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HOUSE BILL NO. 945

Offered January 24, 2000

A BILL to amend the Code of Virginia by adding a section numbered 10.1-611.2, relating to the establishment of the Soil and Water Conservation District Dam Rehabilitation and Major Repair Fund.

Patrons—Thomas, Barlow, Clement, Cranwell, Deeds, Drake, Ingram, Jackson, Keister, Landes, Putney, Stump, Tate, Weatherholtz and Woodrum

Referred to Committee on Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 10.1-611.2 as follows:**

§ 10.1-611.1. Soil and Water Conservation District Dam Rehabilitation and Major Repair Fund established; Department to manage; Board to expend moneys; regulations.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Soil and Water Conservation District Dam Rehabilitation and Major Repair Fund, hereafter referred to as "the Fund." The Fund shall be comprised of moneys appropriated to the Fund by the General Assembly and any other moneys designated for deposit to the Fund from any source, public or private. The Fund shall be established on the books of the Comptroller, and the moneys shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely to make repairs necessary to bring Class I and Class II dams, owned by soil and water conservation districts, into compliance with regulations promulgated pursuant to Article 2 of Chapter 6 of Title 10.1. Expenditures from the Fund may include, but are not limited to, the following repairs to the infrastructure of a dam: increasing the height of a dam, spillway modifications, and reducing wave erosion on a dam's inside face. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Conservation and Recreation.

B. The Fund shall be administered and managed by the Department of Conservation and Recreation, subject to the right of the Board, following consultation with the Department of Conservation and Recreation, to direct the distribution of moneys in the Fund to particular soil and water conservation districts.

C. The Board is authorized to promulgate regulations for the proper administration of the Fund. Such regulations may include, but are not limited to, the type and amount of financial assistance, the terms and conditions of the assistance, and project eligibility criteria.

INTRODUCED

HB945