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SB 1006/
Amendments

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
FIRST EXTRAORDINARY SESSION, 2004

ENROLLED

SENATE BILL NO. : 1006

(By Senator HELWICK)

PASSED MARCH 21, 2004

In Effect FROM Passage

FILED

2004 MAR 26 P 6:40

OFFICE WEST VIRGINIA
SECRETARY OF STATE

ENROLLED
Senate Bill No. 1006

(BY SENATOR HELMICK)

[Passed March 21, 2004; 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, two thousand four, in the amount of \$19,418,121.38 from the tax reduction and federal funding increased compliance fund, fund 1732, fiscal year 2004, organization 2300, and making a supplementary appropriation of public moneys out of the treasury from the unappropriated surplus balance for the fiscal year ending the thirtieth day of June, two thousand four, by supplementing, adding and increasing the department of agriculture - state conservation committee, fund 0132, fiscal year 2004, organization 1400, to the department of administration - public defender services, fund 0226, fiscal year 2004, organization 0221, to the state department of education, fund 0313, fiscal year 2004, organization 0402, to the division of human services, fund 0403, fiscal year 2004, organization 0511, to the department of military affairs and public safety - division of corrections - correctional units, fund 0450, fiscal year 2004, organization 0608, to the department of military

affairs and public safety — West Virginia state police, fund 0453, fiscal year 2004, organization 0612, to the division of forestry, fund 0250, fiscal year 2004, organization 0305, to the West Virginia development office, fund 0256, fiscal year 2004, organization 0307, to the department of tax and revenue - tax division, fund 0470, fiscal year 2004, organization 0702.

WHEREAS, The Legislature finds that the account balance in the tax reduction and federal funding increased compliance fund, fund 1732, fiscal year 2004, organization 2300, exceeds that which is necessary for the purposes for which the account was established; and

WHEREAS, The governor submitted to the Legislature a statement of the state fund, general revenue, dated the fourteenth day of January, two thousand four, setting forth therein the cash balance as of the first day of July, two thousand three; and further included the estimate of revenues for the fiscal year two thousand four, less net appropriation balances forwarded and regular appropriations for fiscal year two thousand four; and

WHEREAS, By the provision of the statement of the state fund, general revenue and 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, two thousand four; therefore

Be it enacted by the Legislature of West Virginia:

That the balance of funds in the tax reduction and federal funding increased compliance fund, fund 1732, fiscal year 2004, organization 2300, be decreased by expiring the amount of \$19,418,121.38 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, two thousand four, to fund 0132, fiscal year 2004, organization 1400, be supplemented and amended by increasing the total appropriation as follows:

1 TITLE II—APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 EXECUTIVE

4 12—*Department of Agriculture-*
5 *State Conservation Committee*

6 (WV Code Chapter 19)

7 Fund 0132 FY 2004 Org 1400

8				
9				General
10			Act-	Revenue
			ivity	Fund

11	5	Soil Conservation Projects-		
12	5a	Surplus (R)	269	\$ 1,392,000

13 Any unexpended balance remaining in the appropria-
14 tion for Soil Conservation Projects - Surplus (fund 0132,
15 activity 269) at the close of the fiscal year two thousand
16 four is hereby reappropriated for expenditure during the
17 fiscal year two thousand five.

18 That the total appropriation for the fiscal year ending
19 the thirtieth day of June, two thousand four, to fund 0226,
20 fiscal year 2004, organization 0221, be supplemented and
21 amended by increasing the total appropriation as follows:

1 TITLE II—APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 DEPARTMENT OF ADMINISTRATION

4 27—*Public Defender Services*

5 (WV Code Chapter 29)

6 Fund 0226 FY 2004 Org 0221

7				
8				General
9			Act-	Revenue
			ivity	Fund
10	8	Appointed Counsel Fees -		
11	8a	Surplus (R)	435	\$ 4,224,409

12 Any unexpended balance remaining in the appropria-
13 tion for Appointed Counsel Fees - Surplus (fund 0226,
14 activity 435) at the close of the fiscal year two thousand
15 four is hereby reappropriated for expenditure during the
16 fiscal year two thousand five.

17 That the total appropriation for the fiscal year ending
18 the thirtieth day of June, two thousand four, to fund 0313,
19 fiscal year 2004, organization 0402, be supplemented and
20 amended by increasing and adding a new appropriation to
21 the total appropriation as follows:

1 TITLE II-APPROPRIATIONS.
2 Section 1. Appropriations from general revenue.

3 DEPARTMENT OF EDUCATION

4 34—State Department of Education—

5 (WV Code Chapter 18 and 18A)

6 Fund 0313, FY 2004, Org 0402

7	8	9	Act- ivity	General Revenue Funds
10	26a Traditional Student Increased			
11	26b Enrollment - 5 years through			
12	26c 12th grade-Surplus	997		\$ 615,000
13	26d River Cities Child Development			
14	26e Center-Surplus	049		111,000

15 That the total appropriation for the fiscal year ending
16 the thirtieth day of June, two thousand four, to fund 0403,
17 fiscal year 2004, organization 0511, be supplemented and
18 amended by increasing and adding an appropriation to the
19 total appropriation as follows:

1 TITLE II-APPROPRIATIONS.
2 Section 1. Appropriations from general revenue.

3 **DEPARTMENT OF HEALTH**
 4 **AND HUMAN RESOURCES**
 5 *50—Division of Human Services*
 6 (WV Code Chapter 9, 48, and 49)
 7 Fund 0403, FY 2004, Org 0511.

		Act- ivity	General Revenue Fund
11	18		
12	19	547	\$250,000
13	32a	050	300,000

14 Any unexpended balance remaining in the appropria-
 15 tion for Pinecrest Hospital-Surplus (fund 0403, activity
 16 050) at the close of the fiscal year two thousand four is
 17 hereby reappropriated for expenditure during the fiscal
 18 year two thousand five.

19 That the total appropriation for the fiscal year ending
 20 the thirtieth day of June, two thousand four, to fund 0450,
 21 fiscal year 2004, organization 0608, be supplemented and
 22 amended by increasing the total appropriation as follows:

1 **TITLE II—APPROPRIATIONS.**

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

3 **DEPARTMENT OF MILITARY AFFAIRS**
 4 **AND PUBLIC SAFETY**

5 *56—Division of Corrections—*
 6 *Correctional Units*

7 (WV Code Chapters 25, 28, 49 and 62)

8 Fund 0450, FY 2004, Org 0608.

9		Act-	General
10		ivity	Revenue
11			Funds
12	9 Inmate Medical Expenses		
13	9a - Surplus (R)	846	\$ 2,500,000
14	11 Payments to Federal, County, and/or		
15	12 Regional Jails - Surplus (R) 008		1,667,840
16	22 BRIM Premium - Surplus	914	560,660

17 Any unexpended balances remaining in the appropria-
 18 tions for Inmate Medical Expenses - Surplus (fund 0450,
 19 activity 846) and Payments to Federal, County, and/or
 20 Regional Jails - Surplus (fund 0450, activity 008) at the
 21 close of the fiscal year two thousand four are hereby
 22 reappropriated for expenditure during the fiscal year two
 23 thousand five.

24 That the total appropriation for the fiscal year ending
 25 the thirtieth day of June, two thousand four, to fund 0453,
 26 fiscal year 2004, organization 0612, be supplemented and
 27 amended by increasing the total appropriation as follows:

1 **TITLE II--APPROPRIATIONS.**

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

3 **DEPARTMENT OF MILITARY AFFAIRS**

4 **AND PUBLIC SAFETY**

5 *57—West Virginia State Police*

6 (WV Code Chapter 15)

7 Fund 0453 FY 2004 Org 0612

8		Act-	General
9		ivity	Revenue
10			Funds
11	3 Employee Benefits-Surplus	250	\$ 616,000
12	16 BRIM Premium-Surplus	914	623,348

13 That the total appropriation for the fiscal year ending
14 the thirtieth day of June, two thousand four, to fund 0250,
15 fiscal year 2004, organization 0305, be supplemented and
16 amended by increasing the total appropriation as follows:

1 TITLE II-APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 BUREAU OF COMMERCE

4 71 - *Division of Forestry* -

5 (WV Code Chapter 19)

6 Fund 0250, FY 2004, Org 0305.

		Act- ivity	General Revenue Funds
10	1 Personal Services - Surplus	243	\$ 140,277
11	2 Annual Increment - Surplus	010	1,500
12	3 Employee Benefits - Surplus	250	79,264

13 That the total appropriation for the fiscal year ending
14 the thirtieth day of June, two thousand four, to fund 0256,
15 fiscal year 2004, organization 0307, be supplemented and
16 amended by increasing and adding a new appropriation to
17 the total appropriation as follows:

1 TITLE II-APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 BUREAU OF COMMERCE

4 73 - *West Virginia Development Office*

5 (WV Code Chapter 5B)

6 Fund 0256, FY 2004, Org 0307.

		Act- ivity	General Revenue Funds
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10	39	Local Economic		
11	40	Development Assistance		
12	40a	-Surplus (R)	819	\$ 3,953,578
13	44a	Tourism-Unclassified-		2,200,000
14		Surplus (R)	662	1,983,245

2,200,000 | Billiken
3/26/04

15 Any unexpended balances remaining in the appropria-
 16 tions for Local Economic Development Assistance -
 17 Surplus (fund 0256, activity 819) and Tourism -
 18 Unclassified-Surplus (fund 0256, activity 662) at the close
 19 of the fiscal year two thousand four are hereby
 20 reappropriated for expenditure during the fiscal year two
 21 thousand five.

22 That the total appropriation for the fiscal year ending
 23 the thirtieth day of June, two thousand four, to fund 0470,
 24 fiscal year 2004, organization 0702, be supplemented and
 25 amended by increasing the total appropriation as follows:

1 TITLE II-APPROPRIATIONS.
 2 Section 1. Appropriations from general revenue.
 3 DEPARTMENT OF TAX AND REVENUE
 4 64 - Tax Division
 5 (WV Code Chapter 11)
 6 Fund 0470 FY 2004 Org 0702.

7				General
8				Revenue
9			Act-	Funds
			ivity	
10	3	Employee Benefits - Surplus	250	\$ 605,000
11	4	Unclassified - Surplus (R)	097	610,000
12	7a	Tax Technology Upgrade-		
13		Surplus (R)	450	185,000

14 Any unexpended balances remaining in the appropria-
 15 tions for Unclassified - Surplus (fund 0470, activity 097)
 16 and Tax Technology Upgrade - Surplus (fund 0470,

17 activity 450) at the close of the fiscal year two thousand
18 four are hereby reappropriated for expenditure during the
19 fiscal year two thousand five.

20 The purpose of this supplemental appropriation bill is
21 to expire the sum of \$19,418,121.38 to the unappropriated
22 surplus balance in the state fund, general revenue from the
23 tax reduction and federal funding increased compliance
24 fund, fund 1732, fiscal year 2004, organization 2300 and to
25 supplement, establish, and increase items of appropriation
26 in the aforesaid accounts for the designated spending units
27 for expenditure during the fiscal year two thousand four.

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

[Signature]
.....
Chairman Senate Committee

[Signature]
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

[Signature]
.....
Clerk of the Senate

[Signature]
.....
Clerk of the House of Delegates

[Signature]
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved with exception* this the *26*.....
Day of *March*....., 2004.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

DATE 3.25.04
TIME 3:50 pm