2006 Session

# Budget Bill - SB30 (Introduced)



## Item 4-14

**PART 5: ENACTMENT NUMBERS 2 THROUGH 5**

**2. That Chapter 289 of the Acts of Assembly of 1989, as amended and reenacted by Chapter 888 of the Acts of Assembly of 1990 and Chapters 385 and 401 of the Acts of Assembly of 1992, Chapters 139 and 147 of the Acts of Assembly of 1994, Chapters 375 and 458 of the Acts of Assembly of 1996, Chapter 464 of the Acts of Assembly of 1998, and Chapters 501 and 553 of the Acts of Assembly of 2000, is hereby repealed effective January 1, 2003.**

**3. That the General Assembly finds that in order to attract and promote research and development activities at colleges and universities of the Commonwealth, as well as respond to research opportunities which may arise, it is necessary and desirable to provide a mechanism to fund pressing capital improvements on a schedule different from the normal budget process. Notwithstanding the provisions of § 23-30.28, Code of Virginia, requiring the specific inclusion of a project in a bill passed by the General Assembly authorizing such project to be undertaken by the Virginia College Building Authority pursuant to §23-30.24 et seq, Code of Virginia, the General Assembly authorizes the issuance of up to $50,000,000 in bonds or other obligations by the Virginia College Building Authority 21st Century College and Equipment Program to finance equipment or capital improvements related to fostering and stimulating research activities at colleges and universities of the Commonwealth listed in § 23-14, Code of Virginia, provided that prior to the issuance of any such bonds or other obligations for a project or projects under this program, the Governor shall approve any projects for funding. This authorization is subject to the following conditions and restrictions:**

**1) Prior to his approval, the Governor shall communicate in writing to the Chairmen of the Senate Finance Committee and the House Appropriations Committee his intent to issue bonds for such project or projects, and the Chairmen shall have at least 15 days to comment on the proposed funding. The Governor's communication shall at a minimum include: a description of the project, including scope and cost; the justification and necessity for moving immediately to fund the project; the source and amount of matching funds; and, the benefits anticipated because of the related research activity. Any additional relevant material or documentation requested by the Chairmen regarding the project shall be made available to them.**

**2) The project or projects shall be reviewed and recommended for funding by the Innovative Technology Authority, which shall provide a written assessment of the benefits of the related research activity.**

**3) The affected institution shall commit to provide matching funds at least equal to the amount provided to construct the capital facility.**

**4) The State Treasurer shall determine that such project qualifies for tax-exempt financing.**

**Interim financing for any project approved by the Governor for funding under this program may be provided by a Treasury Loan in anticipation of the receipt of bond proceeds from a sale by the Virginia**

**College Building Authority under its 21st Century College and Equipment Program.**

**The principal outstanding for such financings shall not exceed $50,000,000.**

**4. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2008, pursuant to § 4-12.00 of this act. The provisions of the second and third enactments shall have no expiration date.**

**5. That this act is effective on July 1, 2006, pursuant to § 4-13.00 of this act.**