1997 Session

Budget Bill - HB1600 (Introduced)

Secretary of Transportation

Item 496	First Year - FY1997	Second Year - FY1998
Administrative and Support Services (71900)	**$360,567**	**$360,567**
General Management and Direction (71901)	$360,567	$360,567
Fund Sources:		
Commonwealth Transportation	$360,567	$360,567

Authority: Title 2.1, Chapter 5.10 and § 2.1-51.10:l, Code of Virginia.

A. Pending the General Assembly's future action on the distribution of transportation revenues, the Commonwealth Transportation Board is hereby authorized to enter into project agreements with the United States Government to secure the maximum level of federal funding for transportation programs in the Commonwealth, including agreements that provide for the allocation of funds necessary to comply with federal law but which allocation may differ from formulae provided in the Code of Virginia in the following areas:

1. Funds apportioned under federal law to the National Highway System shall be treated, for State formulae purposes, as interstate funds, pursuant to § 33.1-23.1, Code of Virginia; and

2. Funds apportioned under federal law for congestion mitigation and air quality improvement shall be allocated to designated transportation projects in clean air non-attainment areas of the Commonwealth in addition to funds allocated to these areas pursuant to § 33.1-23.1, Code of Virginia; and

3. Funds apportioned under federal law for the Surface Transportation Program shall be distributed and administered in accordance with federal requirements, as follows:

a. Ten percent shall be set aside for a statewide safety program, with grants made on a competitive basis;

b. Ten percent shall be set aside for a statewide enhancement program, with grants made on a competitive basis;

c. Fifty percent shall be allocated on the basis of population, as prescribed by federal law; and

d. Thirty percent shall be allocated pursuant to § 33.1-23.1 of the Code of Virginia.

4. Federal requirements shall be followed regarding that portion of Equity funds apportioned to the Commonwealth that are to be allocated on the basis of population. Such equity funds include minimum allocation, hold harmless, reimbursement, payments guarantee and donor state bonus.

5. The balance of Equity funds apportioned to the Commonwealth shall be allocated to eligible projects at the discretion of the Commonwealth Transportation Board. After each action to allocate funds under this provision, the Commonwealth Transportation Board shall submit to the House Appropriations and Senate Finance Committees a list of such approved projects and the rationale for such approval.

6. Funds allocated pursuant to § 33.1-23.1 B.2 and B.3, Code of Virginia may be utilized on any project eligible under Title 23 United States Code Section 133, upon request of the local governing body and approval of the Commonwealth Transportation Board.

7. Federal funds provided to the National Highway System, Surface Transportation Program and Congestion Mitigation and Air Quality categories as well as the required State matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law.

8. The foregoing provisions shall expire June 30, 1998.

B. In accordance with § 62.1-132.3 of the Code of Virginia and the identified long-term need for a fourth general cargo marine terminal in the Port of Hampton Roads, the Secretary of Transportation is directed to form a committee to study the potential expansion of the eastern side of the Craney Island Dredged Material Management Area (CIDMMA) for use as a site for a fourth general cargo marine terminal. The committee shall include representatives of the Virginia Port Authority and the City of Portsmouth, as designated by their governing bodies. Such examination shall take into account relevant environmental issues, the potential imposition of an equitable fee payable to the City of Portsmouth for placement of dredge materials on Craney Island, land use and transportation issues which may arise from or in association with a fourth general cargo marine terminal at this location, obtaining greater certainty about the means and schedule by which Craney Island will revert from the federal government to Virginia, and the subsequent transfer of a major portion of Craney Island to Portsmouth. The committee shall not consider any westward or northern expansion of Craney Island, provided that the committee may consider adjustment of the northern boundary for the purpose of environmental mitigation but not for expansion of capacity. The limitations imposed by § 62.1-132.20(A) of the Code of Virginia shall remain in effect, except to the extent necessarily modified by the paragraph. The Secretary shall make a progress report to the Senate Finance and House Appropriations Committees by December 1, 1997.