WEST VIRGINIA LEGISLATURE
FIRST REGULAR SESSION, 2005

ENROLLED

House Bill No. 206

(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 balance in the state fund, general revenue, to the Governor's Office, fund 0101, fiscal year 2005, organization 0100, to the Governor's Office - civil contingent fund, fund 0105, fiscal year 2005, organization 0100, to the West Virginia Conservation Agency, fund 0132, fiscal year 2005, organization 1400, to the Secretary of State, fund 0155, fiscal year 2005, organization 1600, to the Department of Administration - Office of the Secretary, fund 0186, fiscal year 2005, organization 0201, to the Department of Administration - Consolidated Public Retirement Board, fund 0195, fiscal year 2005, organization 0205, to the Department of Education - State Department of Education, fund 0313, fiscal year 2005, organization 0402, to the Department of Education - State Department of Education - state aid to schools, fund 0317, fiscal year 2005, organization 0402, to the Department of Military Affairs and Public Safety - Division of Corrections - correctional units, fund 0450, fiscal year 2005, organization 0608, to the Department of Military Affairs and Public Safety - Division

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 2005, less net appropriation balances forwarded and regular appropriations for fiscal year 2005; and

WHEREAS, The Governor, by executive message dated the sixteenth day of April, two thousand five, has revised the revenue estimates for the fiscal year ending the thirtieth day of June, two thousand five; and

WHEREAS, It appears from the Governor’s statement of the state fund - general revenue and executive message there now remains an unappropriated 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 the fiscal year ending the thirtieth day of June, two thousand five, to fund 0101, fiscal year 2005, organization 0100, be supplemented and amended by increasing the total appropriation by adding new items of appropriation as follows:
TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

5—Governor’s Office

(WV Code Chapter 5)

Fund 0101, FY 2005 Org 0100

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Outlay, Repairs and Equipment (R)</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Pharmaceutical Cost Management Council (R)</td>
<td>200,000</td>
</tr>
<tr>
<td>Jobs Fund (R)</td>
<td>2,000,000</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the appropriations for Capital Outlay, Repairs and Equipment (fund 0101, activity 589), Pharmaceutical Cost Management Council (fund 0101, activity 796), and Jobs Fund (fund 0101, activity 665) at the close of the fiscal year 2005 are hereby reappropriated for expenditure during the fiscal year 2006.

And, that the total appropriation for fiscal year ending the thirtieth day of June, two thousand five, to fund 0105, fiscal year 2005, organization 0100, be supplemented and amended by increasing the total appropriation and adding a new item of appropriation 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 2005 Org 0100

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Civil Contingent Fund - Total (R) . . 114 $14,500,000</td>
</tr>
<tr>
<td>3a</td>
<td>Unclassified - Transfer ............ 482 28,307,000</td>
</tr>
</tbody>
</table>

The above appropriation for Unclassified - Transfer (fund 0105, activity 482) shall be transferred to the Tax Reduction and Federal Funding Increased Compliance fund (fund 1732, organization 2300).

And, that the total appropriation for fiscal year ending the thirtieth day of June, two thousand five, to fund 0132, fiscal year 2005, organization 1400, be supplemented and amended by increasing the total appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

12—West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2005 Org 1400
52                General
53                Activity             Revenue
54
55  5  Soil Conservation Projects (R) . . . . 120  $ 2,000,000

56 And, that the total appropriation for the fiscal year ending
57 the thirtieth day of June, two thousand five, to fund 0155, fiscal
58 year 2005, organization 1600, be supplemented and amended
59 by increasing the total appropriation by adding a new item of
60 appropriation as follows:

61        TITLE II — APPROPRIATIONS.
62
63        Section 1. Appropriations from general revenue.
64
65                EXECUTIVE
66
67  16—Secretary of State
68
69                (WV Code Chapters 3, 5 and 59)
70
71                Fund 0155 FY 2005 Org 1600

72                General
73                Activity             Revenue
74
75  6a  Pension Bond Amendment (R) . . . . 088  $ 2,000,000

76 Any unexpended balance remaining in the appropriation for
77 Pension Bond Amendment (fund 0155, activity 088) at the
78 close of the fiscal year 2005 is hereby reappropriated for
79 expenditure during the fiscal year 2006.

80 And, that the total appropriation for the fiscal year ending
81 the thirtieth day of June, two thousand five, to fund 0186, fiscal
82 year 2005, organization 0201, be supplemented and amended
by increasing the total appropriation by adding new items of appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF ADMINISTRATION

18—Department of Administration—

Office of the Secretary

(WV Code Chapter 5F)

Fund 0186 FY 2005 Org 0201.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>4a Program Review (R)</td>
<td>086 $500,000</td>
</tr>
<tr>
<td>4b Financial Advisor (R)</td>
<td>304 500,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Program Review (fund 0186, activity 086), and Financial Advisor (fund 0186, activity 304) at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0195, fiscal year 2005, organization 0205, be supplemented and amended to read as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.
# DEPARTMENT OF ADMINISTRATION

19—Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2005 Org 0205

<table>
<thead>
<tr>
<th>General Activity</th>
<th>Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Pension Merger Administration</td>
<td></td>
</tr>
<tr>
<td>2 Costs (R)</td>
<td>429 $ 2,000,000</td>
</tr>
<tr>
<td>3 Unclassified - Transfer</td>
<td>482 225,000,000</td>
</tr>
<tr>
<td>4 Total</td>
<td>$227,000,000</td>
</tr>
</tbody>
</table>

The above appropriation for Unclassified - Transfer (fund 0195, activity 482) shall be transferred to the West Virginia Department of Public Safety Death, Disability and Retirement Fund (Plan A) as certified by the Consolidated Public Retirement Board and approved by the Governor.

The Division of Highways, Division of Motor Vehicles, Bureau of Employment Programs, Public Service Commission and other departments, bureaus, divisions, or commissions operating from special revenue funds and/or federal funds shall pay their proportionate share of the retirement costs for their respective divisions. When specific appropriations are not made, such payments may be made from the balances in the various special revenue funds in excess of specific appropriations.

Any unexpended balance remaining in the appropriation for Pension Merger Administration Costs (fund 0195, activity 429)
at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And, that the total appropriation for fiscal year ending the thirtieth day of June, two thousand five, to fund 0313, fiscal year 2005, organization 0402, be supplemented and amended by increasing the total appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF EDUCATION

34—State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2005 Org 0402

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>997</td>
<td>$2,491,935</td>
</tr>
<tr>
<td>353</td>
<td>227,037</td>
</tr>
</tbody>
</table>

And, that the total appropriation for fiscal year ending the thirtieth day of June, two thousand five, to fund 0317, fiscal year 2005, organization 0402, be supplemented and amended by increasing the total appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.
DEPARTMENT OF EDUCATION

36—State Department of Education—

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2005 Org 0402

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Activity</th>
<th>Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 Teachers’ Retirement System (R) . .</td>
<td>019</td>
<td>$ 7,627,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Teachers’ Retirement System (fund 0317, activity 019) at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0450, fiscal year 2005, 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
Any unexpended balance remaining in the appropriation for Payments to Federal, County and/or Regional Jails (fund 0450, activity 555) at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0456, fiscal year 2005, organization 0613, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

58—Division of Veterans’ Affairs

(WV Code Chapter 9A)

Fund 0456 FY 2005 Org 0613

12a Veterans Bonus (R) . . . . . . . . . . . . 483 $ 6,000,000
Any unexpended balance remaining in the appropriation for Veterans’ Bonus (fund 0456, activity 483) at the close of fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0470, fiscal year 2005, organization 0702 be supplemented and amended by increasing the total appropriation by adding a new item of appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF REVENUE

65—Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2005 Org 0702

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td></td>
</tr>
<tr>
<td>9a Integrated</td>
<td></td>
</tr>
<tr>
<td>9b System (R)</td>
<td>292 $ 22,000,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Integrated Tax Accounting System (fund 0470, activity 292) at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And, that chapter thirteen, Acts of the Legislature, Regular Session, two thousand four, known as the budget bill, be
supplemented and amended by adding to Title II, section one thereof the following:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

BUREAU OF COMMERCE

72a—West Virginia Development Office

Division of Tourism

(WV Code Chapter 5B)

Fund 0246 FY 2005 Org 0304

<table>
<thead>
<tr>
<th>General</th>
<th>Activity</th>
<th>Revenue</th>
<th>Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tourism - Special Projects (R)</td>
<td>859</td>
<td>$ 2,000,000</td>
<td></td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Tourism - Special Projects (fund 0246, activity 859) at the close of the fiscal year 2005 is hereby reappropriated for expenditure during the fiscal year 2006.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0256, fiscal year 2005, organization 0307, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

BUREAU OF COMMERCE
75—West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2005 Org 0307

<table>
<thead>
<tr>
<th>General Activity Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>41 Local Economic</td>
</tr>
<tr>
<td>42 Development Assistance (R)</td>
</tr>
</tbody>
</table>

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand five, to fund 0589, fiscal year 2005, organization 0441, be supplemented and amended to read as follows:

TITLE II — APPROPRIATIONS.

Section 1. Appropriations from general revenue.

HIGHER EDUCATION POLICY COMMISSION

85—Higher Education Policy Commission—

Administration—

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2005 Org 0441.

<table>
<thead>
<tr>
<th>General Activity Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Unclassified</td>
</tr>
</tbody>
</table>
Enr. H.B. 206]

277 2 WVNET .......................... 169 1,952,662
278 3 West Virginia Council for Community
279 4 and Technical Education (R)  . 392 0
280 5 Vice Chancellor for Health Sciences -
281 6 Rural Health Initiative Program
282 7 And Site Support (R) .... 595 0
283 7a PROMISE Scholarship - Transfer .. 800 10,921,651
284 7b Higher Education -
285 7c Special Projects (R) ......... 488 5,600,000
286 8 BRIM Premium ................. 913 66,509
287 9 Total .......................... $ 20,540,822

288 Any unexpended balances remaining in the appropriations
289 for Vice Chancellor for Health Sciences - Rural Health Initiative Program and Site Support (fund 0589, activity 595), Vice Chancellor for Health Sciences - Rural Health Residency Program (fund 0589, activity 601), West Virginia Council for Community and Technical Education (fund 0589, activity 392) and HEAPS Grant Program (fund 0589, activity 867) at the close of the fiscal year 2004 are hereby reappropriated for expenditure during the fiscal year 2005, with the exception of fund 0589, fiscal year 2004, activity 595, organization 0441 ($27,976); fund 0343, fiscal year 2004, activity 595, organization 0463 ($21,906); fund 0347, fiscal year 2004, activity 595, organization 0471 ($75,000); fund 0589, fiscal year 2004, activity 601, organization 0441 ($1,400); fund 0347, fiscal year 2004, activity 601, organization 0471 ($86,122); and fund 0589, fiscal year 2004, activity 392, organization 0441 ($8,808) which shall expire on June 30, 2004.

295 The above appropriation for PROMISE Scholarship - Transfer (activity 800) shall be transferred to the PROMISE Scholarship Fund (fund 4296, organization 0441) established by chapter eighteen-c, article seven, section seven.
Any unexpended balances remaining in the appropriation for Higher Education - Special Projects (fund 0589, activity 488) at the close of the fiscal year 2005 are hereby reappropriated for expenditure during the fiscal year 2006.

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

In 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 22nd day of April, 2005.
PRESENTED TO THE GOVERNOR

APR 21 2005

Time 5:15 PM