

*Request to Amend House Bill 29, as Introduced*

Chief Patron: Governor McDonnell

Item 111 #1g

**Commerce And Trade**

Department Of Mines, Minerals  
And Energy

Language

**Language:**

Page 31, line 19, after “natural gas,” insert “, electricity,”.

**Explanation:**

(This amendment authorizes the agency to assess an administrative surcharge on the state electric contracts in order to generate sufficient revenue to support an ongoing reduction strategy of \$95,978. This amount represents a position that was shifted from general fund support, to fee revenue. According to the agency, an administrative surcharge equal to 0.06 percent of the state’s entire electricity contract is sufficient to generate necessary revenue for this purpose.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Governor McDonnell

Item 470 #2g

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 160, strike lines 53 and 54 and insert:

“K.1. Out of the appropriation for this item, \$30,000,000 the second year from the general fund is provided to capitalize a reserve to be known as the Federal Action Contingency Trust (FACT) Fund. The Governor is authorized to distribute amounts from this reserve to mitigate or address a variety of negative impacts of federal fiscal actions on the Commonwealth. Although not specifically limited to the following, the Governor may use this reserve to address the replacement of losses of direct federal grant funding, to provide incentives to retain or consolidate federal facilities in Virginia, to address federal tax policy changes from conformity that are deemed undesirable, and to assist businesses impacted by the cutback of federal procurement or defense contracts obtain new alternative customers.

2. There is hereby created an advisory committee to provide advice to the Governor concerning the use of the Federal Action Contingency Trust (FACT) Fund. The committee shall consist of six legislative members appointed by the Joint Rules Committee one of which shall be from the Senate at large, and one of which shall be from the House at large, and two members of the Senate Committee on Finance and two members from the House Appropriations Committee. The secretaries of Commerce and Trade and Finance shall also serve as members of the advisory committee.

3. Prior to the distribution of any funds from the Federal Action Contingency Trust (FACT) Fund, the Governor shall consult with the advisory committee regarding the purpose of any proposed distribution and seek the advisory committee’s guidance. The advisory committee shall respond to the Governor within five days after receiving a proposal from the Governor indicating their guidance to him about the proposed distribution. The Governor shall also notify the chairmen of the Senate Finance Committee and the House Appropriations Committee in writing within ten days concerning his decision to distribute money from the FACT reserve having previously received guidance from the advisory committee.”

Page 161, strike line 1.

**Explanation:**

(This amendment modifies language authorizing the Federal Action Contingency Trust (FACT) Fund in order to establish criteria for use of the funding as well as to establish an advisory committee.)

*Request to Amend House Bill 29, as Introduced*

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Governor McDonnell

Item 3-1.01 #3g

**Transfers**

Interfund Transfers

Language

**Language:**

Page 182, after line 8, insert:

"6. On or before June 30, 2012, the State Comptroller shall restore \$2,689 from the general fund to the State Asset Forfeiture Fund (Fund 0233) in the Department of Agriculture and Consumer Services, pursuant to § 4-1.05 b. of this act.

**Explanation:**

(This amendment restores amounts that were reverted from the State Asset Forfeiture Fund (Fund 0233) in the Department of Agriculture and Consumer Services.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: May

Item 98 #1h

Co-Patron(s): Cox, Kirk, Howell, William, Lingamfelter

**Commerce And Trade**

Department Of Business Assistance

Language

**Language:**

Page 27, after line 26, insert:

"B.7. For transportation projects approved under the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2291 and 2.2-2285, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed \$25,000 per annum."

**Explanation:**

(This amendment caps the charges that may be assessed by the VSBFA for service as the conduit bond issuer for public-private transportation projects. Because this item is not set out in House Bill 29 as introduced, it is the intent of the General Assembly that this language be added to Item 108 as set out in Chapter 890, 2011 Session of the General Assembly, when the bill is enrolled.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Comstock

Item 355 #1h

<b>Natural Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Environmental Quality	\$0	\$151,500	GF

**Language:**

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Notwithstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

**Explanation:**

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Kory

Item 355 #3h

<b>Natural Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>	
Department Of Environmental Quality	\$0	\$151,500	GF

**Language:**

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Not withstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

**Explanation:**

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Plum

Item 355 #4h

**Natural Resources**

**FY 10-11**

**FY 11-12**

Department Of Environmental  
Quality

\$0

\$151,500 GF

**Language:**

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Not withstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

**Explanation:**

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Poindexter

Item 3-1.01 #2h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 179, line 13, strike "\$6,776,373" and insert "\$6,521,373".

Page 180, line 5, strike the second "\$255,000" and insert "\$0".

**Explanation:**

(This amendment eliminates the proposed transfer of \$255,000 from the Litter Control and Recycling Fund to the general fund that was to take place by June 30, 2012.)

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*Request to Amend House Bill 29, as Introduced*

Chief Patron: Surovell

Item 355 #2h

<b>Natural Resources</b>	<b>FY 10-11</b>	<b>FY 11-12</b>
Department Of Environmental Quality	\$0	\$151,500 GF

**Language:**

Page 132, line 9, strike "\$44,544,690" and insert "\$44,696,190".

Page 132, line 27, unstrike "and \$156,000 the second year".

Page 132, line 27, strike the second "156,000" and insert "151,500".

Page 132, line 28, after "fund.", insert:

"Notwithstanding any executive order, commission recommendation, or advisory board motion, no administrative action shall be taken by any state agency impacting Virginia's standing as a member jurisdiction in the Interstate Commission on the Potomac River Basin."

**Explanation:**

(This amendment restores the second year appropriation for the payment of Virginia's dues to the Interstate Commission on the Potomac River Basin. In addition, language is included prohibiting any administrative action impacting Virginia's standing as a member of the commission.)

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