan to Close State Training Centers, in collaboration with the Department of Behavioral Health and Developmental Services, shall

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develop and evaluate a plan for consideration of operating a smaller state training center to serve those individuals for which care in a training center is appropriate. The Joint Subcommittee shall evaluate and determine the operating costs, capital costs, and consider all other relevant factors in developing the plan for consideration.

O. The Joint Commission on Transportation Accountability shall regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15 the Secretary of Transportation, the Northern Virginia Transportation Authority and the Hampton Roads Transportation Accountability Commission shall each prepare a report on the uses of the Intercity Passenger Rail Operating and Capital Funds, the Northern Virginia Transportation Authority Fund, and the Hampton Roads Transportation Fund, respectively, each year to be presented to the Joint Commission on Transportation Accountability.

P.1. There is hereby created in the legislative branch the Virginia World War I and World War II Commemoration Commission. The Commission shall plan, develop, and carry out programs and activities appropriate to commemorate the 100th anniversary of World War I and the 75th anniversary of World War II.

2. The Commission shall have a total membership of ten members consisting of six legislative members, two nonlegislative citizen members, and two ex officio members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; two members of the Senate of Virginia to be appointed by the Senate Committee on Rules, one nonlegislative citizen member who shall be a World War II historian, to be appointed by the Speaker of the House of Delegates; one nonlegislative citizen member who shall be a World War II veteran or a family member of a World War II veteran, to be appointed by the Senate Committee on Rules; and two ex-officio members, to include the Commissioner of the Virginia Department of Veterans Services or his designee and the Executive Director of the Virginia War Memorial. The nonlegislative and ex-officio members shall be non-voting members. The nonlegislative citizen members shall be citizens of the Commonwealth, unless otherwise approved in writing by the chairman of the committee and the respective Clerk, and shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. The voting members of the Commission shall elect a Chair and Vice-Chair from among its membership, who shall be members of the Virginia General Assembly.

3. Legislative members of the Commission and Advisory Council shall receive such compensation as provided in § 30-19.12, Code of Virginia, and nonlegislative citizen members of the Commission shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for all reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be

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paid from existing appropriations to the Commission.

4. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia World War I and World War II Commemoration Commission Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and shall consist of gifts, grants, donations, bequests, or other funds from any source as may be received by the Commission for its work. Moneys shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purpose of enabling the Commission to perform its duties. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request of the Chair of the Commission.

5. The Virginia Department of Veterans Services and the Virginia War Memorial shall provide technical assistance to the Commission. The Division of Legislative Services shall act as the fiscal agent for the Commission. Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the Commission shall be provided by the Division of Legislative Services, and by other state agencies and institutions as may be requested by the Commission. The Director of the Division of Legislative Services is authorized to fund the operations of the Virginia World War I and World War II Commemoration Commission from the appropriations to the Division and to provide full reimbursement to the Division from the unexpended balances of such Commission, once allotted.

6. The Commission may appoint and establish an Advisory Council composed of nonlegislative citizens at large and public officials who have knowledge of World War I and World War II and their respective anniversary commemorations, to serve in a consultative capacity to assist the Commission in its work. Nonlegislative citizen members of the Advisory Council shall serve without compensation but may be reimbursed for travel expenses to attend a meeting of the Advisory Council within the Commonwealth of Virginia. The Advisory Council shall have a Chair and Vice-Chair, one of whom shall be a member of the House of Delegates, to be appointed by the Speaker of the House of Delegates, and one of whom shall be a member of the Senate, to be appointed by the Senate Committee on Rules.

Q.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint up to five members from their respective committees to a Joint Subcommittee for Early Childhood Care and Education to provide ongoing oversight of the implementation of Virginia's unified public-private system for early childhood care and education. The members of the Joint Subcommittee shall elect a chair and vice chair annually.

2. The goals and objectives of the Joint Subcommittee shall be to (i) review the cost-effectiveness of federal and state funding used to improve Virginia's early childhood care and education system, (ii) ensure that the transition of child care regulation from the Board of Social Services to the Board of Education occurs seamlessly without impacting health and



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safety oversight functions, (iii) ensure that the transition of functions from the Department of Social Services to the Department of Education occurs seamlessly without the interruption of the provision of state services or undue impact on the operation of either agency, (iv) review the implementation of the Board of Education's Quality Rating Implementation System, (v) review workforce needs for Virginia's early childhood education system, (vi) further facilitate partnerships between school divisions and private providers for the Virginia Preschool Initiative, (vii) consider recommendations and options included in the 2017 JLARC report on Improving Virginia's Early Childhood Development Programs, and (viii) consider funding methodology changes to transition the Virginia Preschool Initiative funding model to maximize the number of children served, while recognizing prevailing costs.

3. The staff of the Elementary and Secondary Education subcommittees for the House Appropriations and Senate Finance and Appropriations Committees and the Department of Education will help with facilitating the scope of work to be completed by the Joint Subcommittee. The Virginia Early Childhood Foundation will provide support and resources to the members and staff of the Joint Subcommittee. Other stakeholders, such as those from the Virginia Department of Social Services, the Virginia Community College System, local school divisions, private and faith-based child day-care providers, accredited organizations, education associations and businesses may provide additional information if requested. A report of any findings and recommendations shall be submitted to the Chairs of House Appropriations and Senate Finance and Appropriations Committees.

R. 1.a. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint four members from their respective committees to a Joint Subcommittee on the Future Competitiveness of Virginia Higher Education to (a) review ways to maintain and improve the quality of higher education, while providing for broad access and affordability; (b) examine the impact of financial, demographic, and competitive changes on the sustainability of individual institutions and the system as a whole; (c) identify best practices to make the system more efficient, including shared services, institutional flexibility, and easily accessible academic pathways; (d) evaluate the use of distance education and online instruction across the Commonwealth and appropriate business models for such programs; (e) review current need-based financial aid programs and alternative models to best provide for student affordability and completion; (f) review the recommendations of the Joint Legislative Audit and Review Commission on the study of the cost efficiency of higher education institutions and make recommendations to their respective committees on the implementation of those recommendations; (g) study the effectiveness and value of transfer students; (h) evaluate the effectiveness of dual enrollment in reducing the cost of higher education; and (i) study the effectiveness of preparing teachers to enter the K-12 system.

b. The Subcommittee will also conduct a focused review of access, affordability, quality, and autonomy issues related to Virginia's public higher education system. As part of that review the Subcommittee will explore ways to (a) improve the quality of higher education; (b) review the autonomy and flexibility granted to Virginia's public higher education institutions, including the history of restructuring and the expansion of autonomy; (c) examine access and

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affordability in higher education, including the cost of education and need-based financial aid programs; (d) review the impact of financial, demographic, and competitive changes on the sustainability of Virginia's public higher education system; and (e) identify any practices that would result in more efficient outcomes regarding cost and completion, including dual enrollment and online programs.

2. As the Joint Subcommittee conducts its analysis, it shall consider the mission, vision, goals and strategies outlined in the statewide strategic plan for higher education developed and approved by the State Council of Higher Education for Virginia, and endorsed by the General Assembly in House Joint Resolution 555 of the 2015 Session of the General Assembly.

3. As part of its deliberations, the Joint Subcommittee shall review alternative tuition and fee structures and programs that could result in lower costs to in-state undergraduate students.

4. The Joint Subcommittee may seek support and technical assistance from the staff of the House Appropriations and Senate Finance and Appropriations Committees, the public institutions of higher education, the staff of the Joint Legislative Audit and Review Commission, and the staff of the State Council of Higher Education for Virginia. Other state agency or higher education representatives shall provide support upon request. At its discretion, the Joint Subcommittee may contract for consulting services.

5. The members of the Joint Subcommittee shall provide a final report to their respective committees at the conclusion of the review.

S. The Joint Subcommittee to Evaluate Tax Preferences established pursuant to Chapter 777, 2012 Session of the General Assembly, is hereby directed, as part of its work to undertake a review of the Neighborhood Assistance Act tax credit program and to report to the General Assembly on any proposed changes to the program structure, eligibility requirements, distribution of funding or overall funding amounts made available for the credit.

T.1. The Chairs of the House Appropriations and Senate Finance and Appropriations Committees shall each appoint five members from their respective committees to a Joint Subcommittee for Health and Human Resources Oversight to respond to federal health care changes, provide ongoing oversight of the Medicaid and children's health insurance programs and oversight of Health and Human Resources agencies. The members of the Joint Subcommittee shall elect a chair and vice chair annually.

2.a. The Joint Subcommittee shall monitor, evaluate and respond to federal legislation that repeals, amends or replaces the Affordable Care Act (ACA), Medicaid (Title XIX of the Social Security Act), the Children's Health Insurance Program (Title XXI of the Social Security Act) or any proposals to block grant or change the method by which these programs are funded. The joint subcommittee shall recommend actions to be taken by the General Assembly to address the impact of any such federal legislation that would affect the state budget and health care coverage now available to Virginians. Furthermore, the subcommittee shall evaluate federal changes for opportunities to improve Virginia's Medicaid and other health insurance programs.

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b. The Joint Subcommittee shall establish a workgroup to monitor the implementation of Medicaid coverage of newly eligible individuals pursuant to the Patient Protection and Affordable Care Act to ensure (i) the efficient and cost effective use of resources; (ii) innovative and cost effective approaches to Medicaid eligibility screening and renewals, provider accountability, administrative operations, and fraud prevention; and (iii) progress in implementing the Training, Education, Employment and Opportunity Program (TEEOP); (iv) uniform and effective screening for Medicaid eligibility in local and regional jails; and (v) use of private vendors to facilitate successful implementation when cost effective. In addition, the workgroup shall examine the role of the current Certificate of Need program, including a review of past and current studies of the program, in ensuring access to care.

3. The Joint Subcommittee shall provide ongoing oversight of initiatives and operations of the Health and Human Resources agencies. The joint subcommittee shall examine progress made in implementing changes to: (i) Medicaid managed care programs, including managed long-term supports and services (the Commonwealth Coordinated Care Plus program) and changes to the Medallion program; (ii) Medicaid waiver programs including the Medicaid waivers serving individuals with developmental disabilities; (iii) the Medicaid Enterprise System; (iv) improve eligibility, enrollment and renewal processes in the Medicaid and CHIP programs; (v) the organizational structure and realignment of staff and resources of the Department of Medical Assistance Services resulting from the change from a fee-for-service to a managed care delivery system; (vi) improve the cost effective delivery of services through the Comprehensive Services Act; and (vii) initiatives and programmatic changes across the Health and Human Resources agencies to ensure efficient and effective use of resources across the Secretariat, including an assessment of the costs and benefits of transferring the Office for Aging Services of the Division for Community Living in the Department for Aging and Rehabilitative Services to the Department of Social Services or establishing it as a stand-alone agency.

4. The Joint Subcommittee may seek support and technical assistance from staff of the House Appropriations and Senate Finance and Appropriations Committees, the staff of the Joint Legislative Audit and Review Commission, and the staff of the Department of Medical Assistance Services. Other state agency staff shall provide support upon request.

5. The staff of the House Appropriations and Senate Finance and Appropriations Committees shall help facilitate the scope of work to be completed by the Joint Subcommittee for Health and Human Resources Oversight.

U.1. The Co-Chairs of the Senate Finance and Appropriations Committee shall appoint five members from their Committee and the Chair of the House Appropriations Committee shall appoint four members from his Committee and two members of the House Finance Committee to a Joint Subcommittee on Local Government Fiscal Stress. The Joint Subcommittee shall elect a chair and vice-chair from among its membership.

2. The goals and objectives of the Joint Subcommittee will be to review (i) savings opportunities from increased regional cooperation and consolidation of services, including by

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jointly operating or merging small school divisions; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) potential financial incentives and other governmental reforms to encourage increased regional cooperation; and (v) the different taxing authorities of cities and counties.

3. Administrative staff support shall be provided by the Office of the Clerks of the House and Senate. The Joint Subcommittee may seek support and technical assistance from the staff of the Division of Legislative Services, House Appropriations and Senate Finance and Appropriations Committees, and the Commission on Local Government. All agencies of the Commonwealth shall provide assistance to the Joint Subcommittee for this study, upon request.

4. No recommendation of the Joint Subcommittee shall be adopted if a majority votes against the recommendation. The Joint Subcommittee shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year.

V. Notwithstanding any other provision of law, the Senate Joint Resolution 47 (2014 Session) Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century shall continue its work.

W. Pursuant to projects authorized and funded in paragraph E.1 of Item C-39.40 of Chapter 1 of the Acts of Assembly of 2014, operations of the Virginia General Assembly will temporarily move to and operate from the Pocahontas Building bounded by the following streets: 9th Street to the west, 10th Street to the east, Bank Street to the north, and Main Street to the south in the City of Richmond. Space occupied temporarily by the General Assembly shall be under the control of the Legislative Support Commission (§ 30-34.1). Funding for routine maintenance and operations of the temporary space is included in Item 1 of this act.

X. Any nonlegislative citizen member appointed by either the Speaker of the House, the Senate Committee on Rules or the Joint Rules Committee to any Authority, Board, Commission, Committee, or other deliberative body in the Commonwealth shall serve at the pleasure of such appointing authority. Any such member may be relieved of his appointment at any time, with or without cause.

Y. Included within this appropriation is \$19,840 the first year from the general fund for a joint committee established to study staffing levels, employment conditions, and compensation at the Virginia Department of Corrections pursuant to House Joint Resolution 29 of the 2020 Session of the General Assembly."

**Explanation:**

(This amendment establishes a per diem for General Assembly members to participate in electronic meetings of \$50 a day .)

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Chief Patron: Cox

Item 145 #3h

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 47, after line 19, insert:

"30. Each school board shall provide to each teacher or other school board employee who is employed in a public elementary or secondary school in the local school division up to 14 days of paid leave, in addition to any other paid leave to which such individual is otherwise entitled, that may be used in the event that the employee (i) contracts COVID-19, (ii) is required to self-quarantine while awaiting the results of diagnostic testing for an active infection with COVID-19, or (iii) is required to provide care for a family member who contracts COVID-19."

**Explanation:**

(This amendment is self-explanatory.)

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Chief Patron: Cox

Item 145 #5h

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 43, after line 31, insert:

"g. To the extent permitted by federal law, to provide flexibility and support reopening of schools and virtual learning where appropriate during the first year school divisions may use any of the state funds provided through this item and any required local matching funds to support costs incurred as a result of reopening schools that were closed due to the COVID-19 pandemic or to support virtual learning needs in school divisions that are not fully reopened. Such costs may include cleaning supplies, personal protective equipment, reduced class sizes to meet social distancing guidelines, technology needs, and internet access. School divisions exercising this flexibility shall report to the Department of Education the amount and uses of any state funds that were repurposed under this paragraph, and the Department shall compile and report such information to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee no later than October 1, 2021."

Page 43, line 32, strike "g." and insert "h."

**Explanation:**

(This amendment provides school divisions flexibility during fiscal year 2021 to divert any of the direct aid funds it receives for public education to support costs incurred due to reopening schools or providing virtual instruction.)

Chief Patron: Cox

Item 479.10 #1h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used

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for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

*E. 1. Localities may establish programs to provide funds to parents meeting compulsory attendance requirements in § 22.1-254.A of the Code during the Coronavirus public health emergency by having their children taught by a tutor or teacher of qualifications prescribed by the Board of Education and approved by the division superintendent in lieu of enrollment in the public school system. Such programs may reimburse parents for: (i) tutoring services; (ii) educational therapies or services for students from a practitioner or provider, including paraprofessionals or educational aides; (iii) tuition or fees for a private online learning program; (iv) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; (v) transportation; (vi) computer hardware and software; and (vii) consumable educational supplies or any other education-related goods or services, such as Internet access, that are necessary for the provision of the student's education.*

*2. Out of this appropriation, \$100,000,000 in the first year from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) are provided to reimburse localities for one-half of the cost of such program. The Superintendent of Public Instruction shall establish a timeline for the submission of reimbursement requests that aligns with the Coronavirus Relief Fund deadline for incurring expenses.*

*3. One-half of the cost of such program shall be funded by the locality through local revenues or the federal funding provided to the locality pursuant to the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), or any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency, to the extent permitted by federal law.*

*4. If additional federal funding is provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency and federal law permits such funds to be used to support programs as provided in paragraph E 1, the Governor shall reserve*

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*a reasonable amount to provide reimbursements for such programs."*

**Explanation:**

(This amendment permits localities to establish programs to reimburse parents for costs related to teaching pods established in response to the Coronavirus public health emergency. This amendment provides \$100,000,000 the first year from the federal Coronavirus Relief Fund to reimburse localities for one-half of the cost. The amendment also provides that if additional federal relief becomes available, the Governor shall reserve a reasonable amount of such funding to support these reimbursements.)

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Chief Patron: Cox

Item 482.20 #1h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$54,750,000

\$25,000,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

**Explanation:**

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

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Chief Patron: Cox

Item 482.20 #4h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,000,000

\$1,000,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,015,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,540,477".

Page 213, strike lines 41 through 45.

**Explanation:**

(This amendment restores funding for the expansion of the Online Virginia Network.)

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Chief Patron: Coyner

Item 479.10 #3h

**Central Appropriations**

**FY20-21**

**FY21-22**



*Request to Amend House Bill 5005, as Introduced*

Central Appropriations

\$1,000,000

\$0 NGF

**Language:**

Page 204, line 9, strike "\$0" and insert "\$1,000,000".

Page 204, strike line 9, and insert:

“A.1. The Governor is hereby authorized to appropriate sums to state agencies, institutions of higher education, and other permissible entities the federal funding provided pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act (P.L. 116-123), the Families First Coronavirus Response Act (P.L. 116-127), the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136), and any other federal funding provided through subsequent legislation approved by Congress with regard to the Coronavirus public health emergency. For the purposes of this item, such federal funding shall be referred collectively to as "federal relief funds". All such federal relief funds shall be subject to applicable federal rules and regulations governing these funds. Amounts so allocated are hereby appropriated subject to the provisions and conditions contained in this item.

2. Records Management and Reporting

a. Agencies receiving federal relief funds shall comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director of the Department of Planning and Budget and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

b. Agencies receiving federal relief funds shall comply with all federal reporting requirements for the receipt of any funds and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds.

c. Agencies receiving federal relief funds shall comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

3. The Governor or his designee shall submit a quarterly report to the Chairs of House Appropriations and Senate Finance and Appropriations Committees that itemizes any appropriation action of federal relief funds.

4. It is the intent of the General Assembly that the Commonwealth maximize the use of the federal relief funds. The Governor shall take all reasonable actions necessary to apply for federal relief funds. The Governor shall further ensure that funds are appropriated, distributed, and utilized in a manner that is consistent with the provisions of state and federal law.

B. The Governor is authorized to appropriate, within this item or any other item of this act, any revenues deposited to the COVID-19 Relief Fund created pursuant to House Bill 881 and Senate Bill 971 of the 2020 Session of the General Assembly. Such appropriations shall be used for the purposes of responding to the impacts of the COVID-19 pandemic which shall include, but not be limited to, i) relief to small businesses, ii) assistance for housing and homelessness, iii) assistance for long term care facilities, and iv) any other purpose designated by the Governor to address the impact of the COVID-19 pandemic. The Governor is authorized to transfer such

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appropriations and associated revenues to agencies designated to carry out the services required to address the COVID-19 pandemic. The Governor or his designee shall report the use of the COVID-19 Relief Fund to the Chairs of House Appropriations and Senate Finance and Appropriations Committees on a quarterly basis.

C. Any reports required by paragraphs A or B above may be submitted electronically. Further, the reporting requirement shall be considered to have been met if the required information is posted on a public website.

D. Any unexpended balance remaining in this item on June 30, 2021, or June 30, 2022, shall be carried forward on the books of the Comptroller and shall be available for expenditure in the next biennium.

*E. 1. Out of this appropriation, \$500,000 in the first year from federal relief provided in paragraph A and \$500,000 in the first year from the COVID-19 Relief Fund established in paragraph B shall be provided to reimburse school divisions for the state share of costs associated with providing substitute teachers for classrooms impacted by teachers using COVID-19 related sick leave as required by House Bill 5078.*

*2. Reimbursements shall be based on the state share of prevailing substitute teacher costs, prorated based on the number of days a substitute teacher was provided due to a teacher using COVID-19 related sick leave.”*

**Explanation:**

(This amendment provides \$1,000,000 the first year from the nongeneral fund to school divisions for the state share of substitute teachers required to be deployed due to COVID-19 sick leave established in House Bill 5078. Federal Coronavirus Relief funds would be used for reimbursements through December 30, 2020 and COVID-19 Relief Funds generated from gray machine revenues would be used for reimbursements thereafter.)

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Chief Patron: Coyner

Item 482.20 #15h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$170,125

\$226,832 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,845,867".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,313,645".

Page 219, strike lines 29 through 31.

**Explanation:**

(This amendment restores \$170,125 the first year and \$226,832 the second year for the an executive director and additional investigator for the Board of Local and Regional Jails.)

*Request to Amend House Bill 5005, as Introduced*

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Chief Patron: Coyner

Item 482.20 #36h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$7,500,000

\$2,500,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$746,515,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,040,477".

Page 210, strike line 50.

Page 211, strike line 1.

**Explanation:**

(This amendment restores funding for cancer research at the Massey Cancer Center.)

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Chief Patron: Delaney

Item 402 #1h

**Public Safety and Homeland Security**

**FY20-21**

**FY21-22**

Department of Corrections

\$50,000

\$0 GF

**Language:**

Page 184, line 14, strike "\$180,872,172" and insert "\$180,922,172".

Page 184, set out Item 402.

Page 184, after line 14, insert:

*"X. Included in the appropriation for this item is \$50,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, establish pursuant to § 30-19.1:4, Code of Virginia. 1. House Bill 5045 - \$50,000."*

**Explanation:**

(This amendment provides a deposit of \$50,000 from general funds in fiscal year 2021 for the indeterminate bedspace impact of House Bill 5045, which would prohibit the carnal knowledge of any inmate, parolee, probationer, arrestee, or detainee by local or state law-enforcement officer.)

---

Chief Patron: Delaney

Item 482.20 #44h

**Central Appropriations**

**FY20-21**

**FY21-22**

*Request to Amend House Bill 5005, as Introduced*

Central Appropriations \$750,000 \$750,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,265,992".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,334,790,477".  
Page 214, strike lines 37 and 38.

**Explanation:**

(This amendment restores \$750,000 each year from the general fund for the newly created Virginia Sexual and Domestic Violence Prevention Fund. The fund will be used to develop and support programs that prevent sexual and domestic violence through strategies that (i) promote healthy practices related to relationships, sexuality, and social-emotional development and (ii) counteract the factors associated with the initial perpetration of sexual and domestic violence. This funding was included in the budget passed in March but was unallotted in April due to the pandemic and subsequently eliminated in the introduced budget.)

---

Chief Patron: Edmunds

Item 482.20 #59h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$345,621

\$352,534 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,670,371".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,187,943".  
Page 215, strike lines 48 and 49.

**Explanation:**

(This amendment restores \$345,621 the first year and \$352,534 the second year from the general fund to require Medicaid managed care organizations to reimburse at no less than 90 percent of the state Medicaid fee schedule for durable medical equipment. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

---

Chief Patron: Fariss

Item 482.20 #7h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$8,628,574

\$8,628,574 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$745,387,418".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,911,903".

*Request to Amend House Bill 5005, as Introduced*

Page 219, strikes lines 50 and 51.

**Explanation:**

(This amendment removes the reversion of \$8.6 million in the general fund each year from the Aids to Localities with Police Departments ("House Bill 599") program administered by the Department of Criminal Justice Services. These additional funds were provided during the 2020 Session based upon expected growth in general fund revenue from fiscal year 2020 to fiscal year 2021.)

---

Chief Patron: Gilbert

Item 482.20 #12h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$8,628,574

\$8,628,574 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$745,387,418".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,326,911,903".

Page 219, strikes lines 50 and 51.

**Explanation:**

(This amendment removes the reversion of \$8.6 million in the general fund each year from the Aids to Localities with Police Departments ("House Bill 599") program administered by the Department of Criminal Justice Services. These additional funds were provided during the 2020 Session based upon expected growth in general fund revenue from fiscal year 2020 to fiscal year 2021.)

---

Chief Patron: Governor Northam

Item 0 #1h

**Revenues**

Revenues

Language

**Language:**

Page 1, line 37, strike "\$1,287,058,965" and insert "\$1,321,491,604".

Page 1, line 37, strike "\$33,675,400" and insert "\$29,850,000".

Page 1, line 37, strike "\$1,253,383,565" and insert "\$1,291,641,604".

Page 1, line 45, strike "\$23,534,690,532" and insert "\$23,500,257,893".

Page 1, line 45, strike "\$22,827,518,103" and insert "\$22,823,692,703".

Page 1, line 45, strike "\$46,362,208,635" and insert "\$46,323,950,596".

Page 2, line 14, strike "\$75,786,613,899" and insert "\$75,752,181,260".

Page 2, line 14, strike "\$65,524,808,276" and insert "\$65,520,982,876".

Page 2, line 14, strike "\$141,311,422,175" and insert "\$141,273,164,136".

*Request to Amend House Bill 5005, as Introduced*

Page 2, line 45, strike "\$45,837,306,115" and insert "\$45,833,480,715".  
Page 2, line 45, strike "\$134,001,660,189" and insert "\$133,997,834,789".  
Page 3, line 4, strike "\$44,542,178,476" and insert "\$44,538,353,076".  
Page 3, line 4, strike "\$130,571,574,906" and insert "\$130,567,749,506".  
Page 3, line 12, strike "\$45,837,306,115" and insert "\$45,833,480,715".  
Page 3, line 12, strike "\$137,281,007,814" and insert "\$137,277,182,414".

**Explanation:**

(This amendment reflects changes to additions to balance and appropriation totals resulting from a correction in the Commonwealth's final balance sheet for fiscal year 2020. A companion amendment to Item 373 amends the amounts appropriated for the required deposit to the Water Quality Improvement Fund as a result of the balance sheet correction.)

---

Chief Patron: Governor Northam

Item 373 #1h

**Natural Resources**

**FY20-21**

**FY21-22**

Department of Conservation and Recreation

\$0

(\$3,825,400)

GF

**Language:**

Page 173, line 17, strike "\$99,567,156" and insert "\$95,741,756".  
Page 176, line 51, strike "\$34,175,400" and insert "\$30,350,000".

**Explanation:**

(This amendment reflects changes to the amount calculated for a mandatory deposit to the Water Quality Improvement Fund resulting from a correction in the Commonwealth's final balance sheet for fiscal year 2020. A companion amendment to Item 0 corrects the general fund resources and amendment totals resulting from the balance sheet correction.)

---

Chief Patron: Guzman

Item 120 #1h

**Commerce and Trade**

**FY20-21**

**FY21-22**

Department of Labor and Industry

\$206,092  
2.00

\$206,092  
2.00

GF  
FTE

**Language:**

Page 30, line 38, strike "\$1,773,255" and insert "\$1,979,347".  
Page 30, line 38, strike "\$2,520,193" and insert "\$2,726,285".  
Page 30, after line 38, insert:

"C. Out of the amounts in this item, \$206,092 the first year and \$206,092 the second year from the general fund is provided to effectuate the provisions of legislation requiring paid time off for

*Request to Amend House Bill 5005, as Introduced*

private and public sector employees positive for COVID-19 or needing to self-quarantine as the result of a COVID-19 exposure."

**Explanation:**

(This amendment provides funding pursuant to the passage of a paid time off bill for COVID-19 impacted employees during the 2020 General Assembly Special Session I. Upon enrolling, Item 120 will be set out and enrolled appropriately.)

---

Chief Patron: Guzman

Item 312 #2h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance Services

\$1,000,000  
\$1,857,143

\$1,000,000 GF  
\$1,857,143 NGF

**Language:**

Page 110, line 33, strike "\$251,771,102" and insert "\$254,628,245".

Page 110, line 32, strike "\$270,236,306" and insert "\$273,093,449".

Page 111, after line 26, insert:

"G. The Department of Medical Assistance Services shall amend the Virginia Family Access to Medical Insurance Security State Plan to allow the payment for prenatal care for all children regardless of the expectant mother's status, pursuant to provisions in the federal 2009 CHIP Reauthorization Act that includes care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens."

**Explanation:**

(This amendment adds funding and language extending the provision for the payment of prenatal care to all children through the Virginia Family Access to Medical Insurance Security (FAMIS) program regardless of the expectant mother's status, pursuant to provisions in the federal 2009 CHIP Reauthorization Act that include care of all children who upon birth will be U.S. citizens, U.S. nationals, or qualified aliens. It provides \$1.0 million each year from the general funds and \$1.9 million each year from matching federal funds for the FAMIS program.)

---

Chief Patron: Guzman

Item 377 #1h

**Natural Resources**

Department of Environmental Quality

Language

**Language:**

Page 180, after line 3, insert:

"M. The workgroup convened pursuant to Chapter 642 of the 2020 Session of the General Assembly shall report its findings and recommendations no later than December 1, 2021 due to

*Request to Amend House Bill 5005, as Introduced*

*exigent circumstances related to the ongoing COVID-19 pandemic."*

**Explanation:**

(This amendment would extend by one year the report of findings and recommendations of the workgroup established by the Department of Environmental Quality to review the disposal and construction and landfill debris in on rural lands pursuant to Chapter 624 of the 2020 Session of the General Assembly.)

---

Chief Patron: Guzman

Item 479.10 #4h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide public employees a guaranteed two weeks of paid quarantine leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

2. Furthermore, the Governor is authorized to establish a program, using available federal funds, which provides reimbursement to social service agencies, homecare agencies, and other non-profit agencies providing essential services to provide employees a guaranteed two weeks of paid quarantine leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

3. Twenty percent of unexpended funds designated for small business assistance grants from the Coronavirus Relief Funds awarded to the Commonwealth through the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116- 136) shall be directed to support paid quarantine leave for employees of small businesses who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19. For the purposes of this allocation, a small business is defined as an employer with one to fifty employees.

4. For the benefits provided in this paragraph, an employer shall provide compensation for the number of hours equal to the number of hours that such eligible employee works, on average, over a two-week period."

**Explanation:**

(This amendment authorizes the use of federal COVID-19 relief funds to provide two weeks of paid quarantine leave to all state employees, employees of political subdivisions, and specific



*Request to Amend House Bill 5005, as Introduced*

social service/health care workers who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19. It also directs 20 percent of funds allocated for the Rebuild Virginia program to support small business in providing paid time off for employees who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19.)

---

Chief Patron: Guzman

Item 479.10 #10h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide \$500,000 in federal funding for the Virginia Department of Health to develop a one-time grant program to contract with non-profit organizations to provide COVID-19 education and outreach programs targeted to the Latinx community."

**Explanation:**

(This amendment authorizes the use of \$500,000 in federal COVID-19 relief funds to provide a one-time grant program for education and outreach targeting the Latinx community.)

---

Chief Patron: Hayes

Item 145 #6h

**Education**

**FY20-21**

**FY21-22**

Direct Aid to Public Education

\$95,227,730

\$0 GF

**Language:**

Page 36, line 5, strike "\$7,732,305,702" and insert "\$7,827,533,432".

Page 37, after line 32 insert:

"Sales Tax Reforecast Hold Harmless \$95,227,730".

Page 73, after line 27 insert:

"43. Sales Tax Reforecast Hold Harmless

Out of this appropriation, \$95,227,730 the first year from the general fund is provided to ensure that no school division loses state funding in fiscal year 2021 as a result of adjustments to estimated Standards of Quality Sales Tax or Basic Aid Payments subsequent to 2020 Acts of Assembly, Chapter 1289."

**Explanation:**

(This amendment provides \$95.2 million the first year from the general fund to hold school

*Request to Amend House Bill 5005, as Introduced*

divisions' harmless from the sales tax reforecast included in House Bill 5005, as introduced.)

---

Chief Patron: Hayes

Item 313 #9h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$7,000,000

\$0 GF

**Language:**

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,365,800,776".

Page 139, line 7, strike "ineligible" and insert "unable".

Page 139, strike line 8.

Page 139, line 9, strike "payment program" and insert:

"shall enter into an agreement to provide up to \$7,000,000 the first year from the general fund as the non-federal share of the supplemental DSH payment which shall be repaid to the Commonwealth upon receipt of the federal DSH payment".

**Explanation:**

(This amendment provides up to \$7.0 million the first year from the general fund as the non-federal share of the supplemental disproportionate share hospital (DSH) payment for Chesapeake Regional Hospital. It modifies existing language in the introduced budget to allow general fund dollars to be used in lieu of an intergovernmental transfer of funds or certified public expenditures from Chesapeake Regional Hospital. Language requires repayment of the general fund amounts by Chesapeake Regional Hospital upon receipt of the federal DSH payment.)

---

Chief Patron: Helmer

Item 402 #3h

**Public Safety and Homeland Security**

**FY20-21**

**FY21-22**

Department of Corrections

\$50,000

\$0 GF

**Language:**

Page 184, line 14, strike "\$180,872,172" and insert "\$180,922,172".

Page 184, set out Item 402.

Page 184, after line 14, insert:

*"X. Included in the appropriation for this item is \$50,000 the first year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, establish pursuant to § 30-19.1:4, Code of Virginia. 1. House Bill 5049 - \$50,000."*

*Request to Amend House Bill 5005, as Introduced*

**Explanation:**

(This amendment provides a deposit of \$50,000 from general funds in fiscal year 2021 for the indeterminate bedspace impact of House Bill 5049, which would bar the use of crowd control measures prohibited for use by military forces under the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons.)

---

Chief Patron: Hodges

Item 377 #2h

**Natural Resources**

Department of Environmental Quality

Language

**Language:**

Page 179, strike lines 49 through 57.

Page 179, after line 48, insert:

*"L. Notwithstanding any action by the State Water Control Board, regulations adopted by the State Water Control Board pursuant to § 62.1-44.19:20, Code of Virginia, shall not be effective until July 1, 2021. The Department shall convene a workgroup of affected stakeholders, including representatives from the regulated industry, local governments and members of the public, to produce recommendations for the Governor and General Assembly to improve the long-term sustainability of the water quality enhancement fee established by § 62.1-44.15:35 and Department oversight of nutrient credit use in the Commonwealth. Such recommendations shall be provided to the Governor and General Assembly by November 1, 2020."*

Page 180, strike lines 1 through 3.

**Explanation:**

(This amendment modifies language proposed by the Governor in House Bill 5005 as introduced to delay the effective date of regulations adopted by the State Water Control Board pursuant to § 62.1-44.19:20 until July 1, 2021; to establish a workgroup to review the long-term sustainability of the water quality enhancement fee; and to provide recommendations to the Governor and General Assembly by November 1, 2020.)

---

Chief Patron: Hudson

Item 131 #4h

**Commerce and Trade**

**FY20-21**

**FY21-22**

Virginia Employment Commission

\$1,000,000

\$1,000,000

GF

5.00

5.00

FTE

**Language:**

Page 33, line 9, strike "\$555,338,468" and insert "\$556,338,468".

Page 33, line 9, strike "\$552,133,812" and insert "\$553,133,812".

*Request to Amend House Bill 5005, as Introduced*

Page 33, after line 9, insert:

"G. Out of the amounts included in this appropriation, \$1,000,000 in the first year and \$1,000,000 in the second year from the general fund is provided for the Virginia Employment Commission to create a digital service team to modernize the Commission's technical systems and procedures in accordance with the standards of the federal United States Digital Service (USDS) and 18F Office of the General Services Administration (GSA). Digital services team staff shall meet the qualifications of federal employees paid at the GS-15 pay band and report directly to the Commissioner."

**Explanation:**

(This amendment creates a digital services team at the Virginia Employment Commission to improve the efficiency of processing unemployment insurance claims and the overall user experience. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

---

Chief Patron: Hudson

Item 131 #5h

**Commerce and Trade**

Virginia Employment Commission

Language

**Language:**

Page 33, after line 9, insert:

"G. Notwithstanding the provisions of § 60.2-612 Code of Virginia, the Commissioner of the Virginia Employment Commission shall not require a one-week waiting period for qualifying individuals to receive Unemployment Insurance benefits."

**Explanation:**

(This amendment eliminates the one-week waiting period for claimants to receive their unemployment insurance benefits. The intent of this amendment is that, were it to be adopted, upon enrollment the language would be included in the Appropriation Act as a Part V amendment striking the language found in paragraph 9, § 60.2-612, Code of Virginia.)

---

Chief Patron: Hurst

Item 479.10 #9h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide \$10,000,000 in federal funding for the Virginia Department of Health and Department of Emergency Management to develop a multi-media, multi-lingual COVID-19 campaign that

*Request to Amend House Bill 5005, as Introduced*

prioritizes getting COVID-19 information to at-risk communities and all residents of the Commonwealth. The campaign shall include the use of all media channels available, with a focus on advertising in local Virginia media outlets, such as newspapers (print and digital versions) and local radio and television, ensuring that there is a focus on those that serve areas of the state with a significant high-risk populations. The Health Department shall work with the VA Press Association and the Virginia Association of Broadcasters to develop the campaign and shall use a portion of the public information campaign funds for non-traditional outreach, such as placing flyers in the breakfast and lunch kits that are still being served to school aged children around the state."

**Explanation:**

(This amendment authorizes the use of \$10.0 million in federal COVID-19 relief funds to develop a public information campaign.)

---

Chief Patron: Jones J.C.

Item 135 #1h

**Commerce and Trade**

**FY20-21**

**FY21-22**

Virginia Innovation Partnership  
Authority

\$10,000,000

\$0 GF

**Language:**

Page 33, line 35, strike "\$25,700,000" and insert "\$35,700,000".

Page 33, after line 35, insert:

"Q. Out of the amounts includes in this appropriation, \$10,000,000 in the first year from the general fund shall be used to accelerate the research and development of a peptide-based drug that treats acute lung injury caused by COVID-19. These funds shall only be awarded to a company with a business presence in Virginia and an approved application for a new peptide-based drug by the United States Food and Drug Administration."

**Explanation:**

(This amendment provides \$10 million in the first year from the general fund to support the acceleration of research and development by a Virginia company of a peptide-based drug company that treats acute lung injury caused by COVID-19. It further clarifies a company in receiving these funds must have an approved application for a new drug by the U.S. Food and Drug Administration. Upon enrolling, Item 135 will be set out and enrolled appropriately.)

---

Chief Patron: Jones J.C.

Item 254 #1h

**Education**

**FY20-21**

**FY21-22**

Eastern Virginia Medical School

\$1,000,323

\$0 GF

*Request to Amend House Bill 5005, as Introduced*

**Language:**

Page 94, line 14, strike "\$30,990,881" and insert "\$31,991,204".

**Explanation:**

(This amendment requests additional funding to cover the increased cost of delivering medical education during the COVID-19 pandemic.)

---

Chief Patron: Jones J.C.

Item 380 #1h

**Natural Resources**

**FY20-21**

**FY21-22**

Department of Environmental Quality

\$200,000  
1.00

\$200,000 GF  
1.00 FTE

**Language:**

Page 180, line 6, strike "\$31,015,132" and insert "\$31,215,132".

Page 180, line 6, strike "\$31,015,132" and insert "\$31,215,132".

Page 180, set out Item 380.

Page 180, after line 6, insert:

*"C. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the creation of an Environmental Justice Director within the Department."*

**Explanation:**

(This amendment would provide \$200,000 from the general fund each year for the Department of Environmental Quality to establish an environmental justice director. The director would assist in implementing the recommendations of the Interagency Environmental Task Force Working Group established under the Secretary of Natural Resources in Chapter 1289 of the 2020 Session of the General Assembly.)

---

Chief Patron: Jones J.C.

Item 477 #1h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$100,000

\$100,000 GF

**Language:**

Page 204, line 6, strike "\$139,552,150" and insert "\$139,652,150".

Page 204, line 6, strike "\$213,830,664" and insert "\$213,930,664".

Page 204, after line 6, insert:

*"CC. Out of the amounts included in this item, amounts estimated at \$100,000 the first year and \$100,000 the second year from the general fund is available for transfer to state agencies and institutions of higher education to effectuate the provisions of legislation adopted during the*

*Request to Amend House Bill 5005, as Introduced*

2020 General Assembly Special Session I which creates the presumption that COVID-19 is an occupational diseases under the Workers Compensation Act for first responders and certain health care workers."

**Explanation:**

(This amendment provides funding pursuant to the enactment of House Bill 5028 of the 2020 Special Session I establishing a presumption that COVID-19 is a work related disease for first responders and certain health care workers under the Workers Compensation Act. The funding requested in this amendment is a placeholder until a detailed fiscal impact estimate developed.)

---

Chief Patron: Jones J.C.

Item 482.20 #35h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$10,000,000

\$0 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$744,015,992)".

Page 210, line 13, strike "\$10,000,000" and insert "\$0".

**Explanation:**

(This amendment restores first year funding for enrollment growth at Old Dominion University.)

---

Chief Patron: Jones J.C.

Item 4-14 #3h

**Effective Date**

Effective Date

Language

**Language:**

Page 241, after line 20, insert:

"c. Notwithstanding any other provision of law, the State Corporation Commission (the Commission) shall direct each Phase II Utility, as that term is defined in § 56-585.1 of the Code of Virginia, to provide emergency customer bill credits in the amount of \$366.8 million, which amount corresponds to the aggregate amount of overearnings the Commission found, for calendar years 2017 through 2019, to be above 70 basis points (0.7%) above the utility's authorized rate of return on common equity in its August 18, 2020, Status Report on the Implementation of the Virginia Electric Utility Regulation Act. The Commission shall administer such emergency credits as follows: (i) 70 percent of such amounts shall be credited to customers' bills as a one-time bill credit, (ii) 30 percent shall offset, on a dollar-for-dollar basis, any of the utility's outstanding aged accounts receivable balances as of August 31, 2020, and (iii) the Commission shall establish an account for any amounts left over from the 30

*Request to Amend House Bill 5005, as Introduced*

percent, which the Department of Housing and Community Development shall administer to provide future bill relief to residential customers who are eligible for state or federal unemployment or disability benefits or any utility-sponsored, federally-funded, or state-sponsored income-based or age qualifying energy assistance program, in a manner determined by the Commission. The Commission may adopt regulations and eligibility criteria that are consistent with the purpose of this act and necessary to accomplish such emergency credits and relief. The Commission shall ensure that such emergency credits are made effective as soon as practicable after the effective date of this act.

Nothing in this act shall prohibit the Commission from ordering additional bill credits if the Commission finds in the utility's next triennial review that such bill credits are appropriate. To ensure that customers receive the full amount of appropriate bill credits in the utility's next triennial review, in any triennial review commencing in 2021 pursuant to § 56-585.1, the following shall apply: (i) the Commission shall direct that 100 percent of any overearnings that are more than 70 basis points above the utility's authorized rate of return on common equity not otherwise administered as emergency credits authorized by this act shall be credited to customers' bills, which the Commission shall amortize, in its sole discretion, over a period of 6 to 12 months; (ii) the provisions of subdivision 8 d of § 56-585.1 shall not apply; (iii), the Commission shall determine the amortization period for the recovery of any appropriate costs of early retirement for automated meter reading electric distribution service meters, costs associated with projects necessary to comply with state or federal environmental laws, regulations, or judicial or administrative orders relating to coal combustion by-product management that the utility does not petition to recover through a rate adjustment clause pursuant to subdivision 5 e of § 56-585.1, costs associated with severe weather events, and costs associated with natural disasters, and the Commission shall allow for the recovery of any carrying costs that the Commission deems appropriate; and (iv) there shall be no limit on the Commission's authority to order appropriate rate reductions except that the resulting rates must provide the utility with the opportunity to fully recover its costs of providing its services and to earn not less than a fair combined rate of return on its generation and distribution services.

Any emergency bill credits ordered pursuant to this act shall not be considered as revenue reductions in any future earnings tests. Any bill credits ordered in connection with the utility's 2021 triennial review shall be calculated net of any emergency bill credits ordered pursuant to this act. The Commission shall not authorize increases to the utility's rates for generation and distribution services prior to 2023 unless the Commission determines that such rate increases are necessary to allow the utility to recover its costs of service, including a fair rate of return. In the utility's next triennial review, the Commission may take any actions it deems necessary and appropriate if the emergency bill credits ordered pursuant to an emergency investigation exceed the bill credits due to customers in the normal course of the utility's triennial review."

**Explanation:**

(This amendment directs the State Corporation Commission to conduct an emergency investigation of the earnings of investor-owned electric utilities and to order credits to customers' bills for earnings above 70 basis points above the utility's authorized rate of return



*Request to Amend House Bill 5005, as Introduced*

for calendar years 2017 through 2019. It also provides that in any triennial earnings review conducted for a utility in 2021 the Commission shall order bill credits for any earnings above 70 basis points above the utility's authorized rate of return and that the Commission shall have the discretion to amortize certain categories of costs incurred by utilities.)

---

Chief Patron: Knight

Item C-72.10 #1h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Capital Outlay

\$10,000,000

\$0 GF

**Language:**

Page 231, line 4, strike "\$0" and insert "\$10,000,000".

Page 231, unstrike lines 2 through 7.

**Explanation:**

(This amendment restores general fund support for the parkway access project.)

---

Chief Patron: Kory

Item 144 #1h

**Education**

**FY20-21**

**FY21-22**

Direct Aid to Public Education

\$4,700,000

\$4,700,000 GF

**Language:**

Page 36, line 3, strike "\$45,771,554" and insert "\$50,471,554".

Page 36, line 3, strike "\$44,194,141" and insert "\$48,894,141".

Page 36 after line 3, insert:

*"TT. Out of this appropriation, \$4,700,000 the first year and \$4,700,000 the second year from the general fund is provided to support grants to local school divisions establishing new mental health counselor positions. Grants awarded shall require a local match, based on the local composite index. The Department of Education shall establish criteria for the award of these grants, including prioritization of grant awards to schools based on demonstrated need for such positions."*

**Explanation:**

(This amendment provides \$4.7 million each year from the general fund to establish a grants for school divisions establishing mental health counselor positions. A companion amendment in Item 406 eliminates \$4.7 million each year from a similar grant program that funds new school resource officer positions to fund this initiative.)

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Chief Patron: Kory

Item 403 #1h

***Request to Amend House Bill 5005, as Introduced***

<b>Public Safety and Homeland Security</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Department of Criminal Justice Services	\$500,000	\$500,000	GF

**Language:**

Page 185, line 18, strike "\$6,601,573" and insert "\$7,101,573".

Page 185, line 18, strike "\$5,563,018" and insert "\$6,063,018".

Page 186, after line 29, insert:

*"K. Out of the general fund amounts in this item, \$500,000 the first year and \$500,000 the second year is provided for the Department to support five local pilots programs for the implementation of Crisis Intervention Team (CIT) models within existing policing and 911 models. Grants provided by the Department to localities shall be used to plan and implement evidence-based CIT models which divert non-criminal calls for assistance from police from police purview to a team including law enforcement and mental health professionals. Pilot programs may include mobile response or co-response teams, and must demonstrate availability of community-based mental health and related services, and meet the language needs of their population. The Department shall provide annual reports on the status and outcomes of pilot program implementation and operation to the House Committee on Public Safety and the Senate Committee on Judiciary by November 1, 2021 and November 1, 2022."*

**Explanation:**

(This amendment provides \$500,000 from the general fund each year for the Department of Criminal Justice Services to establish a local Crisis Intervention Team grant program.)

Chief Patron: Kory Item 406 #1h

<b>Public Safety and Homeland Security</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Department of Criminal Justice Services	(\$4,700,000)	(\$4,700,000)	GF

**Language:**

Page 186, line 32, strike "\$147,575,754" and insert "\$142,875,754".

Page 186, line 32, strike "\$148,474,168" and insert "\$143,774,168".

Page 187, line 32, strike "Not set out." and insert:

"Financial Assistance for Administration of Justice Services (39000)	\$147,575,754 \$142,875,754	\$148,474,168 \$143,774,168
Criminal Justice Assistance Grants (39002)	\$138,620,230 \$133,920,230	\$139,270,230 \$134,570,230
Criminal Justice Grants Fiscal Management Services (39003)	\$628,179	\$628,179
Criminal Justice Policy and Program Services (39004)	\$8,327,345	\$8,575,759

*Request to Amend House Bill 5005, as Introduced*

Fund Sources:

General	\$53,665,180	\$50,563,594
	\$48,965,180	\$45,863,594
Special	\$6,624	\$6,624
Trust and Agency	\$4,298,130	\$4,298,130
Dedicated Special Revenue	\$13,605,820	\$13,605,820
Federal Trust	\$76,000,000	\$80,000,000

Authority: Title 9.1, Chapter 1, Code of Virginia.

A.1. This appropriation includes an estimated \$4,800,000 the first year and an estimated \$4,800,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, ten percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is \$452,128 the first year and \$452,128 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during fiscal year 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Director, Department of Planning and Budget by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

1.a. Regional training academies for criminal justice training, \$1,001,074 the first year and \$1,001,074 the second year from the general fund and an estimated \$1,649,315 the first year and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2020, through June 30, 2022.

c. Notwithstanding subsection B.1.b. of this item, the Board of Criminal Justice Services may

*Request to Amend House Bill 5005, as Introduced*

approve a new regional criminal justice academy serving the Counties of Clarke, Frederick, and Warren; the City of Winchester; the Towns of Berryville, Front Royal, Middletown, Stephens City and Strasburg; the Northwestern Adult Detention Center; and, the Frederick County Emergency Communications Center, to be established and operated consistent with a written agreement, provided to the Board, between the local governing bodies, chief executive officers, and chief law enforcement officers of the aforementioned localities, and the Rappahannock Regional Criminal Justice Academy. The new academy shall be eligible to receive state funding in a manner consistent with the currently existing regional criminal justice training academies. However, no current existing regional criminal justice training academy other than the Rappahannock Regional Criminal Justice Academy will receive less funding as a result of the creation of the new regional academy.

2. Virginia Crime Victim-Witness Fund, \$5,692,738 the first year and \$5,692,738 the second year from dedicated special revenue, and \$943,700 the first year and \$943,700 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety and Homeland Security, the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, \$1,615,000 the first year and \$1,615,000 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this act.

4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5. Pre- and Post-Incarceration Services (PAPIS), \$3,286,144 the first year and \$3,286,144 the second year from general fund to support pre- and post-incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be

*Request to Amend House Bill 5005, as Introduced*

housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from the general fund and \$75,000 the first year and \$75,000 the second year from such federal funds as may be available to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

9. For model addiction recovery programs administered in local or regional jails, \$153,600 the first year and \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the provisions of Chapter 758, 2017 Acts of Assembly, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services.

C.1. Out of this appropriation, \$27,690,378 the first year and \$27,690,378 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§§ 9.1-173 through 9.1-183 Code of Virginia) and the Pretrial Services Act (§§ 19.2-152.2 through 19.2-152.7, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault

*Request to Amend House Bill 5005, as Introduced*

victims.

F.1. Out of this appropriation, ~~\$4,700,000~~ \$0 the first year and ~~\$4,700,000~~ \$0 the second year from the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § 9.1-110, Code of Virginia.

2.a. The Director, Department of Criminal Justice Services, is authorized to expend \$410,877 the first year and \$410,877 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

b. The Center for School Safety shall provide a grant of \$100,000 in the first year and \$100,000 in the second year to the York County-Poquoson Sheriff's Office for the statewide administration of the Drug Abuse Resistance Education (DARE) program.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Included in this appropriation is \$202,300 the first year and \$202,300 the second year from the general fund for the implementation of a model critical incident response training program for public school personnel and others providing services to public schools, and the maintenance of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

5. Included in the amounts appropriated for this item is \$132,254 the first year and \$132,254 the second year from the general fund for the purposes of collection and analysis of data related to school resource officers, pursuant to House Bill 271 of the 2020 Session of the General Assembly.

G. Included in the amounts appropriated in this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) and domestic violence programs to provide core and comprehensive services to victims of sexual and domestic violence, including ensuring such services are available and accessible to victims of sexual assault and dating violence committed against college students on- and off-

*Request to Amend House Bill 5005, as Introduced*

campus.

H.1. Out of the amounts appropriated for this item, \$2,658,420 the first year and \$2,658,420 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$1,450,000 the first year and \$1,450,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, \$1,208,420 the first year and \$1,208,420 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety and Homeland Security, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children, pursuant to § 17.1-275.12, Code of Virginia.

I. Out of the amounts appropriated for this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for training to local law enforcement to aid in their identifying and interacting with individuals suffering from Alzheimer's and/or dementia.

J.1. Included in the appropriation for this item is \$2,500,000 the first year and \$2,500,000 the second year from the general fund to continue the pilot programs authorized in Item 398, Chapter 836, 2017 Acts of Assembly. The number of pilot sites shall not be expanded beyond those participating in the pilot program the first year.

2. The funding provided to each pilot site shall supplement, not supplant, existing local spending on these services. Distribution of grant amounts shall be made quarterly pursuant to the conditions of paragraph J.3. of this item.

3. The Department shall collect on a quarterly basis qualitative and quantitative data of pilot site performance, to include: (i) mental health screenings and assessments provided to inmates, (ii) mental health treatment plans and services provided to inmates, (iii) jail safety incidents involving inmates and jail staff, (iv) the provision of appropriate services after release, (v) the number of inmates re-arrested or re-incarcerated within 90 days after release following a positive identification for mental health disorders in jail or the receipt of mental health treatment within the facility. The Department shall provide a report on its findings to the Chairs of the House Appropriations and Senate Finance Committees no later than October 15th each year.

4. The department is authorized to expend up to \$125,000 per year out of the amounts allocated in Paragraph J.1. of this item for costs related to the administration of the jail mental health pilot program.

*Request to Amend House Bill 5005, as Introduced*

K. Included in the appropriations for this item is \$300,000 the first year and \$300,000 the second year from the general fund for the Department of Criminal Justice Services to make competitive grants to nonprofit organizations to support services for law enforcement, including post critical incident seminars and peer-supported critical incident stress management programs to promote officer safety and wellness, under guidelines to be established by the Department. The Department shall evaluate the effectiveness of the program and report on its findings to the Secretary of Public Safety and Homeland Security, the Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by July 1, 2022.

L. Included in the appropriation for this item is \$916,066 in the first year and \$916,066 in the second year from the general fund for the Virginia Beach Correctional Center for the Jail and Re-entry Service Coordination Pathway, which is a joint operation between the Virginia Beach Department of Human Services and the Virginia Beach Sheriff's Office. The program consists of diversion, screening, assessment, treatment, and re-entry services for all incarcerated individuals with an active mental illness or substance use disorder diagnosis.

M. Included in this appropriation for this item, \$2,645,244 the first year and \$193,658 the second year from the general fund and two positions for the Department of Criminal Justice Services to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. The Department shall evaluate the implementation and effectiveness of the programs in each locality that received the award, and provide a report that details the amount awarded, its findings and recommendations to the Governor, Secretary of Public Safety and Homeland Security, Director of the Department of Planning and Budget, and the Chairs of the House Appropriations and the Senate Finance and Appropriations Committees by November 1, 2021. The funding provided to each locality shall supplement, not supplant, existing local spending on these services.

N. Out of the appropriation in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is allocated for the Department of Criminal Justice Services to make competitive grants to localities to combat hate crimes, including but not limited to target hardening activities, contractual security services, critical technology infrastructure, cybersecurity resilience activities, monitoring, inspection and screening systems; security-related training for employed or volunteer security staff; and terrorism awareness training for employees. The funds appropriated in this item shall be distributed to localities that have established a partnership program with institutions or nonprofit organizations that have been targets of or are at risk of being targeted for hate crimes. The Department shall establish grant guidelines to implement these provisions and shall provide a biennial or annual request for funding from localities, based on the guidelines. For each grant requested, the application shall document the need for the grant, goals, and budget expenditure of these funds and any other sources that may be committed by localities, institutions or nonprofit organizations. Funding provided in this item shall not be used to supplant the funding provided by localities to combat hate crimes.



*Request to Amend House Bill 5005, as Introduced*

O.1. The Department of Criminal Justice Services shall review the feasibility and costs to the Commonwealth and localities for the implementation of a pilot program, operated in partnership with one or more participating localities identified by the department, to assess the operation of a uniform reporting mechanism for appropriate criminal justice agencies, as identified in § 9.1-101, Code of Virginia, to collect data relating to bail determinations made by judicial officers conducting hearings pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia, in order to facilitate the purpose of Article 1 (§ 19.2-119 et seq.) of Chapter 9 of Title 19.2 of the Code of Virginia.

2. As part of its review, the department shall identify the methods, feasibility and costs associated with collecting, at minimum, the following information from localities participating in the pilot program: (i) the hearing date of any hearing conducted pursuant to § 19.2-80, § 19.2-120, or § 19.2-124 of the Code of Virginia and the date any individual is admitted to bail; (ii) information about the individual, including the individual's year of birth, race, ethnicity, gender, primary language, and residential zip code; (iii) the determination of the individual's indigency pursuant to § 19.2-159 of the Code of Virginia; (iv) information related to the individual's charges, including the number of charges; the most serious offense the individual is charged with; the code section for such offense; the general description of such offense; whether such offense is a felony, misdemeanor, civil infraction, or other type of offense; and the specific classification of any felony or misdemeanor offense; (v) if the individual is admitted to bail, information related to the conditions of bail and the bond, including whether the bond was secured or unsecured; all monetary amounts set on the bond, including amounts set on both secured and unsecured bonds; any initial nonmonetary conditions of release imposed; any subsequent modifications; and whether the individual utilized the services of a bail bondsman; (vi) if the individual is not admitted to bail, the reason for the denial; (vii) any outstanding arrest warrants or other bars to release from any other jurisdiction; (viii) any revocation of bail due to a violation of such individual's conditions of release, failure to appear for a court hearing, or the commission of a new offense by such individual; (ix) the date the individual is sentenced to an active term of incarceration and the date such individual begins serving such active term; (x) all dates the individual is released or discharged from custody, including release upon satisfaction of the terms of any recognizance, release upon the disposition of any charges, or release upon completion of any active sentence; (xi) the reason for any release or discharge from custody, including whether the individual posted a bond, was released on a recognizance, or was released under terms of supervision, or whether there was a disposition of the charges that resulted in release of the individual. If the reason for release is due to a court order or a disposition of the charges resulting in release, the data collected shall include the specific reason for release, including the nature of the court order or, if there was a conviction, the particular sentence imposed. The data shall also include a list of definitions of any terms used by the locality to indicate reasons for release or discharge; and (xii) the average cost for housing the individual in the local correctional facility, as defined in § 53.1-1, Code of Virginia, for one night. Collected data shall be disaggregated by individual, and for each individual case, an anonymous unique identifier shall be provided.

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3. The department shall provide its findings and recommendations to the Chairs of the House Appropriations, House Courts of Justice, Senate Finance and Appropriations, and Senate Judiciary Committees no later than October 15, 2020.

P. Out of this appropriation, \$500,000 the first year from the general fund is provided for the Department of Criminal Justice Services to award grants to localities for training related to enforcement of the removal of firearms based on substantial risk protective orders.

Q. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the general fund shall be provided for the Department of Criminal Justice Services to contract with Ayuda to provide immigrants legal, social, and language services for low-income victims of crime, including victims of domestic violence, sexual assault, human trafficking and child abuse, abandonment, and neglect. The services provided shall include case management, emergency client assistance, and mental health services in the preferred language of clients.

R. Out of this appropriation, \$150,000 the first year from the general fund is provided for community assessments for youth and gang violence prevention initiatives in Hampton, Newport News, Norfolk, Richmond, Roanoke, and Petersburg."

**Explanation:**

(This amendment would eliminate the \$4.7 million from the general fund each year appropriated to the Department of Criminal Justice Services for the provision of school resource officer / school security officer incentive grants to localities. A corresponding amendment to the Direct Aid for Public Education item would provide \$4.7 million from the general fund each year in additional funding for school mental health counselors.)

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Chief Patron: Krizek

Item 436 #3h

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a

*Request to Amend House Bill 5005, as Introduced*

declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

**Explanation:**

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

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Chief Patron: Krizek

Item 479.10 #11h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use federal funds appropriated within this item to provide \$882,500 for the Virginia Mental Health Access Program."

**Explanation:**

(This amendment authorizes the use of federal COVID-19 relief funds to provide \$882,500 from the Coronavirus Aid, Relief and Economic Security Act (CARES) Act to enable the Virginia Mental Health Access Program (VMAP) to respond to the children’s mental health crisis being experienced as a result of the COVID-19 pandemic. Since the start of the pandemic, primary care providers are seeing an increase in the number of children with mental health issues. The sudden and traumatic experiences of changes to daily routines, social isolation, increased family stress, and the challenges of virtual education have resulted in an escalating number of children with mental health disorders. In July, the Virginia Chapter of the American Academy of Pediatrics conducted a survey of primary care providers and found that 88% of respondents reported an increase in mental and behavioral health issues in children since the onset of COVID. VMAP is specifically designed for children and provides them with mental health services by expanding the existing workforce. It gives children's health care providers access to child psychiatrists, psychologists, social workers, and care navigation. This funding will allow VMAP to expand components of the program statewide, so that more children have access to these services.)

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Chief Patron: Krizek

Item 482.20 #24h

**Central Appropriations**

**FY20-21**

**FY21-22**

*Request to Amend House Bill 5005, as Introduced*

Central Appropriations

\$500,000

\$0 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,515,992".

Page 219, line 43, strike the first "\$1,000,000" and insert "\$500,000".

**Explanation:**

(This amendment restores \$500,000 from the general fund in new funding for the Pre- and Post-Incarceration Services (PAPIS) program approved by the 2020 General Assembly. The PAPIS program provides wrap-around services to individuals nearing or newly released from incarceration with the goal of reducing improving outcomes for individuals and reducing recidivism rates.)

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Chief Patron: LaRock

Item C-67.10 #1h

**Central Appropriations**

Central Capital Outlay

Language

**Language:**

Page 230, after line 44, insert:

"A. The title and scope of the capital project for the Department of State Police, titled, "Construct Area 13 Barracks" authorized in Item C-45, Chapter 2, 2018 Special Session I, is hereby changed to "Acquire, Renovate, Relocate or Construct Area 13 Barracks".

**Explanation:**

(This amendment is a technical title and scope change to reflect additional options for the Department of State Police in replacing the Area 13 Barracks.)

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Chief Patron: LaRock

Item 4-0.01 #2h

**Operating Policies**

Operating Policies

Language

**Language:**

Page 237, after line 2, insert:

"h. No department, agency, local government, or other entity receiving funding from the Commonwealth, including CARES Act funding, shall require employees, as a condition of employment, to receive any vaccine for COVID-19 if (i) the vaccine is derived from human fetal tissue obtained after an induced abortion, (ii) the vaccine modifies the ribonucleic acid (RNA) or deoxyribonucleic acid (DNA) of the person to whom it is administered, or (iii) the development of the vaccine did not include preclinical testing on laboratory animals prior to

*Request to Amend House Bill 5005, as Introduced*

clinical trials involving human testing.

The Department of Health shall make data and information about the safety and efficacy of each vaccine, including data and information about any risk of harm associated with administration of the vaccine, available to the public on a website maintained by the Department. Such data and information shall be presented in a manner that is easily understandable and accessible to all individuals.”

**Explanation:**

(This amendment clarifies the conditions which must be met before a vaccination for COVID-19 can be required as a condition of employment.)

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Chief Patron: McQuinn

Item 145 #7h

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 37, line 23 strike "\$5,300,000" and "\$5,300,000", and insert: "\$4,100,000" and "\$4,100,000".

Page 72, line 50 strike "\$5,300,000" and "5,300,000" and insert: "\$4,100,000" and "\$4,100,000".

**Explanation:**

(This amendment reduces school meals expansion funds by \$1.2 million each year. In the 2020-21 school year, additional schools began to participate in the federal Community Eligibility Provision to provide free lunches, reducing the cost of this initiative. A corresponding amendment in Item 482.20 restores funding for this program, which was unallotted in Chapter 1289. This program would expand eligibility for free meals to include students that are currently eligible for reduced-price meals.)

---

Chief Patron: McQuinn

Item 273 #1h

**Finance**

**FY20-21**

**FY21-22**

Department of Accounts Transfer  
Payments

\$11,000,000

\$0 GF

**Language:**

Page 99, line 13, strike "\$583,895,000" and insert "\$594,895,000".

Page 99, after line 13, insert:

"F. Notwithstanding the provisions of §§ 58.1-816.B and 33.22600.1.B, Code of Virginia, and

*Request to Amend House Bill 5005, as Introduced*

Item 452 B.1 of the 2020 Virginia Acts of Assembly any remaining state recordation tax revenues not deposited into the Hampton Roads Regional Trust Fund, not collected from localities in Planning District 8, and not set aside under the provisions of § 58.1-816.1. shall be apportioned and distributed quarterly to each county or city except for those counties or cities located in Planning District 8, by the Comptroller by multiplying the amount to be distributed by a fraction in which the numerator is the amount of the taxes imposed under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in the county or city and the denominator is the amount of taxes imposed under §§ 58.1-801 through 58.1-809 actually paid into the state treasury. All distributions pursuant to clause (ii) shall be made on a quarterly basis within 30 days of the end of the quarter. Such quarterly distribution shall equal one quarter of the annual distribution amount set forth in subsection A available after the distribution required by clause (i). Each clerk of the court shall certify to the Comptroller, within 15 days after the end of the quarter, all amounts collected under §§ 58.1-801 through 58.1-809 and actually paid into the state treasury which are attributable to deeds and other instruments recorded in such county or city.

G. In order to carry out the provisions of § 58.1-816.B, Code of Virginia, there is hereby appropriated a sum sufficient amount of general fund revenues estimated at \$11,000,000 in the first year to apportioned and distributed quarterly to each county or city except for those counties or cities located in Planning District 8, by the Comptroller by manner and ratios prescribed in Item 273 subsection F.”

**Explanation:**

(This amendment replaces the \$20 million distribution that was redirected to Hampton Roads Transit with any remaining transportation-dedicated recordation tax revenues and a one-time use of the general fund.)

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Chief Patron: McQuinn

Item 482.20 #37h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$5,300,000

\$5,300,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$748,715,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,330,240,477".

Page 208, strike line 12.

**Explanation:**

(This amendment restores \$5.3 million each year from the general fund to implement expanded access to school meals. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. A corresponding amendment to Item 145 decreases the cost of the program by \$1.2 million each

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year.)

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Chief Patron: Mugler

Item 482.20 #38h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$36,000,000

\$35,000,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$718,015,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,300,540,477".

Page 211, strike lines 23 and 24.

**Explanation:**

(This amendment restores funding for the G-3 program at the Virginia Community College System. The funding would restore \$34.5 million each year for the G-3 program in Item 221. In addition, the amendment would restore \$1.5 million in the first year and \$500,000 in the second year in Item 220 for outreach efforts related to the G-3 program.)

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Chief Patron: Price

Item 160 #1h

**Education**

**FY20-21**

**FY21-22**

The College of William and Mary in  
Virginia

\$150,000  
1.00

\$0 GF  
0.00 FTE

**Language:**

Page 76, line 33, strike "\$227,490,351" and insert "\$227,640,351".

**Explanation:**

(This amendment requests funding to create a Community Law Clinic to serve the Hampton Roads area in areas of housing, elder protection, family law and consumer protection.)

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Chief Patron: Reid

Item 131 #2h

**Commerce and Trade**

Virginia Employment Commission

Language

**Language:**

Page 33, after line 9, insert:

"G.1. During a declared State of Emergency, that results in more than a 100% year over year

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increase in unemployment insurance claims, the Virginia Employment Commission shall have the discretion to redirect staff resources from collecting erroneous overpayments, less than or equal to \$500 cumulative to a single individual, to processing new claims and adjudicating claims in question. The discretionary authority to redirect staff shall not apply to fraud investigations.

2. In the event the State of Emergency is greater than 30-days, at the conclusion of the State of Emergency, the Governor, at his discretion, may permanently waive the collection of all outstanding erroneous overpayments less than or equal to \$500 cumulatively overpaid to an individual.

3. The Virginia Employment Commission shall implement a phone system that allows callers to enter into a callback queue which VEC staff will call through."

**Explanation:**

(This amendment provides the authority for the Virginia Employment Commission to redirect staff resources during a state of emergency from collecting over payments to claims processing. It also gives them the authority to waive the collections of overpayments less than or equal to \$500. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

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Chief Patron: Reid

Item 292 #2h

**Health and Human Resources**

Children's Services Act

Language

**Language:**

Page 108, after line 5, insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

**Explanation:**

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency. Language shall be set out in this item during



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enrolling.)

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Chief Patron: Reid

Item 299 #1h

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 109, line 3, strike "Not set out." and insert:

"Communicable Disease Prevention and Control (40500)	\$109,901,022	\$109,966,944
Immunization Program (40502)	\$8,147,521	\$8,161,841
Tuberculosis Prevention and Control (40503)	\$2,174,878	\$2,174,878
Sexually Transmitted Disease Prevention and Control (40504)	\$3,393,106	\$3,393,106
Disease Investigation and Control Services (40505)	\$5,682,596	\$5,734,198
HIV/AIDS Prevention and Treatment Services (40506)	\$88,359,214	\$88,359,214
Pharmacy Services (40507)	\$2,143,707	\$2,143,707
Fund Sources:		
General	\$11,317,437	\$11,383,359
Special	\$1,883,391	\$1,883,391
Federal Trust	\$96,700,194	\$96,700,194

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.

A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.

C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

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E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The commissioner shall report findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.

G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

I. The Virginia Department of Health shall review and update their data collection and reporting protocols for COVID-19 or other infectious disease data to only report actual deaths not an extrapolated projection of deaths."

**Explanation:**

(This amendment adds language directing the Virginia Department of Health (VDH) to report only actual deaths in their COVID-19 or other infectious disease data collection and reporting protocols. This will ensure that when VDH provides the public with reporting on any infectious diseases (i.e. flu, COVID-19, etc.) that it is reported in a manner that can be easily understood by citizens who do not have a degree in statistical modeling or a doctorate in epidemiology. If VDH is already reporting using a statistical model from a federal center, such as the Centers for Disease Control and Prevention, that reporting may continue, but VDH must also report, in clear unambiguous terms, the actual deaths directly related to each disease. VDH shall share their data and methodology, such that any citizen, with a basic understanding of high school Algebra, should be able to replicate the results.)

*Request to Amend House Bill 5005, as Introduced*

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Chief Patron: Reid

Item 355 #1h

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 160, after line 45, strike "Not set out." and insert:

"Financial Assistance for Supplemental Assistance Services (49100)	\$83,257,450	\$83,257,450
General Relief (49101)	\$500,000	\$500,000
Resettlement Assistance (49102)	\$9,022,000	\$9,022,000
Emergency and Energy Assistance (49103)	\$73,735,450	\$73,735,450
Fund Sources:		
General	\$500,000	\$500,000
Federal Trust	\$82,757,450	\$82,757,450

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 104-193, as amended, Federal Code.

*The Department of Social Services shall establish a work group within the Office of New Americans Board to make recommendations related to workforce development for Virginia's Refugee Resettlement program. The work group shall examine the following: (i) areas of employment that individuals would be poised to enter but for barriers to entry, including but not limited to, medical fields under strain from COVID-19, (ii) barriers to entry (such as licensing) and opportunities to align state licensing requirements with foreign training, (iii) laws or regulations that should be amended to eliminate citizenship, immigration status, or language proficiency requirements for licensure, (iv) opportunities to expand access to apprenticeship programs, (v) opportunities for entrepreneurship, and (vi) tax incentives to facilitate employer hires of individuals. The department shall submit a report to the General Assembly by December 1, 2020 summarizing the study's findings and making recommendations for ways to strengthen workforce development opportunities for refugees and special immigrants, such as legislative, policy, administrative, or regulatory changes that should be considered."*

**Explanation:**

(This amendment adds language directing the Department of Social Services to establish a work group within the Office of New Americans Board to make recommendations related to workforce development for Virginia's Refugee Resettlement program. The work group shall report to the General Assembly by December 1, 2020.)

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Chief Patron: Reid

Item 391 #1h

**Public Safety and Homeland Security**

Secretary of Public Safety and Homeland Security

Language

**Language:**

Page 184, line 2, strike "Not set out." and insert:

"Administrative and Support Services (79900)	\$1,230,902	\$1,230,902
General Management and Direction (79901)	\$1,230,902	\$1,230,902
Fund Sources:		
General	\$1,230,902	\$1,230,902

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety and Homeland Security shall present revised six-year state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chair of the House Appropriations and Senate Finance Committees, and the Chair of the House and Senate Courts of Justice Committees by October 15 of each year. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall continue to work with other secretaries to (i) develop services intended to improve the re-entry of offenders from prisons and jails to general society and (ii) enhance the coordination of service delivery to those offenders by all state agencies. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15 of each year.

C. Included in the appropriation for this item is \$500,000 the first year and \$500,000 the second year from the general fund for the Commonwealth's nonfederal cost match requirement to accomplish the United States Corps of Engineers Regional Reconnaissance Flood Control Study for both the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress. Any balances not needed to complete these studies may be used to conduct a comparable study in the Northern Virginia region.

D. The Secretary shall report on the requirements of Item 381 H. of Chapter 854, 2019 Acts of Assembly, by November 15, 2020.

E.1. The Secretary of Public Safety and Homeland Security shall continue the expanded work group established in Item 381 of Chapter 854, 2019 Acts of Assembly. The expanded work group shall examine the workload impact, as well as other fiscal and policy impacts, on the

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Commonwealth's public safety and judicial agencies as a whole. The Executive Secretary of the Supreme Court shall submit the recommendations of the working group to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by November 15, 2020. All state agencies and local subdivisions shall provide assistance as requested by the working group.

2. The expanded workgroup shall include representatives of the Supreme Court, the State Compensation Board, staff of the House Appropriations and Senate Finance and Appropriations Committees, Department of Criminal Justice Services, Commonwealth's Attorneys, local governments, and other stakeholders deemed appropriate by the Secretary.

3. Prior to the preparation of the November 15, 2020 report, each Commonwealth's Attorney's office in a locality that employs body worn cameras, in conjunction with the law enforcement agency using body worn cameras, shall report to the Compensation Board and the workgroup the following information on a quarterly basis, in a format prescribed by the Board:

a. The number of hours of body worn camera video footage received from their law enforcement agencies. The number of hours should additionally be broken down into corresponding categories of felonies, misdemeanors and traffic offenses. Any recorded event that results in charges for two or more of the above categories shall be reported in the most serious category;

b. The number of hours spent in the course of redacting videos; and

c. Any other data determined relevant and necessary by the workgroup for this analysis.

F. The Secretary of Public Safety and Homeland Security shall establish an E-911 Border Response Workgroup. The Workgroup shall assess the deficiencies related to the timely routing of Emergency 911 (E911) calls to the appropriate public-safety answering point (PSAP) across either state or county borders. At a minimum, the workgroup should work with stakeholders to collect information on problems with the current system and processes; review mitigation solutions already implemented by localities and citizen groups; determine best practices; and provide inputs and recommendations to the General Assembly on technology, training, and compensation that would be necessary to address the identified deficiencies. The Secretary shall provide the recommendations of the Workgroup to the Governor and General Assembly no later than April 1, 2021."

**Explanation:**

(This amendment directs the Secretary of Public Safety and Homeland Security to establish an E-911 Border Response Workgroup to make recommendations to address identified inadequacies in the system and report its recommendations to the Governor and General Assembly no later than April 1, 2021.)

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**Public Safety and Homeland Security**

Department of Emergency Management

Language

**Language:**

Page 187, line 28, strike "Not set out." and insert:

"Emergency Preparedness (77500)	\$29,279,639	\$26,779,639
Financial Assistance for Emergency Management and Response (77501)	\$20,370,257	\$20,370,257
Emergency Training and Exercises (77502)	\$3,745,166	\$3,745,166
Emergency Planning Preparedness Assistance (77503)	\$2,976,091	\$476,091
Emergency Preparedness and Response (77504)	\$1,022,611	\$1,022,611
Emergency Management Regional Coordination (77506)	\$1,165,514	\$1,165,514
Fund Sources:		
General	\$4,318,594	\$1,818,594
Special	\$1,710,335	\$1,710,335
Federal Trust	\$23,250,710	\$23,250,710

Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.

A. Included within this appropriation is the continuation of \$160,810 the first year and \$160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.

B. This appropriation includes \$500,000 in the first year and \$500,000 in the second year from the general fund for the Department of Emergency Management to conduct multidisciplinary training, regional training and exercises related to man-made and natural disaster preparedness, including training consistent with the National Incident Management System (NIMS). Training shall involve, but is not to be limited to, local and state law enforcement, fire services, emergency medical services, public health agencies, and affected private and nonprofit entities, including colleges and universities. Training may be conducted with a state, local or federal agency or agencies having the capability or responsibility to coordinate or assist in emergency preparedness. The agency shall submit a report detailing the number and types of training and exercises conducted, the costs associated with such training and exercises, and challenges and barriers to ensuring that state and local agencies are ready and able to respond to emergencies and natural disasters. The report shall be submitted to the Governor, Secretary of Public Safety and Homeland Security, the Chairs of the House Appropriations and Senate Finance and Appropriations Committees, and the Department of Planning and Budget by November 1 of each year.

C.1. The Virginia Department of Emergency Management is directed to identify, review and maintain a comprehensive list of state owned supplies, equipment, commodities, and other

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resources that may be required in the event of state shelter activation and coordinate the use of such state assets and resources in support of shelter activation.

2. Notwithstanding any other provision of law, the State Coordinator, in consultation with all affected state agencies, shall review all statewide plans related to state shelters, including but not limited to plans developed by the Department of Social Services, institutions of higher education, and all other state agencies. The State Coordinator is responsible for ensuring all plans support a comprehensive and uniform approach to emergency response, are regularly updated, and are aligned with the Commonwealth of Virginia Emergency Operations Plan.

3. Following receipt of procurement orders from the Department of Social Services, pursuant to Item 358, paragraph B of this act, the Virginia Department of Emergency Management shall be responsible for all logistics functions as outlined in the Commonwealth of Virginia Emergency Operations Plan in support of emergency response and recovery related to state shelter activation, including but not limited to tracking and monitoring; personnel assistance; managing of resources; and delivery of equipment, goods and services to state activated shelters. The Department shall perform these logistics functions in coordination with all other state agencies, local government, federal government, and private sector partners.

D. Out of this appropriation, \$2,500,000 the first year from the general fund shall be transferred to the Emergency Shelter Upgrade Assistance Fund, created pursuant to Senate Bill 350 of the 2020 General Assembly, to aid local governments in proactively preparing for emergency sheltering situations.

*E. The Department of Emergency Management shall provide a report on the Commonwealth's "lessons learned" from the COVID-19 pandemic and how these lessons are being incorporated into future emergency and disaster planning efforts undertaken by the Department. The report shall also include the Commonwealth's preparedness plans for the following events: CBRNE Terrorist Attack, Critical Infrastructure Protection Attack, Global Pandemic, Hurricane (Direct Impact of Category 3 or greater), Nuclear Power Plant Meltdown, Nuclear Attack.) The report shall be provided to the General Assembly no later than June 30, 2021."*

**Explanation:**

(This amendment directs the Department of Emergency management to provide a "lessons learned" report relating to the Commonwealth's COVID-19 response, and various other preparedness plans no later than June 30, 2021.)

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Chief Patron: Reid

Item 479.10 #5h

**Central Appropriations**

Central Appropriations

Language

**Language:**

*Request to Amend House Bill 5005, as Introduced*

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide public employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19.

2. Furthermore, the Governor is authorized to establish a program, using available federal funds, which provides reimbursement to social service agencies, homecare agencies, and other non-profit agencies providing essential services to provide employees a guaranteed 80 hours of paid sick leave, reimbursed at 100% of salary, for employees who are diagnosed with COVID-19 or who have to quarantine because they have been in contact with someone diagnosed with COVID-19."

**Explanation:**

(This amendment authorizes the use of federal COVID-19 relief funds to provide 80 hours of paid sick leave to all state employees, employees of political subdivisions, and specific social service/health care workers who are diagnosed with COVID-19 or who are required to quarantine as a result of being exposed to an individual diagnosed with COVID-19.)

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Chief Patron: Reid

Item 479.10 #7h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 204, after line 9, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to provide state agencies and institutions of higher education, and political subdivisions to provide hazardous duty pay to public and private employees deemed to be at risk of being infected with COVID-19 due to work requirements. Employees provided the hazardous duty pay shall include any K-12 staff or professional, who is returning to or directly supporting an in-person instructional environment, direct care social service/health care workers, poll workers; nurses; doctors; law enforcement officers; emergency first responders; and correctional officers. The hazardous duty pay shall continue until the Federal funding is exhausted; the Governor's Emergency Order is lifted or expires; or the COVID-19 mortality rate for the jurisdiction, where the individual serves, returns to a season flu-like rate, whichever comes first."

**Explanation:**

(This amendment authorizes the use of federal COVID-19 relief funds to provide hazardous duty pay to individuals in essential professions that are at risk of exposure to COVID-19 due to their work environment.)



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Chief Patron: Reid

Item 482.20 #5h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$54,750,000

\$25,000,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$699,265,992".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,310,540,477".

Page 213, strike lines 46 through 49.

**Explanation:**

(This amendment restores funding for the In-State Undergraduate Tuition Moderation.)

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Chief Patron: Reid

Item 482.20 #10h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 206, strike lines 42 through 43.

Page 206, line 44, strike "\$3,000,000" and insert "\$1,000,000".

**Explanation:**

(This amendment fully restores funding for the Virginia Jobs Investments Program).

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Chief Patron: Reid

Item 482.20 #11h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 207, strike lines 26 through 27.

Page 207, line 28, strike "\$12,500,000" and insert "\$0".

**Explanation:**

(This amendment fully restores \$12.5 million of additional funding for the Virginia Business Ready Sites program in fiscal year 2021.)

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*Request to Amend House Bill 5005, as Introduced*

Chief Patron: Reid

Item 482.20 #23h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Central Appropriations	\$253,376	\$262,491	GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,762,616".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,277,986".

Page 215, strike lines 36 and 37.

**Explanation:**

(This amendment restores \$253,376 the first year and \$262,491 the second year from the general fund increase Medicaid reimbursement for anesthesiologists to 70 percent of the equivalent Medicare rate in the fee for service and managed care programs. The intent of the 2019 General Assembly was to increase Medicaid reimbursement to 70 percent of the equivalent Medicare fee to physicians who were reimbursed less than 70 percent of Medicare rates. The anesthesiologists qualified for this increase but were inadvertently left out of the budget language. This ensures that the error is corrected. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Rush

Item 313 #1h

<b>Health and Human Resources</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Department of Medical Assistance Services	\$0	\$3,846,801	GF
	\$0	\$3,846,801	NGF

**Language:**

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,145,247,878".

Page 145, after line 26, insert:

"The Department of Medical Assistance Services shall extend flexibility legally responsible individuals (parents of children under age 18 and spouses) to temporarily provide personal care/personal assistance services and be paid for those services during the COVID-19 emergency period and through June 30, 2022."

**Explanation:**

(This amendment extends flexibility for certain relative caregivers to provide personal care/personal assistance services through Medicaid home and community based waivers through June 30, 2022. Currently, the Department of Medical Assistance Services provides this flexibility during the COVID-19 emergency period; however this is set to expire on January 31,

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2021.)

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Chief Patron: Rush

Item 385 #1h

**Natural Resources**

**FY20-21**

**FY21-22**

Department of Historic Resources

\$100,000

\$0 GF

**Language:**

Page 180, line 40, strike "\$15,105,760" and insert "\$15,205,760".

Page 180, set out Item 385.

Page 180, after line 40, insert:

*"X. Out of this appropriation, \$100,000 the first year from the general fund is designated to the Town of Christiansburg to support The Christiansburg Institute in completing a facilities and market study for the establishment of a museum and cultural attraction facility on the Institute's property in Christiansburg."*

**Explanation:**

(This amendment provides \$100,000 from the general fund the first year for the Town of Christiansburg to assist The Christiansburg Institute in assessing the feasibility of establishing a museum and cultural attraction facility commemorating The Christiansburg Industrial Institute, which was the first high African American high school in Southwest Virginia.)

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Chief Patron: Rush

Item 429 #1h

**Public Safety and Homeland Security**

Virginia Parole Board

Language

**Language:**

Page 191, line 10, strike "Not set out." and insert:

"Probation and Parole Determination (35200)

\$2,330,525

\$2,330,525

Adult Probation and Parole Services (35201)

\$2,330,525

\$2,330,525

Fund Sources:

General

\$2,280,525

\$2,280,525

Federal Trust

\$50,000

\$50,000

Authority: Title 53.1, Chapter 4, Code of Virginia.

A. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, the Parole Board shall annually consider for conditional release those inmates who meet the criteria for conditional geriatric release set out in § 53.1-40.01, Code of Virginia, except that upon any such review the

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Board may schedule the next review as many as three years thereafter. If any such inmate is also eligible for discretionary parole under the provisions of § 53.1-151 et seq., Code of Virginia, the board shall not be required to consider that inmate for conditional geriatric release unless the inmate petitions the board for conditional geriatric release.

*B. Notwithstanding the provisions of § 53.1-40.01, Code of Virginia, parole shall not be granted to persons convicted of murder as defined in § 18.2-32, Code of Virginia, in cases in which the person was convicted without the body of the victim being found."*

**Explanation:**

(This amendment proposes to make ineligible for parole any individual convicted of murder in cases in which the individual was convicted of murder without the body of the victim being found.)

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Chief Patron: Rush

Item C-76.20 #1h

**Central Appropriations**

Central Capital Outlay

Language

**Language:**

Page 231, after line 31, insert:

"1. Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall provide for the construction, renovation, or improvement of the projects listed below from proceeds previously authorized in Item C-68 of Chapter 1289, 2020 Acts of Assembly, prior to other projects contained in this Act except for those projects in Items C-64, C-65 and C-69. The projects are:

**Agency Name / Project Title**

**Virginia State University (212)**

Demolish / Replace Daniel Gym and Demolish Harris Hall (18333)

**Norfolk State University (213)**

Science Building Replacement (18385)

**Longwood University (214)**

Renovate / Expand Environmental Health & Safety Facilities Annex Building (18384)

**Old Dominion University (221)**

Construct Health Sciences Building (18335)

**Radford University (217)**

Renovate / Construction Center of Adaptive Innovation and Creativity (CAIC) (18386)

**Richard Bland College (241)**

Construct Center for Innovation and Educational Development (18337)

**University of Virginia's College at Wise (246)**

Renovate / Convert Wylie Library (18338)

**Virginia Community College System (260)**

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Renovate Godwin Building, Annandale Campus, Northern Virginia (18087)  
Replace Diggs / Moore / Harrison Complex, Hampton, Tomas Nelson (18341)  
Construct Advanced Technical Training Center, Piedmont Virginia (18343)

2. Planning funds associated with these projects shall be transferred from the bond proceeds to the Central Capital Planning Fund in accordance with § 2.2-1520, Code of Virginia."

**Explanation:**

(This amendment provides for the construction, renovation or improvement projects currently approved in Chapter 1289, 2020 Acts of Assembly and previously planned. No additional debt authorization is required. The language requires that as projects from this Act proceed to construction priority would be given to these projects for funding before any other projects in this Act with the exception of Maintenance Reserve (C-64), Capital Equipment (C-65) and Capital Project Supplements (C-69).)

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Chief Patron: Rush

Item 4-2.01 #1h

**Revenues**

Nongeneral Fund Revenues

Language

**Language:**

Page 237, after line 10, insert:

"e) 1) The requirements for § 4-2.01 b.2.b), as it pertains to nonresident undergraduate students, are waived for new nonresident undergraduate students enrolled in Data Science and Technology, Science and Engineering, Healthcare, and Education programs at Norfolk State University, Virginia State University, the Virginia Military Institute or any public institution with nonresident undergraduate enrollment less than 15 percent.

2) Nonresident students attending an institution and participating on an athletic team may be considered resident students for the purposes of charging tuition and fees."

**Explanation:**

(This amendment provides out-of-state enrollment flexibility for public institutions of higher education.)

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Chief Patron: Samirah

Item 312 #1h

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

*Request to Amend House Bill 5005, as Introduced*

Page 111, after line 26, insert:

"G. The Department of Medical Assistance Services shall amend the Family Access to Medical Insurance Security Plan (FAMIS) under Title XXI to change age limit for FAMIS eligibility for legally residing immigrant children from age 19 to age 21."

**Explanation:**

(This amendment adds funding and language to require the Department of Medical Assistance Services to increase the age that legally residing immigrant children can qualify for FAMIS from age 19 to age 21. The term "legally residing" includes any documented immigrant status, including valid visas. Currently, "legally residing" immigrant children in Virginia qualify for coverage up to their 19<sup>th</sup> birthdays. Federal law allows this optional coverage to continue up to age 21. Raising the age would protect continuity of care for these young people.)

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Chief Patron: Samirah

Item 313 #4h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$8,571,505  
\$14,460,507

\$809,841 GF  
\$1,214,761 NGF

**Language:**

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,832,788".

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,139,578,878".

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services shall define Medicaid emergency services as those that cover all COVID-19 screening, testing and related treatment."

**Explanation:**

(This amendment adds \$8.6 million from the general fund and \$14.5 million from the nongeneral fund the first year and \$809,841 from the general fund and \$1.2 million from the nongeneral the second year and language to require the Department of Medical Assistance Services to define Medicaid emergency services more broadly to address COVID-19 screening, testing and related treatment. Medicaid emergency services are available to any immigrant (documented or undocumented) who meets financial requirements for Medicaid, but does not meet the immigration status requirements (e.g. 5-year bar, 40-quarter rule for legal permanent immigrants, special rules for refugees, and other statuses). At least 12 states have adopted this policy. This policy change will assist lower income immigrants in obtaining needed health care to help reduce spread of the coronavirus, increase positive health outcomes and reduce deaths.)

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Chief Patron: Samirah

Item 313 #5h

**Health and Human Resources**

*Request to Amend House Bill 5005, as Introduced*

Department of Medical Assistance Services

Language

**Language:**

Page 145, after line 26, insert:

"The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance Services under Title XIX to change age limit for Medicaid eligibility for legally residing immigrant children from age 19 to age 21."

**Explanation:**

(This amendment adds funding and language to require the Department of Medical Assistance Services to increase the age that legally residing immigrant children can qualify for Medicaid from age 19 to age 21. The term "legally residing" includes any documented immigrant status, including valid visas. Currently, "legally residing" immigrant children in Virginia qualify for coverage up to their 19<sup>th</sup> birthdays. Federal law allows this optional coverage to continue up to age 21. Raising the age would protect continuity of care for these young people.)

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Chief Patron: Samirah

Item 482.20 #14h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,172,091

\$3,289,890 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

**Explanation:**

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Sickles

Item 114 #1h

**Commerce and Trade**

Department of Housing and Community Development

Language

**Language:**

Page 28, after line 32, insert:

*Request to Amend House Bill 5005, as Introduced*

"5. Notwithstanding the foregoing, the Department shall give priority consideration to, and not require investment from a private sector partner for, proposals that address an unserved or underserved community's lack of access to telehealth or virtual learning platforms."

**Explanation:**

(This amendment adds language to the Virginia Telecommunications Initiative requiring the Department of Housing and Community Development to prioritize broadband infrastructure projects that will address internet access for the purposes of telehealth and online learning. The language exempts telehealth or online learning focused projects from a requirement that the private sector partner contribute to the costs of the project.)

---

Chief Patron: Sickles

Item 292 #1h

**Health and Human Resources**

Children's Services Act

Language

**Language:**

Page 108, after line 5, insert:

"No community policy management team receiving and disbursing funds under the Children's Services Act to pay for a student's placement in a private school serving students with disabilities shall reduce any previously agreed upon daily or monthly rate for the 2020-21 school year as long as the student's placement is in a private school serving students with disabilities that is continuing to provide a free and appropriate public education. Full or partial transition to remote learning or telehealth services due to a pandemic or declaration of a public health emergency by the Governor shall not be considered grounds for reducing a previously agreed upon daily or monthly rate or terminating or voiding a contract or purchase service order, nor shall it be grounds for amending a previously agreed upon individualized education plan (IEP) for a student with disabilities."

**Explanation:**

(This amendment adds language prohibiting the reduction of private day school rates for students with disabilities due to the use of remote learning or telehealth services during a pandemic or declared public health emergency. Language shall be set out in this item during enrolling.)

---

Chief Patron: Sickles

Item 299 #2h

**Health and Human Resources**

Department of Health

Language

**Language:**



*Request to Amend House Bill 5005, as Introduced*

Page 109, strike "Not set out." and insert:

"Communicable Disease Prevention and Control (40500)	\$109,901,022	\$109,966,944
Immunization Program (40502)	\$8,147,521	\$8,161,841
Tuberculosis Prevention and Control (40503)	\$2,174,878	\$2,174,878
Sexually Transmitted Disease Prevention and Control (40504)	\$3,393,106	\$3,393,106
Disease Investigation and Control Services (40505)	\$5,682,596	\$5,734,198
HIV/AIDS Prevention and Treatment Services (40506)	\$88,359,214	\$88,359,214
Pharmacy Services (40507)	\$2,143,707	\$2,143,707
Fund Sources:		
General	\$11,317,437	\$11,383,359
Special	\$1,883,391	\$1,883,391
Federal Trust	\$96,700,194	\$96,700,194

Authority: §§ 32.1-11.1, 32.1-11.2, and 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.

A. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.

B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.

C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, \$840,288 the first year and \$840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diphtheria/pertussis) vaccine for children without insurance.

E. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum

*Request to Amend House Bill 5005, as Introduced*

the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The Commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The Commissioner shall report findings to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees annually on October 1.

G. The Virginia Department of Health shall report for each month within 30 days after the end of each month, on the number of procedures approved for payment pursuant to § 32.1-92.2, Code of Virginia, and include a description of the nature of the fetal abnormality, to the extent permitted by law, as required for eligibility under § 32.1-92.2, Code of Virginia. The department shall report the information by letter to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.

H. The Virginia Department of Health, in cooperation with the Department of Behavioral Health and Developmental Services (DBHDS), shall utilize \$1,600,011 each year from available federal funding in DBHDS, including the State Opioid Response Grant, as available, to purchase and provide opioid reversal drugs to support community rescue efforts for those who deal with vulnerable populations.

*I. The Virginia Department of Health shall amend its standing order for administering the influenza vaccine to adults and its standing order for administering the influenza vaccine to children. The amendments to both standing orders shall include dentists licensed by the Board of Dentistry as an eligible health care professional permitted to possess and administer the influenza vaccine. The Department shall make such amendments to both standing orders no later than October 15, 2020."*

**Explanation:**

(This amendment adds language which allows dentists to administer the flu vaccine. Currently, a standing order from the Department of Health allows pharmacists, nurses and others health care providers to administer the flu vaccine. This would simply add dentists to the list of health care professionals that can administer the flu vaccine.)

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Chief Patron: Sickles

Item 313 #2h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$11,152,785  
\$11,152,785

\$0 GF  
\$0 NGF

**Language:**

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,381,106,346".

Page 145, line 14, strike "for the period" and insert:

"until June 30, 2021 or three full months after the expiration".

Page 145, line 15, after "COVID-19", insert: ", whichever is later".

**Explanation:**

(This amendment adds \$11.2 million from the general fund and \$11.2 million in matching federal Medicaid funds to extend the \$20 per day add-on to Medicaid nursing and specialized care facility rates to at least June 30, 2021, or three months after revocation of the emergency declaration, whichever is later, to provide stability to the nursing home industry during the COVID-19 crisis with a three-month path to assess post-COVID-19 operations. By extending at least through June 30, 2021 this will allow work to ensue during the 2021 Regular Session toward a permanent improvement to the payment methodology to recognize both the post-COVID-19 “new normal” and historic underfunding issues that have been highlighted in the COVID-19 crisis.)

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Chief Patron: Sickles

Item 313 #3h

**Health and Human Resources**

Department of Medical Assistance Services

Language

**Language:**

Page 145, after line 26, insert:

"MMMMM. The Department of Medical Assistance Services (DMAS) shall modify the disbursement methodology for the State's allocation of federal CARES Act funding to nursing facilities and assisted living facilities. Specifically, DMAS shall (i) define eligible costs for reimbursement from this funding as COVID-related costs incurred since March 12, 2020, or as far back as the CARES Act allows, (ii) recognize the full Congressionally-approved uses of the CARES Act direct provider relief received by nursing facilities, including lost revenue, as legitimate obligations of those funds for purposes of administering the state allocation, and (iii) recognize the “obligation” of CARES Act direct provider relief funding as opposed to requiring an actual expenditure of the funds for purposes of administering the state allocation."

**Explanation:**

(This amendment directs the Department of Medical Assistance Services to modify the disbursement rules for the \$20 million in state-allocated CARES Act funding for assisted living facilities and approximately \$33 million in state-allocated CARES Act funding for nursing facilities to remove significant impediments to providers’ access to these funds. By limiting incurred costs to July 1, 2020 forward, significant unreimbursed COVID-costs from the inception of the crises for both assisted living and nursing facilities are being unnecessarily excluded from potential reimbursement. By essentially prohibiting the legitimate use of Congressionally-approved CARES Act direct provider relief for lost revenue, the disbursement methodology is requiring significant non-reimbursable COVID-related costs be accrued prior to accessing this much needed funding. Finally, due to the lack of guidance related to the CARES Act direct aid, funding may already be obligated but not spent; this would recognize that status

*Request to Amend House Bill 5005, as Introduced*

for any “netting” in the state-allocation disbursement. In all cases, providers must justify (account for) funds received against COVID-related costs, and cannot pay for the same costs twice, therefore, these changes will not cause impropriety in the disbursement of the state-allocation.)

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Chief Patron: Sickles

Item 322.10 #1h

**Health and Human Resources**

Grants to Localities

Language

**Language:**

Page 148, line 18, unstrike "322.10".

Page 148, line 39, unstrike:

"Notwithstanding the provisions of Chapters 607 and 683, 2017 Acts of Assembly, and."

Page 148, unstrike lines 40 through 44.

**Explanation:**

(This amendment restores language that was inadvertently stricken in the introduced budget which eliminates the requirement that Community Services Boards and Behavioral Health Authorities increase STEP-VA services beyond those that are funded in Chapter 854, 2019 Acts of Assembly, unless an appropriation is available and an allotment of funds is made. The budget passed in March provided additional funding outpatient services, peer support services, expanded crisis services and military and veteran’s mental health services through STEP-VA, and when funding was unallotted in April due to the pandemic language was added eliminating the requirement to proceed with implementation of these services. The introduced budget eliminates funding for these additional services through STEP-VA.)

---

Chief Patron: Sickles

Item 350 #1h

**Health and Human Resources**

Department of Social Services

Language

**Language:**

Page 156, after line 29, insert:

"V. The Department of Social Services (DSS), the Department of Education (DOE) and the Virginia Department of Health (VDH), shall establish a task force to provide uniform guidance for health and safety to child care providers in all settings and across local health districts. The task force shall look at safety guidance from DSS and DOE, and consistent guidance and approaches offered by local health departments, and ensure that existing guidance is relevant to meet the needs of young children and to ensure best practices and consistency in all child care settings, including those offered in licensed and unlicensed care, schools, or other settings. The

*Request to Amend House Bill 5005, as Introduced*

task force shall identify the additional resources needed to implement health and safety standards including, but not limited to, access to PPE and cleaning supplies and the need for additional nurses or community health workers to assist with the implementation of health and safety protocols."

**Explanation:**

(This amendment requires DSS, DOE and VDH to establish a task force to provide guidance for health and safety to child care providers in all settings and identify the added resources to implement health and safety standards.)

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Chief Patron: Sickles

Item 356 #1h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Social Services

\$1,000,000

\$1,000,000 GF

**Language:**

Page 160, line 48, strike "\$60,357,967" and insert "\$61,357,967".

Page 160, line 47, strike "\$56,207,967" and insert "\$57,207,967".

Page 162, line 1, after "appropriation," insert:

"\$1,000,000 the first year and \$1,000,000 the second year from the general fund and".

Page 162, line 5, after "health" insert: "and behavioral health".

Page 162, line 5, strike "and".

Page 162, line 6, after "development programs", insert:

"and flexible direct assistance to sustain household basic needs including rent, mortgage, utilities, childcare, food and other expenses not addressed by other federal, state and local funds".

**Explanation:**

(This amendment provides \$1.0 million each year from the general fund for Northern Virginia Family Services to provide outreach and supportive services, mental health services, and direct financial assistance to families in crisis due to COVID-19 to address basic household needs such as rent, utilities, child care, food and other expenses not addressed by other federal, state and local funds. This funding adds to the \$1.0 million each year from the Temporary Assistance to Needy Families block grant provided in the current budget.)

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Chief Patron: Sickles

Item 436 #2h

**Transportation**

Department of Motor Vehicles

Language

**Language:**

*Request to Amend House Bill 5005, as Introduced*

Page 198, after line 44, insert:

“Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to administer the end-of-course driver's education test online subject to the requirements prescribed by the Commissioner. Notwithstanding any other provision of law, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit Class B driver training schools with a valid Virginia license to administer their in-class curriculum on an online platform subject to the requirements prescribed by the Commissioner. Notwithstanding the provisions of § 22.1-205, for the duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit the parent/student driver education component of the driver's education course to be administered online subject to the requirements prescribed by the Commissioner.”

**Explanation:**

(This amendment provides the DMV Commissioner flexibility to allow driver training schools providing training and skills testing for regular driver’s license applicants to administer certain portions of the driver education curriculum on an online platform subject to requirements prescribed by the Commissioner during a declared state of emergency.)

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Chief Patron: Sickles

Item 479.10 #12h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 145, after line 26, insert:

"E.1. The Governor is authorized to use the federal funds appropriated within this item to increase Medicaid personal care, respite and companion care rates to include a \$20 per patient per day supplement. Such supplement will be effective for the period of the Governor's Declaration of a State of Emergency due to COVID-19 through December 30, 2020. Such supplement shall be made through existing managed care capitation rates as a mandated specified rate increase for the period of the Governor's emergency declaration through December 30, 2020. The Department of Medical Assistance Services shall adjust capitation rates to account for the personal care, respite, and companion care supplement increase and reflect the duration of the Governor's emergency. The department shall have the authority to file all necessary regulatory authorities without delay, make any necessary contract changes, and implement these reimbursement changes without regard to existing regulations. The specified rate increase in this paragraph applies across fee-for-service and Medicaid managed care

*Request to Amend House Bill 5005, as Introduced*

programs."

**Explanation:**

(This amendment authorizes the use of federal Coronavirus Relief Funds to increase rates by \$20 per patient per day for Medicaid personal care, respite care and companion care services for the duration of the Governor's declared emergency due to COVID-19 through December 30, 2020.)

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Chief Patron: Sickles

Item 482.20 #6h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,172,091

\$3,289,890 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,843,901".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,332,250,587".

Page 215, strike lines 15 through 16.

**Explanation:**

(This amendment restores funding to eliminate the current Medicaid requirement that legal permanent residents have 40 quarters (10 years) of work experience in order to be eligible for Medicaid benefits. Federal law requires five years of legal residence to qualify for Medicaid but Virginia requires 10 years of work experience, one of six states with such a requirement. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Sickles

Item 482.20 #13h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$6,794,541

\$6,984,788 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$747,221,451".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,328,555,689".

Page 215, strike lines 34 and 35.

**Explanation:**

(This amendment restores \$6.8 million the first year and \$7.0 million the second year from the general fund for nursing facility reimbursement. Funding will increase the peer group adjustment factors used in nursing facility reimbursement in order to account for lower cost facilities inappropriately suppressing Medicaid rates for facilities with higher costs. These funds

*Request to Amend House Bill 5005, as Introduced*

were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Sickles

Item 482.20 #18h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Central Appropriations	\$1,114,936	\$2,116,376	GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,901,056".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".

Page 215, strike lines 22 and 23.

**Explanation:**

(This amendment restores \$1.1 million the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children’s Health Insurance Program with a 35 percent state match. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Sickles

Item 482.20 #19h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>	
Central Appropriations	\$0	\$7,599,696	GF

**Language:**

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,327,940,781".

Page 215, line 44, strike the second "\$7,599,696" and insert "\$0".

**Explanation:**

(This amendment restores \$7.6 million the second year from the general fund to increase Medicaid reimbursement to residential psychiatric facilities. The rates paid to these facilities, unlike other institutional providers (hospitals, nursing facilities, etc.), have not increased since 2008 and have not been adjusted for inflation. These facilities serve only children in a clinically and medically-necessary active treatment program designed to provide necessary support and address mental health, behavioral, substance abuse, cognitive and training needs in order to prevent or minimize the need for more intensive outpatient treatment, per federal regulations. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)



*Request to Amend House Bill 5005, as Introduced*

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Chief Patron: Sickles

Item 482.20 #20h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$6,245,286

\$6,245,286 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$747,770,706".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,329,295,191".

Page 215, strike lines 46 and 47.

**Explanation:**

(This amendment restores \$6.2 million each year from the general fund to increase Medicaid reimbursement for skilled and private duty nursing to 80 percent of the benchmark rate effective July 1, 2020. This shall apply to skilled nursing services provided through the Developmental Disability Waiver programs and private duty nursing services including congregate nursing services provided in the Commonwealth Coordinated Care Plus Waiver, the Developmental Disability Waiver programs and the Early and Periodic Screening, Diagnostic and Treatment program. This amendment increases the skilled nursing rates by 16.1 percent and private duty nursing rates by an average of 11.6 percent. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Sickles

Item 482.20 #52h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$0

\$22,037,077 GF

**Language:**

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,313,503,400".

Page 215, line 30, strike "\$22,037,077" and insert "\$0".

**Explanation:**

(This amendment restores \$22.0 million the second year from the general fund to increase provider rates for services provided through the current Medicaid Developmental Disability Waiver programs using updated data measures available, including wage assumptions, to 100 percent of the rate model benchmark. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

*Request to Amend House Bill 5005, as Introduced*

Chief Patron: Simon

Item 313 #7h

**Health and Human Resources**

**FY20-21**

**FY21-22**

Department of Medical Assistance  
Services

\$17,748,221

\$6,586,150 GF

**Language:**

Page 111, line 28, strike "\$16,358,800,776" and insert "\$16,376,548,997".

Page 111, line 27, strike "\$17,137,554,276" and insert "\$17,144,140,426".

Page 145, after line 26, insert:

"MMMMM. Upon the effective date of this act, the Department of Medical Assistance Services shall have the authority to provide 14 days of sick leave in fiscal year 2021 for consumer-directed home- and community-based Medicaid providers who work an average of 20 or more hours per week to ensure that these providers follow COVID-19 quarantine guidelines and five days of sick leave in fiscal year 2022. The department shall have the authority to implement this change prior to the completion of the regulatory process."

**Explanation:**

(This amendment provides \$7.8 million the first year and \$1.5 million the second year from the general fund and a like amount of federal matching Medicaid funds each year to provide 14 paid days of sick leave in fiscal year 2021 and five paid days of sick leave in fiscal year 2022 to providers of consumer-directed Medicaid home and community-based waiver services who work an average of 20 or more hours per week. The additional sick leave days in the first year will assist in meeting COVID-19 quarantine requirements in the event of exposure to the coronavirus or illness from it.)

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Chief Patron: Simon

Item 436 #1h

**Transportation**

Department of Motor Vehicles

Language

**Language:**

Page 198, after line 44, insert:

"Q. Notwithstanding any other provision of law, for the duration of a declared state of emergency as defined in § 44-146.16, Code of Virginia, and for up to 90 days after the declaration of a state of emergency has been rescinded or expires, the Commissioner shall ensure that individuals age 65 and older, or with an immunocompromised or other underlying medical conditions are able to complete any necessary transactions either electronically or over the telephone."

**Explanation:**

*Request to Amend House Bill 5005, as Introduced*

(This amendment clarifies that the DMV must allow individuals who are 65 or over and individuals with an underlying medical condition can make all needed transactions electronically or on the phone during the state of emergency.)

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Chief Patron: Subramanyam

Item 131 #3h

**Commerce and Trade**

**FY20-21**

**FY21-22**

Virginia Employment Commission

\$0

\$36,000,000 GF

**Language:**

Page 33, line 9, strike "\$552,133,812" and insert "\$588,133,812".

Page 33, after line 9, insert:

"G. Out of the amounts included in this appropriation, \$36,000,000 in the second year from the general fund shall support the administrative costs of the Virginia Employment Commission pursuant to the passage of House Bill 5054 of the 2020 General Assembly Special Session I."

**Explanation:**

(This amendment provides a second year general fund appropriation of \$36 million to cover the administrative costs for the Virginia Employment Commission. House Bill 5054 would bring Virginia out of compliance with federal unemployment compensation law and jeopardize Virginia's federal funds for administration of the unemployment insurance program. The funding contained in this amendment is contingent upon the passage of House Bill 5054. Upon enrolling, Item 131 will be set out and enrolled appropriately.)

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Chief Patron: Subramanyam

Item 482.20 #25h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$42,319

\$42,319 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,973,673".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,498,158".

Page 220, strike lines 20 and 21.

**Explanation:**

(This amendment restores \$42,319 from the general fund each year for an additional part-time release planning coordinator position at the Virginia Parole Board. The position would support Senate Bill 5018, which would expand eligibility for conditional release to individuals who are terminally ill or physically disabled.)

*Request to Amend House Bill 5005, as Introduced*

Chief Patron: Sullivan

Item 145 #4h

**Education**

Direct Aid to Public Education

Language

**Language:**

Page 47, after line 19, insert:

"30. Notwithstanding any other provision of law, during periods of declared state or local emergencies, or during a period in which a locality's school board has adopted a policy of mandatory remote schooling, localities and school boards may provide free or reduced rate broadband internet services to households with school-aged children."

**Explanation:**

(This amendment is self-explanatory.)

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Chief Patron: Sullivan

Item 4-0.01 #1h

**Operating Policies**

Operating Policies

Language

**Language:**

Page 237, strike line 2, and insert:

"§ 4-0.01 OPERATING POLICIES

- a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.
- b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.
- c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.
- d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.
- e. The provisions of the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia) shall not apply to grants made in support of the 2019 Commemoration to non-profit entities organized under § 501 (c)(3) of the Internal Revenue Code.
- f. 1. The State Council of Higher Education for Virginia shall establish a policy for granting

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undergraduate course credit to entering freshman students who have taken one or more Advanced Placement, Cambridge Advanced (A/AS), College-Level Examination Program (CLEP), or International Baccalaureate examinations by August 1, 2017. The policy shall:

- a) Outline the conditions necessary for each public institution of higher education to grant course credit, including the minimum required scores on such examinations;
- b) Identify the course credit or other academic requirements of each public institution of higher education that the student satisfies by achieving the minimum required scores on such examinations; and
- c) Ensure, to the extent possible, that the grant of course credit is consistent across each public institution of higher education and each such examination.

2. The Council and each public institution of higher education shall make the policy available to the public on its website.

g. 1. Notwithstanding any other provision of law, any public body, including any state, local, regional, or regulatory body, or a governing board as defined in § 54.1-2345 of the Code of Virginia, *or any joint meeting of such entities*, may meet by electronic communication means without a quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body or governing board to assemble in a single location; (ii) the purpose of meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body or common interest community association as defined in § 54.1-2345 of the Code of Virginia and the discharge of its lawful purposes, duties, and responsibilities; (iii) a public body shall make available a recording or transcript of the meeting on its website in accordance with the timeframes established in §§ 2.2-3707 and 2.2-3707.1 of the Code of Virginia; and (iv) the governing board shall distribute minutes of a meeting held pursuant to this subdivision to common interest community association members by the same method used to provide notice of the meeting.

2. A public body or governing board convening a meeting in accordance with this subdivision shall:

- a) Give notice to the public or common interest community association members using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body or governing board conducting the meeting;
- b) Make arrangements for public access or common interest community association members access to such meeting through electronic means including, to the extent practicable, videoconferencing technology. If the means of communication allows, provide the public or common interest community association members with an opportunity to comment; and

3. Public bodies must otherwise comply with the provisions of § 2.2-3708.2 of the Code of

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Virginia. The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes of the public body or governing board."

**Explanation:**

(This amendment sets out Item 4-.01 and modifies the language to include joint meetings of public entities on the list of entities that can meet remotely during a state of emergency.)

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Chief Patron: Tran

Item 300 #1h

**Health and Human Resources**

Department of Health

Language

**Language:**

Page 109, after line 4, insert:

"F. In any case in which the Governor has declared a public health emergency related to the novel coronavirus (COVID-19), every medical care facility licensed by the Virginia Department of Health shall allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person at any time during which health care services are provided. In any case in which health care services are provided in an inpatient setting, and the duration of health care services in such inpatient setting is anticipated to last more than 24 hours, the person with a disability may designate more than one designated support person. However, no medical care facility shall be required to allow more than one designated support person to be present with a person with a disability at any time. A designated support person shall not be subject to any restrictions on visitation adopted by a medical care facility. However, such designated support person may be required to comply with all reasonable requirements of the medical care facility adopted to protect the health and safety of patients and staff of the medical care facility. Every medical care facility shall establish policies applicable to designated support persons and shall (i) make such policies available to the public on a website maintained by the medical care facility and (ii) provide such policies, in writing, to the patient at such time as health care services are provided. A "designated support person" means a person who is knowledgeable about the needs of a person with a disability and who is designated, orally or in writing, by the person with a disability to provide support and assistance, including physical assistance, emotional support, assistance with communication or decision-making, or any other assistance necessary as a result of the person's disability, to the person with a disability at any time during which health care services are provided."

**Explanation:**

(This amendment adds language requiring medical facilities licensed by the Virginia Department of Health to allow patients with disabilities to be accompanied by a designated support person at the time services are provided and to allow for visits by such person(s).

*Request to Amend House Bill 5005, as Introduced*

Language in this item shall be set out in the enrolling of the bill.)

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Chief Patron: Tran

Item 482.20 #21h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$9,609,223

\$0 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$744,406,769".

Page 215, line 13, strike the second "\$9,609,223" and insert "\$0".

**Explanation:**

(This amendment restores \$9.6 million the first year from the general fund to pay overtime compensation to personal care attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 16 hours for a single attendant who works more than 40 hours per week. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget. Matching federal funds are available to augment the state general funds in fiscal year 2021.)

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Chief Patron: Tran

Item 482.20 #26h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$507,500

\$373,000 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,508,492".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,167,477".

Page 215, strike lines 18 and 19.

**Explanation:**

(This amendment restores \$507,500 the first year and \$373,000 the second year from the general fund to restore funding for the administrative costs related to exempting live-in caretakers from the Medicaid electronic visit verification requirement. This funding will cover increased costs for the fiscal/employer agent and managed care organizations. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Tran

Item 482.20 #28h

*Request to Amend House Bill 5005, as Introduced*

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>
Central Appropriations	\$160,800	\$160,800 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,855,192".  
Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,335,379,677".  
Page 218, strike line 17.

**Explanation:**

(This amendment restores \$160,800 each year included in Chapter 1289 for additional staffing at Mason Neck State Park. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Tran Item 482.20 #29h

<b>Central Appropriations</b>	<b>FY20-21</b>	<b>FY21-22</b>
Central Appropriations	\$250,000	\$0 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$753,765,992".  
Page 218, strike lines 48 and 49.

**Explanation:**

(This amendment restores \$250,000 the first year included in Chapter 1289 for the Turning Point Suffragist memorial in Lorton, Virginia. These funds were included in the budget passed in March, but subsequently unallotted in April due to the pandemic and eliminated in the introduced budget.)

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Chief Patron: Webert Item 373 #2h

**Natural Resources**

Department of Conservation and Recreation Language

**Language:**

Page 77, after line 3, insert:  
Notwithstanding the provisions of Chapter 1185 (2020), all work groups and reports required by the Chapter shall have an additional six months to complete their work as specified in the Chapter."

**Explanation:**



*Request to Amend House Bill 5005, as Introduced*

(This amendment provides an additional six months to complete work for all reports to the Governor and General Assembly as required pursuant to Chapter 1185 of the 2020 Session of the General Assembly.)

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Chief Patron: Willett

Item 482.20 #60h

**Central Appropriations**

**FY20-21**

**FY21-22**

Central Appropriations

\$1,114,936

\$2,116,376 GF

**Language:**

Page 205, line 1, strike "\$754,015,992" and insert "\$752,901,056".

Page 205, line 1, strike "\$1,335,540,477" and insert "\$1,333,424,101".

Page 215, strike lines 22 and 23.

**Explanation:**

(This amendment restores \$1.1 million the first year and \$2.1 million the second year from the general fund to extend postpartum coverage for women in the FAMIS program from two months to 12 months. Women with income from 143 to 205 percent of the federal poverty level are currently eligible for coverage in the FAMIS program during pregnancy through 60 days postpartum. FAMIS is funded through the federal Children's Health Insurance Program with a 35 percent state match.)

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Chief Patron: Wilt

Item 374 #1h

**Natural Resources**

Department of Conservation and Recreation

Language

**Language:**

Page 177, line 4, strike "Not set out." and insert:

"Leisure and Recreation Services (50400)	\$74,050,589	\$73,177,420
Preservation of Open Space Lands (50401)	\$16,650,193	\$16,650,193
Design and Construction of Outdoor Recreational Facilities (50403)	\$894,593	\$894,593
State Park Management and Operations (50404)	\$50,006,739	\$49,873,570
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	\$6,499,064	\$5,759,064
Fund Sources:		
General	\$37,572,732	\$36,699,563
Special	\$27,511,003	\$27,511,003

***Request to Amend House Bill 5005, as Introduced***

Dedicated Special Revenue	\$3,717,124	\$3,717,124
Federal Trust	\$5,249,730	\$5,249,730

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Included in the amounts for Preservation of Open Space Lands is \$10,000,000 the first year and \$10,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia. No less than 50 percent of the appropriations remaining after the transfer to the Virginia Outdoors Foundation's Open-Space Lands Preservation Trust fund has been satisfied are to be used for grants for fee simple acquisitions with public access or acquisitions of easements with public access. This appropriation shall be deemed sufficient to meet the provisions of § 2.2-1509.4, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is \$1,500,000 the first year and \$1,500,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

3. The Department of Conservation and Recreation and the Virginia Outdoors Foundation shall review the Hayfields Farm property, consisting of approximately 1,034.7 acres more or less in Highlands County, Virginia, Tax Parcel #68A17 and #68A18A, located at 524 Hayfields Lane in McDowell, and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October, 1 2020 on its suitability as a recreational area pursuant to §10.1-200 et. seq., Code of Virginia, for development as a state or regional park. In its review, the agencies shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including but not limited to camping, fishing, hiking, bird watching, equestrian activities, and biking; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of the property's conservation values and natural resources.

B. Included in the amounts for Preservation of Open-Space Lands is \$1,752,750 the first year and \$1,752,750 the second year from the general fund and \$1,900,000 the first year and \$1,900,000 the second year from nongeneral funds for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

C.1. Out of the amounts appropriated for State Parks Management and Operations, up to \$275,000 the first year and \$275,000 the second year from the general fund shall be paid for the operation and maintenance of Breaks Interstate Park.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

*Request to Amend House Bill 5005, as Introduced*

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

D. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

E. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and \$450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

F. The department is hereby authorized to enter into an agreement with the non-profit organization that currently owns Natural Bridge to open and operate the facility as a Virginia State Park. Included in the amount for this item is \$376,364 the first year and \$376,364 and five positions from the general fund to increase the operational capacity of Natural Bridge State Park including additional visitor experience, retail, and maintenance functions.

G. Notwithstanding any other provision of the Code of Virginia, as a condition of the expenditure of all amounts included in this item, the department shall not initiate or accept by gift, transfer or purchase with nongeneral funds any new lands for use as a State Park or Natural Area Preserve without a specific appropriation for such purpose by the General Assembly. However, the department is authorized to acquire land as expressly set out in Items C-27 and C-27.10 of Chapter 854, 2019 Acts of Assembly, as well as in-holdings or lands contiguous to an existing State Park or Natural Area Preserve as expressly set out in Items C-40 and C-41 of this act and as provided for in Section 4-2.01 a.1. of this act provided further that acquisitions authorized in Items C-40 and C-41 will not cause the department to incur additional operating expenses. It is not the intent of these provisions to prohibit any acquisitions resulting from mitigation settlements or to prohibit any additional operating expenses resulting from such acquisitions.

H.1. Included in the amounts for State Park Management and Operations is \$590,944 the first year and \$590,944 the second year and six positions from the general fund for the initial start-up and ongoing operational costs for Phase I of Widewater State Park in Stafford County. It is the intent of the General Assembly that, as soon as practicable upon completion of Phase 1A, that the Department shall provide public access and proceed to regular revenue generating operations at the Park.

*Request to Amend House Bill 5005, as Introduced*

2. The Department of Conservation and Recreation shall collaborate with Stafford County Public Schools, the Friends of Widewater State Park and other interested stakeholders regarding the Science and Environmental Center at Widewater State Park planned to be constructed as part of Phase III in order to ensure the facility is adequate to meet the needs of the community, curriculum collaboration opportunities with local schools, and other needs; determine whether any design changes would further community environmental education goals; determine the availability of any grant, charitable or co-funding opportunities with Stafford County and/or Virginia higher educational institutions; determine the feasibility and costs of any design changes or the necessity of any Master Plan changes; and produce recommendations, if any, relating to such objectives.

I. Included in the amount for this item is \$198,752 the first year and \$198,752 the second year and two positions from the general fund to support the limited operation of Seven Bends State Park.

J. Included in the amount for this item is \$150,000 the first year and \$150,000 the second year from the nongeneral fund amounts appropriated in Item 451 A. for recreational access which shall be used to fabricate and install Supplemental Guide Signs for Virginia State Parks.

K. The department is hereby authorized to enter into an agreement with the United States Forest Service that owns the Longdale Day Use Area to operate the facility as the Green Pastures Unit of Douthat State Park, an extension of Douthat State Park.

L. The Department of Conservation and Recreation shall review the Brandy Station and Cedar Mountain properties and make recommendations to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by October 1, 2020 on their suitability as a historical and recreational area pursuant to § 10.1-200 et. seq., Code of Virginia, or development as a state or regional park. In its review, the Department shall consider (i) management of the area or park by a combination of public and private entities; (ii) potential user activities at the area or park including heritage tourism, primitive camping, fishing, bow hunting, boating, equestrian activities, biking and historical and military education; and (iii) operation of the area or park with only those improvements minimally necessary for activities listed herein and consistent with the preservation and protection of existing historic, cultural, archaeological, and natural resources.

M. Included in the amounts for this item is \$160,800 the first year and \$160,800 the second year and two positions from the general fund to support staffing and operations at Mason Neck State Park.

N. The Director, Department of Conservation and Recreation, shall assess the feasibility of costs of (i) connecting Mason Neck State Park to a public water supply, and (ii) replacing equipment and providing necessary upgrades to the Park's current well water system. The Director shall report the findings and recommendations of the assessment to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees no later than October 15, 2020.

*Request to Amend House Bill 5005, as Introduced*

O. Included in the amount for this item, \$740,000 the first year from the general fund is provided to the City of Danville to develop Riverfront Park. This amount shall be matched by a local appropriation of at least \$740,000 prior to any disbursement from this Item.

*P. The Department of Conservation and Recreation shall, no later than November 1, 2021, provide to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations an assessment of the feasibility for development of a linear park along the Shenandoah Valley rail corridor from Front Royal to Broadway, Virginia. The assessment shall include the potential timeline for abandonment of existing Norfolk Southern rail sections B51.0 to B84.0 and CW84.0 to CW99.5, anticipated annual user revenues, and all start-up and ongoing costs of operation as a satellite facility of Seven Bends and Shenandoah State Parks. The Departments of Transportation and Rail and Public Transportation shall provide any technical assistance as may be required in developing the cost assessment."*

**Explanation:**

(This amendment directs the Department of Conservation and Recreation to assess the feasibility of the establishment of a linear park near Seven Bends State Park.)

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