

1994 SPECIAL SESSION II

SENATE SUBSTITUTE

LD5775605

HOUSE BILL NO. 5002

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance
on September 30, 1994)

(Patron Prior to Substitute—Delegate Ball)

A BILL to provide funds for costs associated with correctional facilities and public safety, relating to the creation of the Correctional Reserve Fund and the Virginia Public Safety Fund; appropriation.

Be it enacted by the General Assembly of Virginia:

1. § 1. That there is hereby created on the books of the State Comptroller a special, nonreverting fund known as the Correctional Reserve Fund, hereinafter referred to as the "Reserve Fund." The Reserve Fund is established pursuant to § 30-19.1:4 of the Code of Virginia to fund the estimated amount of necessary appropriation stated in the second enactment of Senate Bill 3001 of the 1994 Special Session II. The Director of the Department of Planning and Budget shall unallot and transfer to the Reserve Fund up to \$25,675,440 of the general fund savings for the Medicaid program during the 1994-96 biennium, estimated at \$28 million, based on recent trends in Medicaid caseloads. The Director shall notify the Chairmen of the House Appropriations and Senate Finance Committees within ten days of any action to unallot and revert appropriations pursuant to this authority.

§ 2. A. That there is hereby created on the books of the State Comptroller a special, nonreverting fund known as the Virginia Public Safety Fund, hereinafter referred to as the "Fund."

B. 1. The Director of the Department of Planning and Budget shall unallot and transfer to the Fund the remaining general fund savings, estimated at \$2,400,000, which results from the reforecasting of Medicaid caseloads for 1994-96, pursuant to § 1 of this act;

2. The Director of the Department of Planning and Budget shall unallot and transfer to the Fund the general fund savings in 1994-96 from the elimination of state agency positions, estimated as of August 22, 1994, at \$16,600,000 ;

3. The Director of the Department of Planning and Budget shall unallot and transfer to the Fund the general fund savings from the reforecasting of Average Daily Membership in public schools in grades K-12 in 1994-96, estimated at ten million dollars;

4. The Director of the Department of Planning and Budget shall unallot and transfer to the Fund the general fund savings in payments to adult care residences in 1994-96 as a result of delays in promulgation of regulations pursuant to Chapter 9 (§ 63.1-172 et seq.) of Title 63.1 of the Code of Virginia, estimated at five million dollars; and

5. The Director of the Department of Planning and Budget shall unallot and transfer to the Fund up to three million dollars from undesignated, unreserved fund balances as of June 30, 1994.

C.1. The Governor is authorized to expend moneys in the Fund for the following purposes: (i) constructing and equipping nine work centers, in an amount not to exceed \$28,835,000; (ii) planning for the construction of two maximum security prisons, in an amount not to exceed \$3,133,217; (iii) planning for the renovation of Mecklenburg Correctional Facility, in an amount not to exceed \$1,230,175; (iv) renovating, reopening, and operating housing units at Bon Air Juvenile Correctional Center and the Reception and Diagnostic Center, in an amount not to exceed \$950,000 in fiscal year 1995; and (v) constructing and installing pre-engineered housing units at a juvenile correctional center, in an amount not to exceed \$1,050,000.

2. The amounts specified in subdivision 1 are hereby appropriated for the designated purposes.

D.1. The Governor may expand and enlarge the Keen Mountain Prototype #2 project (Sussex) as authorized by Chapter 1, 1993 Acts of Assembly, Special Session, to provide an additional 246 beds.

2. The Governor may expand the scope of work related to the Keen Mountain Prototype project (Red Onion), as authorized by Chapter 656 of the 1991 Acts of Assembly, to address site conditions, additional security fencing, and related costs.

E. If the moneys designated in clauses (ii) and (iii) of subdivision 1 of subsection C are insufficient to allow the Department of Corrections to contract for the design services contemplated, then the Governor may temporarily reduce the amount of the Reserve Fund and allocate such amounts as may be appropriate in order to comply with requirements for entering into such contracts, provided that the proceeds from the Fund shall be exhausted prior to the expenditure of any moneys in the Reserve Fund.

F. The Fund shall be replenished from the proceeds of the sale of such tax-exempt bonds as are authorized for such projects, in an amount not to exceed the limits set forth in subdivision 1 of subsection C. In addition, the net proceeds from the sale of surplus property of the Commonwealth sold pursuant to recommendations of the Governor's Commission on Conversion of State-Owned Property, and other moneys subsequently appropriated for the purposes referenced in subdivision 1 of subsection C, may be used to replenish the Fund.

SENATE SUBSTITUTE

HB5002S1

60 2. That an emergency exists and this act is in force from the date of passage of Senate Bill 3001 of
61 the 1994 Special Session II by the 1994 Special Session II of the General Assembly.