

*Joint
Conference Committee
Report on*

House Bill 29

2022 Special Session I

May 29, 2022

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


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

Respectfully submitted,


Barry D. Knight


Terry L. Austin


Robert S. Bloxom



Emily M. Brewer


Luke E. Torian


Mark D. Sickles


Janet D. Howell



Richard L. Saslaw


*With Reservations
Thomas K. Norment, Jr.


Emmett W. Hanger, Jr.


L. Louise Lucas


Stephen D. Newman


George L. Barker


Mamie E. Locke

House Conferees

Senate Conferees

Conference Report to House Bill 29

Item 0 #1c

Revenues

Revenues

Language

Language:

Page 1, strike lines 29 through 41 and insert:

	"First Year	Second Year	Total
Unreserved Balance, June 30, 2020	2,874,058,799	3,832,170,867	6,706,229,666
Additions to Balance	(1,278,580,333)	(2,375,994,370)	(3,654,574,703)
Official Revenue Estimates	22,320,832,509	26,976,800,000	49,297,632,509
Revenue Stabilization Fund	-	-	-
Transfers	695,527,155	803,941,844	1,499,468,999
Total General Fund Resources Available for Appropriation	24,611,838,130	29,236,918,341	53,848,756,471".

Page 1 strike lines 42 through 47 and insert:

	"First Year	Second Year	Total
Balance June 30, 2020	6,915,611,972	-	6,915,611,972
Official Revenue Estimates	39,150,326,908	52,448,131,389	91,598,458,297
Lottery Proceeds Fund	708,231,123	843,361,811	1,551,592,934
Internal Service Fund	2,127,455,883	2,293,917,698	4,421,373,581
Bond Proceeds	2,729,883,162	244,775,137	2,974,658,299
Total Nongeneral Fund Revenues Available for Appropriations	51,631,509,048	55,830,186,035	107,461,695,083
TOTAL PROJECTED REVENUES	76,243,347,178	85,067,104,376	161,310,451,554".

Page 2, strike lines 1 through 10.

Explanation:

(This amendment reflects all resources changed in the conference report to House Bill 29.)

Item 5 #1c

Conference Report to House Bill 29

Legislative Department	FY20-21	FY21-22	
Division of Legislative Automated Systems	\$0 0.00	\$1,200,158 2.00	GF FTE

Language:

Page 4, line 7, strike "\$5,916,457" and insert "\$7,116,615".

Page 4, line 7, strike "Not set out." and insert:

"Information Technology Development and Operations (82000)	\$5,916,457	\$7,131,967
Computer Operations Services (82001)	\$7,131,967	\$5,916,457
Fund Sources:		
General	\$6,844,298	\$5,628,788
Special	\$287,669	\$287,669

Authority: Title 30, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, \$173,040 from July 1, 2020 to June 24 9, 2021 and ~~\$173,040~~\$181,692 from June 25 10, 2021 to June 30, 2022.

B. Included in this appropriation is funding sufficient for the ongoing replacement of a legacy legislative bill tracking system. The expenditure of these funds is contingent on the Director of the Division of Legislative Automated Systems developing a detailed implementation plan and submitting the plan to the Committee on Joint Rules for its approval. Any procurement of a replacement legislative bill tracking system shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of § 2.2-2012. The plan may propose to procure a replacement legislative bill tracking system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director.

C. Out of the amounts included in this item, \$516,650 the first year and \$201,140 the second year from the general fund is provided to complete the replacement of a legacy legislative bill tracking system.

D. Out of the amounts included in this item, \$950,000 the first year and \$50,000 the second year from the general fund is provided for software, security, and infrastructure upgrades for the Division of Legislative Automated Systems.

E. Out of the amounts included in this item, \$1,200,158 the second year from the general fund is provided for information systems and operational needs for the Division of Legislative Automated Systems."

Explanation:

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(This amendment provides funding in fiscal year 2022 for information system infrastructure, security, staffing, and agency operational costs.)

Item 6 #1c

Legislative Department	FY20-21	FY21-22	
Division of Legislative Services	\$0	\$265,323	NGF

Language:

Page 4, line 8, strike "\$7,941,641" and insert "\$8,206,964".

Page 4, line 8, strike "Not set out." and insert:

"Item 6	First Year FY 2021	- Second Year - FY 2022
Legislative Research and Analysis (78400)	\$7,191,641	\$7,941,641
Bill Drafting and Preparation (78401)	\$7,191,641	\$7,941,641
Fund Sources:		
General	\$7,171,608	\$7,921,608
Special	\$20,033	\$20,033 -\$285,356

Authority: Title 30, Chapter 2.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, \$157,374 from July 1, 2020 to June 9, 2021 and \$165,242 from June 10, 2021, to June 30, 2022.

B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.

C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, and the Virginia State Crime Commission.

D. Out of this appropriation, \$250,000 the first year from the general fund is provided to support the work of the Senate Joint Resolution 47 (2014) Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century. The funding may be used to contract for expertise and assistance in its work to evaluate the community-based system of service delivery or other related topics as required by the work of the Joint Subcommittee. Any contractor hired shall evaluate the current system along with alternative delivery systems to

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provide the necessary information and assistance to the subcommittee in determining the most appropriate delivery system, or modifications to the current delivery system, that ensures access, quality, consistency, and accountability. Any remaining balance at year-end shall be carried forward to the subsequent fiscal year.

E. Out of this appropriation, \$15,000 each year from the general fund is provided to support costs of the Commission on Civics Education.

F. Out of this appropriation, \$265,323 the second year from dedicated special revenue is to implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee."

Explanation:

(This amendment appropriates \$265,323 in dedicated special revenue generated from sales of the "Friends of the Chesapeake Bay" license plate for the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.)

	Item 32 #1c	
Legislative Department	FY20-21	FY21-22
Joint Legislative Audit and Review Commission	\$0	\$100,000 GF

Language:

Page 5, line 12, strike "\$5,701,520" and insert "\$5,801,520".

Page 5, line 12, strike "Not set out." and insert:

	First Year - FY 2021	Second Year - FY 2022
"Item 32		
Legislative Evaluation and Review (78300)	\$5,701,520	\$5,701,520
Performance Audits and Evaluation (78303)	\$5,701,520	\$5,701,520
Fund Sources:		
General	\$5,577,841	\$5,577,841 \$5,677,841
Trust and Agency	\$123,679	\$123,679

Authority: Title 30, Chapters 7 and 8, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), \$169,525 from July 1, 2020, to June 9 2021, and \$178,001 from June 10, 2021, to June 30, 2022.

B. JLARC, upon request of the Department of Planning and Budget and approval of the

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Chairman, shall review and provide comments to the department on its use of performance measures in the state budget process. JLARC staff shall review the methodology and proposed uses of such performance measures and provide periodic status reports to the Commission.

C. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance *and Appropriations* Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

D. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the Chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.

E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance *and Appropriations* Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ [59.1-336](#) et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

- a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;
- b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of VITA or JLARC.

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

F.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to conduct, on a continuing basis, a review and evaluation of economic development initiatives and policies and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance *and Appropriations* Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) spending on and performance of individual economic development incentives, including grants, tax preferences, and other assistance; (ii) economic benefits to Virginia of total spending on economic development initiatives at least biennially; (iii) effectiveness, value to taxpayers, and economic benefits to Virginia of individual economic development initiatives on a cycle approved by the Commission; and (iv) design, oversight, and accountability of economic development entities, initiatives, and policies as needed.

3. For the purpose of carrying out its duties under this authority and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the facilities, employees, information, and records, including confidential information, and the public and executive session meetings and records of the board of VEDP, involved in economic development initiatives and policies for the purpose of carrying out such duties in accordance with the established standards, processes, and practices exercised by JLARC pursuant to its

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statutory authority. Access shall include the right to attend such meetings for the purpose of carrying out such duties. Any non-disclosure agreement that VEDP enters into on or after July 1, 2016, for the provision of confidential and proprietary information to VEDP by a third party shall require that JLARC also be allowed access to such information for the purposes of carrying out its duties.

4. Notwithstanding the provisions of subsection A or B of § 58.1-3 or any other provision of law, unless prohibited by federal law, an agreement with a federal entity, or a court decree, the Tax Commissioner is authorized to provide to JLARC such tax information as may be necessary to conduct oversight of economic development initiatives and policies.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § 2.2-3701, Code of Virginia, to JLARC in connection with its oversight of economic development initiatives and policies, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its oversight of economic development initiatives and policies where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. By August 15 of each year, the Secretary of Commerce and Trade shall provide to JLARC all information collected pursuant to § 2.2-206.2, Code of Virginia, in a format and manner specified by JLARC to ensure that the final report to be submitted by the Secretary fulfills the intent of the General Assembly and provides the data and evaluation in a meaningful manner for decision-makers.

7. JLARC shall assist the agencies submitting information to the Secretary of Commerce and Trade pursuant to the provisions of § 2.2-206.2, Code of Virginia, to ensure that the agencies work together to effectively develop standard definitions and measures for the data required to be reported and facilitate the development of appropriate unique project identifiers to be used by the impacted agencies.

8. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

9. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

10. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

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G. Notwithstanding the salaries listed in paragraph A. of this item, the Joint Legislative Audit and Review Commission (JLARC) may establish a salary range for the Director of JLARC.

H.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the agencies and programs under the Secretary of Health and Human Resources (HHR) on a continuing basis.

2. Review and evaluation work shall be directed by JLARC in consultation with the Joint Committee for Health and Human Resources Oversight.

3. Review and evaluation shall include, but not be limited to (i) studies of agencies or programs; (ii) targeted analysis of spending trends and other issues warranting examination; and (iii) assessment of the soundness and accuracy of population and spending forecasts, including the process, assumptions, methodology, and results.

4. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all agencies within the HHR secretariat.

5. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § [2.2-3701](#), Code of Virginia, to JLARC in connection with its evaluation of agencies and programs within the HHR secretariat, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of agencies and programs within the HHR secretariat where, if such records are made public, the financial interest of the private entity would be adversely affected.

6. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for ongoing review and evaluation of agencies and programs within the HHR secretariat, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

7. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

8. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

I.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Commonwealth's enterprise resource planning and related financial, payroll, personnel management and benefit eligibility systems (Cardinal)

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on a continuing basis and to provide such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) procurement for the planning, development, implementation, operation, and maintenance of Cardinal and any subsequent contracts and amendments thereto; (ii) the development, implementation, performance, and costs of Cardinal; (iii) the long-term viability of the technologies utilized in Cardinal; (iv) the adequacy of the system of governance for Cardinal, including the responsibility for, and control of specific data in Cardinal, the responsibility for systems support and maintenance, and the appropriate role of the Virginia Information Technologies Agency; and (v) the security of governmental and personally identifiable information contained in Cardinal.

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of all state agencies and institutions.

4. The following records shall be excluded from the provisions of the Virginia Freedom of Information Act (§ [2.2-3700](#) et seq.), and shall not be disclosed by JLARC:

(a) records provided by a public body as defined in § [2.2-3701](#), Code of Virginia, to JLARC in connection with its evaluation of Cardinal, where the records would not be subject to disclosure by the public body providing the records. The public body providing the records to JLARC shall identify the specific portion of the records to be protected and the applicable provision of the Freedom of Information Act or other provision of law that excludes the record or portions thereof from mandatory disclosure.

(b) confidential proprietary records provided by private entities pursuant to a promise of confidentiality from JLARC, used by JLARC in connection with its evaluation of Cardinal where, if such records are made public, the financial interest of the private entity would be adversely affected.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for Cardinal review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. JLARC may employ on a consulting basis such professional or technical experts as may be reasonably necessary for the Commission to fulfill its responsibilities under this authority.

7. All agencies and institutions of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

J. The Joint Legislative Audit and Review Commission staff shall have access to all information and operations of the Board of Corrections and to observe closed or executive sessions of the Board of Corrections and any of its committees. This authority shall not be limited by §[2.2-3712](#) or any other provision of law.

K. The clerk of each circuit court shall provide the Joint Legislative Audit and Review

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Commission with all case data in an electronic format from its own case management system or the statewide Circuit Case Management System upon request of the Commission. If the statewide Circuit Case Management System is used by the clerk, when requested by the Commission, the Executive Secretary of the Supreme Court shall provide for the transfer of such data to the Commission. The Commission may use the data for research, evaluation, or statistical purposes only and shall ensure the confidentiality and security of the data. The Commission shall only publish analyses based on this data as needed for its reports, fiscal impact reviews, or racial and ethnic impact statements as required by the General Assembly. The Commission shall not publish personal or case identifying information, including names, social security numbers and dates of birth, which may be included in the data from a case management system. Upon transfer to the Joint Legislative Audit and Review Commission, such data shall not be subject to the Virginia Freedom of Information Act. Except for the publishing of personal or case identifying information, including names, social security numbers and dates of birth, the restrictions in this section shall not prohibit the Commission from sharing aggregate data in reports, fiscal impact reviews, or racial and ethnic impact statements.

L. The Joint Legislative Audit and Review Commission shall engage, on a limited basis, the professional and technical consultants retained for the November 2019 Report "Gaming in the Commonwealth" for a limited review of the potential state and local revenues that may be generated from a casino located in the City of Petersburg, including any potential negative revenue impact on casinos located in other authorized host cities."

Explanation:

(This amendment directs JLARC to engage a previously retained professional consultancy to evaluate the potential revenues from a casino in the City of Petersburg. A companion amendment to the 2022-2024 budget continues this same language into the next biennium.)

Item 34 #1c

Legislative Department

Legislative Department Reversion Clearing Account

Language

Language:

Page 5, line 14, strike "Not set out." and insert:

"Item 34	First Year - FY2021	Second Year - FY2022
Across the Board Reductions (71400)	-\$194,600	-\$194,600
Across the Board Reduction (71401)	-\$194,600	-\$194,600
Fund Sources:		
General	-\$194,600	-\$194,600

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Authority: Discretionary Inclusion.

A. On or before June 30, 2021, the Committee on Joint Rules shall authorize a reversion to the general fund of \$5,911,271 representing savings generated by legislative agencies in the second year of the 2018 - 2020 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	Estimated Savings
133: Auditor of Public Accounts	\$500,000.00
961: Division of Capitol Police	\$2,000,000.00
109: Division of Legislative Automated Systems	\$40,000.00
107: Division of Legislative Services	\$1,000,000.00
837: Virginia Disability Commission	\$68,463.70
847: Joint Commission on Technology and Science	\$166,641.57
971: State Water Commission	\$9,121.92
118: Virginia Coal and Energy Commission	\$21,614.55
108: Virginia Code Commission	\$334,651.00
862: Small Business Commission	\$13,646.28
871: Autism Advisory Council	\$16,926.12
876: Virginia Conflict of Interest and Ethics Advisory Council	\$165,078.21
872: Virginia World War I and World War II Commemoration Commission	\$300,104.58
875: Joint Commission on Transportation Accountability	\$28,199.92
877: Commission on Economic Opportunity for Virginians in Aspiring Communities	\$30,222.37
844: Joint Commission on Health Care	\$108,047.50
839: Virginia Commission on Youth	\$40,000.00
110: Joint Legislative Audit and Review Commission	\$1,068,553.29
Total	\$5,911,271

B. On or before June 30, 2022, the Committee on Joint Rules shall authorize a reversion to the general fund of \$5,459,063 representing savings generated by legislative agencies in the first year of the 2020 - 2022 biennium. The total savings amount includes estimated savings within the following legislative agencies:

Legislative Agency	Estimated Savings
<i>107: Division of Legislative Services</i>	<i>\$750,000</i>
<i>110: Joint Legislative Audit and Review Commission</i>	<i>\$750,000</i>
<i>118: Virginia Coal and Energy Commission</i>	<i>\$21,616</i>
<i>133: Auditor of Public Accounts</i>	<i>\$200,119</i>
<i>837: Virginia Disability Commission</i>	<i>\$25,554</i>
<i>839: Virginia Commission on Youth</i>	<i>\$20,000</i>
<i>844: Joint Commission on Health Care</i>	<i>\$30,335</i>
<i>847: Joint Commission on Technology and Science</i>	<i>\$100,000</i>
<i>862: Small Business Commission</i>	<i>\$15,000</i>
<i>871: Autism Advisory Council</i>	<i>\$6,300</i>

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875: Joint Commission on Transportation Accountability	\$28,200
876: Virginia Conflict of Interest and Ethics Advisory Council	\$179,030
961: Division of Capitol Police	\$3,322,749
971: State Water Commission	\$10,160
Total	\$5,459,063".

Explanation:

(This amendment adds language to authorize the transfer in the second year of \$5,459,063 in general fund balances from legislative branch agencies.)

Item 39 #1c

Judicial Department

Supreme Court

Language

Language:

Page 8, line 36, strike "\$33,000,000" and insert "\$33,500,000".

Explanation:

(This amendment increases the reversion of cash balances in the Criminal Fund in the second year by an additional \$500,000, increasing the total reversion to \$33,500,000.)

Item 39 #2c

Judicial Department

Supreme Court

FY20-21

FY21-22

\$0

\$500,000

GF

Language:

Page 6, line 6, strike "\$43,501,601" and insert "\$44,001,601".

Page 8, after line 37, insert:

"T. Out of the amounts appropriated for this item, \$500,000 the second year from the general fund is included for the Supreme Court of Virginia to contract with the National Center for State Courts to evaluate the judicial caseloads throughout the Commonwealth on the appellate court, circuit court, general district court, and juvenile and domestic relations district court levels. The evaluation shall also consider this impact on judicial caseloads resulting from Chapter 43 of the 2020 Acts of Assembly, Special Session 1, as well as any other factors identified by the Supreme Court such as the use of interpreters, law clerks, retired or substitute judges, and the effect of population growth or decline, if any. The Supreme Court shall report the results of the study to the General Assembly no later than October 15, 2023."

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Explanation:

(This amendment provides funding of \$500,000 the second year from the general fund for the Supreme Court of Virginia to contract with the National Center for State Courts to evaluate judicial caseloads throughout the Virginia court system. In addition to the standard caseload review, the language also directs the evaluation to consider the impacts of the recent expansion of jury trials on the statewide judicial caseload. The report is due to the General Assembly by October 15, 2023.)

Item 57 #1c

Executive Offices	FY20-21	FY21-22	
Attorney General and Department of Law	\$0 0.00	\$284,636 13.00	GF FTE

Language:

Page 10, line 8, strike "\$42,263,262" and insert "\$42,547,898".

Explanation:

(This amendment provides \$284,636 from the general fund and 13.00 FTEs in fiscal year 2022 to reflect the prorated cost of phasing in attorney and support staff positions to address increased appeals case workloads.)

Item 86 #1c

Administration

Department of Elections

Language

Language:

Page 22, strike lines 17 through 21.

Page 22, line 22, strike "Q" and insert "P".

Page 22, after line 24, insert:

"Q. On or before June 30, 2022, the Director, Department of Planning and Budget, shall unallot any unused balances from this item, at an amount estimated at \$1,100,000 in the second year, for reimbursements to localities for return absentee ballot prepaid postage costs authorized in Chapter 1 of the 2020 Acts of Assembly, Special Session I."

Explanation:

(This amendment adds language to capture approximately \$1.1 million in remaining balances in the second year of funding provided in Chapter 1 of the 2020 Acts of Assembly, Special Session I to reimburse localities for the costs associated with providing prepaid postage for the

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return of absentee ballots.)

Item 92 #1c

Administration

Virginia Information Technologies Agency

Language

Language:

Page 22, line 42, strike "Not set out." and insert:

"Item 92	First Year - FY2021	Second Year - FY2022
Administrative and Support Services (89900)	\$43,465,830	\$46,918,343
	\$44,450,830	\$47,038,343
General Management and Direction (89901)	\$23,768,220	\$24,715,943
	\$24,753,220	\$24,835,943
Accounting and Budgeting Services (89903)	\$6,533,117	\$9,678,117
Human Resources Services (89914)	\$917,784	\$917,784
Planning and Evaluation Services (89916)	\$3,610,587	\$3,120,377
Procurement and Contracting Services (89918)	\$5,282,342	\$5,282,342
Web Development and Support Services (89940)	\$3,353,780	\$3,203,780
Fund Sources:		
Special	\$10,132,640	\$10,132,640
Internal Service	\$33,333,190	\$36,785,703
	\$34,318,190	\$36,905,703

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. Out of this appropriation, ~~\$33,333,190~~~~\$34,318,190~~ the first year and ~~\$36,785,703~~~~\$36,905,703~~ the second year for Administrative and Support Services is sum sufficient and amounts shown are estimates from an internal service fund which shall be paid solely from charges to other programs within this agency.

2. In accordance with § 2.2-2013 D, Code of Virginia, the surcharge rate used to fund expenses for operations and staff of services administered by the Virginia Information Technologies Agency shall be no more than ~~12.90~~~~12.76~~ percent the first year and ~~14.65~~~~13.55~~ percent the second year.

3. Included in the amounts for Administrative and Support Services are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.

B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the

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Virginia Port Authority.

C. The requirement that the Department of Behavioral Health and Developmental Services purchase information technology equipment or services from the Virginia Information Technologies Agency according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.

D. The Chief Information Officer and the Secretary of Administration shall provide the Governor and the Chairs of the House Appropriations and Senate Finance Committees with a report detailing any amendments or modifications to the information technology infrastructure services contracts. The report shall include statements describing the fiscal impact of such amendments or modifications and shall be submitted within 30 days following the signing of any amended agreement.

E.1. Notwithstanding the provisions of §§ 2.2-1509, 2.2-2007 and 2.2-2017, Code of Virginia, the scope of formal reporting on major information technology projects in the Recommended Technology Investment Projects (RTIP) report is reduced. The efforts involved in researching, analyzing, reviewing, and preparing the report will be streamlined and project ranking will be discontinued. Project analysis will be targeted as determined by the Chief Information Officer (CIO) and the Secretary of Administration. Information on major information technology investments will continue to be provided General Assembly members and staff. Specifically, the following tasks will not be required, though the task may be performed in a more streamlined fashion: (i) The annual report to the Governor, the Secretary, and the Joint Commission on Technology and Science; (ii) The annual report from the CIO for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report); (iii) The development by the CIO and regular update of a methodology for prioritizing projects based upon the allocation of points to defined criteria and the inclusion of this information in the RTIP Report; (iv) The indication by the CIO of the number of points and how they were awarded for each project recommended for funding in the RTIP Report; (v) The reporting, for each project listed in the RTIP, of all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation, a justification and description for each project baseline change, and whether the project fails to incorporate existing standards for the maintenance, exchange, and security of data; and (vi) The reporting of trends in current projected information technology spending by state agencies and secretariats, including spending on projects, operations and maintenance, and payments to Virginia Information Technologies Agency.

2. Notwithstanding any other provision of law and effective July 1, 2015, the Virginia Information Technologies Agency (VITA) shall maintain and update quarterly a list of major information technology projects that are active or are expected to become active in the next fiscal year and have been approved and recommended for funding by the Secretary of Administration. Such list shall serve as the official repository for all ongoing information technology projects in the Commonwealth and shall include all information required by § 2.2-

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1509.3 (B)(1)-(8), Code of Virginia. VITA shall make such list publically available on its website, updated on a quarterly basis, and shall submit electronically such quarterly update to the Chairs of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget, in a format mutually agreeable to them. To ensure such list can be maintained and updated quarterly, state agencies with major information technology projects that are active or are expected to become active in the next fiscal year shall provide in a timely manner all data and other information requested by VITA.

F. The Virginia Information Technologies Agency (the agency) shall take the necessary steps to obtain and use the cybersecurity grant funding that is available to Virginia under the State and Local Cybersecurity Improvement Act subtitle of the Infrastructure Investment and Jobs Act of 2021, P.L. 117-58. In accordance with the federal grant requirements, the agency shall establish, and identify candidates for appointment by the Governor to a planning committee that includes members from: (i) state government; counties, cities, and towns; and institutions of public education and health within Virginia; and (ii) suburban, rural, and high-population jurisdictions. No less than half of the members shall have substantial professional experience in cybersecurity or information technology. The Chief Information Officer of the Commonwealth, or the Chief Information Security Officer as designee, shall be the chair of the planning committee. Staffing for the planning committee shall be provided by the agency. In addition, the agency shall: (i) develop a cybersecurity plan, present such plan to the planning committee for approval, and submit such plan to the appropriate federal officials in compliance with the federal program requirements; (ii) propose priorities for grant funding for the planning committee's consideration and approval, and in establishing priorities, the committee shall consider the needs of local school divisions; (iii) approve, manage, and allocate grant funding once received, ensuring that the grants fit within the priorities approved by the planning committee; and (iv) report on program's activities to the House Appropriations Committee and the Senate Finance and Appropriations Committee by October 1 of each year of the program. To the extent permitted by federal grant guidelines, the agency may retain a portion of the federal grant funding to reimburse actual costs incurred in providing support and administration of the provisions of this paragraph."

Explanation:

(This amendment provides language directing the Virginia Information Technologies Agency (VITA) to take the necessary steps to obtain and use funding available to Virginia under the State and Local Cybersecurity Improvement Act authorized by the Infrastructure Investment and Jobs Act of 2021. In accordance with the federal program requirements, 80% of funding received must be directed to local governments to assist with developing and/or strengthening cybersecurity programs. Language provisions of this amendment direct VITA to serve as staff for the program and to perform all duties as required by the federal grant program, to include assisting in the selection of a planning committee, the development and submission of a requisite cybersecurity plan to the federal Department of Homeland Security, and other reporting and administrative duties as are required by the federal grant program. A companion amendment to the 2022-2024 biennial budget continues this language and appropriates general

funds as state match for the federal grants allocated through this program.)

Item 111.10 #1c

Commerce and Trade

Secretary of Labor

Language

Language:

Page 27, line 4, strike "Not set out." and insert:

"F.1 The Secretary of Labor shall prioritize improvements and modernization of the Virginia Employment Commission (VEC) as outlined in the November 2021 JLARC Report, "Operations and Performance of the Virginia Employment Commission," including an analysis of the report's 40 recommendations and 10 policy options. Emphasis shall be placed on improving customer service and interactions with the public in the immediate time frame while still dealing with pandemic-related issues and long-range plans to improve the transparency of processes and services. Additional focus shall be placed on (i) overall funding and management of the Unemployment Insurance (UI) trust fund; (ii) reviewing benefit levels for income replacement; (iii) ensuring appropriate staffing levels and well-trained personnel; and (iv) addressing technology needs. The current backlog of 2020 and 2021 claims shall be expedited for resolution immediately, including but not limited to resolving any outstanding claims; accounting for overpayments or inappropriate payments; and improving processes to prevent fraud and better identify valid claims.

2. The Secretary of Labor shall competitively procure a national firm with expertise in evaluating the efficiency of an organization's staffing structure, delegation of staff duties, and work processes to conduct a comprehensive efficiency review of the UI operations of the Virginia Employment Commission to (i) identify specific actions that could be taken to improve the efficiency of VEC's UI operations, including through more efficient and effective use of staff and technology; (ii) recommend improvements to the agency's staffing and workflows to most effectively use existing federal funding for UI operations; and (iii) determine whether current funding is adequate to ensure effective UI operations. The Secretary shall issue an interim report of its findings and recommendations to the General Assembly no later than December 1, 2022, and a final report no later than September 1, 2023."

Explanation:

(This amendment directs the Secretary of Labor to competitively procure a comprehensive efficiency review of the operations of the Virginia Employment Commission consistent with Recommendation 1 of the JLARC Report, "Operations and Performance of the Virginia Employment Commission," from November 2021. It is the intent of the General Assembly to set out this item upon enrolling.)

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Item 112 #1c

Commerce and Trade	FY20-21	FY21-22	
Economic Development Incentive Payments	\$0	\$15,000,000	GF

Language:

Page 27, line 8, strike "\$79,585,483" and insert "\$94,585,483".

Page 30, after line 25, insert:

"S.1. Out of this appropriation, \$15,000,000 the second year from the general fund shall be deposited to the Property Analytics Firm Infrastructure Grant Fund for expenses related to public infrastructure improvements, including commuter access and parking, pedestrian access, roadway and traffic improvements, safety enhancements, site preparation and utilities in the City of Richmond (the City). These improvements will serve the existing and proposed facilities for a real property analytics firm (the Company) located in the City, the employees of the firm, and other visitors to the vicinity of the facilities.

2. Disbursement of these funds shall be based upon an agreement between the City, the Company and the Virginia Economic Development Partnership Authority setting forth the terms and conditions of the distribution of funds to the City and any expected repayment should the Company fall short of its promises to invest at least \$460,500,000 at the facilities, and to create at least 1,984 new jobs that pay an average annual wage of at least \$85,000 related to its operations at the facilities.

3. There is hereby created a nonreverting fund to be known as the Property Analytics Firm Infrastructure Grant Fund. The Fund shall be established on the books of the Comptroller. All funds appropriated to the Fund shall be paid into the Fund and credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used for the purpose to pay grants pursuant to paragraph S.1. of this item. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller pursuant to paragraph S.5. of this item.

4. The Company shall provide evidence, satisfactory to the Secretary of Commerce and Trade, of (i) the aggregate number of new full-time jobs in place in the calendar year that immediately precedes the expected date on which the grant installment is to be paid and (ii) the aggregate amount of the capital investment made as of the last day of the calendar year that immediately precedes the expected date on which the grant installment is to be paid. The application and evidence shall be filed with the Secretary in person, by mail, or as otherwise agreed upon in the memorandum of understanding by no later than April 1 each year reflecting performance in and through the prior calendar year. Failure to meet the filing deadline shall result in a deferral of a scheduled grant installment payment set forth in the terms and conditions between the City, the Company, and the Virginia Economic Development Partnership Authority. For filings by mail, the postmark cancellation shall govern the date of the filing determination.

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5. Within 60 days of receiving the application and evidence pursuant to S.4. of this item, the Secretary shall certify to the Comptroller, the Virginia Economic Development Partnership Authority, and the City, the amount of grants to which it is entitled for payment. Payment of such grants shall be made by check issued by the State Treasurer on warrant of the Comptroller within six months succeeding the submission of such timely filed application.

6. As a condition of receipt of the grants, the Company shall make available to the Secretary for inspection, upon request, all documents relevant and applicable to determining whether the qualified company has met the requirements for the receipt of grants as set forth in this paragraph and subject to the memorandum of understanding. All such documents appropriately identified by the Company shall be considered confidential and proprietary."

Explanation:

(This amendment provides \$15.0 million from the general fund in fiscal year 2022 to support infrastructure site improvements for the CoStar economic development expansion project in downtown Richmond. This project has been approved by the MEI Commission.)

	Item 112 #2c	
Commerce and Trade	FY20-21	FY21-22
Economic Development Incentive Payments	\$0	\$15,000,000 GF

Language:

Page 27, line 8, strike "\$79,585,483" and insert "\$94,585,483".

Page 30, after line 25, insert:

"S.1. Out of this appropriation, \$15,000,000 the second year from the general fund shall be provided to the Virginia Commercial Space Flight Authority (Virginia Space) for expenses related to the construction of a 20,000 square foot shell building at the Wallops Island Flight Facility. The funding provided in this paragraph shall be used for clearing and grading the site, making necessary infrastructure improvements, and building construction.

2. Disbursement of these funds shall be at the discretion of the Virginia Economic Development Partnership Authority, based upon an agreement between Virginia Space and a guided missile and space vehicle parts manufacturing company (the Company) setting forth the terms and conditions of the distribution to Virginia Space and any expected repayment, should the Company fall short of their promises to invest at least \$103,000,000 and to create at least 246 new jobs that pay an annual wage of at least \$76,643 in Virginia. Prior to any expenditures of funds contained in this paragraph, the Virginia Economic Development Partnership Authority and Virginia Space shall ensure the Company has received the necessary approvals from the National Aeronautics and Space Administration for a Return to Pad landing."

Explanation:

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(This amendment provides \$15.0 million from the general fund in fiscal year 2022 to support the Rocket Labs economic development project at Wallops Island. This project has been approved by the MEI Commission.)

Item 112 #3c

Commerce and Trade

Economic Development Incentive Payments

Language

Language:

Page 30, line 24, after "*jobs*", insert:
"that pay an annual wage of at least \$37,321".

Explanation:

(This amendment adds the required wage threshold to the parameters of the Blue Star Manufacturing economic development project in Wythe County, recently approved by the MEI Commission.)

Item 112 #4c

Commerce and Trade

FY20-21

FY21-22

Economic Development Incentive
Payments

\$0

(\$1,500,000) GF

Language:

Page 27, line 8, strike "\$79,585,483" and insert "\$78,085,483".
Page 27, line 16, unstrike "\$19,750,000".
Page 27, line 17, strike "\$21,250,000".

Explanation:

(This amendment continues a funding policy approved in Chapter 552 of the 2021 Acts of Assembly, Special Session I related to a high performance data facility project at Jefferson Labs.)

Item 112 #5c

Commerce and Trade

FY20-21

FY21-22

Economic Development Incentive
Payments

\$0

(\$10,000,000) GF

Language:

Page 27, line 8, strike "\$79,585,483" and insert "\$69,585,483".

Page 29, strike lines 38 through 53.

Page 30, strike lines 1 through 2.

Explanation:

(This amendment removes \$10.0 million of general fund spending provided to the City of Petersburg during the 2021 General Assembly Session to upgrade water and wastewater capacity at Poor Creek Pump Station. A companion amendment to House Bill 30 directs \$29.6 million in fiscal year 2023 to the City of Petersburg for the entire cost of this project from remaining federal American Rescue Plan Act funds.)

Item 113 #1c

Commerce and Trade

Department of Housing and Community Development

Language

Language:

Page 30, line 38, strike "Not set out." and set out Item 113, and insert:

"L.1. Notwithstanding the provisions of § 10.1-1330, Code of Virginia, the department shall utilize up to \$11,400,000 of unobligated balances in the Low-Income Energy Efficiency Program Fund (02017) for the purposes of providing relief to residents of Virginia that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to a Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021.

2. The department shall establish a program to provide flood relief to eligible applicants, which shall include individual property owners and business owners affected by a flood disaster, mudslide, or landslide. The department shall establish procedures for filing and resolving claims, which shall include measures to prevent fraud, and which may include any criteria the department determines reasonable to carry out the provisions of this paragraph. The amount of relief provided to an eligible applicant shall be equal to 175 percent of the property value for the realty that sustained major damage or represents a total loss, as defined by 7. and 8. below. The department shall award funds for estimated repairs up to the maximums contained in this paragraph for a realty that does not meet the definition of total loss or major damage, as defined by 7. and 8. below. Any payment made to an eligible applicant from this paragraph shall not exceed \$500,000 for a residential realty and \$1,000,000 for a commercial realty. If an eligible applicant owns multiple, noncontiguous properties in an area affected by the disaster in paragraph L.1. of this item, the eligible applicant may file separate claims for each parcel, and the maximums described in this paragraph shall apply to each separate claim. The department shall reduce payments by any federal or state relief or insurance payments received by the eligible applicant for property repairs or damage related to the disaster described in paragraph

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L.1. of this item.

3. Payments under paragraph L. of this item shall be subject to the availability of funds. If claims exceed available funds, the department shall make payments in the order that claims were received.

4. The department shall not provide relief under this section for realty that was abandoned or uninhabited at the time of the disaster described in paragraph L.1. of this item.

5. No recourse may be had by any person, organization, or entity against a recipient of payment under this paragraph, absent any evidence of misuse of funds. Misuse of funds shall be established by a showing that a recipient knowingly misapplied the proceeds of a payment received under this paragraph. If a showing of misuse of funds has been made, then a person may seek recourse against the recipient for an amount no greater than the extent of the payment.

6. Relief awarded pursuant to this paragraph is excluded from gross income and is not subject to taxation.

7. "Total loss" means real property that has been destroyed, such that there is a total loss of the structure, the structure is not economically feasible to repair, or there is a complete failure to major structural components, such as the collapse of the basement, wall, or roof.

8. "Major damage" means real property that has substantial failure to its structural elements, such as walls, floor, or foundation, or that has sustained damage that will take more than 30 days to repair.

9. "Eligible applicant" means any individual property owner or business owner that lost or sustained property damage as a result of a flood disaster, mudslide, or landslide occurring on or after August 1, 2021, but before September 31, 2021, and subject to Major Disaster Declaration (FEMA-4628-DR) issued by President Biden on October 26, 2021."

Explanation:

(This amendment directs \$11.4 million from Regional Greenhouse Gas Initiative auction proceeds to support flood relief for the residents of Hurley, Virginia. It is the intent of the General Assembly to set out this item upon enrolling.)

	Item 114 #1c	
Commerce and Trade	FY20-21	FY21-22
Department of Housing and Community Development	\$0	\$2,500,000 GF

Language:

Page 30, line 39, strike "\$138,776,362" and insert "\$141,276,362".

Page 30, line 39, strike "Not set out." and insert "Item 114."

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"S.1. Out of this appropriation, \$2,500,000 the second year from the general fund is provided for the department to award grants to certified regional councils established by § 2.2-2488, Code of Virginia to identify and address business workforce needs in regional industry clusters. The department shall work with the Virginia Initiative for Growth and Opportunity Board established by § 2.2-2485, Code of Virginia, and the Office of Education and Labor Market Alignment (the Office) in the Virginia Economic Development Partnership Authority established by § 2.2-2238, Code of Virginia to distribute these funds. Grant awards must be recommended by staff of the department and the Office with final approval by the GO Virginia Board.

2. These planning grants shall support analysis on the workforce needs of regional businesses and the identification of the skills and training that can help prepare Virginians to fill available jobs in regional markets. Skills and training includes, but is not limited to, high school career and technical education, credentials, certifications, apprenticeships, internships, and other degree and non-degree programs that can help prepare individuals for career opportunities.

3. The Office shall provide analytical support to regional councils in developing the analysis described above. As a condition of the grant, regional councils shall provide quantitative and qualitative information on current and future needs of regional businesses within the targeted industry clusters to the Office.

4. This planning grant program shall last no longer than a year from its start date, and represent a one-time appropriation of funds for this purpose.

5. Any funds remaining at the end of the fiscal year shall not revert to the general fund and shall be carried forward into the next fiscal year by the department for the purposes described in paragraph S.1."

Explanation:

(This amendment provides \$2.5 million from the general fund in fiscal year 2022 for the Department of Housing and Community Development to provide grants to GO Virginia regions to identify business needs for workers in strategic industries. It is the intent of the General Assembly to set out this item upon enrolling.)

		Item 130 #1c	
Commerce and Trade	FY20-21	FY21-22	
Virginia Economic Development Partnership	\$0	\$1,427,000	GF

Language:

Page 32, line 28, strike "\$193,752,309" and insert "\$195,179,309".

Page 33, line 44, after "J." and insert "1."

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Page 33, after line 47, insert:

"2. Out of the amounts in this item, \$1,427,000 the second year from the general fund is provided for expenses related to recruitment and training services for the benefit of the operators of a nitrile butadiene rubber production plant and a medical-grade glove manufacturing facility slated for development in Progress Park in the County of Wythe. The authority shall administer the funds contained in this paragraph in accordance with the provisions of Chapter 731 and Chapter 746 of the 2022 Acts of Assembly. This funding is supplemental to the funds provided in Paragraph J.1. and shall not be included in any base budget for the Virginia Talent Accelerator Program."

Explanation:

(This amendment provides \$1.4 million from the general fund in fiscal year 2022 for training services provided by the Virginia Economic Development Partnership Authority for the MEI Commission approved Blue Star Manufacturing economic development project in Wythe County. These services will support the recruitment and training of up to 2,464 new jobs through 2026.)

Item 130 #2c

Commerce and Trade	FY20-21	FY21-22	
Virginia Economic Development Partnership	\$0	(\$150,000,000)	GF

Language:

Page 32, line 28, strike "\$193,752,309" and insert "\$43,752,309".
Page 33, line 48, strike "\$155,562,500" and unstrike "\$5,562,500".

Explanation:

(This amendment moves funding for the Virginia Business Ready Sites Program to the state's new biennial budget.)

Item 145 #1c

Education: Elementary and Secondary

Direct Aid to Public Education

Language

Language:

Page 88, after line 43, insert:
"The Department of Education shall consider such nonrecurring expenses by school divisions from local funds to be credited toward their required local match under this program."

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Explanation:

(This amendment provides clarification that the calculation of required local effort for Infrastructure and Operations Funds shall include local funds used for nonrecurring expenses. Traditionally, nonrecurring expenses are do not contribute toward local match requirements.)

Item 145 #2c

Education: Elementary and Secondary	FY20-21	FY21-22	
Direct Aid to Public Education	\$0	(\$2,503,925)	GF

Language:

Page 50, line 46, strike "\$8,019,833,069" and insert "\$8,017,329,144".

Page 52, line 22, strike "\$81,803,402" and insert "\$80,146,881".

Page 74, line 35, strike "\$81,803,402" and insert "\$80,146,881".

Explanation:

(This amendment captures \$2.5 million the second year from the general fund from the undistributed balance in the Virginia Preschool Initiative program after updating final participation.)

Item 145 #3c

Education: Elementary and Secondary	FY20-21	FY21-22	
Direct Aid to Public Education	\$0	\$34,859,256	GF

Language:

Page 50, line 46, strike "\$8,019,833,069" and insert "\$8,054,692,325".

Page 51, line 30, strike "\$3,389,339,676" and insert "3,345,492,183".

Page 51, line 32, strike "\$1,769,200,000" and insert "1,847,900,000".

Explanation:

(This amendment provides an additional \$34.8 million the second year from the general fund, representing the net impact of the revenue reforecast, which estimated an additional \$78.7 million in K-12 dedicated sales tax. The additional sales tax revenue reduces the state's share of basic aid by \$43.8 million.)

Item 145 #4c

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Education: Elementary and Secondary	FY20-21	FY21-22	
Direct Aid to Public Education	\$0	(\$16,684,753)	GF

Language:

Page 50, line 46, strike "\$8,019,833,069" and insert "\$8,003,148,316".

Page 52, line 28, strike "\$97,505,752" and insert "\$80,820,999".

Explanation:

(This amendment adjusts the funding for No Loss Payments as provided in Chapter 552, 2021 Special Session I, based upon other actions, including the sales tax update, increased Infrastructure and Operations Per Pupil Payments, and technical updates.)

Item 145 #5c

Education: Elementary and Secondary	FY20-21	FY21-22	
Direct Aid to Public Education	\$0	(\$22,414)	GF

Language:

Page 50, line 46, strike "\$8,019,833,069" and insert "\$8,019,810,655".

Page 52, line 5, strike "\$19,988,505" and insert "\$19,966,091".

Explanation:

(This technical amendment saves \$22,414 the second year from the general fund from updated student enrollment at A. Linwood Holton Governor's School.)

Item 145 #6c

Education: Elementary and Secondary	FY20-21	FY21-22	
Direct Aid to Public Education	\$0	\$1,877,055	GF

Language:

Page 50, line 46, strike "\$8,019,833,069" and insert "\$8,021,710,124".

Page 52, line 24, strike "\$21,778,364" and insert "\$23,655,419".

Page 79, line 16, strike "\$6,128,516" and insert "\$8,005,571".

Explanation:

(This amendment provides \$1.9 million the second year from the general fund to support actual participation rates for various early childhood expansion initiatives.)

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Item 274 #1c

Finance	FY20-21	FY21-22	
Department of Accounts Transfer Payments	\$0	\$498,700,000	GF

Language:

Page 101, line 6, strike "\$0" and insert "\$498,700,000".

Page 101, strike line 6 and insert:

"Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.

A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 15 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

B. Out of this appropriation, \$77,409,780 the first year from the general fund attributable to actual tax collections for fiscal year 2019 shall be paid by the State Comptroller on or before June 30, 2021, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for fiscal year 2019. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

C1. Out of this appropriation, \$498,700,000 from the general fund the second year is included as an advance reservation of any required deposit to the Revenue Stabilization Fund attributable to actual tax collections for fiscal year 2022, as determined by the Auditor of Public Accounts, for deposit to the Revenue Stabilization Fund in the 2022-2024 biennium.

2. The State Comptroller shall deposit the advance reservation of \$498,700,000 referenced in paragraph C.1., above, to the Revenue Reserve Fund as a reserve for the Revenue Stabilization Fund prior to June 30, 2022.

D. Notwithstanding the provisions of § 2.2-1829, E. or any other provision of law, the maximum combined amount in the Revenue Stabilization Fund and the Revenue Reserve Fund shall be set at 20 percent of the Commonwealth's average annual tax revenues derived from taxes on income and retail sales as certified by the Auditor of Public Accounts for the three fiscal years immediately preceding."

Explanation:

(This amendment provides \$498.7 million from the general fund in fiscal year 2022 to set aside in anticipation of a required Rainy Day Fund deposit based on the fiscal year 2022 revenues.)

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Item 275 #1c

Finance	FY20-21	FY21-22	
Department of Accounts Transfer Payments	\$0	(\$563,866,783)	GF

Language:

Page 101, line 8, strike "\$1,213,866,783" and insert "\$650,000,000".
 Page 101, line 15, unstrike "\$650,000,000" and strike "\$1,213,866,783".

Explanation:

(This amendment eliminates the optional revenue reserve deposit that was proposed in the introduced budget. A companion amendment sets aside \$498.7 million to reflect the estimated Rainy Day Fund deposit that will be required in fiscal year 2024 based on the fiscal year 2022 revenue forecast.)

Item 277 #1c

Finance	FY20-21	FY21-22	
Department of Accounts Transfer Payments	\$0	\$750,000,000	GF

Language:

Page 101, line 23, strike "\$31,359,934" and insert "\$781,359,934".
 Page 101, line 23, strike "Not set out." and insert:
 "Authority: Title 2.2, Chapter 8, Code of Virginia.

A.1. On or before June 30, 2021, the State Comptroller shall deposit \$100,000,000 from the general fund into the Virginia Retirement System trust fund.

2. From these funds, the Virginia Retirement System shall allocate an amount estimated at \$61,300,000 to the public school teacher plan, representing the expedited repayment to the Retirement System for the contributions that were deferred during the 2010-2012 biennium.

3. Any remaining balance, estimated at \$38,700,000, shall be allocated to the health insurance credit plan for state employees to address the unfunded liability associated with that plan.

B. On or before June 30, 2022, the State Comptroller shall deposit \$750,000,000 from the general fund into the Virginia Retirement System trust fund. The Virginia Retirement System shall allocate these funds in the following manner in an effort to address the unfunded liabilities associated with each plan:

1. An amount estimated at \$219,156,319 to the state employee plan.

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2. *An amount estimated at \$442,371,087 to the public school teacher plan.*
3. *An amount estimated at \$10,957,816 to the State Police Officers' Retirement System.*
4. *An amount estimated at \$19,886,407 to the Virginia Law Officers' Retirement System.*
5. *An amount estimated at \$6,250,014 to the Judicial Retirement System.*
6. *An amount estimated at \$8,522,746 to the health insurance credit plan for state employees.*
7. *An amount estimated at \$12,013,013 to the health insurance credit plan for public school teachers.*
8. *An amount estimated at \$30,438,378 to the group life insurance plan.*
9. *An amount estimated at \$275,975 to the health insurance credit plan for Constitutional Officers and their employees.*
10. *An amount estimated at \$121,754 to the health insurance credit plan for local social services employees.*
11. *An amount estimated at \$6,494 to health insurance credit plan for Registrars and their employees."*

Explanation:

(This amendment provides \$750.0 million from the general fund in fiscal year 2022 for a lump sum payment to the VRS to address the unfunded liability of the VRS run programs. A companion amendment to House Bill 30 includes additional contingent appropriation of \$250.0 million to VRS.)

	Item 282 #1c	
Finance	FY20-21	FY21-22
Department of Taxation	\$0	\$250,000 GF

Language:

Page 102, line 6, strike "\$62,299,588" and insert "\$62,549,588".

Explanation:

(This amendment provides \$250,000 the second year from the general fund for the Department of Taxation to implement tax policy changes included in the amended budget.)

	Item 299 #1c
Health and Human Resources	

Department of Health

Language

Language:

Page 118, line 30, strike "Not set out." and insert:

"Q. The Department of Health shall allow federal funds allocated for the VISSTA COVID testing program to be made available to localities or school divisions that request funding to contract with a vendor directly to implement a school testing program."

Explanation:

(This amendment adds language providing more flexibility in the use of school COVID testing funds. Some school divisions and localities would prefer to develop their own contracts with local labs to expedite COVID testing and results.)

Item 313 #1c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 160, after line 18, insert:

"PPPPPP.1. The Secretary of Health and Human Resources shall establish a Task Force on Eligibility Redetermination to ensure that the Commonwealth redetermines eligibility for Medicaid in the most efficient and prudent manner possible to meet the unwinding requirement associated with the end of the federal Public Health Emergency and the provisions of the maintenance of eligibility requirement in Medicaid pursuant to the Families First Coronavirus Response Act (P.L. 166-127). The Task Force shall include representatives from the Department of Medical Assistance Services, the Department of Social Services, the Department of Planning and Budget, and staff from the House Appropriations and Senate Finance and Appropriations Committees. The Task Force shall: (i) assess the current status of the shift of eligibility for individuals to the appropriate aid category that was assumed in the November 2021 forecast; (ii) evaluate the current plan, including the timeline, of the Department of Medical Assistance Services and the local departments of social services to redetermine Medicaid eligibility in the most efficient manner after the expiration of the maintenance of eligibility requirements; (iii) assess the resources and operational capabilities of the agencies to handle the increased workload efficiently; and (iv) make recommendations as appropriate to improve the unwinding process until its conclusion.

2. At the direction of the Secretary of Health and Human Resources, the Department of Medical Assistance Services is authorized to utilize federal American Rescue Plan Act funds to help address operational challenges in addressing eligibility redeterminations for Medicaid that may include providing additional funds to support overtime costs at local departments of social services and/or issuing emergency contracts to hire contractors to assist in the efforts."

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Explanation:

(This amendment directs the Secretary of Health and Human Resources to establish a Task Force on Eligibility Redetermination to evaluate the Commonwealth's plan for eligibility redetermination that will result due to the end of the federal Public Health Emergency and the expiration of the maintenance of eligibility requirements in Medicaid pursuant to the Families First Coronavirus Response Act (P.L. 166-127).)

	Item 313 #2c		
Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	\$0	(\$104,004,934)	GF
Services	\$0	\$237,148,301	NGF

Language:

Page 122, line 20, strike "\$18,170,277,935" and insert "\$18,303,421,302".

Explanation:

(This amendment captures \$104.0 million in general fund savings and reflects additional nongeneral funds as a result of the change in the federal match rate for Medicaid due to the extension of the federal public health emergency (PHE). The Families First Coronavirus Response Act (P.L. 116-127) provides a 6.2 percentage point increase in the state's federal match rate for Medicaid in each quarter under a PHE. The federal Secretary of Health and Human Services announced in January another 90-day extension and this amendment reflects the savings to the Commonwealth for the fourth quarter of fiscal year 2022. Upon enrolling of House Bill 29, the appropriation changes will be reflected in the appropriate items.)

	Item 313 #3c		
Health and Human Resources	FY20-21	FY21-22	
Department of Medical Assistance	\$0	(\$12,571,908)	GF
Services	\$0	(\$12,571,908)	NGF

Language:

Page 122, line 20, strike "\$18,170,277,935" and insert "\$18,145,134,119".

Page 126, line 22, strike "25,143,816" and insert "12,571,908".

Page 126, line 23, strike "25,143,816" and insert "12,571,908".

Explanation:

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(This amendment captures savings of \$12.6 million from the general fund and \$12.6 million from federal Medicaid matching funds in fiscal year 2022 resulting from the delay by the Department of Behavioral Health and Developmental Services (DBHDS) in releasing the authorized DD waiver slots nearly seven months into the fiscal year. This delay resulted in savings in the program.)

Item 313 #4c

Health and Human Resources

Department of Medical Assistance Services

Language

Language:

Page 160, line 10, after "*federal PHE*", insert:
", due to the inability to increase patient pay".

Explanation:

(This amendment clarifies language contained in the introduced budget which provides the Department of Medical Assistance Services the authority to exclude excess resources from increases in patient pay amounts accumulated by certain Medicaid long-term care recipients who must spend down their assets on a monthly basis to pay for a portion of their care in order to qualify for Medicaid eligibility for a period of 12 months after the end of the federal public health emergency (PHE). The excess resources have accumulated during the PHE, because states are prohibited from adjusting Medicaid payments based on changes in amounts paid by patients on a monthly or annual basis, termed "patient pay.")

Item 350 #1c

Health and Human Resources

FY20-21

FY21-22

Department of Social Services

\$0

\$3,000,000

GF

Language:

Page 178, line 7, strike "\$152,165,798" and insert "\$155,165,798".

Explanation:

(This amendment provides \$3.0 million from the general fund in fiscal year 2022 to fully fund the caseload increase in the Temporary Assistance to Needy Family Unemployed Parent program. This program is state-funded only.)

Item 350 #2c

Health and Human Resources

Department of Social Services

Language

Language:

Page 178, line 34, strike "\$75,567,334" and insert "\$79,652,390".

Explanation:

(This amendment adjusts the federal Temporary Assistance to Needy Families block grant balance to reflect projected spending in fiscal year 2022.)

Item 353 #1c

Health and Human Resources

Department of Social Services

Language

Language:

Page 184, after line 30, insert:

"G. On or before June 30, 2022, the Director, Department of Planning and Budget, shall unallot \$2,000,000 the second year from this item which reflects unused balances in the Auxiliary Grant program."

Explanation:

(This amendment adds language to capture \$2.0 million in balances the second year in the Auxiliary Grant program within the Department of Social Services.)

Item 354 #1c

Health and Human Resources

Department of Social Services

FY20-21

FY21-22

\$0

(\$2,734,777)

GF

\$0

\$2,734,777

NGF

Language:

Explanation:

(This amendment captures \$2.7 million in general fund savings from the Title IV-E Foster Care program due to the extension of the federal Public Health Emergency (PHE). The Families First Coronavirus Response Act (P.L. 116-127) provides a 6.2 percentage point increase in the state's federal match rate for Medicaid in each quarter under a PHE. The Title IV-E program uses the same match rate. The federal Secretary of Health and Human Services announced in January another 90-day extension and this amendment reflects the savings to the Commonwealth for the

Conference Report to House Bill 29

fourth quarter of fiscal year 2022.)

Item 359 #1c

Health and Human Resources

Department of Social Services

Language

Language:

Page 198, strike lines 5 through 8.

Explanation:

(This amendment removes language related to replacement of the Virginia Case Management System. An amendment to House Bill 30 delays the replacement of the system, making this language unnecessary.)

Item 374 #1c

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 200, line 4, strike "Not set out."

Page 200, Item 374, paragraph T., after "cycling trail." insert:

"Any remaining balances shall not revert to the general fund and shall be carried forward to the subsequent fiscal year."

Explanation:

(This amendment authorizes any balance of funds appropriated for the Mendota Trail project at the end of fiscal year 2022 to be carried forward to the subsequent fiscal year. It is the intent of the General Assembly that this item will be set out in the enrolling process.)

Item 374 #2c

Natural Resources

FY20-21

FY21-22

Department of Conservation and Recreation

\$0

\$430,000 GF

Language:

Page 200, line 4, strike "\$84,086,747" and insert "\$84,516,747".

Page 200, line 4, strike "Not set out."

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Page 200, Item 374, paragraph C.4. after "year" insert:
"and \$430,000 the second year".

Explanation:

(This amendment provides an additional \$430,000 from the general fund in fiscal year 2022 to address cost increases, due to inflation, to complete repairs to the Breaks Lodge in memory of Senator Ben Chafin. An additional \$430,000 is needed to complete the project, originally supported with a \$1.4 million state allocation. It is the intent of the General Assembly that this item will be set out in the enrolling process.)

Item 374 #3c

Natural Resources

Department of Conservation and Recreation

Language

Language:

Page 200, line 4, strike "Not set out."

Page 200, Item 374, strike paragraph U and insert:

"U. Out of the amounts in this item, \$2,000,000 the second year from the general fund is provided for the Department of Conservation and Recreation to establish a grant program for accessibility improvements at a property owned by a charity, formerly part of George Washington's estate, including the design and construction of ADA compliant public trails and viewing areas, driveway and parking areas, shoreline stabilization, passive use water access and riverbank restoration, and elimination of invasive plant species in coordination with the Virginia Outdoors Foundation."

Explanation:

(This amendment repurposes \$2.0 million from the general fund currently appropriated in fiscal year 2022 for a grant program to provide for accessibility improvements that facilitate public access and educational opportunities at George Washington's historic River Farm property. It is the intent of the General Assembly that this item will be set out in the enrolling process.)

Item 376 #1c

Natural Resources

Department of Environmental Quality

Language

Language:

Page 200, line 7, set out Item 376.

Page 200, Item 376, after line 7, insert:

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"D. The Department shall provide technical assistance to the City of Bristol in resolving ongoing health, environmental, and quality of life issues with its landfill and to facilitate a long-term plan for the operational status of the landfill following the completion of mitigation efforts."

Explanation:

(This amendment directs the Department of Environmental Quality to provide technical assistance to the City of Bristol regarding ongoing health, environmental, and quality of life issues stemming from the operations of the City's landfill. It is the intent of the General Assembly that this item will be set out in the enrolling process.)

Item 377 #1c

Natural Resources

Department of Environmental Quality

Language

Language:

Page 200, line 8, strike "Not set out."
Page 200, Item 377, paragraph H, after "equipment", strike:
"through the Commonwealth's Master Equipment Leasing Program".

Explanation:

(This amendment removes the requirement that previously authorized water quality monitoring equipment be procured using the Master Equipment Leasing Program to reflect the fact that specific ground water monitoring well equipment is not available for lease. It is the intent of the General Assembly that this item will be set out in the enrolling process.)

Item 384 #1c

Natural Resources

Department of Wildlife Resources

Language

Language:

Page 201, line 27, unstrike "\$16,500,000".
Page 201, line 28, strike "\$20,400,000".

Explanation:

(This amendment removes a proposed increase of \$3.9 million from the nongeneral fund from general funds transferred to the Department of Wildlife Resources for deposit to the Game Protection Fund.)

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Item 406 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Criminal Justice Services	\$0	\$446,547	GF

Language:

Page 204, line 42, strike "\$148,587,958" and insert "\$149,034,505".

Page 207, line 51, after "funds" insert:

"and \$446,547 the second year from the general fund".

Page 207, line 53, strike "\$1,450,000 the second year" and insert:

"\$1,896,547 the second year".

Explanation:

(This amendment provides an additional \$446,547 from the general fund the second year to the Department of Criminal Justice Services for the Southern Virginia Internet Crimes Against Children Task Force, to account for recent declines in nongeneral fund revenues from court fees.)

Item 411 #1c

Public Safety and Homeland Security	FY20-21	FY21-22	
Department of Emergency Management	\$0	(\$11,955,362)	GF

Language:

Page 210, line 16, strike "\$44,220,540" and insert "\$32,265,178".

Page 211, line 12, strike "\$21,074,301" and insert "\$9,118,939".

Page 211, line 16, strike "\$11,624,471" and insert "6,084,863".

Page 211, line 19, strike "\$569,833 the second year" and insert:

"\$333,800 the second year".

Page 211, line 22, strike "\$6,678,497" and insert "\$2,700,276".

Page 211, line 26, strike "and \$2,201,500 the second year".

Explanation:

(This amendment removes \$12.0 million in general funds the second year that are unobligated in part due to the continued availability of federal funding for COVID response.)

Item 425 #1c

Public Safety and Homeland Security

Conference Report to House Bill 29

Department of State Police

Language

Language:

Page 212, set out Item 425.

Page 212, Item 425, after "University of Virginia.", insert:

"3. The Department of State Police shall, upon request, provide to the Department of Health any information it possesses as a result of carrying out the provisions of §§ 16.1-337.1, 19.2-389, 19.2-389.1, 37.2-819, 19.2-182.2 and 64.2-2014, Code of Virginia, to enable the Department of Health to link the data held pursuant to those provisions with other relevant data held by the Commonwealth. Once received, the Department of Health will provide the linked data to the Department of Juvenile Justice for de-identification and for the purpose of evaluating the impact of carrying out these provisions on the public health and safety, pursuant to a research grant to Duke University and a subcontract with the University of Virginia."

Explanation:

(This amendment rectifies an omission in previously adopted language pertaining to sharing of de-identified data between State Police, the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Services, and the Department of Health for the purposes of a research study conducted by Duke University and the University of Virginia.)

Item 436 #1c

Transportation

Department of Motor Vehicles

Language

Language:

Page 222, strike lines 41 through 44, insert:

"V. Notwithstanding the provisions of subsection A of § 46.2-1508, any manufacturer or distributor of buses that sells buses to a local government authority or non-profit provider in the Commonwealth for the purposes of public transportation, as defined in 49 U.S.C. § 5302, shall not be required to obtain a manufacturers license from the Department of Motor Vehicles or a dealers license from the Motor Vehicle Dealer Board for such sales. For purposes of this item, "bus" means a rubber-tired automotive vehicle used for the provision of public transportation service by or for a recipient of federal or state funding allocated annually by the Commonwealth Transportation Board."

Explanation:

(This amendment replaces language in the introduced budget exempting manufacturers who sell buses for public transportation from the requirement of having a manufacturers' and dealers' license. The replacement language more clearly states the intended policy and is consistent with the language included in Senate Bill 281 of the 2022 session which passed both houses.)

Transportation

Department of Motor Vehicles

Language

Language:

Page 222, after line 44, insert:

“W. Notwithstanding the provisions of Title 46.2 of the Code of Virginia, only entities that both (i) provide commercial motor vehicle training to the general public and (ii) are not Virginia governmental entities shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in accordance with Subparts F and G of Part 380 of Title 49 of the Code of Federal Regulations in the Commonwealth of Virginia. Such entities shall be required to comply with the provisions of Chapter 17 of Title 46.2 of the Code of Virginia. No other person as defined in § 1-230 shall be required to be licensed or certified by the Department of Motor Vehicles to provide entry-level driver training in the Commonwealth.”

Explanation:

(This amendment waives the requirement for certain entities to be licensed or certified by the Department of Motor Vehicles to provide Entry-level Driver Training to commercial drivers.)

Transportation

FY20-21

FY21-22

Department of Transportation

\$0

\$171,700,000 GF

Language:

Page 226, line 33, strike "\$170,796,000" and insert "\$342,496,000".

Page 226, line 49, strike "\$170,796,000" and insert "\$342,496,000".

Page 227, line 7, after “Assembly” insert “;” and strike the remainder of the line.

Page 227, strike lines 8 through 9.

Page 227, strike lines 29 through 47, and insert:

"8. Up to \$30,000,000 shall be transferred to Item 431 for improvements to the Mid-Atlantic Regional Spaceport that will enhance the capabilities of the Spaceport to support existing programs and provide access to space for new customers and programs;

9. Up to \$37,500,000 shall be transferred to Item 446 for additional support of the planning, development, and construction of multi-use trails throughout the Commonwealth. Priority shall be given by the Board to new regional trails, projects to improve connectivity of existing trail networks, geographic diversity in the use of such funds, and for the establishment of a State Trails Office and to develop a State Trails Plan and State Trails Information Clearinghouse consistent with the January 2022 "Report of Virginia Multi-Use Trails Initiative" established pursuant to subsection G of this item. In developing the initial State Trails Plan, the State Trails

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Office shall coordinate with the State Trails Advisory Committee and the Department of Conservation and Recreation to ensure consistency with the Virginia Outdoors Plan;

10. Up to \$210,000,000 shall be transferred to Item 447 to improve Interstate 64 between exit 205 and exit 234 with priority given to enhancements that provide long-term traffic flow improvements for the full 29-mile corridor; and

11. Up to \$10,000,000 shall be transferred to Item 447 to support the extension of the Nimmo Parkway."

Page 227, strike line 52,

Page 228, strike line 1 through line 3, and insert:

"D. Any funds not allocated by June 30, 2022 for the purposes set forth in this section shall not revert to the general fund, but shall be carried over to the next fiscal year for the identified purposes."

Explanation:

(This amendment provides an additional \$171.7 million from the general fund in fiscal year 2022 and modifies the proposed allocation of \$115.8 million from the general fund that was included in the introduced budget related to fiscal year 2021 surplus revenue that is statutorily dedicated for transportation purposes.)

Item 451 #1c

Transportation

Department of Transportation

Language

Language:

Page 231, line 19, after "December 1, 2023." insert:

"All costs for conducting the evaluation shall be borne by the Department and under no circumstance shall funds appropriated for Financial Assistance for City Road Maintenance (60701) be reduced related to the costs of conducting the evaluation."

Explanation:

(This amendment requires the Department of Transportation to absorb the cost of conducting the proposed evaluation of the conditions of city streets and prohibits the payments made to cities from being reduced to cover the costs of conducting the evaluation.)

Item 477 #1c

Central Appropriations

Central Appropriations

Language

Conference Report to House Bill 29

Language:

Page 250, strike line 21 through 47.
Page 251, strike lines 1 through 46.

Explanation:

(This amendment strikes language included in House Bill 29 as introduced authorizing compensation adjustments that would take effect on the first pay day of the fiscal year 2023 (July 1, 2022). Language is included in the conference report for House Bill 30 authorizing the pay raises effective for the August 1st pay day.)

Item 479.20 #1c

Central Appropriations	FY20-21	FY21-22	
Central Appropriations	\$0	\$5,976,652	NGF

Language:

Page 256, line 48, strike "\$9,094,043,771" and insert "\$9,100,020,423".
Page 272, after line 2, insert:

"(ELC) Homeless Service Sites & Congregate Settings	Department of Health (601)	\$239,870
(ELC) Strengthening HAI & AR Program Capacity (SHARP)	Department of Health (601)	\$1,362,745
(ELC) Nursing Home & Long-term Care Facility Strike Teams - SNF	Department of Health (601)	\$834,930
(ELC) Nursing Home & Long-term Care Facility Strike Teams - NH & LTC	Department of Health (601)	\$825,945
(ELC) Travelers Health Year 2	Department of Health (601)	\$197,917
Expanding the Public Health Workforce Within the Disability Networks: Independent Living Services	Department for Aging and Rehabilitative Services (262)	\$200,000
(ATPH) Expanding the Public Health Workforce w/n the Disability Network: AT St. Grants	Department for Aging and Rehabilitative Services (262)	\$80,000
(STPH) Expanding the Public Health Workforce within the Aging Network for States	Department for Aging and Rehabilitative Services (262)	\$1,965,245
Expanding the Public Health Workforce – No Wrong Door Systems/Aging & Disability Resource Centers	Department for Aging and Rehabilitative Services (262)	\$150,000

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Expanding the Public Health Workforce – Traumatic Brain Injury State Partnership Programs Department for Aging and Rehabilitative Services (262) \$120,000".

Explanation:

(This amendment adds additional grant awards under the American Rescue Plan Act of 2021 to various agencies.)

Item 479.20 #2c

Central Appropriations

Central Appropriations

Language

Language:

Page 265, line 27, strike "\$505,375" and insert "\$300,000".

Page 265, line 27, after (778), insert:

"and \$205,375 to the Department of State Police (156)".

Explanation:

(This amendment transfers \$205,375 from the nongeneral fund in American Rescue Plan Act funding that was previously allocated to the Department of Forensic Science to the Virginia State Police for the same purpose. A companion amendment to House Bill 30 transfers the corresponding fiscal year 2023 appropriation.)

Item 479.20 #3c

Central Appropriations

FY20-21

FY21-22

Central Appropriations

\$0

(\$31,279,191) NGF

Language:

Page 256, line 48, strike "\$9,094,043,771" and insert "\$9,062,764,580".

Page 260, line 29, strike "\$250,000,000" and insert "\$218,720,809".

Explanation:

(This amendment updates the Education - Ventilation distribution from the federal State and Local Recovery Fund (SLRF), pursuant to the American Rescue Plan Act of 2021, to reflect actual utilization by school divisions, resulting in savings of \$31.3 million.)

Item 479.20 #4c

Conference Report to House Bill 29

Central Appropriations	FY20-21	FY21-22
Central Appropriations	\$0	\$130,000,000 NGF

Language:

Page 256, line 48, strike "\$9,094,043,771" and insert "\$9,224,043,771".

Page 257, line 18, strike "3,179,200,801" and insert "3,309,200,801".

Page 258, line 23, after "awarded." strike the remainder of the line.

Page 258, strike lines 24 through 31.

Page 258, after line 31, insert:

"2) \$130,000,000 to the Department of Small Business and Supplier Diversity (350) for the Rebuild Virginia program. These funds shall be used to provide business assistance to qualifying applications received by the department on or before June 30, 2021, for which a grant has not been awarded. The Director of the Department of Planning and Budget shall distribute funds to the department for this purpose within 10 days of the passage of this act.

3) Any funds remaining at the end of the fiscal year shall be carried forward into the next fiscal year by the department for the purposes described in these paragraphs 1) and 2) of c. Rebuild VA. The department shall remit any unused funds provided in this paragraph for Rebuild Virginia applications received by the department on or before June 30, 2021 to the State Treasurer for deposit into the State and Local Recovery Fund on or before June 30, 2023."

Explanation:

(This amendment provides \$130.0 million in federal American Rescue Plan Act funds for the Rebuild Virginia program. The Department of Small Business and Supplier Diversity closed the program's application portal in November of 2020. These funds should support all remaining eligible applications in the pipeline for Rebuild Virginia business assistance funds.)

Item 479.20 #5c

Central Appropriations

Central Appropriations

Language

Language:

Page 257, after line 39, insert:

"4) Notwithstanding § 60.2-533, Code of Virginia, the fund building rate shall be set for Calendar Year 2023 at a rate not to exceed the rate in effect for Calendar Year 2020."

Explanation:

(This amendment eliminates the fund builder Unemployment Insurance (UI) tax for all employers in tax year 2023. An additional deposit of \$180.0 million of remaining federal Coronavirus Relief Funds into the UI trust fund helps to effectuate this policy.)

Item 479.20 #6c

Central Appropriations

Central Appropriations

Language

Language:

Page 264, line 6, strike "also will" and insert "may".

Page 264, line 7, after "activities", insert:

", make information technology system changes, and support overtime costs at local departments of social services."

Explanation:

(This amendment clarifies how the funding for operational backlogs at the Department of Medical Assistance Services from the federal American Rescue Plan Act may be used.)

Item 479.20 #7c

Central Appropriations

Central Appropriations

Language

Language:

Page 265, after line 49, insert:

"a. Notwithstanding Chapter 1, 2021 Special Session II, Acts of Assembly, and Item 479.20, subdivision B.2.s.2) of this act, any locality that provides a bonus or salary increase equal to or greater than \$3,000 shall satisfy the requirements of this paragraph."

Explanation:

(This amendment includes language that would allow localities that provide either a one-time bonus or a salary increase equal to or greater than a \$3,000 bonus for state-supported sworn officers of sheriffs' departments and regional jails shall satisfy the requirement of the paragraph.)

Item C-0 #1c

General Conditions

General Conditions

Language

Language:

Page 284, strike line 13.

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Explanation:

(This language amendment removes the proposed material cost volatility pool from the list of capital pools cited in general conditions. A separate amendment eliminates the proposed material volatility pool and replaces it with a different funding source for capital project supplements.)

Item C-22.30 #1c

Education: Higher Education

FY20-21

FY21-22

Virginia Commonwealth University

Language:

Page 286, after line 34, insert:

"C-22.30 - - - - - Commonwealth Center for
Cloud Computing (C-4)

\$0

\$0

A. As the Virginia Commonwealth University has fulfilled the requirements of Item C-68.50 G., Chapter 552 of the 2021 Acts of Assembly, Special Session I, including having submitted the December 1, 2021, report to the Chairs of the House Appropriations Committee and Senate Finance and Appropriations Committee, the Director, Department of Planning and Budget is directed to release \$6,880,000 in bond proceeds of the Virginia College Building Authority as specified in C-68.50 F.2., Chapter 552 of the 2021 Acts of Assembly, Special Session I for the support, acquisition and installation of High-Performance Computing tools for the development of the Commonwealth Center for Cloud Computing (C-4)."

Explanation:

(This amendment authorizes the release of bond proceeds specified in Item C-68.50 Chapter 552 of the 2021 Acts of Assembly, Special Session I.)

Item C-66 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 292, strike lines 13 through 28 and insert:

"H.1. The Secretary of Public Safety and Homeland Security shall convene a workgroup to assess and provide recommendations for a long-term operating and capital plan for the provision of health care services to inmates held in secure correctional facilities operated by the

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Department of Corrections. The workgroup shall be comprised of the Secretary of Public Safety and Homeland Security or their designees; the Secretary of Health and Human Resources or their designees; the Director, Department of Planning and Budget or their designees; the Staff Directors of the House Appropriations Committee and Senate Finance and Appropriations Committee or their designees; the Director, Department of Corrections or their designees; and the Director, Department of General Services or their designees.

2. The workgroup shall assess plans produced by the Department of Corrections to provide health services to inmates held in secure correctional facilities operated by the Department. This shall include an assessment of plans produced by the Department to assume operation of all health care services provided in facilities, necessary services to be provided by contract either on-site or off-site, and the long-term capital needs for the Department to effectuate such operating plans. The assessment shall also consider the costs and benefits of the provision of health care services within secure correctional centers by vendors contracted by the Department, to include: i) an analysis of the transition from management by a third-party vendor to management directly by the Department for facilities that transitioned management in fiscal year 2022 and fiscal year 2023, including actual and projected costs, as well as filled and vacant positions; and, ii) an analysis of cost drivers for the provision of inmate healthcare, including factors such as inflation, utilization, compensation, and the costs of goods and services.

The assessment shall include consideration of the Department's plan for using the 722-acre property at 3500 Beaumont Road in Powhatan County, previously known as the Beaumont Juvenile Correctional Center, as a consolidated medical facility for state-responsible inmates and describe how the facility will support the planned transition of medical service delivery to a state-managed model. The assessment shall also include information on other potential state needs and uses for the Beaumont property, and justification stating the reasons the expansion of the medical facility at Deerfield Correctional Facility and the replacement of Powhatan Infirmary (authorized in Chapter 552, 2021 Acts of Assembly, Special Session I) are no longer feasible to address the Department's infirmary and long-term care needs.

3. The Secretary or his designee shall present the workgroup's assessment, including its recommendations for future utilization of the Beaumont property, the medical facility at Deerfield Correctional Facility, and Powhatan Infirmary, to the Six-Year Capital Outlay Plan Advisory Committee (Committee) and include feedback from the Committee in the workgroup's final report.

4. The workgroup shall report the findings of its assessment, and its recommendations, to the Governor and Chairs of the House Committee on Appropriations and Senate Committee on Finance and Appropriations no later than November 15, 2022.

5. The Department shall not proceed with the Deerfield Correctional Center Expansion or Powhatan Infirmary Replacement planning projects."

Explanation:

(This amendment amends language directing the Secretary of Public Safety and Homeland

Conference Report to House Bill 29

Security to convene a workgroup to assess and provide recommendations for a long-term operating and capital plan for the provision of health care services to inmates held in secure correctional facilities operated by the Department of Corrections. The assessment shall specifically consider the intended use of property in Powhatan County, previously known as the Beaumont Juvenile Correctional Center, as a consolidated medical facility for state-responsible inmates. It shall also provide an analysis of the transition of healthcare service management by a third-party vendor to management directly by the Department at several facilities, including historical and projected cost drivers. The workgroup report is due by November 15, 2022.)

Item C-68.50 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 292, line 32, strike "Not set out.", and insert:

"2021 Capital Construction Pool (18540)	\$0	\$12,981,771
Fund Sources:		
General	\$0	\$1,242,850
Bond Proceeds	\$0	\$11,738,921

A. 1. The capital projects in paragraph C of this item are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23.1-1200 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2263 et seq., Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principal amounts shall not exceed \$11,738,921 plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, in accordance with § 2.2-2263, Code of Virginia.

2. From the list of projects included in paragraph C. of this item, the Director, Department of Planning and Budget, shall provide to the Chairs of the Virginia College Building Authority and the Virginia Public Building Authority the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this item shall be provided from appropriations to the Treasury Board.

4. The appropriations for the capital projects in this item are subject to the conditions in § 2.0 F.

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of this act.

B. In addition to the appropriation and bond authorization authorized by this item, the Director, Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) and Virginia Public Building Authority (VPBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph C:

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
260	17375	VCBA	Item C-174, Chapter 3, 2006 Acts of Assembly, Special Session I	\$4,010.60
260	17116	VCBA	Item C-108.40, Chapter 4, 2004 Acts of Assembly, Special Session I	\$537.12
777	15837	VPBA	Item C-71, Chapter 912, 1996 Acts of Assembly, as amended in Item C-131, Chapter 935, 1999 Acts of Assembly, and Item C-182, Chapter 814, 2002 Acts of Assembly	\$636,708.37
777	15206	VPBA	Item C-69, Chapter 912, 1996 Acts of Assembly, as amended in Item C-130, Chapter 464, 1998 Acts of Assembly, Item C-181, Chapter 1073, 2000 Acts of Assembly; Item C-123.35, Chapter 1042, 2003 Acts of Assembly, and Item C-166, Chapter 4, 2004 Acts of Assembly, Special Session I	\$58,342.65

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799	16426	VPBA	Item C-164, Chapter 1073, 2000 Acts of Assembly, as amended in Item C-122.45, Chapter 1042, 2003 Acts of Assembly, Item C-273, Chapter 547, 2007 Acts of Assembly, and Item C-119, Chapter 879, 2008 Acts of Assembly	\$82,114.22
799	17613	VPBA	Item C-129, Chapter 879, 2008 Acts of Assembly	\$135,365.64

C. There is hereby appropriated \$11,738,921 the first year from bond proceeds of the Virginia College Building Authority or the Virginia Public Building Authority and \$1,242,850 the first year from the general fund to provide funds for the construction and other capital costs of the following projects:

Agency Title	Agency Code	Project Title
Wilson Workforce and Rehabilitation Center	203	Emergency Replacement of HVAC System Mary Switzer Building
Norfolk State University	213	Acquire / Renovate Pre-School Academy
Virginia Museum of Fine Arts	238	Replace Life and Safety Components
Eastern Virginia Medical School	274	Replace Two Hofheimer Hall Air Handling Units
Eastern Virginia Medical School	274	Install Lewis Hall Emergency Generator
Gunston Hall	417	Reconstruct East Yard Enslaved Quarter
Department for the Blind and Vision Impaired	702	Replace Roof, Virginia Industries for the Blind, Charlottesville Plant

D. The authorization provided under Chapter 759 / 769, 2016 Acts of Assembly for bond funding from the Virginia College Building Authority for Virginia Commonwealth University Center capital project 18205, Construct Commonwealth Center for Advanced Logistics Systems (CCALS), is rescinded.

E. In addition to the appropriation and bond authorization authorized by this item, the Director,

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Department of Planning and Budget, shall transfer unutilized Virginia College Building Authority (VCBA) bond authorization and appropriation from the projects listed below, in the amounts shown, to this project for funding the projects listed in paragraph F:

Agency No.	Project No.	Issuing Authority	Initial Authorization	Amount
236	18205	VCBA	§ 2, Chapters 759 and 769, 2016 Acts of Assembly	\$19,000,000

F. 1. *a.* Upon certification from the Virginia Economic Development Partnership that an agreement has been reached with the Economic Development Authority and Rolls-Royce Crosspointe LLC, the Department of General Services is hereby authorized \$12,120,000 the first year from bond proceeds of the Virginia Public Building Authority to provide funds for the acquisition of the Commonwealth Center for Advanced Manufacturing (CCAM).

b. The Department of General Services (“DGS”) is directed and fully funded from the proceeds totaling \$12,120,000 of the Virginia College Building Authority identified in Paragraph E. of this Item to acquire the Commonwealth Center for Advanced Manufacturing (“CCAM”) property (the “Property”) from the University of Virginia Foundation (the “Foundation”), on terms acceptable to DGS (the “Acquisition”). DGS may acquire the Property subject to an EDA grant award and conditions for award No. 01-0108998 (“Grant”) and any associated mortgage (“Mortgage”), including without limitation the mortgage recorded in the Prince George County Clerk's Office as Instrument #110003537, pursuant to which Mortgage the EDA is authorized to foreclose to gain title to the Property in the event of a default under the Grant. DGS is authorized and directed to proceed with the Acquisition with the remedies allowed in the Grant and Mortgage, including, but not limited to a right of foreclosure under the Mortgage and the right to demand payment under the Grant.

CCAM, the Commonwealth Center for Advanced Logistics Systems (should it become a tenant in the Property) (“CCALS”), and any other tenant in the Property, shall work with DGS to further the purpose of the Grant and Mortgage and keep the Property in compliance with the Grant and Mortgage. Any lease to any tenant of the Property shall be on terms and conditions acceptable to DGS and all tenants shall cooperate with DGS (i) in negotiating a lease acceptable to DGS and (ii) during the term of any such lease, to ensure that, among other things, the tenant shall not cause a default under the terms of any such lease, the Grant, or Mortgage. Tenants of the Property shall comply with DGS's building occupancy and use requirements, including any tenant financial obligations and building operational procedures. CCALS and any entities operating within the Property prior to the Acquisition, including but not limited to CCAM, shall execute a lease with DGS prior to the Acquisition, to be held in escrow pending completion of the Acquisition.

DGS expenses to complete the Acquisition and negotiate tenant leases shall be funded from the funding authorized by this section. Such funds will be deducted upon completion of the Acquisition.

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2. Virginia Commonwealth University is hereby authorized \$6,880,000 the first year from bond proceeds of the Virginia College Building Authority to provide funds for the support acquisition and installation of High-Performance Computing tools for the development of the Commonwealth Center for Cloud Computing (C4).

G. The conditions required in order to receive the allocation from paragraph F. 2. of this item are:

1. Virginia Commonwealth University shall convene a workgroup comprised of the University of Virginia, Virginia Tech, Old Dominion University, Virginia State University, Longwood University, and representatives from the Commonwealth Center for Advanced Manufacturing (CCAM) and the Commonwealth Center for Advanced Logistics for the expressed purpose of developing a plan for the Commonwealth Center for Cloud Computing (C4).

2. The plan shall identify areas of research relevant to the C4, guiding principles to ensure continued collaboration between and among the partnering entities, opportunities for potential expansion of other institutions and entities, linkages with the Commonwealth Cyber Initiative, the Cyber Range and the Greater Washington Partnership, operational cost estimates and cost sharing strategies between and among the partnering institutions and entities to include potential for leveraging private sector partnerships.

3. The workgroup shall submit the report by December 1, 2021 to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees and the Governor.

4. After adoption of the report by the General Assembly, the funding provided in paragraph F.2. shall be released to Virginia Commonwealth University to support the creation of the operations of the Commonwealth Center for Cloud Computing (C4)."

Explanation:

(This amendment provides clarifying technical language changes to allow the Department of General Services to proceed with the acquisition of the Commonwealth Center for Advanced Manufacturing.)

Central Appropriations	FY20-21	FY21-22	
Central Capital Outlay	\$0	(\$80,000,000)	GF

Language:

Page 292, line 35, strike "\$80,000,000" and insert "\$0".

Page 292, line 38, strike "the first year and".

Page 292, line 39, strike "\$80,000,000 from the general fund the second year".

Explanation:

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(This amendment removes \$80,000,000 the second year in general fund for the existing capital supplement pool. A separate amendment establishes a new supplemental capital pool and allocates funding to that item.)

Item C-69.50 #1c

Central Appropriations	FY20-21	FY21-22	
Central Capital Outlay	\$0	(\$100,000,000)	GF

Language:

Page 293, line 29, strike "\$100,000,000" and insert "\$0".
 Page 293, strike lines 29 through 53, and insert "Omitted".

Explanation:

(This amendment transfers funding proposed in the second year for a material cost volatility pool. A separate amendment establishes a new supplemental capital pool and allocates funding to that item.)

Item C-69.60 #1c

Central Capital Outlay	FY20-21	FY21-22	
Central Appropriations	\$0	\$350,000,000	GF

Language:

Page 293, after line 53, insert:

"C-69.60 - - - - - 2022 Capital Supplement Pool	\$0	\$350,000,000
Fund Sources: General	\$0	\$350,000,000 "

A.1. Included in this item is \$350,000,000 the second year from the general fund that is designated for project supplements to address shortfalls for projects that (i) were previously authorized to proceed to construction; (ii) have satisfied the requirements of § 2.2-1519 C. and E.2., Code of Virginia; and, (iii) have received a funding report from the Department of General Services prior to April 1, 2022. Specific project allocations for transfer from this item shall be based upon recommendations from the Department of General Services. A transfer authorized by this subsection may only be effectuated if (i) the Director of the Department of Planning and Budget provides notice of the amount and purpose of any such proposed transfer to the Six Year Capital Outlay Plan Advisory Committee; and, (ii) no member of the committee or their designee objects, in writing or via email, to the transfer within 14 days of receiving such notice. If an objection is received, the committee may discuss such proposed transfer at its next meeting and vote as to whether to recommend such transfer.

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2. Projects that comply with paragraphs (i) and (ii) of paragraph A.1. of this item but have not received a funding report as of April 1, 2022, may, upon recommendation by the Department of General Services and approval by all members of Advisory Committee, receive a supplemental allocation from this item within the limits of the 105 percent cost threshold set forth in § 2.2-1519 E.1.

3. Supplemental amounts determined in accordance with paragraph A.1. and A.2. of this item shall be adjusted to match the proportion of a project's total cost supported by general fund as set forth in the funding letter.

4. After receiving funds from this item, projects shall comply with the provisions of paragraph K. of § 2.0 of this act."

Explanation:

(This amendment provides \$350.0 million in the second year from the general fund to supplement projects authorized for construction. These funds are designated to address shortfalls for projects that have been previously authorized to proceed to construction and that have received a funding report from the Department of General Services (DGS) prior to April 1, 2022. Projects authorized to proceed to construction with a funding letter dated after April 1, 2022 may also be eligible to receive allocations from this item for up to 105 percent of the estimated project cost. Amounts transferred from this item are to be based on DGS recommendations and made according to the existing fund split set forth in the project's funding letter.)

Item C-70 #1c

Central Appropriations

Central Capital Outlay

Language

Language:

Page 294, line 1, strike "Not set out." and insert:

"Improvements: Local Water Quality and Supply Projects (18050)	\$125,000,000	\$0
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Fund Sources:

Bond Proceeds	\$125,000,000	\$0
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A. The Virginia Public Building Authority, pursuant to § [2.2-2260](#) et seq., Code of Virginia, is authorized to issue bonds in a principal amount not to exceed \$125,000,000, plus amounts needed to fund issuance costs, reserve funds, original issue discount, interest prior to and during the acquisition or construction and for one year after completion thereof, and other financing expenses, to finance the costs of the projects described in paragraph C. of this item.

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B. Debt service on bonds issued under the authorization in this item shall be provided from appropriations to the Treasury Board.

C. 1. Stormwater Local Assistance Fund. From the appropriation and bond authorization provided in this item, up to \$50,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 379 of this act. In accordance with the purpose of the Fund set out in Item 379, the bond proceeds shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the State Water Control Board under the authority of the Department of Environmental Quality.

2. a. Combined Sewer Overflow Matching Fund. From the appropriation and bond authorization provided in this item, up to \$25,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Combined Sewer Overflow Matching Fund, established pursuant to § 62.1-242.12, Code of Virginia. These bond proceeds shall be used by the Virginia Resources Authority and the State Water Control Board to make a grant to the City of Alexandria, *Virginia Sanitation Authority* to pay a portion of the capital costs of its combined sewer overflow control project. Disbursements from these proceeds shall be authorized by the State Water Control Board, under the authority of the Department of Environmental Quality, and administered by the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund.

b. The appropriation in paragraph C.2.a. is the second of three allocations for the Combined Sewer Overflow for the City of Alexandria. It is the intent of the General Assembly to provide the third and final allocation in the 2022-2024 biennium.

3. Nutrient Removal Grants. From the appropriation and bond authorization provided in this item, up to \$50,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality to reimburse entities as provided in § 10.1-2117 et seq., Code of Virginia, considered as eligible Significant and Non-Significant Dischargers in the Chesapeake Bay watershed for capital costs incurred for the design and installation of nutrient removal technology. Such reimbursements shall be in accordance with eligibility determinations made by the Department of Environmental Quality pursuant to the provisions of this act and Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129, Code of Virginia.

D. The appropriation in this item is subject to the conditions of § 2-0 F. of this act.

E. Except as provided in paragraph D. of this item, the provisions of §§ 2-0 and 4-4.01 of this

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act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to the projects supported by this item."

Explanation:

(This language amendment clarifies that funding allocated in the second year from Combined Sewer Overflow Matching Fund is to be made to the City of Alexandria Virginia Sanitation Authority.)

Item 3-1.01 #1c

Transfers

Interfund Transfers

Language

Language:

Page 298, line 7, strike "161,400,000" and insert "146,700,000".

Explanation:

(This amendment reduces the estimated transfer of net profits from the Alcoholic Beverage Control Authority to the general fund by \$14.7 million in fiscal year 2022 to correct a technical error in the introduced budget.)

Item 3-1.01 #2c

Transfers

Interfund Transfers

Language

Language:

Page 301, line 23, unstrike "\$5,500,000" and strike "\$9,400,000".

Explanation:

(This amendment eliminates the proposed \$3.9 million increase in the general fund transfer to the Game Protection Fund.)

Item 3-1.01 #3c

Transfers

Interfund Transfers

Language

Language:

Page 303, after line 33, insert:

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"OO. On or before June 30, 2022, the State Comptroller shall transfer to the general fund an amount estimated at \$27,515,896 from Special Fund balances of the Virginia Growth and Opportunity Fund (09272)."

Explanation:

(This amendment reverts \$27.5 million in GO Virginia balances to the general fund.)

Item 3-1.01 #4c

Transfers

Interfund Transfers

Language

Language:

Page 298, line 7, strike "161,400,000" and insert "176,600,000".

Explanation:

(This amendment increases the estimated transfer of net ABC profits by \$15.2 million in fiscal year 2022 to reflect a revised estimate of expected gross sales and net profits realized.)

Item 3-5.03 #1c

Adjustments and Modifications to Tax Collections

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

Language

Language:

Page 306, line 36, strike "\$487,300,000" and insert "\$510,700,000".

Explanation:

(This amendment increases the sales tax transfer to Direct Aid to reflect additional assumed revenues from sales and use tax collections.)

Item 3-5.06 #1c

Adjustments and Modifications to Tax Collections

Accelerated Sales Tax

Language

Language:

Page 307, after line 27, insert:

"H. Notwithstanding language included in the paragraphs above, no Accelerated Sales Tax

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payments shall be required for any dealer for any period beginning after June 30, 2021. Penalties and interest for all prior years' Accelerated Sales Tax payments remain due and are collectible."

Explanation:

(This amendment eliminates the accelerated sales tax (AST) in fiscal year 2022. The introduced budgets eliminated the AST in fiscal year 2023. Eliminating the AST in fiscal year 2022 will reduce revenues by \$202.8 million in fiscal year 2022 and increase revenues in fiscal year 2023 by an equal amount.)

Item 4-8.03 #1c

Reporting Requirements

Local Governments

Language

Language:

Page 364, after line 51, insert:

"c. No locality that has been previously authorized as an eligible host city pursuant to § 58.1-4107, Code of Virginia, to conduct casino gaming which held a local referendum on November 2, 2021, that failed, shall be eligible to hold a subsequent local referendum until November 2023."

Explanation:

(This language amendment prevents the City of Richmond from holding another local referendum on casino gaming until November 2023.)

Item 4-14 #1c

Effective Date

Effective Date

Language

Language:

Page 400, line 33, after "projects." insert:

"The Virginia Port Authority shall ensure the financial obligations from the \$40,000,000 of debt authorized by in Item C-72, of this act to a turbine and turbine generator manufacturing company in connection with its location at Portsmouth Marine Terminal are satisfied."

Explanation:

(This amendment requires the Virginia Port Authority to ensure the Commonwealth's financial commitments to Siemens Gamesa are met.)