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# VIRGINIA STATE BUDGET

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2023 Special Session I

## Budget Bill - HB6001 (Enrolled)

Bill Order » Office of Education » Item 237

Jamestown-Yorktown Commemorations

### Item 237

First Year - FY2023      Second Year - FY2024

<b>Historic and Commemorative Attraction Management (50200)</b>	<b>\$7,000,000</b>	<b>\$0</b>
Revolutionary War Commemoration (50210)	\$7,000,000	\$0
Fund Sources:		
General	\$7,000,000	\$0

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A. All agencies and institutions of the Commonwealth shall, upon request, designate liaisons and provide assistance and advice to the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations for the planning, coordination, and implementation of the 250th anniversary of the American Revolution.

B. Any employees paid from this appropriation shall be exempt from the Virginia Personnel Act. Employees shall not be entitled to severance and unemployment as stipulated in hiring agreements.

C. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may perform the following actions directly relating to the planning, coordination, and implementation of the 250th anniversary of the American Revolution:

1. Solicit and accept donations of materials and services to defray expenses;
2. Retain all nongeneral funds from grants, donations, contributions, gifts, fees, sales, or other funds received, collected, or undertaken by the Jamestown-Yorktown Foundation for the 250th anniversary commemoration. Such nongeneral funds shall be retained and not reverted back to the general fund at the end of any fiscal year;
3. Procure, with the maximum delegated authority available to any executive branch agency or institution in the Commonwealth, any goods and services with which there are minimum procurement requirements associated;
4. Hire employees up to the Maximum Employment Level for the Foundation as provided in the general appropriations act, despite any potential suspension on hiring that may be mandated for the state agencies;
5. Receive assistance and advice from agencies and institutions of the Commonwealth without charge; and
6. Contact international, national, interstate, state, regional, and local elected and appointed officials

D. With the prior written approval of the Governor, the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations may enter into agreements or contracts with private entities for the promotion of tourism through marketing without competitive sealed bidding or competitive negotiation provided a demonstrable cost savings, as reviewed by the Secretary of Education, can be realized by the Foundation and such agreement or contracts are based on competitive principles.

E. Except as provided otherwise in this paragraph, the provisions of the Virginia Public Procurement Act shall not apply to the expenditure of funds from the 250th anniversary commemoration. However, the provisions of this paragraph shall not be effective until such time as the Board of Trustees of the Jamestown-Yorktown Foundation has adopted guidelines generally applicable to the procurement of goods and services by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations. The guidelines shall implement a system of competitive negotiation for goods and services that; shall prohibit discrimination because race, religion, color, sex, age, disability, national origin, sexual orientation, gender identity, political affiliation, veteran status, or any other basis prohibited by state law relating to discrimination; may take into account in all cases the dollar amount of the intended procurement, the term of the anticipated contract, and the likely extent of competition; may implement a prequalification procedure for contractors or products; may include provisions for cooperative procurement arrangements; shall incorporate the prompt payment principles of §§ [2.2-4350](#) and [2.2-4354](#), Code of Virginia; and may implement provisions of law. The following sections of the Virginia Public Procurement Act shall continue to apply to procurement by the Jamestown-Yorktown Foundation and Jamestown-Yorktown Commemorations with funds from the 250th anniversary commemoration: §§ [2.2-4311](#), [2.2-4315](#), [2.2-4330](#), [2.2-4333](#) through [2.2-4338](#), [2.2-4340](#) through [2.2-4342](#), and [2.2-4367](#) through [2.2-4377](#), Code of Virginia.

F. The Board of Trustees of the Jamestown-Yorktown Foundation shall establish guidelines, procedures, and objective criteria for the award and distribution of grants from the appropriation to state agencies, localities and non-government organizations. Activities eligible for grants from the appropriation shall be focused on high-impact, collaborative projects that focus on the ideals of the American Revolution. The Jamestown-Yorktown Commemorations shall advertise the availability of grant funds and shall solicit, receive, and review grant applications as defined by adopted guidelines. The decisions regarding who receives the grant awards shall be the responsibility of the Jamestown-Yorktown Commemorations.

G. All general funds received by the Jamestown-Yorktown Commemoration shall be retained and not reverted back to the general fund at the end of any fiscal year.

H. The provisions of this act shall expire on July 1, 2027.