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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 2005  
*SECOND EXTRAORDINARY*



# ENROLLED

## House Bill No. 201

(By Mr. Speaker, Mr. Kiss, and Delegate Trump)  
[By Request of the Executive]



Passed April 16, 2005

In Effect from Passage

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

**E N R O L L E D**

## **H. B. 201**

(BY MR. SPEAKER, MR. KISS, AND DELEGATE TRUMP)

[BY REQUEST OF THE EXECUTIVE]

[Passed April 16, 2005; in effect from passage.]

AN ACT making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, general revenue, to the Senate, fund 0165, fiscal year 2005, organization 2100, to the House of Delegates, fund 0170, fiscal year 2005, organization 2200, to the Joint Expenses, fund 0175, fiscal year 2005, organization 2300, to the Department of Administration - Division of Purchasing, fund 0210, fiscal year 2005, organization 0213, to the Department of Administration, Ethics Commission, fund 0223, fiscal year 2005, organization 0220, to the Educational Broadcasting Authority, fund 0300, fiscal year 2005, organization 0439, to the Department of Health and Human Resources, Division of Human Services, fund 0403, fiscal year 2005, organization 0511, to the Department of Military Affairs and Public Safety, West Virginia State Police, fund 0453, fiscal year 2005, organization 0612, to the Department of Transportation, Aeronautics Commission, fund 0582, fiscal year 2005, organization 0807, and to the Department of Environmental Protection, fund 0273, fiscal year 2005, organization 0313, by supplementing

and amending the appropriation for the fiscal year ending the thirtieth day of June, two thousand five.

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

WHEREAS, It appears from the governor's statement 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 five; therefore

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

That the total appropriation for fiscal year ending the thirtieth day of June, two thousand five, to fund 0165, fiscal year 2005, organization 2100, be supplemented and amended by increasing and adding a new item of appropriation to the total appropriation as follows:

1 TITLE II — APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 LEGISLATIVE

4 1—Senate

5 Fund 0165 FY 2005 Org 2100

6				<b>General</b>
7			<b>Act-</b>	<b>Revenue</b>
8			<b>ivity</b>	<b>Fund</b>
9	12a	Technology		
10	12b	Improvements - Surplus(R)	. 725 \$	120,000

11 Any unexpended balances remaining in the appropriation  
 12 for technology improvements - surplus (fund 0165, activity  
 13 725) at the close of the fiscal year 2005 is hereby  
 14 reappropriated for expenditure during the fiscal year 2006.

15 That the total appropriation for the fiscal year ending the  
 16 thirtieth day of June, two thousand five, to fund 0170, fiscal  
 17 year 2005, organization 2200, be supplemented and amended  
 18 by increasing and adding a new item of appropriation to the  
 19 total appropriation as follows:

20 TITLE II — APPROPRIATIONS.

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

22 **LEGISLATIVE**

23 *2-House of Delegates*

24 Fund 0170 FY 2005, Org 2200

25			<b>General</b>
26		<b>Act-</b>	<b>Revenue</b>
27		<b>ivity</b>	<b>Fund</b>
28	7a Technology		
29	7b Improvements - Surplus (R) . . .	725	\$ 240,000

30 Any unexpended balance remaining in the appropriation for  
 31 technology improvements - surplus (fund 0170, activity 725) at  
 32 the close of the fiscal year 2005 is hereby reappropriated for  
 33 expenditure during the fiscal year 2006.

34 That the total appropriation for the fiscal year ending the  
 35 thirtieth day of June, two thousand five, to fund 0175, fiscal  
 36 year 2005, organization 2300, be supplemented and amended  
 37 by increasing and adding a new item of appropriation to the  
 38 total appropriation as follows:

39 TITLE II — APPROPRIATIONS.

40 Section 1. Appropriations from general revenue.

41 LEGISLATIVE

42 3-Joint Expenses

43 (WV Code Chapter 4)

44 Fund 0175 FY 2005 Org 2300

45				<b>General</b>
46			<b>Act-</b>	<b>Revenue</b>
47			<b>ivity</b>	<b>Fund</b>

48	12a	Technology			
49	12b	Improvements - Surplus (R) . . .	725	\$	240,000

50 Any unexpended balance remaining in the appropriation for  
51 technology improvements - surplus (fund 0175, activity 725) at  
52 the close of the fiscal year 2005 is hereby reappropriated for  
53 expenditure during the fiscal year 2006.

54 That the total appropriation for fiscal year ending the  
55 thirtieth day of June, two thousand five, to fund 0210, fiscal  
56 year 2005, organization 0213, be supplemented and amended  
57 by increasing an existing item of appropriation as follows:

58 TITLE II — APPROPRIATIONS.

59 Section 1. Appropriations from general revenue.

60 DEPARTMENT OF ADMINISTRATION

61 22—Division of Purchasing

62 (WV Code Chapter 5A)

63 Fund 0210 FY 2005 Org 0213

64			<b>General</b>
65			<b>Revenue</b>
66			<b>Fund</b>
67	4 Unclassified - Surplus . . . . .	097	\$ 100,000

68 That the total appropriation for the fiscal year ending the  
69 thirtieth day of June, two thousand five, to fund 0223, fiscal  
70 year 2005, organization 0220, be supplemented and amended  
71 by increasing existing items of appropriation as follows:

72 TITLE II — APPROPRIATIONS.

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

74 **DEPARTMENT OF ADMINISTRATION**

75 *26—Ethics Commission*

76 (WV Code Chapter 6B)

77 Fund 0223 FY 2005 Org 0220

78			<b>General</b>
79			<b>Revenue</b>
80			<b>Fund</b>
81	1 Personal Services - Surplus . . . . .	243	\$ 20,000
82	3 Employee Benefits - Surplus . . . . .	250	6,000
83	4 Unclassified - Surplus . . . . .	097	47,000

84 That the total appropriation for the fiscal year ending the  
85 thirtieth day of June, two thousand five, to fund 0300, fiscal

86 y ar 2005, organization 0439, be supplemented and amended  
87 by increasing an existing item of appropriation as follows:

88 TITLE II — APPROPRIATIONS.

89 Section 1. Appropriations from general revenue.

90 DEPARTMENT OF EDUCATION AND THE ARTS

91 *43-Educational Broadcasting Authority*

92 (WV Code Chapter 10)

93 Fund 0300 FY 2005, Org 0439

94	95	96	Act- ivity	General Revenue Fund
97	4	Unclassified - Surplus (R) . . . . .	097	\$ 328,000

98 Any unexpended balance remaining in the appropriation for  
99 unclassified-surplus (fund 0300, activity 097) at the close of the  
100 fiscal year 2005 is hereby reappropriated for expenditure during  
101 the fiscal year 2006.

102 That the total appropriation for the fiscal year ending the  
103 thirtieth day of June, two thousand five, to fund 0403, fiscal  
104 year 2005, organization 0511, be supplemented and amended  
105 by increasing an existing item of appropriation as follows:

106 TITLE II — APPROPRIATIONS.

107 Section 1. Appropriations from general revenue.

108 DEPARTMENT OF HEALTH AND  
109 HUMAN RESOURCES

110 50—*Division of Human Services*

111 (WV Code Chapters 9, 48 and 49)

112 Fund 0403 FY 2005 Org 0511

113			<b>General</b>
114		<b>Act-</b>	<b>Revenue</b>
115		<b>ivity</b>	<b>Fund</b>

116	35	Indigent Burials - Surplus . . . . .	076	\$	500,000
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117 That the total appropriation for the fiscal year ending the  
118 thirtieth day of June, two thousand five, to fund 0453, fiscal  
119 year 2005, organization 0612, be supplemented and amended  
120 by increasing an existing item of appropriation as follows:

121 TITLE II — APPROPRIATIONS.

122 Section 1. Appropriations from general revenue.

123 DEPARTMENT OF MILITARY AFFAIRS  
124 AND PUBLIC SAFETY

125 *57-West Virginia State Police*

126 (WV Code Chapter 15)

127 Fund 0453 FY 2005 Org 0612

128			<b>General</b>
129		<b>Act-</b>	<b>Revenue</b>
130		<b>ivity</b>	<b>Fund</b>

131	7	Barracks Maintenance			
132		and Construction - Surplus (R) . . . . .		\$	1,250,000

133 That the total appropriation for the fiscal year ending the  
134 thirtieth day of June, two thousand five, to fund 0582, fiscal  
135 year 2005, organization 0807, be supplemented and amended  
136 by increasing an existing item of appropriation as follows:

137 TITLE II — APPROPRIATIONS.

138 Section 1. Appropriations from general revenue.

139 DEPARTMENT OF TRANSPORTATION

140 *72-Aeronautics Commission*

141 (WV Code Chapter 29)

142 Fund 0582 FY 2005 Org 0807

143	144	145	Act-	ivity	General	Revenue	Fund
146	1	Unclassified - Surplus . . . . .	097	\$	75,000		

147 That the total appropriation for the fiscal year ending the  
148 thirtieth day of June, two thousand five, to fund 0273, fiscal  
149 year 2005, organization 0313, be supplemented and amended  
150 by increasing an existing item of appropriation as follows:

151 TITLE II — APPROPRIATIONS.

152 Section 1. Appropriations from general revenue.

153 DEPARTMENT OF ENVIRONMENTAL  
154 PROTECTION

155 *82—Division of Environmental Protection—*

156 (WV Code Chapter 22)

157 Fund 0273 FY 2005 Org 0313

158			<b>General</b>
159		<b>Act-</b>	<b>Revenue</b>
160		<b>ivity</b>	<b>Fund</b>

161	10	Unclassified - Surplus . . . . .	097	\$	3,000,000
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162 The above appropriation to unclassified-surplus (activity  
 163 097), three million dollars shall be transferred to fund 3287, org  
 164 0312 for the administration of loans by the solid waste manage-  
 165 ment board to solid waste authorities on a revolving basis.

166 The purpose of this supplemental appropriation bill is to  
 167 supplement, and increase appropriations in the aforesaid  
 168 accounts for the designated spending units for expenditure  
 169 during the fiscal year two thousand five.

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

*C. Randy White*  
Chairman Senate Committee

*D. Rub Breen*  
Chairman House Committee

Originating in the House.

In effect from passage.

*Darrell E. Holmes*  
Clerk of the Senate

*Dwight H. Day*  
Clerk of the House of Delegates

*Earl Ray Tomblin*  
President of the Senate

*Robert D. ...*  
Speaker of the House of Delegates

The within *is approved* this the *22nd*  
day of *April*, 2005.

*Earl Ray Tomblin*  
Governor

PRESENTED TO THE  
GOVERNOR

APR 21 2005

Time 5:45 