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HOUSE BILL NO. 599

Offered January 19, 1996

A BILL to amend and reenact §§ 2.1-1.7, 9-6.25:1, 10.1-630, 10.1-631, and 58.1-608.3 of the Code of Virginia and to repeal §§ 15.1-227.4, 15.1-227.5, 15.1-227.46, and 22.1-161.6 of the Code of Virginia, relating to the State Council on Local Debt and the State Treasurer.

Patrons—Purkey, Crouch, Drake, Hargrove, Howell, Landes, Rollison, Tata, Wardrup and Watkins;
Senator: Stosch

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.7, 9-6.25:1, 10.1-630, 10.1-631, and 58.1-608.3 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-1.7. State councils.

A. There shall be, in addition to such others as may be established by law, the following permanent collegial bodies either affiliated with more than one agency or independent of an agency within the executive branch:

Adult Education and Literacy, Virginia Advisory Council for
Agricultural Council, Virginia
Alcohol and Drug Abuse Problems, Governor's Council on
Apprenticeship Council
Blue Ridge Regional Education and Training Council
Child Day Care and Early Childhood Programs, Virginia Council on
Child Day-Care Council
Citizens' Advisory Council on Furnishing and Interpreting the Executive Mansion
Commonwealth Competition Council
Commonwealth's Attorneys' Services Council
Developmental Disabilities Planning Council, Virginia
Disability Services Council
Equal Employment Opportunity Council, Virginia
Health Services Cost Review Council, Virginia
Housing for the Disabled, Interagency Coordinating Council on
Human Rights, Council on
Human Services Information and Referral Advisory Council
Indians, Council on
Interagency Coordinating Council, Virginia
Job Training Coordinating Council, Governor's
Land Evaluation Advisory Council
~~Local Debt, State Council on~~
Maternal and Child Health Council
Military Advisory Council, Virginia
Needs of Handicapped Persons, Overall Advisory Council on the
Prevention, Virginia Council on Coordinating
Public Records Advisory Council, State
Rate-setting for Children's Facilities, Interdepartmental Council on
Revenue Estimates, Advisory Council on
Southside Virginia Marketing Council
Specialized Transportation Council
State Health Benefits Advisory Council
Status of Women, Council on the
Technology Council, Virginia
Virginia Business-Education Partnership Program, Advisory Council on the
Virginia Recycling Markets Development Council.

B. Notwithstanding the definition for "council" as provided in § 2.1-1.2, the following entities shall be referred to as councils:

Council on Information Management
Higher Education, State Council of
Independent Living Council, Statewide

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60 Rehabilitation Advisory Council, Statewide
61 Rehabilitation Advisory Council for the Blind, Statewide
62 World Trade Council, Virginia.
63 § 9-6.25:1. Advisory boards, commissions and councils.
64 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
65 following advisory boards, commissions and councils within the executive branch:
66 Advisory Board for the Department for the Deaf and Hard-of-Hearing
67 Advisory Board for the Department for the Aging
68 Advisory Board on Child Abuse and Neglect
69 Advisory Board on Medicare and Medicaid
70 Advisory Board on Occupational Therapy
71 Advisory Board on Physical Therapy to the Board of Medicine
72 Advisory Board on Rehabilitation Providers
73 Advisory Board on Respiratory Therapy to the Board of Medicine
74 Advisory Board on Teacher Education and Licensure
75 Advisory Council on Revenue Estimates
76 Advisory Council on the Virginia Business-Education Partnership Program
77 Appomattox State Scenic River Advisory Board
78 Aquaculture Advisory Board
79 Art and Architectural Review Board
80 Board for the Visually Handicapped
81 Board of Directors, Virginia Truck and Ornamentals Research Station
82 Board of Forestry
83 Board of Military Affairs
84 Board of Rehabilitative Services
85 Board of Transportation Safety
86 Board of Trustees of the Family and Children's Trust Fund
87 Board of Visitors, Gunston Hall Plantation
88 Board on Veterans' Affairs
89 Catoctin Creek State Scenic River Advisory Board
90 Cave Board
91 Chickahominy State Scenic River Advisory Board
92 Clinch Scenic River Advisory Board
93 Coal Surface Mining Reclamation Fund Advisory Board
94 Coastal Land Management Advisory Council, Virginia
95 Commonwealth Competition Council
96 Council on Indians
97 Council on the Status of Women
98 Debt Capacity Advisory Committee
99 Emergency Medical Services Advisory Board
100 Falls of the James Committee
101 Film Office Advisory Board
102 Forensic Science Advisory Board
103 Goose Creek Scenic River Advisory Board
104 Governor's Council on Alcohol and Drug Abuse Problems
105 Governor's Mined Land Reclamation Advisory Committee
106 Hemophilia Advisory Board
107 Human Services Information and Referral Advisory Council
108 Industrial Development Services Advisory Board
109 Interagency Coordinating Council on Housing for the Disabled
110 Interdepartmental Board of the State Department of Minority Business Enterprise
111 Laboratory Services Advisory Board
112 (Effective July 1, 1996) Litter Control and Recycling Fund Advisory Board
113 Local Advisory Board to the Blue Ridge Community College
114 Local Advisory Board to the Central Virginia Community College
115 Local Advisory Board to the Dabney S. Lancaster Community College
116 Local Advisory Board to the Danville Community College
117 Local Advisory Board to the Eastern Shore Community College
118 Local Advisory Board to the Germanna Community College
119 Local Advisory Board to the J. Sargeant Reynolds Community College
120 Local Advisory Board to the John Tyler Community College
121 Local Advisory Board to the Lord Fairfax Community College

122	Local Advisory Board to the Mountain Empire Community College
123	Local Advisory Board to the New River Community College
124	Local Advisory Board to the Northern Virginia Community College
125	Local Advisory Board to the Patrick Henry Community College
126	Local Advisory Board to the Paul D. Camp Community College
127	Local Advisory Board to the Piedmont Virginia Community College
128	Local Advisory Board to the Rappahannock Community College
129	Local Advisory Board to the Southwest Virginia Community College
130	Local Advisory Board to the Thomas Nelson Community College
131	Local Advisory Board to the Tidewater Community College
132	Local Advisory Board to the Virginia Highlands Community College
133	Local Advisory Board to the Virginia Western Community College
134	Local Advisory Board to the Wytheville Community College
135	Maternal and Child Health Council
136	Medical Advisory Board, Department of Motor Vehicles
137	Medical Board of the Virginia Retirement System
138	Migrant and Seasonal Farmworkers Board
139	Motor Vehicle Dealer's Advisory Board
140	Nottoway State Scenic River Advisory Board
141	Personnel Advisory Board
142	Plant Pollination Advisory Board
143	Private College Advisory Board
144	Private Enterprise Commission
145	Private Security Services Advisory Board
146	Psychiatric Advisory Board
147	Radiation Advisory Board
148	Rappahannock Scenic River Advisory Board
149	Recreational Fishing Advisory Board, Virginia
150	Reforestation Board
151	Retirement System Review Board
152	Rockfish State Scenic River Advisory Board
153	Shenandoah State Scenic River Advisory Board
154	Small Business Advisory Board
155	Small Business Environmental Compliance Advisory Board
156	St. Mary's Scenic River Advisory Committee
157	State Advisory Board on Air Pollution
158	State Advisory Board for the Virginia Employment Commission
159	State Building Code Technical Review Board
160	State Council on Local Debt
161	State Health Benefits Advisory Council
162	State Insurance Advisory Board
163	State Land Evaluation Advisory Council
164	State Networking Users Advisory Board
165	State Public Records Advisory Council
166	Statewide Independent Living Council
167	Statewide Rehabilitation Advisory Council
168	Statewide Rehabilitation Advisory Council for the Blind
169	Staunton Scenic River Advisory Committee
170	Telecommunications Relay Service Advisory Board
171	Tourism and Travel Services Advisory Board
172	Virginia Advisory Commission on Intergovernmental Relations
173	Virginia Advisory Council for Adult Education and Literacy
174	Virginia Coal Mine Safety Board
175	Virginia Coal Research and Development Advisory Board
176	Virginia Commission for the Arts
177	Virginia Commission on the Bicentennial of the United States Constitution
178	Virginia Correctional Enterprises Advisory Board
179	Virginia Council on Coordinating Prevention
180	Virginia Equal Employment Opportunity Council
181	Virginia Interagency Coordinating Council
182	Virginia Military Advisory Council

183 Virginia Public Buildings Board
184 Virginia Recycling Markets Development Council
185 Virginia Technology Council
186 Virginia Transplant Council
187 Virginia Veterans Cemetery Board
188 Virginia Water Resources Research Center, Statewide Advisory Board
189 Virginia Winegrowers Advisory Board.

190 § 10.1-630. Type of indebtedness incurred or bonds issued.

191 The type of indebtedness incurred or bonds issued shall be that adopted by the governing body of the
192 watershed improvement district and approved by the Virginia Soil and Water Conservation Board ~~and~~
193 ~~the State Council on Local Debt.~~

194 § 10.1-631. Annual tax for payment of interest or to amortize indebtedness or bonds.

195 The governing body of the watershed improvement district shall, if necessary to pay the interest on
196 the indebtedness or bonds or to amortize such indebtedness or bonds ~~in a manner approved by the State~~
197 ~~Council on Local Debt~~, levy an annual tax or service charge in the manner prescribed by § 10.1-626 on
198 all the real estate in the watershed improvement district subject to local taxation, to satisfy such
199 obligations. This tax, irrespective of any approvals required pursuant to § 10.1-614, shall be sufficient to
200 pay interest and to amortize such indebtedness or bonds at the times required.

201 § 58.1-608.3. Entitlement to certain sales tax revenues.

202 A. As used in this section, the following words and terms have the following meanings, unless some
203 other meaning is plainly intended:

204 "Bonds" means any obligations of a municipality for the payment of money.

205 "Cost," as applied to any public facility or to extensions or additions to any public facility, includes:

206 (i) the purchase price of any public facility acquired by the municipality or the cost of acquiring all of
207 the capital stock of the corporation owning the public facility and the amount to be paid to discharge
208 any obligations in order to vest title to the public facility or any part of it in the municipality; (ii)
209 expenses incident to determining the feasibility or practicability of the public facility; (iii) the cost of
210 plans and specifications, surveys and estimates of costs and of revenues; (iv) the cost of all land,
211 property, rights, easements and franchises acquired; (v) the cost of improvements, property or
212 equipment; (vi) the cost of engineering, legal and other professional services; (vii) the cost of
213 construction or reconstruction; (viii) the cost of all labor, materials, machinery and equipment; (ix)
214 financing charges; (x) interest before and during construction and for up to one year after completion of
215 construction; (xi) start-up costs and operating capital; (xii) payments by a municipality of its share of the
216 cost of any multi-jurisdictional public facility; (xiii) administrative expense; (xiv) any amounts to be
217 deposited to reserve or replacement funds; and (xv) other expenses as may be necessary or incident to
218 the financing of the public facility. Any obligation or expense incurred by the public facility in
219 connection with any of the foregoing items of cost may be regarded as a part of the cost.

220 "Municipality" means any county, city, town, authority, commission, or other public entity.

221 "Public facility" means (i) any auditorium, coliseum, convention center, or conference center, which
222 is owned by a Virginia county, city, town, authority, commission, or other such public entity and where
223 exhibits, meetings, conferences, conventions, seminars, or similar public events may be conducted or (ii)
224 any hotel which is owned by a foundation whose sole purpose is to benefit a state-supported university
225 and which is attached to and is an integral part of such facility, together with any lands reasonably
226 necessary for the conduct of the operation of such events. However, such public facility must be located
227 in a city with a population of at least 95,000 but no more than 100,000. Any property, real, personal, or
228 mixed, which is necessary or desirable in connection with any such auditorium, coliseum, convention
229 center, or conference center, including, without limitation, facilities for food preparation and serving,
230 parking facilities, and administration offices, is encompassed within this definition. However, structures
231 commonly referred to as "shopping centers" or "malls" shall not constitute a public facility hereunder. In
232 addition, only a new public facility, or a public facility which will undergo a substantial and significant
233 renovation or expansion, shall be eligible under subsection B of this section. A new public facility is
234 one whose construction began after December 31, 1991. A substantial and significant renovation entails
235 a project whose cost is at least fifty percent of the original cost of the facility being renovated and shall
236 have begun after December 31, 1991. A substantial and significant expansion entails an increase in floor
237 space of at least fifty percent over that existing in the preexisting facility and shall have begun after
238 December 31, 1991.

239 "Sales tax revenues" means such tax collections realized under the Virginia Retail Sales and Use Tax
240 Act (§ 58.1-600 et seq.) of Title 58.1, as limited herein. "Sales tax revenues" does not include the
241 revenue generated by the one-half percent sales and use tax increase enacted by the 1986 Special
242 Session of the General Assembly which shall be paid to the Transportation Trust Fund as defined in
243 § 33.1-23.03:1, nor shall it include the one percent of the state sales and use tax revenue distributed
244 among the counties and cities of the Commonwealth pursuant to § 58.1-638 D on the basis of school

age population.

B. Subject to the requirements of subsection D of this section, any Any municipality which has issued bonds after December 31, 1991, but before January 1, 1996, to pay the cost, or portion thereof, of any public facility shall be entitled to all sales tax revenues generated by transactions taking place in such public facility. Such entitlement shall continue for the lifetime of such bonds, which entitlement shall not exceed thirty years, and all such sales tax revenues shall be applied to repayment of the bonds. The State Comptroller shall remit such sales tax revenues to the municipality on a quarterly basis, subject to such reasonable processing delays as may be required by the Department of Taxation to calculate the actual net sales tax revenues derived from the public facility. The State Comptroller shall make such remittances to eligible municipalities, as provided herein, notwithstanding any provisions to the contrary in the Virginia Retail Sales and Use Tax Act (§ 58.1-600 et seq.). No such remittances shall be made until construction is completed and, in the case of a renovation or expansion, until the governing body of the municipality has certified that the renovation or expansion is completed.

C. Nothing in this section shall be construed as authorizing the pledging of the faith and credit of the Commonwealth of Virginia, or any of its revenues, for the payment of any bonds. Any appropriation made pursuant to this section shall be made only from sales tax revenues derived from the public facility for which bonds may have been issued to pay the cost, in whole or in part, of such public facility.

D. The State Council on Local Debt shall develop guidelines to assist municipalities in developing feasibility studies to demonstrate that the public facility projects are financially sound, as well as setting forth the format by which such projects shall reflect their flow of funds, projected revenues, and the schedule by which any obligations will be satisfied. No municipality shall be entitled to receive any sales tax revenues from the State Comptroller unless the State Council on Local Debt shall have reviewed and approved the debt service structure and feasibility of the municipality's project.

2. That §§ 15.1-227.4, 15.1-227.5, 15.1-227.46, and 22.1-161.6 of the Code of Virginia are repealed.