WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
REGULAR SESSION, 2008

ENROLLED

Senate Bill No. 1011

(By Senators Helmick, Sharpe, Plymale, Chafin, Prezioso, Edgell, Love, Bailey, Bowman, McCabe, Unger, Fanning, Sypolt, Facemyer, Boley, Sprouse and Guills)

[Passed March 16, 2008; in effect from passage.]
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(By Senators Helmick, Sharpe, Plymale, Chafin, Prezioso, Edgell, Love, Bailey, Bowman, McCabe, Unger, Fanning, Sypolt, Facemyer, Boley, Sprouse and Guill)

WHEREAS, The Governor submitted to the Legislature the Executive Budget Document, dated the ninth day of January, two thousand eight, containing a Statement of the State Excess Lottery Revenue Fund, setting forth therein the cash balance as of the first day of July, two thousand seven, and further included the estimate of revenue for the fiscal year two thousand eight, less regular and surplus appropriations for the fiscal year two thousand eight; and

WHEREAS, It appears from the Governor's Statement of the State Excess Lottery Revenue Fund 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 eight; 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 eight, to fund 7208, fiscal year 2008, organization 0705, be supplemented and amended to hereafter read as follows:

1 TITLE II—APPROPRIATIONS.

2 Sec. 5. Appropriations from State Excess Lottery Revenue Fund.
From the above appropriation for Unclassified - Transfer (activity 482) twelve million nine hundred thousand dollars shall be transferred to the General Revenue Fund only after all funding required by section eighteen-a, article twenty-two, chapter twenty-nine of the Code of West Virginia has been satisfied as determined by the Director of the Lottery but before any other nonstatutory appropriations to the State Excess Lottery Revenue Fund are funded.

From the above transfer for Unclassified - Transfer (activity 482) four million dollars shall be transferred to Underground Storage Tank Insurance Fund (fund 3218, org 0313).

The above appropriation for Consolidated Public Retirement Transfer (fund 7208, activity 918) shall be transferred to the Consolidated Public Retirement Board - West Virginia Teachers Retirement System - Employers Accumulation Fund (fund 2601) only after all funding required by section eighteen-a, article -
The above appropriation for Capitol Complex - Capital Outlay (fund 7208, activity 417) shall be transferred to the Capitol Dome and Capital Improvements Fund (fund 2257) only after all funding required by section eighteen-a, article twenty-two, chapter twenty-nine of the Code of West Virginia and the transfer to the General Revenue Fund (fund 7208, org 0705, activity 482) has been satisfied as determined by the Director of the Lottery.

Should the actual revenues accruing to the total State Excess Lottery Revenue Fund be insufficient to fully fund all appropriations, the appropriation to the Capital Complex - Capital Outlay (activity 417) shall be reduced to the extent funds are available and the appropriation made in the reduced amount and thereafter transferred to the Capital Dome and Capital Improvement Fund (fund 2257).

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand eight, to fund 3170, fiscal year 2008, organization 0307, be supplemented and amended by adding new items of appropriation as follows:

TITLE II—APPROPRIATIONS.

Sec. 5. Appropriations from State Excess Lottery Revenue Fund.

262-West Virginia Development Office
(WV Code Chapter 5B)

Fund 3170 FY 2008 Org 0307

<table>
<thead>
<tr>
<th>Activity</th>
<th>Lottery Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Recreational Grants or Economic Development Loans (R)</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>2 Economic Development Assistance (R)</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the appropriations for Recreational Grants or Economic Development Loans (fund 3170, activity 253) or Economic Development Assistance (fund 3170, fund 900) at the close of the fiscal year two thousand eight are hereby reappropriated for expenditure during the fiscal year two thousand nine.

From the above appropriation for Recreational Grants or Economic Development Loans (activity 253) one hundred thousand dollars is for Mercer County Horse Park.

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand eight, to fund 5219, fiscal year 2008, organization 0506, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II—APPROPRIATIONS.

Sec. 5. Appropriations from State Excess Lottery Revenue Fund.
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91  263–Division of Health-

92    Central Office

93    (WV Code Chapter 16)

94    Fund 5219 FY 2008 Org 0506

95    Activity         Lottery Funds

96

97  1 Capital Outlay and
98    Maintenance (R)          755 $ 1,000,000

99    Any unexpended balance remaining in the
100    appropriation for Capital Outlay and Maintenance
101    (fund 5219, activity 755) at the close of the fiscal year
102    two thousand eight is hereby reappropriated for
103    expenditure during the fiscal year two thousand nine.

104    And that chapter twelve, Acts of the Legislature,
105    regular session, two thousand seven, known as the
106    budget bill, be supplemented and amended by adding
107    to Title II, section five thereof, the following:

108    TITLE II—APPROPRIATIONS.

109    Sec. 5. Appropriations from State Excess Lottery
110    Revenue Fund.

111    263a–Department of Military Affairs and

112    Public Safety-

113    Office of the Secretary
(WV Code Chapter 5F)

Fund 6005, FY 2008 Org 0601

<table>
<thead>
<tr>
<th>Activity</th>
<th>Lottery Funds</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Interoperable Communications</td>
</tr>
<tr>
<td>2</td>
<td>System (R)</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Interoperable Communications System (fund 6005, activity 303) at the close of the fiscal year two thousand eight is hereby reappropriated for expenditure during the fiscal year two thousand nine.

And that chapter twelve, Acts of the Legislature, regular session, two thousand seven, known as the budget bill, be supplemented and amended by adding to Title II, section five thereof, the following:

**TITLE II—APPROPRIATIONS.**

Sec. 5. Appropriations from State Excess Lottery Revenue Fund.

263b—Division of Corrections—Correctional Units

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

Fund 6283 FY 2008 Org 0608
<table>
<thead>
<tr>
<th>Activity</th>
<th>Lottery Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>141 1 Capital Outlay, Repairs and Equipment (R)</td>
<td>589 $1,500,000</td>
</tr>
<tr>
<td>142 3 Capital Outlay and Maintenance (R)</td>
<td>755 $2,000,000</td>
</tr>
<tr>
<td>143 4 Total</td>
<td>$3,500,000</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the appropriations for Capital Outlay, Repairs and Equipment (fund 6283, activity 589) and Capital Outlay and Maintenance, (fund 6283, activity 755) at the close of the fiscal year two thousand eight are hereby reappropriated for expenditure during the fiscal year two thousand nine.

And that chapter twelve, Acts of the Legislature, regular session, two thousand seven, known as the budget bill, be supplemented and amended by adding to Title II, section five thereof, the following:

**TITLE II—APPROPRIATIONS.**

**Sec. 5. Appropriations from State Excess Lottery Revenue Fund.**

265a—Higher Education Policy Commission—

Administration—

Control Account

(WV Code Chapter 18B)
<table>
<thead>
<tr>
<th>Activity</th>
<th>Lottery Funds</th>
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<tbody>
<tr>
<td>Research Investment</td>
<td>$50,000,000</td>
</tr>
<tr>
<td>Advanced Technology Centers (R)</td>
<td>$30,000,000</td>
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<tr>
<td>Energy Savings Loan Program (R)</td>
<td>$7,000,000</td>
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<tr>
<td>Allied Health Program Expansion (R)</td>
<td>$7,154,898</td>
</tr>
<tr>
<td>Higher Education Grant Program</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>HEAPS Grant Program (R)</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Total</td>
<td>$96,154,898</td>
</tr>
</tbody>
</table>

The above appropriation for Research Investment (fund 4932, activity 020) shall be transferred to the West Virginia Research Trust Fund.

Any unexpended balances remaining in the appropriations for Advanced Technology Centers (fund 4932, activity 028), Energy Savings Loan Program (fund 4932, activity 050), Allied Health Program Expansion (fund 4932, activity 052) and HEAPS Grant Program (fund 4932, activity 867) at the close of the fiscal year two thousand eight are hereby reappropriated for expenditure during the fiscal year two thousand nine.

The above appropriation for Higher Education Grant Program (activity 164) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established by section three, article five, chapter
The purpose of this supplemental appropriation bill is to supplement, amend, add and increase items of appropriation in the aforesaid accounts for the designated spending units for expenditure during the fiscal year two thousand eight.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

In effect from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within is approved with exception this the 21st Day of , 2008.

Governor