WEST VIRGINIA LEGISLATURE
FIRST EXTRAORDINARY SESSION, 2006

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ENROLLED

COMMITTEE SUBSTITUTE
FOR
House Bill No. 124

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

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Passed June 14, 2006

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 Department of Administration - Consolidated Public Retirement Board, fund 0195, fiscal year 2006, organization 0205, to the Department of Administration - Division of General Services, fund 0230, fiscal year 2006, organization 0211, to the Department of Administration - Public Defender Services, fund 0226, fiscal year 2006, organization 0221, to the Department of Administration - Public Employees Insurance Agency, fund 0200, fiscal year 2006, organization 0225, to the Department of Commerce - West Virginia Development Office, fund 0256, fiscal year 2006, organization 0307, to the Department of Commerce - Division of Miners’ Health, Safety and Training, fund 0277, fiscal year 2006, organization 0314, to the Department of Education and the Arts -
Division of Culture and History, fund 0293, fiscal year 2006, organization 0432, to the Department of Health and Human Resources - Division of Health - Central Office, fund 0407, fiscal year 2006, organization 0506, to the Department of Health and Human Resources - Consolidated Medical Service Fund, fund 0525, fiscal year 2006, organization 0506, to the Department of Health and Human Resources - Division of Human Services, fund 0403, fiscal year 2006, organization 0511, to the Department of Military Affairs and Public Safety - Division of Corrections - Correctional Units, fund 0450, fiscal year 2006, organization 0608, to the Department of Military Affairs and Public Safety - West Virginia State Police, fund 0453, fiscal year 2006, organization 0612, to the Department of Revenue - Tax Division, fund 0470, fiscal year 2006, organization 0702, to Higher Education - West Virginia Council for Community and Technical College Education - Control Account, fund 0596, fiscal year 2006, organization 0420, and to Higher Education - Higher Education Policy Commission - System - Control Account, fund 0586, fiscal year 2006, organization 0442, by supplementing and amending the appropriation for the fiscal year ending the thirtieth day of June, two thousand six.

WHEREAS, The Governor submitted to the Legislature the Executive Budget Document which included a Statement of the State Fund, General Revenue, dated the eleventh day of January, two thousand six, setting forth therein the cash balance as of the first day of July, two thousand five; and further included the estimate of revenues for the fiscal year two thousand six, less net appropriation balances forwarded and regular appropriations for fiscal year two thousand six; and

WHEREAS, It appears from the Governor’s Statement of the State Fund - General Revenue 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 six; 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 six, to fund 0195, fiscal year 2006, organization 0205, be supplemented and amended by increasing an existing item of appropriation as follows:

1 TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION

18-Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195, FY 2006 Org 0205

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified - Total - Transfer</td>
<td>$28,390,300</td>
</tr>
</tbody>
</table>

The above appropriation for Unclassified - Total - Transfer (fund 0195, activity 402) shall be transferred to the Consolidated Public Retirement Board - West Virginia Teachers’ Retirement System Employers Accumulation Fund (Fund 2601).

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0230, fiscal year 2006, organization 0211, be supplemented and amended by increasing an existing item of appropriation as follows:

20 TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.
DEPARTMENT OF ADMINISTRATION

20-Division of General Services
(WV Code Chapter 5A)
Fund 0230 FY 2006 Org 0211

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Unclassified (R)</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Unclassified (fund 0230, activity 099) at the close of the fiscal year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0226, fiscal year 2006, organization 0221, be supplemented and amended by increasing existing items of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION

25-Public Defender Services
(WV Code Chapter 29)
Fund 0226 FY 2006 Org 0221

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Public Defender Corporation (R)</td>
</tr>
</tbody>
</table>
Any unexpended balance remaining in the appropriation for Appointed Counsel - Public Defender Conflicts (fund 0226, activity 568) at the close of the fiscal year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0200, fiscal year 2006, organization 0225, be supplemented and amended by adding thereto a new item of appropriation as follows:

**TITLE II - APPROPRIATIONS.**

**Section 1. Appropriations from General Revenue.**

**DEPARTMENT OF ADMINISTRATION**

**27-Public Employees Insurance Agency**

(WV Code Chapter 5)

Fund 0200 FY 2006 Org 0225.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>922</td>
<td>$ 3,900,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Employees Subsidy (fund 0200, activity 922) at the close of the fiscal year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.
And, that the items of the total appropriation from the State Fund, General Revenue, to the Department of Commerce - West Virginia Development Office, fund 0256, fiscal year 2006, organization 0307, be supplemented, increased and amended by adding thereto new items of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

Section 1. Appropriations from General Revenue.

**DEPARTMENT OF COMMERCE**

*33-West Virginia Development Office*

(WV Code Chapter 5B)

Fund 0256 FY 2006 Org 0307

<table>
<thead>
<tr>
<th>Activity</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>42a Infrastructure Projects</td>
<td>$14,000,000</td>
</tr>
<tr>
<td>42b Housing Development Fund Grants</td>
<td>250,000</td>
</tr>
</tbody>
</table>

The above appropriation for Infrastructure Projects (fund 0256, activity 079) shall be transferred to the West Virginia Infrastructure Fund (Fund 3384).

The above appropriation for Housing Development Fund Grants (fund 0256, activity 089) shall be granted to the West Virginia Housing Development Fund to assist families that must be relocated away from the floodplains.

And, that the items of the total appropriation from the State Fund, General Revenue, to the Department of Commerce -
Division of Miners’ Health, Safety and Training, fund 0277, fiscal year 2006, organization 0314, be supplemented, increased and amended to hereafter read as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF COMMERCE

36-Division of Miners’ Health, Safety and Training

(WV Code Chapter 22)

Fund 0277, FY 2006 Org 0314

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Personal Services</td>
<td>001 $ 4,102,856</td>
</tr>
<tr>
<td>2 Annual Increment</td>
<td>004 70,600</td>
</tr>
<tr>
<td>3 Employee Benefits</td>
<td>010 1,551,243</td>
</tr>
<tr>
<td>4 Unclassified (R)</td>
<td>099 647,893</td>
</tr>
<tr>
<td>5 WV Diesel Equipment Commission</td>
<td>712 38,034</td>
</tr>
<tr>
<td>6 BRIM Premium</td>
<td>913 72,573</td>
</tr>
<tr>
<td>7 Total</td>
<td>$ 6,483,199</td>
</tr>
</tbody>
</table>

From the appropriation above (fund 0277) at least $500,000 shall be used in developing, procuring and/or deploying technologies to assist in locating and communicating with trapped miners, supporting life, transporting rescue personnel and rescued individuals through underground mines and otherwise assist with mine rescue operations.

Any unexpended balance remaining in the appropriation for Unclassified (fund 0277, activity 099) at the close of the fiscal
year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0293, fiscal year 2006, organization 0432, be supplemented and amended by adding thereto a new item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Section 1. Appropriations from General Revenue.**

**DEPARTMENT OF EDUCATION AND THE ARTS**

*48-Division of Culture and History*  
*(WV Code Chapter 29)*

Fund 0293 FY 2006 Org 0432

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>7a Capital Outlay, Repairs and Equipment (R)</td>
<td>$ 350,000</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Capital Outlay, Repairs and Equipment (fund 0293, activity 589) at the close of the fiscal year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0407, fiscal year 2006, organization 0506, be supplemented and amended by increasing existing items of appropriation as follows:
TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF HEALTH AND
HUMAN RESOURCES

56-Division of Health-

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2006 Org 0506

<table>
<thead>
<tr>
<th>General Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 Statewide EMS Program Support (R)</td>
<td>383 $362,465</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Statewide EMS Program Support (fund 0407, activity 383) at the close of the fiscal year two thousand six is hereby reappropriated for expenditure during the fiscal year two thousand seven.

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0525, fiscal year 2006, organization 0506, be supplemented and amended by increasing an existing item of appropriation and adding thereto a new item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

57-Consolidated Medical Service Fund
(WV Code Chapter 16)

Fund 0525 FY 2006 Org 0506

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Institutional Facilities Operations</td>
<td>335 1,039,000</td>
</tr>
<tr>
<td>Capital Outlay (R)</td>
<td>511 8,673,000</td>
</tr>
</tbody>
</table>

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0403, fiscal year 2006, organization 0511, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

60-Division of Human Services
(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2006 Org 0511

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Services</td>
<td>195 1,000,000</td>
</tr>
</tbody>
</table>
And, that the total appropriation for the fiscal year ending
the thirtieth day of June, two thousand six, to fund 0450, fiscal
year 2006, organization 0608, be supplemented and amended
by increasing an existing item of appropriation and adding
thereto a new item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY

67-Division of Corrections-

Correctional Units

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

Fund 0450 FY 2006 Org 0608

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Activity</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Payments to Federal, County and/or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12 Regional Jails (R)</td>
<td>555 $ 8,266,546</td>
<td></td>
</tr>
<tr>
<td>23a Capital Outlay and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maintenance (R)</td>
<td>755 2,879,500</td>
<td></td>
</tr>
</tbody>
</table>

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 two thousand six is
hereby reappropriated for expenditure during the fiscal year two
thousand seven.

And, that the total appropriation for the fiscal year ending
the thirtieth day of June, two thousand six, to fund 0453, fiscal
year 2006, organization 0612, be supplemented and amended by adding thereto a new item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF MILITARY AFFAIRS
AND PUBLIC SAFETY

68-West Virginia State Police
(WV Code Chapter 15)
Fund 0453 FY 2006 Org 0612

General
Activity Funds
16a Law Enforcement-
Special Projects (R) . . . . . . . . . . 787 $ 1,000,000

And, that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 0470, fiscal year 2006, organization 0702, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF REVENUE

76-Tax Division
(WV Code Chapter 11)
And, that the items of the total appropriation from the State Fund, General Revenue, to Higher Education - West Virginia Council for Community and Technical College Education - Control Account, fund 0596, fiscal year 2006, organization 0420, be supplemented and amended by adding thereto a new item of appropriation as follows:

**TITLE II – APPROPRIATIONS.**

**Section 1. Appropriations from General Revenue.**

**HIGHER EDUCATION**

**85-West Virginia Council for Community and Technical College Education**

**Control Account**

(WV Code Chapter 18B)

Fund 0596, FY 2006 Org 0420

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>23a Community College Workforce</td>
<td>$ 1,000,000</td>
</tr>
<tr>
<td>23b Development (R)</td>
<td>$ 1,000,000</td>
</tr>
</tbody>
</table>
And, that the items of the total appropriation from the State Fund, General Revenue, to Higher Education - Higher Education Policy Commission - System - Control Account, fund 0586, fiscal year 2006, organization 0442, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II – APPROPRIATIONS.

Section I. Appropriations from General Revenue.

HIGHER EDUCATION

87-Higher Education Policy Commission-
System-
Control Account

(WV Code Chapter 18B)

Fund 0586 FY 2006 Org 0442

<table>
<thead>
<tr>
<th>General Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>19 West Virginia University</td>
<td>459</td>
</tr>
</tbody>
</table>

The purpose of this supplemental appropriation bill is to supplement, amend, increase and add items of appropriations in the aforesaid accounts for the designated spending units for expenditure during the fiscal year two thousand six.
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 19th day of June, 2006.

Governor