

CHAMBER BRIEFINGS

APRIL 25, 2024



UPCOMING EVENTS:

[Virginia Health Care Conference - June 5](#)

[Member Leadership & Personnel Announcements](#)
:

[Bowers Recognized as Outstanding Woman in Manufacturing](#)

[Carilion Clinic CEO Receives American Hospital Association's Highest Honor](#)

[Centra Names Interim CEO](#)

[Governor Appoints Two New Members to](#)

President's Message



The General Assembly returned to Richmond on April 17, for its reconvened session where legislators considered bills vetoed and amended by Governor Youngkin. Of the 1,046 bills passed by the General Assembly, Governor Youngkin signed 778 bills, proposed amendments to 116 bills, and vetoed 153 bills. The

General Assembly failed to override any of the Governor's vetoes, accepted the Governor's amendments to 61 bills, and rejected the Governor's amendments to the other 55 amended bills. More information on vetoed and amended bills of interest to the business community can be found below.

Governor Youngkin proposed 233 amendments to the FY25/26 biennial budget passed by the General Assembly. Rather than vote on individual amendments, General Assembly leaders and the Governor agreed to call a special session for May 13 to consider the budget, with a final vote expected on May 15.

The ability to reach an agreement on the budget in a timely manner is important to keep Virginia positioned as a top state for business. Maintaining Virginia's coveted AAA bond rating hinges on the legislature's fiscal management, which directly impacts the cost of borrowing for the state and its agencies. The AAA bond

UMW Board of Visitors

Kaufman & Canoles Has New President and CEO

Meredith Weiss, VCU's Vice President for Administration, Named Interim Vice President for Finance and CFO

Xavier Richardson, Mary Washington Healthcare Honored with the Community Changemaker Award

Member News:

Accenture Federal Services to Acquire Cognosante

Amazon Starts Selling Smart Grocery Carts to Other Retailers

Atlantic Union Completes \$507M Purchase of American National

Averett Continues to Grow Enrollment Despite Declines in National Trends

rating is an important signal of the Commonwealth's fiscal stability and is a key factor for attracting and retaining businesses in Virginia.

A cooperative budget that addresses key priorities and is delivered on time demonstrates a commitment to long-term economic stability and growth. The work of the General Assembly to reach a budget agreement on time reinforces its reputation as a business-friendly legislature working to protect Virginia's business climate rankings.

In closing, I would like to thank both the Virginia House of Delegates and State Senate for their unanimous approval of the House and Senate Resolutions, which recognize the Virginia Chamber of Commerce's 100-year Anniversary. Both Resolutions cite the Virginia Chamber of Commerce as a leading advocate for businesses in the Commonwealth, supporting economic prosperity and enhancing the quality of life for all Virginians.

Best Regards,

Barry DuVal

President & CEO
Virginia Chamber of Commerce

Vetoed Bills

Governor Youngkin vetoed 153 of the 1,046 bills passed by the General Assembly this session. The full list of vetoed bills is available [here](#). During the April 17 reconvened session, all of the Governor's vetoes were upheld. Vetoed bills of interest to the business community include:

- [House Bill 1](#) & [Senate Bill 1](#) – Raising the hourly minimum wage to \$15 by 2026
- [House Bill 418](#) & [Senate Bill 259](#) – Allowing class action lawsuits in Virginia Circuit Courts
- [House Bill 570](#) & [Senate Bill 274](#) – Establishing a Prescription Drug Affordability Board in Virginia
- [House Bill 770](#) – Providing double damages for willful violation of prohibited retaliatory actions by an employer
- [House Bill 805](#) & [Senate Bill 14](#) – Allowing localities to raise the local sales and use tax for purposes of school construction and/or renovation

[Carilion Seeks to Expand Inpatient Medical Rehabilitation Services in Roanoke](#)

[Danville Pittsylvania Chamber to Host Legislative Update](#)

[Deltek Launches AI-Powered Business Companion, Deltek Dela, to Revolutionize Project-Based Businesses](#)

[Dominion Gets Approval for Solar Projects; Regulators Discuss Data Center Demand](#)

[EPL to Expand in Danville, Investing About \\$37M and Adding 24 Jobs](#)

[Fredericksburg Regional Chamber Honors Business Leaders at 33rd Annual Awards Gala](#)

[Goodwill Opens New Forest Road Store and Donation Center](#)

[Guidehouse Honored with Coalition for Integrity's 2024](#)

- [House Bill 938 & Senate Bill 542](#) – Allowing employees “locked-out” due to a labor dispute to be eligible for unemployment insurance
- [House Bill 974](#) – Allowing circumstantial evidence to satisfy the burden of proof in certain claims for workers’ compensation
- [House Bill 990 & Senate Bill 370](#) – Prohibiting employers from seeking wage or salary history of prospective employees
- [House Bill 1098](#) – Requiring employers of 50 or more employees to provide unpaid family bereavement leave
- [Senate Bill 373](#) – Establishing a mandatory paid family and medical leave insurance program in Virginia

Amended Bills

Governor Youngkin recommended amendments to 116 of the 1,046 bills passed by the General Assembly this year. The full list of bills with amendments proposed by the Governor can be found [here](#). Governor Youngkin is expected to sign amended legislation approved by the General Assembly. Legislation with amendments rejected by the General Assembly may be signed or vetoed by the Governor. Amended bills of interest to the business community include:

- [House Bill 800 & Senate Bill 713](#) – Relates to pole attachments to accommodate cable television systems and telecommunications. The Governor’s amendments provide that the State Corporation Commission may extend proceedings to resolve disputes by 60 days beyond the timeline specified in the enrolled legislation. The General Assembly unanimously accepted the Governor’s amendments.
- [House Bill 950](#) – Temporarily prohibits modifications to the Uniform Statewide Building Code. The Governor’s amendments to this legislation would require the Board of Housing and Community Development to evaluate the impact of any introduced legislation requiring the Board to amend the Building Code and transmit that evaluation to the General Assembly. The Governor’s amendments were rejected by the House of Delegates.
- [House Bill 1062 & Senate Bill 271](#) – Relates to net energy metering and eligible customer-generators and agricultural customer-generators. The Governor’s amendments strike language providing that certain customer-generators be exempt from standby charges. The General Assembly approved the Governor’s amendments.
- [House Bill 1491 & Senate Bill 454](#) – Relates to the recovery of development costs associated with small modular nuclear reactor (SMR) facilities. The Governor’s

[Corporate Leadership Award](#)

[Inova Receives \\$20M Gift from Peterson Cos. Family](#)

[Mary Washington Healthcare Recognizes National Healthcare Decisions Day](#)

[Micron Poised to Get Over \\$6 Billion in Chips Grants in Announcement Next Week](#)

amendments establish certain parameters in cost recovery for the legislation. House Bill 1491 applies to SMR development by American Electric Power, while Senate Bill 454 applies to SMR development by Dominion Energy Virginia. The General Assembly approved the Governor's amendments to both bills.

- [Senate Bill 256](#) – Relates to motor vehicle insurance and remedies for bad faith for refusal of claims. The Governor's amendments add additional provisions to the legislation and add an enactment clause clarifying the legislation applies to claims after July 1, 2024. The General Assembly approved the Governor's amendments.
- [Senate Bill 729](#) – Creates the Virginia Clean Energy Innovation Bank. The Governor's amendments add a reenactment clause such that the bill's provisions do not become law unless reenacted by the General Assembly in the 2025 session. The Governor's amendments were rejected by the Senate.

Budget Amendments

In addition to legislation discussed above, Governor Youngkin also proposed 233 individual amendments to the budget for fiscal years 2025 and 2026 as approved by the General Assembly on March 9th. Governor Youngkin also recommended nine amendments to the "caboose" budget for FY24. Many of these amendments involve adjustments to individual appropriations for specific programs, projects, and initiatives.

For example, Governor Youngkin's amendment to the appropriation for the Virginia Business Ready Sites Program Fund proposes \$50 million more for the program than was included in the budget passed by the General Assembly.

In the caboose budget and the FY25–FY26 budget, the Governor struck language requiring the Commonwealth to rejoin the Regional Greenhouse Gas Initiative (RGGI) within 90 days of the budget's effective date. Governor Youngkin also vetoed provisions of the budget which would expand the sales and use tax to digital products and services, including business-to-business transactions involving software application services.

Before the start of the reconvened session, Governor Youngkin and General Assembly leaders reached an agreement to return to Richmond for a special session on May 13th to act on the budget. Between now and May 13th, the Governor and General Assembly are expected to negotiate a new budget to be presented to the General Assembly on May

13th and to be voted on by the General Assembly on May 15th. Virginia law requires at least 48 hours to elapse between the presentation of the budget and the final vote on the budget.

The full list of the Governor's proposed amendments to the caboose budget can be found [here](#). The full list of the Governor's proposed amendments to the budget for FY25/26 can be found [here](#). The Virginia Chamber will continue monitoring budget developments and will provide an update once the budget is approved by the General Assembly and the Governor.

Securities and Exchange Commission Climate-Risk Disclosure Rules Finalized

On March 6, the U.S. Securities and Exchange Commission (SEC) **adopted** rules requiring public companies to disclose climate-related information in their registration statements and annual reports. Companies filing registration statements with the SEC will be required to disclose climate-related risks; the actual and potential material impacts of those risks on the business's strategy, business model, or outlook; steps taken to mitigate the risks; processes used to identify, assess, and manage risks; and information about the business's climate-related targets or goals which are likely to affect the business. Further, large accelerated filers (LAFs) and accelerated filers (AFs) that are not otherwise exempted will be required to disclose certain information related to Scope 1 and/or Scope 2 emissions. Scope 1 emissions include those from sources owned or controlled directly by a business; Scope 2 emissions are emissions caused indirectly by the company (e.g., emissions from electrical generation used to power a business). A summary of the adopted rules prepared by the SEC can be found [here](#). The full text of the rules can be found [here](#).

Environmental Protection Agency Final Rule for Vehicle Emissions

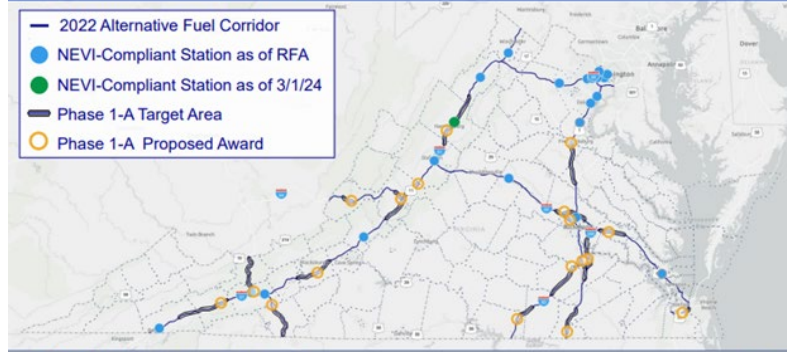
On March 20, the Environmental Protection Agency (EPA) **announced** a final rule pertaining to emissions standards for light-duty and medium-duty vehicles beginning with model year 2027 and phased in through 2032. The rule requires auto manufacturers to ensure that total emissions in their light-duty and medium-duty fleet meet the EPA's standards or face penalties. Beginning with model year 2027, total light-duty fleet emissions standards will be set at, on

average, 170 emitted grams of carbon dioxide per mile. By 2032, the standard is increased to no more than, on average, 85 emitted grams of carbon dioxide per mile. Although these standards are expected to spur the adoption of electric and hybrid-electric vehicles, the EPA standards do not explicitly require manufacturers to produce a certain number or percentage of such vehicles. However, it is expected that manufacturers will only be able to comply with the standards by producing a larger share of electric and hybrid vehicles relative to the share of internal combustion vehicles in their fleets. A summary of the rule prepared by the EPA can be found [here](#). The full text of the rules can be found [here](#).

Virginia Department of Transportation Announces Electric Vehicle Charging Locations

On March 19, the Virginia Department of Transportation (VDOT) announced the location of the first 18 electric vehicle charging stations in the Commonwealth to be funded, in part, by the National Electric Vehicle and Infrastructure (NEVI) program created by the 2021 Infrastructure Investment and Jobs Act (IIJA). The NEVI program requires states first build out charging stations on federal alternative fuel corridors (effectively, the Interstate Highway System) not less than fifty miles from the next nearest charging station and not more than one mile from an Interstate exit. The following map shows the location of current NEVI-compliant charging stations and the locations of the 18 proposed awards under the first round of funding. The table below notes the applicants, hosts, locations, and awarded first round funding. Over the five-year period of the NEVI program, Virginia is expected to receive more than \$100 million to build out electric vehicle charging infrastructure. Applicants seeking to build and/or host a NEVI-compliant charging station are required to match at least 20% of the total cost.

NEVI Phase 1-A Proposed Awards



VDOT | Virginia Department of Transportation

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NEVI Phase 1-A Proposed Awards*

Target Area	Applicant	Site Host	Location	District	Award	Applicant Match
64-A	Francis Energy Charging, LLC	BP Station	Covington	Staunton	\$ 886,069	\$ 249,917
64-B	Francis Energy Charging, LLC	Tractor Supply	Lexington	Staunton	\$ 841,569	\$ 237,366
64-C	Universal EV LLC	Home2 Suites by Hilton	Richmond	Richmond	\$ 581,209	\$ 403,891
64-D	Love's Travel Stops & Country Stores Inc.	Love's Travel Stop	Providence Forge	Richmond	\$ 639,634	\$ 523,337
64-E	Global Montello Group Corp.	Amoco Station	Chesapeake	Hampton Roads	\$ 692,946	\$ 230,981
77-A	Circle K Stores, Inc.	Circle K	Austinville	Bristol	\$ 521,275	\$ 443,445
77-B	Circle K Stores, Inc.	Circle K	Wytheville	Bristol	\$ 479,534	\$ 466,811
81-A	Circle K Stores, Inc.	Circle K	Atkins	Bristol	\$ 412,630	\$ 531,995
81-B	Universal EV LLC	Quality Inn Christiansburg	Christiansburg	Salem	\$ 581,209	\$ 403,891
81-C	BP Products North America, Inc.	Orchard Creek Truck Stop	Raphine	Staunton	\$ 896,477	\$ 740,422
81-D	Universal EV LLC	Super 8 Motel	Hamisonburg	Staunton	\$ 587,947	\$ 408,573
85-A	Francis Energy Charging, LLC	KFC	South Hill	Richmond	\$ 829,343	\$ 233,917
85-B	GPM, LLC	Valero	Petersburg	Richmond	\$ 588,220	\$ 156,362
95-A	Pilot Travel Centers LLC	Pilot Travel Center	Skippers	Richmond	\$ 292,444	\$ 117,212
95-B	Universal EV LLC	Holiday Inn Petersburg North-Fort Lee	Colonial Heights	Richmond	\$ 580,590	\$ 403,461
95-C	Electrify America, LLC	Spotsylvania Towne Centre Mall	Fredericksburg	Fredericksburg	\$ 569,789	\$ 395,955
295-A	Universal EV LLC	Hampton Inn Hopewell Fort Lee	Hopewell	Richmond	\$ 581,817	\$ 404,313
295-B	Global Montello Group Corp.	Millers Station	Glen Allen	Richmond	\$ 732,797	\$ 244,266
					\$ 11,295,499	\$ 6,596,115

* Proposed awards subject to change pending environmental review, applicant willingness to proceed, site host negotiation, and other factors

VDOT | Virginia Department of Transportation

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The next phase of the program in Virginia will focus on expanding electric vehicle charging infrastructure on major state highways in Virginia, including Routes 29, 460, and 17. Interested parties can follow updates on VDOT's NEVI webpage [here](#). If you would like to receive updates on VDOT's NEVI program development, you may do so by emailing nevi@vdot.virginia.gov.

THE WORKFORCE *wire*
 AN INITIATIVE OF THE WORKFORCE AND EDUCATION CENTER



Commissioner Chuck Zingler

Virginia Department of Veterans Services

"I am very proud to present myself to you, this distinguished group of industries, businesses and entrepreneurs that make up our Commonwealth's workforce. While my 30-year military career has taken me on deployments and assignments across the country and the globe, Virginia has been my home since 1983, and I can't think of a better place to live, work, and raise a family. Having now met with members from the Virginia Chamber twice since beginning my "assignment" as Commissioner in January, I can see an energy, and a growth, that portends even greater value and opportunities for our Service personnel, our veterans, and their families."

[Click here to view the full article](#)



Is your company or organization interested in creating or expanding your internship program? Internships are an excellent way to discover new talent and build a successful talent pipeline for your organization. The Virginia Talent + Opportunity Partnership, or V-TOP for short, is here to help you!

V-TOP is a partnership between the Virginia Chamber Foundation, the Virginia Business Higher Education Council, and the State Council of Higher Education for Virginia (SCHEV) to advocate, support, and expand internship opportunities in the Commonwealth.

V-TOP has hosted informational webinars with local chambers of commerce and employers to share resources like the toolkit, staffing agency services, and the matching funds program. You can learn more about these resources on the V-TOP website or by [attending the monthly V-TOP information session](#). If you don't see an information session that works for your schedule, please reach out to [Emily Webb](#) or [Eleni Poulos](#) to coordinate one for you and your HR team.

[VISIT THE V-TOP WEBSITE](#)



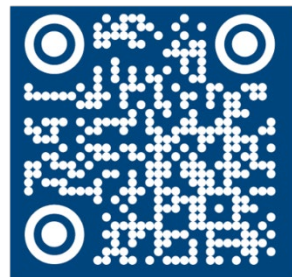
Blueprint Implementation

With the regular General Assembly session concluded, the Virginia Chamber has transitioned back to our schedule of Executive Committee meetings. The Military and Veterans Affairs committee met in late March. Committee members were provided an overview of legislative action in the recent General Assembly session, a presentation by the newly appointed Commissioner of the Department of Veterans Services, Chuck Zingler, and a presentation of survey results by the BlueStar Families.

Also this month, the Chamber hosted the Supply Chain and International Trade Executive Committee, where attendees heard from Secretary of Transportation Shep Miller, Deputy Director of Virginia Works Kathy Byron, and representatives from the Virginia Talent + Opportunity Partnership (V-TOP). The committee also received a briefing on the logistics study developed by the Commonwealth Center for Advanced Logistics Systems in partnership with the Virginia Chamber.

We look forward to convening the remaining Executive Committees in Richmond in the coming weeks for informative and engaging discussions.

**Scan the QR
code or click the
button below to
view the
Blueprint Virginia
2030 website!**



Blueprint Virginia 2030 is a plan of action to ensure the Commonwealth strengthens and secures its position as a leader in the global economy and is the best state in the nation for business. The Virginia Chamber collected input by bringing together leaders in business, economic development, workforce, education, housing, and other community

representatives to ensure statewide representation of priorities for Virginia's economic prosperity.

[Click here to view the *Blueprint Virginia 2030* website](#)

International Trade Resources and Webinars

Featured Quote from a Virginia Business: Anne Vaughan Designs (Floyd, VA)

“VEDP has provided qualitative information on how to navigate international marketplaces, guidance on how to find experts, and data for international opportunities. VEDP is my go-to entity for international questions and guidance.” – Aaron Vaughan, Co-Founder

Foreign Military Sales & Foreign Military Financing for Defense Exporters – Apr. 30, 2024 – May 2, 2024

Join VEDP - International Trade and Fairchild Fisk Giroux for a 3-day in-person seminar, for \$100 per attendee rather than the training's traditional price of \$1000. Topics include International Acquisition and Life-Cycle Management Participants, Processes, and Engagement Strategies utilizing the Foreign Military Sales, Foreign Military Financing, Building Partner Capacity, and Direct Commercial Sales Programs.

Upcoming Events for Virginia Businesses

New International Trade Missions and Trade Shows

Face-to-face meetings are critical to international business. VEDP helps Virginia businesses meet potential customers and partners through trade missions and trade shows. New events have been added to our calendar through July 2025 and registration is now open.

Africa Endeavor 2024 – July 29, 2024 – July 31, 2024

Hosted by the U.S. Africa Command, Africa Endeavor is a pan-African symposium focused on enhancing communications and cybersecurity capabilities while strengthening partnerships among attendees. The 2023 edition of the symposium was attended by 24 African nations, plus an additional 6 organizations, including U.S. Cyber Command. From April 1 to 15, businesses will be able to register their interest in participating in this event.

Trade Mission to Taiwan - September 23, 2024 - September 27, 2024

Taiwan was the 9th largest destination for Virginia exports in 2022. Taiwan's economy is largely based on high-tech manufacturing and remains incredibly robust as it outperformed nearly all other major economies in recent years. The objective of this trade mission is to arrange and conduct quality meetings between Virginia businesses and potential sales partners (agents, representatives, or distributors) and/or customers in Taiwan.

Keep up with the Virginia Chamber on Twitter, Facebook, and LinkedIn!



FTC takes on Noncompetes; EEOC clarifies rights for Pregnant Workers



The U.S. Federal Trade Commission (FTC) recently approved a final rule banning most new noncompete clauses in employment contracts—a sweeping change affecting millions of workers. The rule also makes all existing noncompete agreements—except for those covering senior executives—unenforceable and requires employers to provide notice to current and former workers that their noncompete clauses are no longer in effect. The rule goes into effect 120 days following its publication in the Federal Register. Enforcement could be further delayed by anticipated legal challenges.

Here at PLDR Law, we will be monitoring the emerging implications of this new rule. If you have any questions as an employer or an employee, do not hesitate to reach out to one of our employment law team members.



On April 15 the U.S. Equal Employment Opportunity Commission (EEOC) issued final regulations for implementing the Pregnant Workers Fairness Act (PWFA), a law that went into effect on June 27, 2023. The PWFA requires employers to provide reasonable accommodations for known limitations related to pregnancy, childbirth or related medical conditions unless the accommodation would cause the employer an undue hardship. The law applies to employers with 15 or more employees.

The EEOC aimed to clarify definitions and limitations of the law. The PWFA only provides accommodations to qualified employees with limitations related to, affected by or arising out of pregnancy, childbirth or related medical conditions. The EEOC noted that whether a condition constitutes “pregnancy, childbirth, or related medical conditions” will be guided by existing Title VII precedent. Among other subjects, the regulations cover lactation support and other accommodations for expectant workers, as well as accommodations for workers seeking an abortion.

The Commission noted that it had received comments objecting to the inclusion of abortion from the definition of “pregnancy, childbirth, or related medical conditions”, but also noted that many commentators urged inclusion because abortion is a necessary part of health care. Employers or health care providers are not required to provide or pay for abortions or any travel-related expenses. The abortion accommodations covered under PWFA would typically include allowing time off for the procedure and recovery, but the EEOC said that it would consider employers’ religious objections to providing abortion accommodations on a case-by-case basis.

The regulations include examples of reasonable accommodations, such as:

- A stool to sit on while working;

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- Time off for health care appointment;
 - Temporary reassignment;
 - Temporary suspension of certain job duties;
 - Telework or time off to recover from childbirth or a miscarriage;
 - Additional breaks to drink water, eat or use the restroom;
 - Closer parking;
 - Additional break time to use the bathroom, eat and rest;
 - Leave to recover from childbirth; and
 - Reassignment from activities that are strenuous or involve exposure to compounds that are not safe for pregnancy.

The statute and regulations will likely be subject to court challenges. For example, on February 27, a federal district court in Texas ruled that Congress lacked the required quorum to implement the PWFA, holding that the EEOC cannot enforce the law against the state. The court found that Congress violated the Constitution when it passed the PWFA.

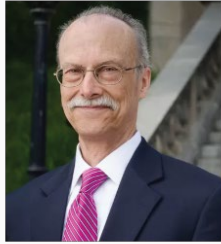
Note also that the PWFA does not replace federal, state or local laws that are more protective of employees impacted by pregnancy, childbirth or related medical conditions.

PLDR Law is here to help you navigate the changing employment landscape. We offer consultations and counsel options to support your Human Resources priorities and your Business goals. Contact us today!

[Email the PLDR Employment Law Team >](#)



STEVEN GOULD
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Lynchburg



LUKE MALLOY
Lynchburg
