

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.)

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duration of a declared state of emergency and for up to 90 days after a declaration of a state of emergency has been rescinded or expires, the Commissioner may permit (1) Class B driver training schools and (2) computer-based driver education providers, as defined in § 46.2-1700, to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

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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.)

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.)

Chief Patron: Krizek

Item 482.20 #24h

Central Appropriations

FY20-21

FY21-22

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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.)

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.)

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

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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.)

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

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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.)

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.)

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.)

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.)

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.)

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.)

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.)

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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.)

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.)

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.)

Request to Amend House Bill 5005, as Introduced

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.)

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).

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.)

Request to Amend House Bill 5005, as Introduced

Chief Patron: Reid

Item 482.20 #23h

Central Appropriations	FY20-21	FY21-22	
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.)

Chief Patron: Rush

Item 313 #1h

Health and Human Resources	FY20-21	FY21-22	
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,

Request to Amend House Bill 5005, as Introduced

2021.)

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.)

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

Request to Amend House Bill 5005, as Introduced

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.)

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)

Request to Amend House Bill 5005, as Introduced

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).)

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.)

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 19th 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.)

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.)

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 19th 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.)

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.)

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.)

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.)

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.)

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.)

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.)

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.)

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.)

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.)

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.)

Chief Patron: Sickles

Item 482.20 #18h

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. 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: Sickles

Item 482.20 #19h

Central Appropriations	FY20-21	FY21-22	
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

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.)

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.)

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.)

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.)

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.)

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

Request to Amend House Bill 5005, as Introduced

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

Request to Amend House Bill 5005, as Introduced

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.)

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.)

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.)

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.)

Chief Patron: Tran

Item 482.20 #28h

Request to Amend House Bill 5005, as Introduced

Central Appropriations	FY20-21	FY21-22
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.)

Chief Patron: Tran Item 482.20 #29h

Central Appropriations	FY20-21	FY21-22
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.)

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.)

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.)

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.)
