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2008 JUN 30 AM 11:49

WEST VIRGINIA LEGISLATURE

SEVENTY-EIGHTH LEGISLATURE

SECOND EXTRAORDINARY SESSION, 2008

LEGISLATIVE CLERK

ENROLLED

Senate Bill No. 2016

(BY SENATORS TOMBLIN (MR. PRESIDENT) AND CARUTH,
BY REQUEST OF THE EXECUTIVE)

[Passed June 25, 2008; in effect from passage.]

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CRIMINALS
SECURITY OFFICE

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Senate Bill No. 2016

(BY SENATORS TOMBLIN (MR. PRESIDENT) AND CARUTH,
BY REQUEST OF THE EXECUTIVE)

[Passed June 25, 2008; in effect from passage.]

AN ACT making a supplementary appropriation from the State Fund, State Excess Lottery Revenue Fund, to the Lottery Commission - Excess Lottery Revenue Fund Surplus, fund 7208, fiscal year 2009, organization 0705, by supplementing and amending the appropriations for the fiscal year ending the thirtieth day of June, two thousand nine.

Be it enacted by the Legislature of West Virginia:

1 That the total appropriation for the fiscal year ending
2 the thirtieth day of June, two thousand nine, to fund
3 7208, fiscal year 2009, organization 0705, be

4 supplemented and amended to read as follows:

5 **TITLE II—APPROPRIATIONS.**

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

8 *264—Lottery Commission-*
9 *Excess Lottery Revenue Fund Surplus*
10 Fund 7208, FY 2009, Org 0705.

11	1 Capital Outlay-Parks	288	\$	0
12	2 Other Post Employee			
13	3 Benefits-Transfer	289		46,600,000
14	4 Capitol Complex-Capital			
15	5 Outlay	417		18,200,000
16	6 Unclassified-Transfer	482		62,900,000
17	7 School Access Safety	978		<u>8,000,000</u>
18	8 Total			\$135,700,000

19 The above appropriation for Unclassified-Transfer
20 (activity 482) shall be transferred to the General
21 Revenue Fund only after all funding required by
22 chapter twenty-nine, article twenty-two, section
23 eighteen-a of the Code of West Virginia has been
24 satisfied as determined by the Director of the Lottery.

25 The above appropriation for School Access Safety
26 (fund 7208, activity 978) shall be transferred to the
27 School Access Safety Fund (fund 3516) only after all
28 funding required by chapter twenty-nine, article
29 twenty-two, section eighteen-a of the Code of West
30 Virginia and the transfer to the General Revenue Fund
31 (fund 7208, org 0705, activity 482) has been satisfied as
32 determined by the Director of the Lottery.

33 The above appropriation for Capitol Complex-Capital
34 Outlay (fund 7208, activity 417) shall be transferred to
35 the Capitol Dome and Capital Improvements Fund
36 (fund 2257) only after all the appropriations for
37 activities 482 and 978 have been satisfied.

38 The above appropriation for Other Post Employee
39 Benefits-Transfer (fund 7208, activity 289) shall be
40 transferred to the Other Post-Employment Benefit
41 Contribution Accumulation Fund (fund 2541, org 0232)
42 only after the above appropriations for activities 482,
43 978 and 417 have been satisfied.

44 The above funds appropriated and directed to be
45 transferred to the West Virginia Health Benefit Trust
46 Fund - Other Post-Employment Benefit Contribution
47 Accumulation Fund (fund 2541, org 0232) shall be
48 treated by the Trust as elective payments (over and
49 above the minimum annual employer payment) made by
50 respective employers in the West Virginia Public
51 Employees Insurance Agency identified in the "PEIA
52 Financial Plan" as "state fund risk pool" employers, for
53 General Revenue Fund-compensated public employees.
54 Such state fund risk pool employers shall be credited by
55 the trust on a pro rata basis for these amounts paid on
56 their behalf toward the annual required contribution as
57 addressed in section six, article sixteen-d, chapter five
58 of the Code of West Virginia.

59 Should the actual revenues accruing to the total State
60 Excess Lottery Revenue Fund be insufficient to fully
61 fund all appropriations, the appropriation to the Other
62 Post Employee Benefits-Transfer (activity 289) shall be
63 reduced to the extent funds are available and the
64 appropriation made in the reduced amount and

65 thereafter transferred to the Other Post-Employment
66 Benefit Contribution Accumulation Fund (fund 2541).

67 The purpose of this supplementary appropriation bill
68 is to supplement and amend by adding language to an
69 item of appropriation in the aforesaid account for the
70 designated spending unit. The funds are for
71 expenditure during the fiscal year two thousand nine
72 with no new money being appropriated.

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

.....*Chandy White*.....
Chairman Senate Committee

.....*[Signature]*.....
Chairman House Committee

Originated in the Senate.

In effect from passage

.....*Harrell Holmes*.....
Clerk of the Senate

.....*Shirley M. Bay*.....
Clerk of the House of Delegates

.....*Earl Ray Kermelin*.....
President of the Senate

.....*[Signature]*.....
Speaker House of Delegates

The within *is appended* this
the *30th* Day of *June*, 2008.

.....*[Signature]*.....
Governor

PRESENTED TO THE
GOVERNOR

JUN 28 2008

Time

1:10 pm