

SENATE BILL 2011

FILED

2004 JUN 18 P 5:45

OFFICE OF THE WEST VIRGINIA  
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE  
2nd EXTRAORDINARY SESSION, 2004

ENROLLED

SENATE BILL NO. 2011

(By Senators TOMBLIN, MR. PRESIDENT, AND SPENCE,  
BY REQUEST OF THE EXECUTIVE)

PASSED JUNE 15, 2004

In Effect From Passage

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SECRETARY OF STATE

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### Senate Bill No. 2011

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE,  
BY REQUEST OF THE EXECUTIVE)

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[Passed June 15, 2004; in effect from passage.]

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AN ACT supplementing and amending chapter thirteen, acts of the Legislature, regular session, two thousand four, known as the budget bill, all supplementing and amending the appropriation for the fiscal year ending the thirtieth day of June, two thousand five.

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

That chapter thirteen, acts of the Legislature, regular session, two thousand four, known as the budget bill, be supplemented and amended by amending Title II, section nine, to read as follows:

1     **Sec. 9. Appropriations from surplus accrued.**—The  
2     following items are hereby appropriated from the state  
3     excess lottery revenue fund and are to be available for  
4     expenditure during the fiscal year two thousand five out  
5     of surplus funds only, as determined by the director of the  
6     lottery, accrued from the fiscal year ending the thirtieth

7 day of June, two thousand four, subject to the terms and  
8 conditions set forth in this section.

9 It is the intent and mandate of the Legislature that the  
10 following appropriations be payable only from surplus  
11 accrued from the fiscal year ending the thirtieth day of  
12 June, two thousand four.

13 In the event that surplus revenues available from the  
14 fiscal year ending the thirtieth day of June, two thousand  
15 four, are not sufficient to meet all the appropriations made  
16 pursuant to this section, then the appropriations shall be  
17 made to the extent that surplus funds are available and  
18 shall be allocated first to provide the necessary funds to  
19 meet the first appropriation of this section; next, to  
20 provide the funds necessary for the second appropriation  
21 of this section; and, subsequently, to provide the funds  
22 necessary for each appropriation in succession before any  
23 funds are provided for the next subsequent appropriation.

*324—Governor’s Office*

(WV Code Chapter 5)

Fund 1046, FY 2005, Org 0100.

1	1	Publication of Papers and		
2	2	Transition Expenses -		
3	3	Lottery Surplus . . . . .	066	\$ 325,000

*325—Division of Corrections—  
Correctional Units*

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

Fund 6283, FY 2005, Org 0608.

1	1	Payments to Federal, County and/or		
2	2	Regional Jails -		
3	3	Lottery Surplus . . . . .	067	\$ 3,887,620

*326—Tax Division*

(WV Code Chapter 11)

Fund 7082, FY 2005, Org 0702

1	1	Remittance Processor -		
2	2	Lottery Surplus . . . . .	054	\$ 200,000

*327—West Virginia State Police*

(WV Code Chapter 15)

Fund 6394, FY 2005, Org 0612

1	1	Handgun Replacement -		
2	2	Lottery Surplus . . . . .	057	\$ 400,000

*328—Division of Health—  
Central Office*

(WV Code Chapter 16)

Fund 5219, FY 2005, Org 0506

1	1	Chief Medical Examiner -		
2	2	Capital Improvements -		
3	3	Lottery Surplus . . . . .	051	\$ 1,050,000

*329—Higher Education Policy Commission—  
Administration  
Control Account*

(WV Code Chapter 18B)

Fund 4932, FY 2005, Org 0441

1	1	PROMISE Scholarship -		
2	2	Lottery Surplus . . . . .	077	\$ 3,000,000

3 The above appropriation for PROMISE Scholarship -  
 4 Lottery Surplus (activity 077) shall be transferred to the  
 5 PROMISE Scholarship Fund (fund 4296, org 0441) estab-  
 6 lished by section seven, article seven, chapter eighteen-c of  
 7 the code of West Virginia.

*330—Workers' Compensation Commission*

(WV Code Chapter 23)

Fund 3460 FY 2005 Org 0322.

1	1	Self-Insured Security Pool -		
2	2	Lottery Surplus . . . . .	072	<u>\$ 9,000,000.</u>
3	1	Total TITLE II, Section 9 -		
4	2	Surplus Accrued . . . . .		<u>\$17,862,620</u>

5       The purpose of this supplementary appropriation bill  
6 is to supplement, amend, add and increase items of  
7 appropriations in the aforesaid accounts for the designated  
8 spending units for expenditure during the fiscal year two  
9 thousand five.

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

*Karen L. Lamm*  
 .....  
 Chairman Senate Committee  
*Munku*

*Sharon Spencer*  
 .....  
 Chairman House Committee

Originated in the Senate.

In effect from passage.

*David E. Miller*  
 .....  
 Clerk of the Senate

*Bryce M. Bay*  
 .....  
 Clerk of the House of Delegates

*Carl R. Tomlin*  
 .....  
 President of the Senate

*Robert Stiss*  
 .....  
 Speaker House of Delegates

The within *is* approved this the *18<sup>th</sup>* .....  
 Day of *June* ....., 2004.  
*Bob Wise*  
 .....  
 Governor

PRESENTED TO THE  
GOVERNOR  
DATE 6/18/04  
TIME 2:20 pm