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OFFICE WEST VIRGINIA
SECRETARY OF STATE

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

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

E N R O L L E D

H. B. 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

of Veterans' Affairs, fund 0456, fiscal year 2005, organization 0613, to the Department of Revenue - Tax Division, fund 0470, fiscal year 2005, organization 0702, to the Bureau of Commerce - West Virginia Development Office - Division of Tourism, fund 0246, fiscal year 2005, organization 0304, to the Bureau of Commerce - West Virginia Development Office, fund 0256, fiscal year 2005, organization 0307, to the Higher Education Policy Commission - Higher Education Policy Commission - administration - control account, fund 0589, fiscal year 2005, organization 0441, all supplementing and amending the appropriations 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 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:

1 TITLE II — APPROPRIATIONS.

2 Section 1. Appropriations from general revenue.

3 EXECUTIVE

4 5—Governor’s Office

5 (WV Code Chapter 5)

6 Fund 0101, FY 2005 Org 0100

7			General
8			Revenue
9			Fund
		Act- ivity	
10	11a	Capital Outlay, Repairs and	
11	11b	Equipment (R)	589 \$ 1,000,000
12	11c	Pharmaceutical Cost Management	
13	11d	Council (R)	796 200,000
14	11e	Jobs Fund (R)	665 2,000,000

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

21 And, that the total appropriation for fiscal year ending the
22 thirtieth day of June, two thousand five, to fund 0105, fiscal
23 year 2005, organization 0100, be supplemented and amended
24 by increasing the total appropriation and adding a new item of
25 appropriation as follows:

26 TITLE II — APPROPRIATIONS.

27 Section 1. Appropriations from general revenue.

28

EXECUTIVE

29

8—Governor’s Office—

30

Civil Contingent Fund

31

(WV Code Chapter 5)

32

Fund 0105 FY 2005 Org 0100

33

General

34

Act-

Revenue

35

ivity

Fund

36

3 Civil Contingent Fund - Total (R) . . . 114 \$ 14,500,000

37

3a Unclassified - Transfer 482 28,307,000

38

The above appropriation for Unclassified - Transfer (fund 39 0105, activity 482) shall be transferred to the Tax Reduction 40 and Federal Funding Increased Compliance fund (fund 1732, 41 organization 2300).

42

And, that the total appropriation for fiscal year ending the 43 thirtieth day of June, two thousand five, to fund 0132, fiscal 44 year 2005, organization 1400, be supplemented and amended 45 by increasing the total appropriation as follows:

46

TITLE II — APPROPRIATIONS.

47

Section 1. Appropriations from general revenue.

48

EXECUTIVE

49

12—West Virginia Conservation Agency

50

(WV Code Chapter 19)

51

Fund 0132 FY 2005 Org 1400

52		General
53	Act-	Revenue
54	ivity	Fund
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 **Section 1. Appropriations from general revenue.**

63 **EXECUTIVE**

64 *16—Secretary of State*

65 (WV Code Chapters 3, 5 and 59)

66 Fund 0155 FY 2005 Org 1600

67		General
68	Act-	Revenue
69	ivity	Fund
70	6a Pension Bond Amendment (R) 088	\$ 2,000,000

71 Any unexpended balance remaining in the appropriation for
 72 Pension Bond Amendment (fund 0155, activity 088) at the
 73 close of the fiscal year 2005 is hereby reappropriated for
 74 expenditure during the fiscal year 2006.

75 And, that the total appropriation for the fiscal year ending
 76 the thirtieth day of June, two thousand five, to fund 0186, fiscal
 77 year 2005, organization 0201, be supplemented and amended

78 by increasing the total appropriation by adding new items of
79 appropriation as follows:

80 TITLE II — APPROPRIATIONS.

81 Section 1. Appropriations from general revenue.

82 DEPARTMENT OF ADMINISTRATION

83 18—Department of Administration—

84 Office of the Secretary

85 (WV Code Chapter 5F)

86 Fund 0186 FY 2005 Org 0201

87		Act- ivity	General Revenue Fund
90	4a Program Review (R)	086	\$ 500,000
91	4b Financial Advisor (R)	304	500,000

92 Any unexpended balance remaining in the appropriation for
93 Program Review (fund 0186, activity 086), and Financial
94 Advisor (fund 0186, activity 304) at the close of the fiscal year
95 2005 is hereby reappropriated for expenditure during the fiscal
96 year 2006.

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

101 TITLE II — APPROPRIATIONS.

102 Section 1. Appropriations from general revenue.

103 **DEPARTMENT OF ADMINISTRATION**

104 *19—Consolidated Public Retirement Board*

105 (WV Code Chapter 5)

106 Fund 0195 FY 2005 Org 0205

107			General
108		Act-	Revenue
109		ivity	Fund

110	1	Pension Merger Administration		
111	2	Costs (R)	429	\$ 2,000,000
112	3	Unclassified - Transfer	482	<u>225,000,000</u>
113	4	Total		\$227,000,000

114 The above appropriation for Unclassified - Transfer (fund
 115 0195, activity 482) shall be transferred to the West Virginia
 116 Department of Public Safety Death, Disability and Retirement
 117 Fund (Plan A) as certified by the Consolidated Public Retirement
 118 Board and approved by the Governor.

119 The Division of Highways, Division of Motor Vehicles,
 120 Bureau of Employment Programs, Public Service Commission
 121 and other departments, bureaus, divisions, or commissions
 122 operating from special revenue funds and/or federal funds shall
 123 pay their proportionate share of the retirement costs for their
 124 respective divisions. When specific appropriations are not
 125 made, such payments may be made from the balances in the
 126 various special revenue funds in excess of specific appropriations.
 127

128 Any unexpended balance remaining in the appropriation for
 129 Pension Merger Administration Costs (fund 0195, activity 429)

130 at the close of the fiscal year 2005 is hereby reappropriated for
131 expenditure during the fiscal year 2006.

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

136 TITLE II — APPROPRIATIONS.

137 Section 1. Appropriations from general revenue.

138 DEPARTMENT OF EDUCATION

139 34—*State Department of Education*

140 (WV Code Chapters 18 and 18A)

141 Fund 0313 FY 2005 Org 0402

	Act-	General
	ivity	Revenue
		Fund
145 8 Traditional Student Increased		
146 9 Enrollmt 5yr-12th grade	997	\$ 2,491,935
147 31b Tax Assessment Errors	353	227,037

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

152 TITLE II — APPROPRIATIONS.

153 Section 1. Appropriations from general revenue.

154

DEPARTMENT OF EDUCATION

155

36—State Department of Education—

156

State Aid to Schools

157

(WV Code Chapters 18 and 18A)

158

Fund 0317 FY 2005 Org 0402

159

General

160

Act-**Revenue**

161

ivity**Fund**

162 14 Teachers' Retirement System (R) . . . 019 \$ 7,627,000

163

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

167

And that the total appropriation for the fiscal year ending
 168 the thirtieth day of June, two thousand five, to fund 0450, fiscal
 169 year 2005, organization 0608, be supplemented and amended
 170 by increasing the total appropriation as follows:

171

TITLE II — APPROPRIATIONS.

172

Section 1. Appropriations from general revenue.

173

DEPARTMENT OF MILITARY AFFAIRS

174

AND PUBLIC SAFETY

175

56—Division of Corrections—

176

Correctional Units

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

178 Fund 0450 FY 2005 Org 0608

179			General
180		Act-	Revenue
181		ivity	Fund

182	11	Payments to Federal, County and/or		
183	12	Regional Jails (R)	555	\$ 9,316,000

184 Any unexpended balance remaining in the appropriation for
185 Payments to Federal, County and/or Regional Jails (fund 0450,
186 activity 555) at the close of the fiscal year 2005 is hereby
187 reappropriated for expenditure during the fiscal year 2006.

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

192 TITLE II — APPROPRIATIONS.

193 Section 1. Appropriations from general revenue.

194 DEPARTMENT OF MILITARY AFFAIRS

195 AND PUBLIC SAFETY

196 58—*Division of Veterans' Affairs*

197 (WV Code Chapter 9A)

198 Fund 0456 FY 2005 Org 0613

199			General
200		Act-	Revenue
201		ivity	Fund

202	12a	Veterans Bonus (R)	483	\$ 6,000,000
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203 Any unexpended balance remaining in the appropriation for
204 Veterans' Bonus (fund 0456, activity 483) at the close of fiscal
205 year 2005 is hereby reappropriated for expenditure during the
206 fiscal year 2006.

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

212 TITLE II — APPROPRIATIONS.

213 Section 1. Appropriations from general revenue.

214 DEPARTMENT OF REVENUE

215 65—*Tax Division*

216 (WV Code Chapter 11)

217 Fund 0470 FY 2005 Org 0702

218			General
219		Act-	Revenue
220		ivity	Fund

221	9a	Integrated Tax Accounting	
222	9b	System (R)	292 \$ 22,000,000

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

227 And, that chapter thirteen, Acts of the Legislature, Regular
228 Session, two thousand four, known as the budget bill, be

229 supplemented and amended by adding to Title II, section one
230 thereof the following:

231 TITLE II — APPROPRIATIONS.

232 Section 1. Appropriations from general revenue.

233 BUREAU OF COMMERCE

234 72a—West Virginia Development Office

235 Division of Tourism

236 (WV Code Chapter 5B)

237 Fund 0246 FY 2005 Org 0304

238			General
239		Act-	Revenue
240		ivity	Fund

241	1	Tourism - Special Projects (R)	859	\$ 2,000,000
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242 Any unexpended balance remaining in the appropriation for
243 Tourism - Special Projects (fund 0246, activity 859) at the close
244 of the fiscal year 2005 is hereby reappropriated for expenditure
245 during the fiscal year 2006.

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

250 TITLE II — APPROPRIATIONS.

251 Section 1. Appropriations from general revenue.

252 BUREAU OF COMMERCE

253 75—*West Virginia Development Office*

254 (WV Code Chapter 5B)

255 Fund 0256 FY 2005 Org 0307

256					
257					
258					

259 41 Local Economic

260 42 Development Assistance (R) . . . 819 \$ 5,000,000

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

265 TITLE II — APPROPRIATIONS.

266 Section 1. Appropriations from general revenue.

267 HIGHER EDUCATION POLICY COMMISSION

268 85—*Higher Education Policy Commission*—

269 *Administration*—

270 *Control Account*

271 (WV Code Chapter 18B)

272 Fund 0589 FY 2005 Org 0441.

273					
274					
275					

276 1 Unclassified 099 \$ 2,000,000

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 Initia-
 290 tive Program and Site Support (fund 0589, activity 595), Vice
 291 Chancellor for Health Sciences - Rural Health Residency
 292 Program (fund 0589, activity 601), West Virginia Council for
 293 Community and Technical Education (fund 0589, activity 392)
 294 and HEAPS Grant Program (fund 0589, activity 867) at the
 295 close of the fiscal year 2004 are hereby reappropriated for
 296 expenditure during the fiscal year 2005, with the exception of
 297 fund 0589, fiscal year 2004, activity 595, organization 0441
 298 (\$27,976); fund 0343, fiscal year 2004, activity 595, organiza-
 299 tion 0463 (\$21,906); fund 0347, fiscal year 2004, activity 595,
 300 organization 0471 (\$75,000); fund 0589, fiscal year 2004,
 301 activity 601, organization 0441 (\$1,400); fund 0347, fiscal year
 302 2004, activity 601, organization 0471 (\$86,122); and fund 0589,
 303 fiscal year 2004, activity 392, organization 0441 (\$8,808) which
 304 shall expire on June 30, 2004.

305 The above appropriation for PROMISE Scholarship -
 306 Transfer (activity 800) shall be transferred to the PROMISE
 307 Scholarship Fund (fund 4296, organization 0441) established by
 308 chapter eighteen-c, article seven, section seven.

309 Any unexpended balances remaining in the appropriation
310 for Higher Education - Special Projects (fund 0589, activity
311 488) at the close of the fiscal year 2005 are hereby
312 reappropriated for expenditure during the fiscal year 2006.

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

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

Handwritten signature of Randy White

Chairman Senate Committee

Handwritten signature of D. Richard Berry
Chairman House Committee

Originating in the House.

In effect from passage.

Handwritten signature of Russell G. White

Clerk of the Senate

Handwritten signature of George W. Berry

Clerk of the House of Delegates

Handwritten signature of Carl Ray Tomblin

President of the Senate

Handwritten signature of Robert S. 123

Speaker of the House of Delegates

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

Handwritten signature of Governor

Governor

PRESENTED TO THE
GOVERNOR

APR 21 2005

Time 5:50 