WEST VIRGINIA LEGISLATURE
2nd Extraordinary Session, 2003

ENROLLED

SENATE BILL NO. 2003

(By Senator Temblin. Mr. President and Members of the Senate,
By Request of the Executive)

PASSED June 15, 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 nine million dollars from the revenue shortfall reserve fund, fund 2038, organization 0201, and in the amount of six million three hundred fifty-nine thousand one hundred dollars from the state excess lottery revenue fund, fund 7205, organization 0705, 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, to the governor's office - civil contingent fund, fund 0105, fiscal year 2004, organization 0100, to the department of health and human resources, 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,
and to the department of tax and revenue, tax division, fund 0470, fiscal year 2004, organization 0702.

WHEREAS, The Legislature finds that it anticipates that the funds available to assist flood victims and to fund other needed infrastructure and other community development projects throughout the state will fall short of that needed during the fiscal year ending the thirtieth day of June, two thousand four; and

WHEREAS, The revenue shortfall reserve fund has a sufficient balance available for appropriation in the fiscal year ending the thirtieth day of June, two thousand four; and

WHEREAS, The Legislature finds that the account balance in the state excess lottery revenue fund, fund 7205, fiscal year 2004, organization 0705, exceeds that which is necessary for the purpose for which the account was established; and

WHEREAS, The governor submitted to the Legislature a statement of the state fund, general revenue, dated the fifteenth day of June, 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 the fiscal year two thousand four; and

WHEREAS, It appears from the governor's statement of the state fund, general revenue, and by 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, two thousand four; therefore

Be it enacted by the Legislature of West Virginia:

That the balance of funds in the revenue shortfall reserve fund, fund 2038, fiscal year 2004, organization 0201, be decreased by expiring the amount of nine million dollars, and the state excess lottery revenue fund, fund 7205, fiscal year 2004, organization 0705, be decreased by expiring the amount of six
million three hundred fifty-nine thousand one hundred dollars to the unappropriated surplus balance of the state fund, general revenue, and that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand four, to fund 0105, fiscal year 2004, organization 0100, be supplemented and amended by increasing the total appropriation in the existing and new line item as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

8—Governor's Office—
Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2004 Org 0100

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
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</thead>
<tbody>
<tr>
<td>1 Civil Contingent Fund</td>
<td></td>
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<tr>
<td>2 Surplus (R)</td>
<td>2,000,000</td>
</tr>
<tr>
<td>3 Stream Restoration</td>
<td></td>
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<tr>
<td>4 Surplus (R)</td>
<td>2,000,000</td>
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</tbody>
</table>

Any unexpended balances remaining in the appropriation for civil contingent fund - surplus (fund 0105, activity 263), and stream restoration - surplus (fund 0105, activity 078) at the close of the fiscal year two thousand four are hereby reappropriated for expenditure during the fiscal year two thousand five.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand four, to fund 0403, fiscal year 2004, organization 0511, be supplemented and amended by increasing the total appropriation as follows:
TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

50—Division of Human Services
(WV Code Chapters 9, 48 and 49)

Fund 0403, FY 2004, Org 0511.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
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</thead>
<tbody>
<tr>
<td>31</td>
<td>Indigent Burials - Surplus 076</td>
</tr>
</tbody>
</table>

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

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

56—Division of Corrections—Correctional Units
(WV Code Chapters 25, 28, 49 and 62)

Fund 0450, FY 2004, Org 0608.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
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</thead>
<tbody>
<tr>
<td>11</td>
<td>Payments to Federal, County</td>
</tr>
<tr>
<td>12</td>
<td>and/or Regional Jails—Surplus 008</td>
</tr>
</tbody>
</table>
And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand four, to fund 0470, fiscal year 2004, organization 0702, be supplemented and amended by increasing the total appropriation as follows:

**TITLE II—APPROPRIATIONS.**

Section 1. Appropriations from general revenue.

**DEPARTMENT OF TAX AND REVENUE**

*64—Tax Division*

(WV Code Chapter 11)

Fund 0470 FY 2004 Org 0702

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
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<tbody>
<tr>
<td>097</td>
<td>$ 350,000</td>
</tr>
</tbody>
</table>

The purpose of this supplementary appropriation bill is to expire funds to the unappropriated surplus balance in the state fund, general revenue, and supplement and increase items of appropriations in the aforesaid accounts for the designated spending units for expenditure during the fiscal year two thousand four.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved this the 18th Day of June, 2004.

Governor