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HOUSE BILL NO. 529

Offered January 8, 2014

Prefiled January 6, 2014

A BILL to amend and reenact § 10.1-202 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-201.1, relating to the temporary funding of federal park operations.

Patron—Pogge

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-202 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 10.1-201.1 as follows:

§ 10.1-201.1. Temporary funding of federal park operations in Virginia.

If any reduction in funding by the United States government, including a failure of Congress to authorize necessary appropriations, results in the closure to the public of all units of the National Park Service (NPS), the Governor is authorized to fund on a temporary basis the operation of any property controlled by NPS, including national parks or portions thereof, located in Virginia. To this end, the Governor shall have the power to comply with such conditions and execute such agreements with the U.S. Department of the Interior or others as may be necessary, convenient, or desirable, including agreements for the management of the park properties. The source of such temporary funding may include disbursements from the State Park Conservation Resources Fund, voluntary donations, or funds allocated to the Department for operating costs.

§ 10.1-202. Gifts, funds, and fees designated for state parks; establishment of funds.

A. The State Park Conservation Resources Fund shall consist of all state park fees, fees from concessions, civil penalties assessed pursuant to § 10.1-200.2 and under § 10.1-200.3, all revenues associated with forest product sales on state parks pursuant to § 10.1-113, and all funds accruing from, on account of, or to the use or management of state parks acquired or held by the Department. This special fund shall be noninterest bearing. The fund shall be under the direction and control of the Director and may be expended for the conservation, development, maintenance, and operations of state parks acquired or held by the Department *and of National Park Service property on a temporary basis pursuant to § 10.1-201.1*. Unexpended portions of the fund shall not revert to the state treasury at the close of any fiscal year unless specified by an act of the General Assembly.

B. The State Park Acquisition and Development Fund shall consist of the proceeds from the sale of surplus property. This special fund shall be noninterest bearing. The fund shall be under the direction and control of the Director and shall be used exclusively for the acquisition and development of state parks. Unexpended portions of the fund shall not revert to the state treasury at the close of any fiscal year unless specified by an act of the General Assembly.

C. The State Park Projects Fund shall consist of all income, including grants from any source, gifts and bequests of money, securities and other property, and gifts and devises of real property or interests therein given or bequeathed to the Department for the conservation, development, maintenance, or operations of state parks. This special fund shall be interest bearing and any income earned from these gifts, bequests, securities or other property shall be deposited to the credit of the fund. This fund shall be under the control of the Director and may be expended with advice from the Board for the conservation, development, maintenance, or operations of state parks. Unexpended portions of the fund shall not revert to the state treasury at the close of any fiscal year unless specified by an act of the General Assembly.

D. The Director is authorized to receive and to sell, exchange, or otherwise dispose of or invest as he deems proper the moneys, securities, or other real or personal property or any interest therein given or bequeathed to the Department for any of the funds established under this section, unless such action is restricted by the terms of a gift or bequest. The Director may enter into contracts and agreements, as approved by the Attorney General, to accomplish the purposes of these funds. The Director may do any and all lawful acts necessary or appropriate to carry out the purposes for which the above funds were established.

E. These funds shall not include any gifts of money to the Virginia Land Conservation Foundation or other funds deposited in the Virginia Land Conservation Fund.

INTRODUCED

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