

2009 SESSION

INTRODUCED

093580404

HOUSE BILL NO. 2547

Offered January 20, 2009

A BILL to provide for the use of federal economic stimulus funds made available to the Commonwealth.

Patron—Albo

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

§ 1. That, notwithstanding any contrary provision of the Code of Virginia or any regulation or local ordinance adopted pursuant to the Code of Virginia, the proceeds available to the Commonwealth of any economic stimulus plan enacted by the Congress of the United States that includes funding for transportation and education infrastructure shall be used exclusively: (i) for payments to private contractors and not additional state or local government employees, and any such private contracts shall be accompanied by performance measurement standards; (ii) to attract private sector funding by using the strategies permitted under the Public-Private Transportation Act of 1995 (§ 56-556 et seq. of the Code of Virginia) or the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq. of the Code of Virginia) whenever feasible and advantageous; and (iii) shall not be used to calculate or reduce the share of local, federal, or state revenues otherwise available to highway construction districts, local governments, or local school divisions. In negotiating or entering into contracts entered into by any contract for any project that will be funded in whole or in part by any funds made available to the Commonwealth through any economic stimulus plan enacted by the Congress of the United States, every department, agency, instrumentality or political subdivision of the Commonwealth or any local school division shall, whenever possible and to the maximum extent possible, require that preference be given to Virginia businesses, and that similar preferences be given to Virginia businesses as subcontractors.

§ 2. That, specifically as to transportation funds, these funds shall be apportioned among the highway construction districts or local governments, as the case may be, based first upon the projects that have been removed by the Commonwealth Transportation Board from the six-year improvement plan in a manner which, to the extent practicable, apportions the projects throughout the Commonwealth based on the highway construction funds allocation formulas contained in Article 1.1 (§ 33.1-23.01 et seq.) of Chapter 1 of Title 33.1 of the Code of Virginia.

§ 3. That, specifically as to education funds, these funds shall be used by local school divisions first to fund renovation of schools on the local school division's capital improvements program and then for construction of new schools.

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