

# WEST VIRGINIA LEGISLATURE

THIRD EXTRAORDINARY SESSION, 1990

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## ENROLLED

Com. Sub. for  
SENATE BILL NO. 6

(By Senators Burdette, and Harman)

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PASSED August 31, 1990

In Effect from Passage

**ENROLLED**  
COMMITTEE SUBSTITUTE  
FOR  
**Senate Bill No. 6**

**THIRD EXTRAORDINARY SESSION, 1990**

(BY SENATORS BURDETTE, MR. PRESIDENT, AND HARMAN,  
BY REQUEST OF THE EXECUTIVE)

[Passed August 31, 1990; in effect from passage.]

AN ACT making supplementary appropriation of public moneys, as specified, out of the treasury with insertion thereof into appropriation accounts, as specified, and with all necessary adjustments of increase or decrease of items and language of appropriation in the following accounts: Acct. No. 1240, Governor's Office-Civil Contingent Fund; Acct. No. 1255, Governor's Office-Educational Programs; Acct. No. 1800, Tax Division; Acct. No. 1900, Board of Investments; Acct. No. 2785, Board of Directors of the State College System Control Account; Acct. No. 2795, Board of Trustees of the University System of West Virginia Control Account; Acct. No. 2855, Board of Trustees of the University System of West Virginia University of West Virginia Health Sciences Account; Acct. No. 2860, State Department of Education; Acct. No. 2870, State Department of Education-School Lunch Program; Acct. No. 2890, State Board of Education-Vocational Division; Acct. No. 2950, State Department of Education-State Aid to Schools;

Acct. No. 3330, West Virginia School for the Deaf and Blind; Acct. No. 4000, Division of Health-Central Office; Acct. No. 4190, Consolidated Medical Services Fund; Acct. No. 5332, Department of Education and the Arts-Office of the Secretary; Acct. No. 5700, Division of Public Safety; transferring amounts between line items of the existing appropriation for the following accounts: Acct. No. 8215-18, Division of Health Laboratory Services; and Acct. No. 8216-18, Health Care Cost Review Authority-Planning; all supplementing and amending chapter ten, acts of the Legislature, regular session, one thousand nine hundred ninety, known as the budget bill.

Whereas, The governor's executive message no. 4, dated August 30, 1990, with revised revenue estimates attached, advises that there now exists within the state fund, general revenue, an unappropriated balance of \$133,264,000 which is immediately available for appropriation during the fiscal year 1990-91; and

Whereas, It therefore appears that sufficient funds are available for the appropriations hereby made in this supplementary appropriation bill; therefore

*Be it enacted by the Legislature of West Virginia:*

That chapter ten, acts of the Legislature, regular session, one thousand nine hundred ninety, known as the budget bill, be supplemented by adding thereto the following new accounts, designated account no. 1255 and account no. 1900 and that account nos. 1240, 1800, 2785, 2795, 2855, 2860, 2870, 2890, 2950, 3330, 4000, 4190, 5332 and 5700, chapter ten, acts of the Legislature, regular session, one thousand nine hundred ninety, known as the budget bill, be supplemented by adding amounts specified herein, and that amounts in line items of account nos. 8215-18 and 8216-18, chapter ten, acts of the Legislature, regular session, one thousand nine hundred ninety, known as the budget bill be transferred within said accounts; all amended by the items and language of appropriation as set forth herein, itemized with all other items and language of appropriation of such accounts, as set forth in the budget bill, to remain unchanged and unaffected, to read as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

Sec. 2. Appropriations of federal funds.

EXECUTIVE

7—Governor's Office  
Civil Contingent Fund

(WV Code Chapter 5)

Account No. 1240

3	Civil Contingent			
4	Fund .....	\$	—	\$ 600,000

Any unexpended balances remaining in this appropriation at the close of the fiscal year 1990-91 is hereby reappropriated for expenditure during the fiscal year 1991-92.

8a—Governor's Office  
Educational Programs

Account No. 1255

1	Early Childhood Development	\$	—	\$ 1,000,000
2	Center for Professional			
3	Development .....		—	2,000,000
4	Total .....	\$	—	3,000,000

Any unexpended balances remaining in this appropriation at the close of the fiscal year 1990-91 is hereby reappropriated for expenditure during the fiscal year 1991-92.

EXECUTIVE

11a—Board of Investments

(WV Code Chapter 12)

Account No. 1900

1	Unclassified .....	\$	—	\$ 2,663,374
2	Total .....	\$	—	2,663,374

1		<b>DEPARTMENT OF EDUCATION</b>			
2		<i>48—State Department of Education</i>			
3		(WV Code Chapters 18 and 18A)			
4		Account No. 2860			
5	1	Personal Services.....	\$ —	\$	133,271
6	3	Employee Benefits .....	—		19,991
7	4	Unclassified .....	—		6,720,000
8	5	Education of Institutionalized			
9	6	Juveniles.....	—	\$	774,000
1		<i>49—State Department of Education</i>			
2		<i>School Lunch Program</i>			
3		(WV Code Chapters 18 and 18A)			
4		Account No. 2870			
5	1	Personal Services.....	\$ —	\$	3,516
6	3	Employee Benefits .....	—		527
1		<i>50—State Board of Education</i>			
2		<i>Vocational Division</i>			
3		(WV Code Chapters 18 and 18A)			
4		Account No. 2890			
5	1	Personal Services.....	\$ —	\$	355,252
6	3	Employee Benefits .....	—		50,666
7	7	Wood Products-Forestry			
8	8	Vocational Programs .....	—		70,000
1		<i>51—State Department of Education</i>			
2		<i>State Aid to Schools</i>			
3		(WV Code Chapters 18 and 18A)			
4		Account No. 2950			
5	1	Professional Educators.....	\$ —	\$	33,558,261
6	2	Service Personnel .....	—		8,933,683
7	4	Fixed Charges .....	—		9,882,099
8	7	Other Current Expenses .....	—		4,411,600
9	8	Improve Instructions			
10	9	Programs .....	—		6,083,470

11 21a Rural Counties ..... — 500,000

1 53—*West Virginia School for the*  
2 *Deaf and the Blind*

3 (WV Code Chapters 18 and 18A)

4 Account No. 3330

5 4 Unclassified .....\$ — \$ 174,939

1 **DEPARTMENT OF EDUCATION**  
2 **AND THE ARTS**

3 56—*Board of Directors of the*  
4 *State College System*  
5 *Control Account*

6 (WV Code Chapter 18B)

7 Account No. 2785

8 1 Unclassified .....\$ — \$ 1,665,000

9 From the Unclassified line in account no. 2785, the  
10 board of directors of the state college system shall  
11 expend moneys for salary increases for each full-time  
12 faculty and full-time staff which, in combination with  
13 the salary increases granted from funds appropriated  
14 during the regular and second extraordinary sessions  
15 of the Legislature, one thousand nine hundred ninety,  
16 are at least one thousand dollars greater on an annual  
17 basis than the salaries paid such full-time faculty and  
18 staff during fiscal year one thousand nine hundred  
19 ninety. In addition, each full time faculty shall receive  
20 an increase of one thousand dollars across-the-board  
21 effective the first day of September, one thousand  
22 nine hundred ninety.

1 57—*Board of Trustees of the*  
2 *University System of West Virginia*  
3 *Control Account*

4 (WV Code Chapter 18B)

5 Account No. 2795

6 1 Unclassified .....\$ — \$ 2,530,000

7 From the Unclassified line in account no. 2795, the  
 8 board of trustees of the university system of West  
 9 Virginia shall expend moneys for salary increases for  
 10 each full-time faculty and full-time staff which, in  
 11 combination with the salary increases granted from  
 12 funds appropriated during the regular and second  
 13 extraordinary sessions of the Legislature, one thou-  
 14 sand nine hundred ninety, are at least one thousand  
 15 dollars greater on an annual basis than the salaries  
 16 paid such full-time faculty and staff during fiscal year  
 17 one thousand nine hundred ninety. In addition, each  
 18 full-time faculty shall receive an increase of one  
 19 thousand dollars across-the-board effective the first  
 20 day of September, one thousand nine hundred ninety.

1                   59—*Board of Trustees of the*  
 2                   *University System of West Virginia*  
 3                   *University of West Virginia*  
 4                   *Health Sciences Account*

5                   (WV Code Chapter 18B)

6                   Account No. 2855

7 1 Unclassified .....\$ — \$ 1,135,000

8 From the Unclassified line in account no. 2855, the  
 9 board of trustees of the university system of West  
 10 Virginia shall expend moneys for salary increases for  
 11 each full-time faculty and full-time staff which, in  
 12 combination with the salary increases granted from  
 13 funds appropriated during the regular and second  
 14 extraordinary sessions of the Legislature, one thou-  
 15 sand nine hundred ninety, are at least one thousand  
 16 dollars greater on an annual basis than the salaries  
 17 paid such full-time faculty and staff during fiscal year  
 18 one thousand nine hundred ninety. In addition, each  
 19 full-time faculty shall receive an increase of one  
 20 thousand dollars across-the-board effective the first  
 21 day of September, one thousand nine hundred ninety.

1                   63—*Department of Education and the Arts*  
 2                   *Office of the Secretary*

3                   (WV Code Chapter 5F)

4 Account No. 5332

5	1	Unclassified .....	\$	—	\$	750,000
6	3	Underwood-Smith				
7		Scholarship				
8	4	Program-Student Awards		—		200,000
9	4a	Accreditation, Certification				
10	4b	and Research .....		—		2,000,000

1 **DEPARTMENT OF HEALTH**  
2 **AND HUMAN RESOURCES**

3 64—*Division of Health*  
4 *Central Office*

5 (WV Code Chapter 16)

6 Account No. 4000

7	1	Personal Services .....	\$	—	\$	200,000
8	7	Employee Benefits .....		—		40,000

1 69—*Consolidated Medical Services Fund*

2 Account No. 4190

3	3	Institutional Facilities				
4	4	Operations .....	\$	—	\$	2,300,000
5	5	Employee Benefits .....		—		460,000
6	9	State Aid to Local Agencies ...		—		400,000
7	20a	Preventative Re-vaccination		—		200,000

OK DH/b

1 **DEPARTMENT OF PUBLIC SAFETY**

2 77—*Division of Public Safety*

3 (WV Code Chapter 15)

4 Account No. 5700

5	4	Unclassified .....	\$	420,266	\$	-0-
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6 The amount of \$420,266 appropriated to the Unclas-  
7 sified line item by this supplemental appropriation bill  
8 represents federal funds received by the state for the  
9 West Virginia uniform crime reporting redesign  
10 program and the automation of criminal history  
11 records of the division of public safety subsequent to



12 the passage of the budget bill for the fiscal year 1990-  
13 91. Said amount is appropriated pursuant to the  
14 provisions of article eleven, chapter four of the code.

1 **DEPARTMENT OF TAX AND REVENUE**

2 *81—Tax Division*

3 (WV Code Chapter 11)

4 Account No. 1800

5 4 Unclassified .....\$ — \$ 850,000

6 Any unexpended balances remaining in this appro-  
7 priation at the close of the fiscal year 1990-91 is hereby  
8 reappropriated for expenditure during the fiscal year  
9 1991-92.

10 The purpose of this supplementary appropriation bill  
11 is to appropriate public money, as specified, with  
12 insertion of such moneys into accounts in the budget  
13 bill and those newly created herein and specified  
14 items thereof, together with all adjustments of  
15 increase required. These public moneys, as newly  
16 provided for, shall be available for such use and  
17 expenditure upon passage of the bill and in fiscal year  
18 1990-91, supplementing the budget bill for such fiscal  
19 year earlier enacted.

20 **Sec. 5. Appropriations from other funds.**—~~Notwith-~~  
21 ~~standing the provisions of TITLE II—APPROPRIA-~~  
22 ~~TIONS, Sec. 11 of this act,~~ from the funds designated  
23 there are hereby appropriated conditionally upon the  
24 fulfillment of the provisions set forth in article two,  
25 chapter five-a of the code, the following amounts as  
26 itemized for expenditure during fiscal year one thou-  
27 sand nine hundred ninety-one.

28 ~~Amounts in excess of the amounts herein appropri-~~  
29 ~~ated are not subject to spending as authorized by~~  
30 ~~article two, chapter five-a of the code.~~

31 The following account nos. 8215-18 and 8216-18 are  
32 supplemented, amended and transferred to read as  
33 follows, with no new moneys being hereby  
34 appropriated:

1		<i>145—Division of Health Laboratory Services</i>			
2		(WV Code Chapter 16)			
3		Account No. 8215-18			
4		TO BE PAID FROM SPECIAL REVENUE FUND			
5	1	Personal Services.....	—	\$	313,397
6	2	Annual Increment.....	—		4,248
7	3	Employee Benefits .....	—		92,000
8	4	Current Expenses .....	—		-0-
9	4a	Unclassified .....	—		878,960
10					
11	5	Total .....	—	\$	1,288,605

1		<i>146—Health Care Cost Review Authority</i>			
2		<i>Planning</i>			
3		(WV Code Chapter 16)			
4		Account No. 8216-18			
5		TO BE PAID FROM SPECIAL REVENUE FUND			
6	1	Personal Services.....	—	\$	133,531
7	2	Annual Increment.....	—		396
8	3	Employee Benefits .....	—		32,755
9	4	Current Expenses .....	—		-0-
10	4a	Unclassified .....	—		283,935
11					
12	5	Total .....	—	\$	450,617

The Joint Committee on Enrolled Bills hereby certifies  
that the foregoing bill is correctly enrolled.

*Frederick L. Parker*  
.....  
Chairman Senate Committee

.....*Bernard V. Kelly*.....  
Chairman House Committee

Originated in the Senate.

In effect from passage.

*Harold E. Ellis*  
.....  
Clerk of the Senate

*Donald L. Kopp*  
.....  
Clerk of the House of Delegates

*Keith Bartlett*  
.....  
President of the Senate

*Jeffery C. ...*  
.....  
Speaker House of Delegates

The within *is approved* this the *6<sup>th</sup>* .....  
day of *September* ....., 1990.

*Gaston Caperton*  
.....  
Governor

RECEIVED

1990 SEP -6 PM 4:37

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

PRESENTED TO THE

GOVERNOR

Date 9/4/90

Time 2:10 pm