WEST VIRGINIA LEGISLATURE
SEVENTY-EIGHTH LEGISLATURE
SECOND EXTRAORDINARY SESSION, 2008

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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(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
supplemented and amended to read as follows:

**TITLE II—APPROPRIATIONS.**

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

<table>
<thead>
<tr>
<th>Activity</th>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>264</td>
<td>Lottery Commission</td>
<td></td>
</tr>
<tr>
<td>7208 FY</td>
<td>Excess Lottery Revenue</td>
<td></td>
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<tr>
<td></td>
<td>Fund Surplus</td>
<td></td>
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<tr>
<td>0705</td>
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| 1 Capital Outlay-Parks | 288 $                      |
| 2 Other Post Employee  |                            |
| 3 Benefits-Transfer    | 289 46,600,000             |
| 4 Capitol Complex-Capital |                        |
| 5 Outlay               | 417 18,200,000             |
| 6 Unclassified-Transfer| 482 62,900,000             |
| 7 School Access Safety | 978 8,000,000              |
| 8 Total                | $135,700,000               |

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

The above appropriation for School Access Safety (fund 7208, activity 978) shall be transferred to the School Access Safety Fund (fund 3516) only after all funding required by chapter twenty-nine, article twenty-two, section eighteen-a 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.
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 the appropriations for activities 482 and 978 have been satisfied.

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

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

Should the actual revenues accruing to the total State Excess Lottery Revenue Fund be insufficient to fully fund all appropriations, the appropriation to the Other Post Employee Benefits-Transfer (activity 289) shall be reduced to the extent funds are available and the 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.

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 this the 30th Day of __________, 2008.

Governor