

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act 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.

[H 599]

Approved

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
Rehabilitation Advisory Council, Statewide
Rehabilitation Advisory Council for the Blind, Statewide
World Trade Council, Virginia.

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- 58 § 9-6.25:1. Advisory boards, commissions and councils.
 59 There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the
 60 following advisory boards, commissions and councils within the executive branch:
 61 Advisory Board for the Department for the Deaf and Hard-of-Hearing
 62 Advisory Board for the Department for the Aging
 63 Advisory Board on Child Abuse and Neglect
 64 Advisory Board on Medicare and Medicaid
 65 Advisory Board on Occupational Therapy
 66 Advisory Board on Physical Therapy to the Board of Medicine
 67 Advisory Board on Rehabilitation Providers
 68 Advisory Board on Respiratory Therapy to the Board of Medicine
 69 Advisory Board on Teacher Education and Licensure
 70 Advisory Council on Revenue Estimates
 71 Advisory Council on the Virginia Business-Education Partnership Program
 72 Appomattox State Scenic River Advisory Board
 73 Aquaculture Advisory Board
 74 Art and Architectural Review Board
 75 Board for the Visually Handicapped
 76 Board of Directors, Virginia Truck and Ornamentals Research Station
 77 Board of Forestry
 78 Board of Military Affairs
 79 Board of Rehabilitative Services
 80 Board of Transportation Safety
 81 Board of Trustees of the Family and Children's Trust Fund
 82 Board of Visitors, Gunston Hall Plantation
 83 Board on Veterans' Affairs
 84 Catoctin Creek State Scenic River Advisory Board
 85 Cave Board
 86 Chickahominy State Scenic River Advisory Board
 87 Clinch Scenic River Advisory Board
 88 Coal Surface Mining Reclamation Fund Advisory Board
 89 Coastal Land Management Advisory Council, Virginia
 90 Commonwealth Competition Council
 91 Council on Indians
 92 Council on the Status of Women
 93 Debt Capacity Advisory Committee
 94 Emergency Medical Services Advisory Board
 95 Falls of the James Committee
 96 Film Office Advisory Board
 97 Forensic Science Advisory Board
 98 Goose Creek Scenic River Advisory Board
 99 Governor's Council on Alcohol and Drug Abuse Problems
 100 Governor's Mined Land Reclamation Advisory Committee
 101 Hemophilia Advisory Board
 102 Human Services Information and Referral Advisory Council
 103 Industrial Development Services Advisory Board
 104 Interagency Coordinating Council on Housing for the Disabled
 105 Interdepartmental Board of the State Department of Minority Business Enterprise
 106 Laboratory Services Advisory Board
 107 Litter Control and Recycling Fund Advisory Board
 108 Local Advisory Board to the Blue Ridge Community College
 109 Local Advisory Board to the Central Virginia Community College
 110 Local Advisory Board to the Dabney S. Lancaster Community College
 111 Local Advisory Board to the Danville Community College
 112 Local Advisory Board to the Eastern Shore Community College
 113 Local Advisory Board to the Germanna Community College
 114 Local Advisory Board to the J. Sargeant Reynolds Community College
 115 Local Advisory Board to the John Tyler Community College
 116 Local Advisory Board to the Lord Fairfax Community College
 117 Local Advisory Board to the Mountain Empire Community College
 118 Local Advisory Board to the New River Community College

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

Virginia Technology Council
 Virginia Transplant Council
 Virginia Veterans Cemetery Board
 Virginia Water Resources Research Center, Statewide Advisory Board
 Virginia Winegrowers Advisory Board.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

264 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.