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)

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Passed March 11, 2006

In Effect from Passage
ENROLLED

H. B. 4855

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

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

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 - 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 - 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...
resources - division of human services - health care provider tax, fund 5090, fiscal year 2006, organization 0511; in the department of health and human resources - division of human services - medical services trust fund, fund 5185, fiscal year 2006, organization 0511; in the department of military affairs and public safety - west virginia division of corrections - parolee supervision fees, fund 6362, fiscal year 2006, organization 0608; in the department of military affairs and public safety - criminal justice services - court security fund, fund 6804, fiscal year 2006, organization 0620; in the department of transportation - division of motor vehicles - insurance certificate fees, fund 8215, fiscal year 2006, organization 0802; in the public service commission - consumer advocate, fund 8627, fiscal year 2006, organization 0926; and in the massage therapy licensure board, fund 8671, fiscal year 2006, organization 0938, available for expenditure 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 3508, fiscal year 2006, organization 0431, be supplemented and amended by increasing the total appropriation as follows:

1 TITLE II – APPROPRIATIONS.

2 Sec. 3. Appropriations from other funds.

3 DEPARTMENT OF EDUCATION AND THE ARTS

4 135-Office of the Secretary-

5 Lottery Education Fund Interest Earnings-

6 Control Account

7 (WV Code Chapter 29)
And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 3322, fiscal year 2006, organization 0313, be supplemented and amended by increasing the total appropriation as follows:

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

142-Division of Environmental Protection

Oil and Gas Reclamation Fund

(WV Code Chapter 22)

Fund 3322 FY 2006 Org 0313

And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 3323, fiscal year 2006, organization 0313, be supplemented and amended by increasing the total appropriation as follows:
TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

143-Division of Environmental Protection-

Oil and Gas Operating Permit and Processing Fund

(WV Code Chapter 22)

Fund 3323 FY 2006 Org 0313

<table>
<thead>
<tr>
<th>Activity</th>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>001</td>
<td>$55,000</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>010</td>
<td>15,500</td>
</tr>
<tr>
<td>Unclassified</td>
<td>099</td>
<td>129,500</td>
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</table>

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

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

145-Division of Environmental Protection-

The Underground Storage Tank

Administrative Fund
(WV Code Chapter 22)

Fund 3325 FY 2006 Org 0313

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>001  $ 10,500</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>010  $ 4,000</td>
</tr>
<tr>
<td>Unclassified</td>
<td>099  $ 35,500</td>
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</table>

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

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

149-Division of Environmental Protection-

Air Pollution Control Fund

Fund 3336 FY 2006 Org 0313

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
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<tbody>
<tr>
<td>Personal Services</td>
<td>001  $ 93,147</td>
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<tr>
<td>Employee Benefits</td>
<td>010  $ 74,517</td>
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<tr>
<td>Unclassified</td>
<td>099  $ 204,924</td>
</tr>
</tbody>
</table>
And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 3490, fiscal year 2006, organization 0313, be supplemented and amended by increasing the total appropriation as follows:

### TITLE II – APPROPRIATIONS.

### Sec. 3. Appropriations from other funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

152-Division of Environmental Protection-
Mountaintop Removal Fund

(WV Code Chapter 22)

Fund 3490 FY 2006 Org 0313

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>$29,817</td>
</tr>
<tr>
<td>Employee Benefits</td>
<td>10,754</td>
</tr>
<tr>
<td>Unclassified</td>
<td>134,741</td>
</tr>
</tbody>
</table>

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

### TITLE II – APPROPRIATIONS.

### Sec. 3. Appropriations from other funds.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES
166-Division of Human Services-

Health Care Provider Tax

(WV Code Chapter 11)

Fund 5090 FY 2006 Org 0511

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified</td>
<td>Total</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 5185, fiscal year 2006, organization 0511, be supplemented and amended by increasing the total appropriation as follows:

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

168-Division of Human Services-

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2006 Org 0511

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified</td>
<td>099</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending the thirtieth day of June, two thousand six, to fund 6362, fiscal
year 2006, organization 0608, be supplemented and amended by increasing the total appropriation as follows:

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

173-West Virginia Division of Corrections-

Parolee Supervision Fees

(WV Code Chapter 62)

Fund 6362 FY 2006 Org 0608

<table>
<thead>
<tr>
<th>Activity</th>
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<tbody>
<tr>
<td>Personal Services</td>
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<tr>
<td>Employee Benefits</td>
<td>$38,280</td>
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<tr>
<td>Unclassified</td>
<td>$158,520</td>
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</table>

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

TITLE II – APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

185-Criminal Justice Services-
Court Security Fund

(WV Code Chapter 51)

Fund 6804 FY 2006 Org 0620

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified-Total</td>
<td>096</td>
</tr>
</tbody>
</table>

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:

TITLE II – APPROPRIATIONS.

DEPARTMENT OF TRANSPORTATION

208-Division of Motor Vehicles-

Insurance Certificate Fees

(WV Code Chapter 20)

Fund 8215 FY 2006 Org 0802

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Unclassified</td>
<td>099</td>
</tr>
</tbody>
</table>

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:
TITLE II - APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

MISCELLANEOUS BOARDS AND COMMISSIONS

**228-Public Service Commission-**

*Consumer Advocate*

(WV Code Chapter 24)

**Fund 8627 FY 2006 Org 0926**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified</td>
<td>$50,000</td>
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</tbody>
</table>

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

TITLE II - APPROPRIATIONS.

Sec. 3. Appropriations from other funds.

MISCELLANEOUS BOARDS AND COMMISSIONS

**233-Massage Therapy Licensure Board**

(WV Code Chapter 30)

**Fund 8671 FY 2006 Org 0938**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Other Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified</td>
<td>$10,000</td>
</tr>
</tbody>
</table>
The purpose of this supplementary appropriation bill is to supplement and increase 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.

Randy White  
Chairman Senate Committee

R.B.  
Chairman House Committee

Originating in the House.

In effect from passage.

Darrell Hollen  
Clerk of the Senate

Clerk of the House of Delegates

Carl Begovich  
President of the Senate

Speaker of the House of Delegates

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

Governor