WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 1999

ENROLLED

House Bill No. 3042
(By Delegates Ashley, Frederick, Jenkins, Pettit, Proudfoot, Facemyer and Miller)

Passed March 13, 1999
In Effect from Passage
ENROLLED

H. B. 3042

(BY DELEGATES ASHLEY, FREDERICK, JENKINS, PETTIT, PROUDFOOT, FACEMYER AND MILLER)

[Passed March 13, 1999; in effect from passage.]

AN ACT expiring funds to the unappropriated surplus balance in the state fund, general revenue, for the fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, in the amount of six million nine hundred ninety-nine thousand nine hundred seventy-three dollars from the income tax refund reserve fund, fund 1313, organization 1300, and making supplementary appropriations of public moneys out of the treasury from the unappropriated surplus balance for the fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to the department of agriculture, state soil conservation committee, fund 0132, fiscal year 1999, organization 1400; to the department of administration, division of information services and communications, fund 0583, fiscal year 1999, organization 0210; to the department of education and the arts, educational broadcasting authority, fund 0300, fiscal year 1999, organization 0439; to the board of trustees of the university system of West Virginia, university of West Virginia health sciences account, fund 0323, fiscal year 1999, organization 0478; to the department of military affairs and public safety, West Virginia Parole Board, fund 0440, fiscal year 1999, organization 0605; bureau of commerce, geological and economic survey, fund 0253, fiscal year 1999,
organization 0306; and to the bureau of environment, division of environmental protection, fund 0273, fiscal year 1999, organization 0313; all for expenditure during the fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine.

WHEREAS, The Legislature finds that the balance in the income tax refund reserve fund exceeds that which is necessary for the purpose for which the fund was established; and

WHEREAS, By the provisions of this legislation there now remains an unappropriated surplus balance in the state treasury which is available for appropriation during the fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine; therefore

Be it enacted by the Legislature of West Virginia:

1. That the balance of funds in the income tax refund reserve fund, fund 1313, organization 1300, be decreased by expiring the amount of six million nine hundred ninety-nine thousand nine hundred seventy-three dollars to the unappropriated surplus balance of the state fund, general revenue, and that the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0132, fiscal year 1999, organization 1400, be supplemented and amended by increasing the total appropriation by two million five hundred thousand dollars as follows:

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Soil Conservation Projects (R)</td>
<td>$2,500,000</td>
</tr>
</tbody>
</table>
Any unexpended balances remaining in the appropriation for Soil Conservation Projects (R) (fund 0132, activity 120) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

That an appropriation for expenditure during the fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, be made in a new fund designated fund 0583, fiscal year 1999, organization 0210, in the amount of two million five hundred thousand dollars in a new line item as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF ADMINISTRATION

21a—Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 0583 FY 1999 Org 0210

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Asynchronous Transfer Mode (ATM)Program(R) .............. 199 $ 2,500,000</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the appropriation for Asynchronous Transfer Mode (ATM) Program (fund 0583, activity 199) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

That the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0300, fiscal year 1999, organization 0439, be supplemented and amended by increasing the total appropriation by three hundred thousand dollars in a new line item as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.
DEPARTMENT OF EDUCATION AND THE ARTS

43—Educational Broadcasting Authority—

(WV Code Chapter 10)

Fund 0300 FY 1999 Org 0439

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>4a Equipment (R)</td>
<td>070 $ 300,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Equipment (fund 0300, activity 070) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

That the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0323, fiscal year 1999, organization 0478, be supplemented and amended by increasing the total appropriation by three hundred thousand dollars as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF EDUCATION AND THE ARTS

48—Board of Trustees of the University

System of West Virginia—

University of West Virginia

Health Sciences Account

(WV Code Chapter 18B)

Fund 0323 FY 1999 Org 0478

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 School of Osteopathic Medicine</td>
<td>172 $ 5,000</td>
</tr>
<tr>
<td>84</td>
<td>Marshall School of Medicine</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------</td>
</tr>
<tr>
<td>85</td>
<td>WVU-Health Sciences</td>
</tr>
</tbody>
</table>

That the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0440, fiscal year 1999, organization 0605, be supplemented and amended by increasing the total appropriation by eighty thousand dollars as follows:

**TITLE II—APPROPRIATIONS.**

**Section 1. Appropriations from general revenue.**

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

*58—West Virginia Parole Board*

(WV Code Chapter 62)

Fund 0440 FY 1999 Org 0605

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Unclassified (R) 099</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the appropriation for Unclassified (fund 0440, activity 099) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

That the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0253, fiscal year 1999, organization 0306, be supplemented and amended by increasing the total appropriation by two hundred forty-four thousand nine-hundred seventy-three dollars as follows:

**TITLE II—APPROPRIATIONS.**

**Section 1. Appropriations from general revenue.**

BUREAU OF COMMERCE
76—Geological and Economic Survey
(WV Code Chapter 29)
Fund 0253 FY 1999 Org 0306

General Activity Revenue Fund
7 Computer Upgrade (R) ............ 349 $ 244,973

Any unexpended balances remaining in the appropriation for Computer Upgrade (fund 0253, activity 349) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

And that the total appropriation for fiscal year ending the thirtieth day of June, one thousand nine hundred ninety-nine, to fund 0273, fiscal year 1999, organization 0313, be supplemented and amended by increasing the total appropriation by one million seventy-five thousand dollars in new line items as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

BUREAU OF ENVIRONMENT

86—Division of Environmental Protection
(WV Code Chapter 22)
Fund 0273 FY 1999 Org 0313

General Activity Revenue Fund
7 Office of Water Resources - Equipment (R) ........... XXX $ 975,000
8 Federal Settlement .................. 206 $ 100,000

Any unexpended balances remaining in the appropriation for Office of Water Resources - Equipment (fund 0273, activity
(XXX) at the close of the fiscal year 1998-99 are hereby reappropriated for expenditure during the fiscal year 1999-2000.

The purpose of this bill is to expire the sum of six million nine hundred ninety-nine thousand nine hundred seventy-three dollars from the income tax refund reserve fund, fund 1313, organization 1300; to supplement the department of agriculture, state soil conservation committee, fund 0132, fiscal year 1999, organization 1400, by adding two million five hundred thousand dollars to the existing appropriation; to make an appropriation to department of administration, division of information services and communications, in a new fund designated fund 0583, fiscal year 1999, organization 0210, in the amount of two million five hundred thousand dollars; to supplement the department of education and the arts, educational broadcasting authority, fund 0300, fiscal year 1999, organization 0439 by adding three hundred thousand dollars to the existing appropriation; to supplement the board of trustees of the university system of West Virginia, university of West Virginia health sciences account, fund 0323, fiscal year 1999, organization 0478, by adding three hundred thousand dollars to the existing appropriation; to supplement the department of military affairs and public safety, West Virginia parole board, fund 0440, fiscal year 1999, organization 0605 by adding eighty thousand dollars to the existing appropriation; to supplement the bureau of commerce, geological and economic survey, fund 0253, fiscal year 1999, organization 0306, by adding two hundred forty-four thousand nine hundred seventy-three dollars to the existing appropriation; and to supplement the bureau of environment, division of environmental protection, fund 0273, fiscal year 1999, organization 0313 by adding one million seventy-five thousand dollars to the existing appropriation.
That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originating in the House.

Takes effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker of the House of Delegates

The within approved this the 27th day of March, 1999.

Governor