

HB 4855

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OFFICE WEST VIRGINIA  
SECRETARY OF STATE

# WEST VIRGINIA LEGISLATURE

SECOND REGULAR SESSION, 2006

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**ENROLLED**

## House Bill No. 4855

(By Delegates Michael, Doyle, Proudfoot, Cann, Boggs,  
Frederick, H.K. White, Williams, Anderson and Ashley)

—●—  
Passed March 11, 2006

In Effect from Passage

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OFFICE WEST VIRGINIA  
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**E N R O L L E D**

**H. B. 4855**

(BY DELEGATES MICHAEL, DOYLE, PROUDFOOT, CANN, BOGGS,  
FREDERICK, H.K. WHITE, WILLIAMS, ANDERSON AND ASHLEY)

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[Passed March 11, 2006; in effect from passage.]

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AN ACT making a supplementary appropriation from the balance of moneys remaining unappropriated for the fiscal year ending the thirtieth day of June, two thousand six, to the department of education and the arts - office of the secretary - lottery education fund interest earnings - control account, fund 3508, fiscal year 2006, organization 0431; to the department of environmental protection - division of environmental protection - oil and gas reclamation fund, fund 3322, fiscal year 2006, organization 0313; to the department of environmental protection - division of environmental protection - oil and gas operating permit and processing fund, fund 3323, fiscal year 2006, organization 0313; to the department of environmental protection - division of environmental protection - the underground storage tank administrative fund, fund 3325, fiscal year 2006, organization 0313; to the department of environmental protection - division of environmental protection - air pollution control fund, fund 3336, fiscal year 2006, organization 0313; to the department of environmental protection - division of environmental protection - mountaintop removal fund, fund 3490, fiscal year 2006, organization 0313; to

the department of health and human resources - division of human services - health care provider tax, fund 5090, fiscal year 2006, organization 0511; to the department of health and human resources - division of human services - medical services trust fund, fund 5185, fiscal year 2006, organization 0511; to the department of military affairs and public safety - west virginia division of corrections - parolee supervision fees, fund 6362, fiscal year 2006, organization 0608; to the department of military affairs and public safety - criminal justice services - court security fund, fund 6804, fiscal year 2006, organization 0620; to the department of transportation - division of motor vehicles - insurance certificate fees, fund 8215, fiscal year 2006, organization 0802; to the public service commission - consumer advocate, fund 8627, fiscal year 2006, organization 0926; and to the massage therapy licensure board, fund 8671, fiscal year 2006, organization 0938, by supplementing and amending the appropriation for the fiscal year ending the thirtieth day of June, two thousand six.

WHEREAS, The Governor has established that there now remains an unappropriated balance in the department of education and the arts - office of the secretary - lottery education fund interest earnings - control account, fund 3508, fiscal year 2006, organization 0431; in the department of environmental protection - division of environmental protection - oil and gas reclamation fund, fund 3322, fiscal year 2006, organization 0313; in the department of environmental protection - division of environmental protection - oil and gas operating permit and processing fund, fund 3323, fiscal year 2006, organization 0313; in the department of environmental protection - division of environmental protection - the underground storage tank administrative fund, fund 3325, fiscal year 2006, organization 0313; in the department of environmental protection - division of environmental protection - air pollution control fund, fund 3336, fiscal year 2006, organization 0313; in the department of environmental protection - division of environmental protection - mountaintop removal fund, fund 3490, fiscal year 2006, organization 0313; in the department of health and human



8 Fund 3508 FY 2006 Org 0431

9 10		Act- ivity	Other Funds
11	1 EPSCoR-Total (R) . . . . .	651	\$ 50,000

12 And, That the total appropriation for the fiscal year ending  
13 the thirtieth day of June, two thousand six, to fund 3322, fiscal  
14 year 2006, organization 0313, be supplemented and amended  
15 by increasing the total appropriation as follows:

16 TITLE II – APPROPRIATIONS.

17 Sec. 3. Appropriations from other funds.

18 DEPARTMENT OF ENVIRONMENTAL  
19 PROTECTION

20 *142-Division of Environmental Protection*

21 *Oil and Gas Reclamation Fund*

22 (WV Code Chapter 22)

23 Fund 3322 FY 2006 Org 0313

24 25		Act- ivity	Other Funds
26	1 Unclassified-Total . . . . .	096	\$ 100,000

27 And, That the total appropriation for the fiscal year ending  
28 the thirtieth day of June, two thousand six, to fund 3323, fiscal  
29 year 2006, organization 0313, be supplemented and amended  
30 by increasing the total appropriation as follows:

31 TITLE II – APPROPRIATIONS.

32 Sec. 3. Appropriations from other funds.

33 DEPARTMENT OF ENVIRONMENTAL  
34 PROTECTION

35 *143-Division of Environmental Protection-*

36 *Oil and Gas Operating Permit and Processing Fund*

37 (WV Code Chapter 22)

38 Fund 3323, FY 2006, Org 0313,

39			Act-	Other
40			ivity	Funds
41	1	Personal Services . . . . .	001	\$ 55,000
42	3	Employee Benefits . . . . .	010	15,500
43	4	Unclassified . . . . .	099	129,500

44 And, That the total appropriation for the fiscal year ending  
45 the thirtieth day of June, two thousand six, to fund 3325, fiscal  
46 year 2006, organization 0313, be supplemented and amended  
47 by increasing the total appropriation as follows:

48 TITLE II – APPROPRIATIONS.

49 Sec. 3. Appropriations from other funds.

50 DEPARTMENT OF ENVIRONMENTAL  
51 PROTECTION

52 *145-Division of Environmental Protection-*

53 *The Underground Storage Tank*

54 *Administrative Fund*

55 (WV Code Chapter 22)

56 Fund 3325 FY 2006 Org 0313

57			Act-	Other
58			ivity	Funds
59	1	Personal Services . . . . .	001	\$ 10,500
60	3	Employee Benefits . . . . .	010	4,000
61	4	Unclassified . . . . .	099	35,500

62 And, That the total appropriation for the fiscal year ending  
63 the thirtieth day of June, two thousand six. to fund 3336, fiscal  
64 year 2006, organization 0313, be supplemented and amended  
65 by increasing the total appropriation as follows:

66 TITLE II – APPROPRIATIONS.

67 Sec. 3. Appropriations from other funds.

68 DEPARTMENT OF ENVIRONMENTAL  
69 PROTECTION

70 *149-Division of Environmental Protection-*

71 *Air Pollution Control Fund*

72 (WV Code Chapter 22)

73 Fund 3336 FY 2006 Org 0313

74			Act-	Other
75			ivity	Funds
76	1	Personal Services . . . . .	001	\$ 93,147
77	3	Employee Benefits . . . . .	010	74,517
78	4	Unclassified . . . . .	099	204,924

79 And, That the total appropriation for the fiscal year ending  
80 the thirtieth day of June, two thousand six, to fund 3490, fiscal  
81 year 2006, organization 0313, be supplemented and amended  
82 by increasing the total appropriation as follows:

83 TITLE II – APPROPRIATIONS.

84 Sec. 3. Appropriations from other funds.

85 DEPARTMENT OF ENVIRONMENTAL  
86 PROTECTION

87 *152-Division of Environmental Protection-*

88 *Mountaintop Removal Fund*

89 (WV Code Chapter 22)

90 Fund 3490 FY 2006 Org 0313

91			Act-	Other
92			ivity	Funds
93	1	Personal Services . . . . .	001	\$ 29,817
94	3	Employee Benefits . . . . .	010	10,754
95	4	Unclassified . . . . .	099	134,741

96 And, That the total appropriation for the fiscal year ending  
97 the thirtieth day of June, two thousand six, to fund 5090, fiscal  
98 year 2006, organization 0511, be supplemented and amended  
99 by increasing the total appropriation as follows:

100 TITLE II – APPROPRIATIONS.

101 Sec. 3. Appropriations from other funds.

102 DEPARTMENT OF HEALTH AND  
103 HUMAN RESOURCES

104 *166-Division of Human Services-*

105 *Health Care Provider Tax*

106 (WV Code Chapter 11)

107 Fund 5090 FY 2006 Org 0511

108		<b>Act-</b>	<b>Other</b>
109		<b>ivity</b>	<b>Funds</b>

110	1	Unclassified-Total . . . . .	096	\$ 29,695,259
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111 And, That the total appropriation for the fiscal year ending  
112 the thirtieth day of June, two thousand six, to fund 5185, fiscal  
113 year 2006, organization 0511, be supplemented and amended  
114 by increasing the total appropriation as follows:

115 **TITLE II – APPROPRIATIONS.**

116 **Sec. 3. Appropriations from other funds.**

117 **DEPARTMENT OF HEALTH AND**  
118 **HUMAN RESOURCES**

119 *168-Division of Human Services-*

120 *Medical Services Trust Fund*

121 (WV Code Chapter 9)

122 Fund 5185 FY 2006 Org 0511

123		<b>Act-</b>	<b>Other</b>
124		<b>ivity</b>	<b>Funds</b>

125	1	Unclassified . . . . .	099	\$ 10,000,000
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126 And, That the total appropriation for the fiscal year ending  
127 the thirtieth day of June, two thousand six, to fund 6362, fiscal

128 year 2006, organization 0608, be supplemented and amended  
129 by increasing the total appropriation as follows:

130 TITLE II – APPROPRIATIONS.

131 Sec. 3. Appropriations from other funds.

132 DEPARTMENT OF MILITARY  
133 AFFAIRS AND PUBLIC SAFETY

134 *173-West Virginia Division of Corrections-*

135 *Parolee Supervision Fees*

136 (WV Code Chapter 62)

137 Fund 6362 FY 2006 Org 0608

138			Act-	Other
139			ivity	Funds
140	1	Personal Services . . . . .	001	\$ 139,200
141	3	Employee Benefits . . . . .	010	38,280
142	4	Unclassified . . . . .	099	158,520

143 And, That the total appropriation for the fiscal year ending  
144 the thirtieth day of June, two thousand six, to fund 6804, fiscal  
145 year 2006, organization 0620, be supplemented and amended  
146 by increasing the total appropriation as follows:

147 TITLE II – APPROPRIATIONS.

148 Sec. 3. Appropriations from other funds.

149 DEPARTMENT OF MILITARY  
150 AFFAIRS AND PUBLIC SAFETY

151 *185-Criminal Justice Services-*

152

*Court Security Fund*

153

(WV Code Chapter 51)

154

Fund 6804 FY 2006 Org 0620

155

**Act-**

**Other**

156

**ivity**

**Funds**

157

1

Unclassified-Total . . . . .

096

\$ 500,000

158

And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 8215, fiscal year 2006, organization 0802, be supplemented and amended by increasing the total appropriation as follows:

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161

162

TITLE II – APPROPRIATIONS.

163

**Sec. 3. Appropriations from other funds.**

164

**DEPARTMENT OF TRANSPORTATION**

165

*208-Division of Motor Vehicles-*

166

*Insurance Certificate Fees*

167

(WV Code Chapter 20)

168

Fund 8215 FY 2006 Org 0802

169

**Act-**

**Other**

170

**ivity**

**Funds**

171

4

Unclassified . . . . .

099

\$ 35,000

172

And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 8627, fiscal year 2006, organization 0926, be supplemented and amended by increasing the total appropriation as follows:

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175

176 TITLE II – APPROPRIATIONS.

177 Sec. 3. Appropriations from other funds.

178 MISCELLANEOUS BOARDS AND COMMISSIONS

179 228-Public Service Commission-

180 Consumer Advocate

181 (WV Code Chapter 24)

182 Fund 8627 FY 2006 Org 0926

183		Act-	Other
184		ivity	Funds
185	4 Unclassified .....	099	\$ 50,000

186 And, That the total appropriation for the fiscal year ending  
187 the thirtieth day of June, two thousand six, to fund 8671, fiscal  
188 year 2006, organization 0938, be supplemented and amended  
189 by increasing the total appropriation as follows:

190 TITLE II – APPROPRIATIONS.

191 Sec. 3. Appropriations from other funds.

192 MISCELLANEOUS BOARDS AND COMMISSIONS

193 233-Massage Therapy Licensure Board

194 (WV Code Chapter 30)

195 Fund 8671 FY 2006 Org 0938

196		Act-	Other
197		ivity	Funds
198	1 Unclassified-Total .....	099	\$ 10,000

199       The purpose of this supplementary appropriation bill is to  
200 supplement and increase items of appropriations in the afore-  
201 said accounts for the designated spending units for expenditure  
202 during the fiscal year two thousand six.

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

*Nancy White*

Chairman Senate Committee

*W. Bruce*

Chairman House Committee

Originating in the House.

In effect from passage.

*Darrell E. Holmes*

Clerk of the Senate

*Bruce W. ...*

Clerk of the House of Delegates

*Carl Roy Tomblin*

President of the Senate

*Robert ...*

Speaker of the House of Delegates

The within is approved this the 23rd  
day of March, 2006.

*Paul ...*  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 20 2006

Time 11:15 am