

994383376

HOUSE BILL NO. 2069

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Chesapeake Bay and Its Tributaries
on February 4, 1999)

(Patron Prior to Substitute—Delegate Murphy)

A BILL to amend and reenact § 10.1-2128 of the Code of Virginia, relating to the Water Quality Improvement Fund.

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-2128 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-2128. Virginia Water Quality Improvement Fund established; purposes.

A. There is hereby established in the state treasury a special permanent, nonreverting fund, to be known as the "Virginia Water Quality Improvement Fund." The Fund shall be established on the books of the Comptroller. The Fund shall consist of sums appropriated to it by the General Assembly which shall include, unless otherwise provided in the general appropriation act, ten percent of the annual general fund revenue collections that are in excess of the official estimates in the general appropriation act and ten percent of any unreserved general fund balance, *other than appropriated payments to the Revenue Stabilization Fund (§ 2.1-191.1 et seq.) and mandatory reappropriations required in the general appropriation act*, at the close of each fiscal year ~~whose reappropriation is not required in the general appropriation act~~. The Fund shall also consist of such other sums as may be made available to it from any other source, public or private, and shall include any penalties or damages collected under this article, federal grants solicited and received for the specific purposes of the Fund, and all interest and income from investment of the Fund. Any sums remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. All moneys designated for the Fund shall be paid into the state treasury and credited to the Fund. Moneys in the Fund shall be used solely for Water Quality Improvement Grants. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon the written request of the Director of the Department of Environmental Quality or the Director of the Department of Conservation and Recreation as provided in this chapter.

B. The purpose of the Fund is to provide Water Quality Improvement Grants to local governments, soil and water conservation districts and individuals for point and nonpoint source pollution prevention, reduction and control programs and efforts undertaken in accordance with the provisions of this chapter. The Fund shall not be used for agency operating expenses or for purposes of replacing or otherwise reducing any general, nongeneral, or special funds allocated or appropriated to any state agency. *The Fund shall not be used to make grants to enable the grant recipient to achieve or comply with any requirements or conditions of a Virginia Pollution Discharge Elimination System permit or a compliance or enforcement action related thereto.*