

SB 2019

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

FILE  
2008 JUN 30 AM 11:20

**ENROLLED**

**Senate Bill No. 2019**

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

[Passed June 27, 2008; in effect from passage.]

FILE

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OFFICE OF THE  
SECRETARY OF STATE

ENROLLED

## Senate Bill No. 2019

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

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[Passed June 27, 2008; in effect from passage.]

AN ACT making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated balance in the State Fund, General Revenue, to the Department of Administration - Office of the Secretary, fund 0186, fiscal year 2008, organization 0201, to the Department of Administration - Consolidated Public Retirement Board, fund 0195, fiscal year 2008, organization 0205, to the Department of Administration - West Virginia Retiree Health Benefit Trust Fund, fund 0611, fiscal year 2008, organization 0232, to the Department of Commerce - West Virginia Development Office, fund 0256, fiscal year 2008,

organization 0307, to the Department of Commerce - Division of Natural Resources, fund 0265, fiscal year 2008, organization 0310, to the Department of Education - State Department of Education, fund 0313, fiscal year 2008, organization 0402, to the Department of Education and the Arts - Office of the Secretary, fund 0294, fiscal year 2008, organization 0431, to the Department of Environmental Protection - Division of Environmental Protection, fund 0273, fiscal year 2008, organization 0313, to the Department of Health and Human Resources - Division of Health - Central Office, fund 0407, fiscal year 2008, organization 0506, to the Department of Health and Human Resources - Division of Human Services, fund 0403, fiscal year 2008, organization 0511, to the Department of Revenue - Tax Division, fund 0470, fiscal year 2008, organization 0702, and to the Higher Education Policy Commission - Administration - Control Account, fund 0589, fiscal year 2008, organization 0441, by supplementing and amending the appropriations for the fiscal year ending the thirtieth day of June, two thousand eight.

WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue, dated the twenty-fourth day of June, two thousand eight, containing a statement of the State Fund, General Revenue, setting forth therein the cash balance as of the first day of July, two thousand seven, and further included the estimate of revenues for the fiscal year two thousand eight, less net appropriation balances forwarded and regular appropriations for the fiscal year two thousand eight; and

WHEREAS, The Governor, by executive message dated the twenty-fourth day of June, two thousand eight, has revised the revenue estimates for the fiscal year ending the thirtieth day of

June, two thousand eight; and

WHEREAS, It appears from the Governor's Statement of the State Fund - General Revenue and the executive message 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:*

1 That the total appropriation for the fiscal year ending  
2 the thirtieth day of June, two thousand eight, to fund  
3 0155, fiscal year 2008, organization 1600, be  
4 supplemented and amended and by adding a new item  
5 of appropriation as follows:

6 TITLE II—APPROPRIATIONS.

7 Section 1. Appropriations from General Revenue.

8 DEPARTMENT OF ADMINISTRATION

9 18-Department of Administration-

10 Office of the Secretary

11 (WV Code Chapter 5F)

12 Fund 0186, FY 2008, Org 0201.

13			<b>General</b>
14		<b>Act-</b>	<b>Revenue</b>
15		<b>ivity</b>	<b>Funds</b>
16	8a Debt Reduction (R) . . . . .	635	\$23,972,984

17 Any unexpended balance remaining in the  
18 appropriation for Debt Reduction (fund 0186, activity  
19 635) at the close of the fiscal year two thousand eight is  
20 hereby reappropriated for expenditure during the fiscal  
21 year two thousand nine.

22 And that the total appropriation for the fiscal year  
23 ending the thirtieth day of June, two thousand eight, to  
24 fund 0195, fiscal year 2008, organization 0205, be  
25 supplemented and amended by adding a new item of  
26 appropriation as follows:

27 TITLE II—APPROPRIATIONS.

28 Section 1. Appropriations from General Revenue.

29 DEPARTMENT OF ADMINISTRATION

30 19—Consolidated Public Retirement Board

31 (WV Code Chapter 5)

32 Fund 0195, FY 2008, Org 0205.

33			General
34		Act-	Revenue
35		ivity	Funds

36 5 Consolidated Public

37 6 Retirement - Transfer ..... 918 \$25,000,000

38 The above appropriation for Consolidated Public  
39 Retirement -Transfer (fund 0195, activity 918) shall be  
40 transferred to the Consolidated Public Retirement  
41 Board - West Virginia Teachers Retirement System  
42 Employers Accumulation Fund (fund 2601).

43 The appropriation for Consolidated Public Retirement  
44 - Transfer (activity 918) shall be applied toward the  
45 state cost of the Teachers' Defined Contribution  
46 Retirement System plan participants selection to  
47 transfer to the Teachers Retirement System and any  
48 remaining amount of the appropriation in excess of that  
49 which may be required to compensate for the  
50 aforementioned shall go toward the general unfunded  
51 liability of the Teachers Retirement System.

52 And that the total appropriation for the fiscal year  
 53 ending the thirtieth day of June, two thousand eight, to  
 54 fund 0611, fiscal year 2008, organization 0232, be  
 55 supplemented and amended to read as follows:

56 TITLE II—APPROPRIATIONS.

57 Section 1. Appropriations from General Revenue.

58 DEPARTMENT OF ADMINISTRATION

59 *31—West Virginia Retiree Health Benefit Trust Fund*

60 (WV Code Chapter 5)

61 Fund 0611 FY 2008 Org 0232

62				General
63		Act-		Revenue
64		ivity		Funds

65 1 Unclassified -

66 2 Total - Transfer ..... 402 \$39,674,000

67 The above appropriation for Unclassified - Total -  
 68 Transfer (fund 0611, activity 402) shall be transferred to  
 69 the Other Post-Employment Benefit Contribution  
 70 Accumulation Fund (fund 2541, org 0232).

71 The above funds appropriated and directed to be  
 72 transferred to the West Virginia Health Benefit Trust  
 73 Fund - Other Post-Employment Benefit Contribution  
 74 Accumulation Fund (fund 2541, org 0232) shall be  
 75 treated by the trust as elective payments (over and  
 76 above the minimum annual employer payment) made by  
 77 respective employers in the West Virginia Public  
 78 Employees Insurance Agency that are identified in the  
 79 "PEIA Financial Plan" as "state fund risk pool"  
 80 employers, for General Revenue Fund-compensated  
 81 public employees. Such state fund risk pool employers

82 shall be credited by the trust on a pro rata basis for  
 83 these amounts paid on their behalf toward the annual  
 84 required contribution as addressed in section six, article  
 85 sixteen-d, chapter five of the Code of West Virginia.

86 And that the total appropriation for the fiscal year  
 87 ending the thirtieth day of June, two thousand eight, to  
 88 fund 0256, fiscal year 2008, organization 0307, be  
 89 supplemented and amended by adding a new item of  
 90 appropriation and increasing an existing item of  
 91 appropriation as follows:

92 **TITLE II—APPROPRIATIONS.**

93 **Section 1. Appropriations from General Revenue.**

94 **DEPARTMENT OF COMMERCE**

95 *36—West Virginia Development Office*

96 (WV Code Chapter 5B)

97 Fund 0256, FY 2008, Org 0307.

				<b>General</b>
			<b>Act-</b>	<b>Revenue</b>
			<b>ivity</b>	<b>Funds</b>
101	6a Infrastructure Projects (R) . . .	079	\$	150,000
102	35 Local Economic Development			
103	36 Assistance (R) . . . . .	819		2,500,000

104 Any unexpended balance remaining in the  
 105 appropriation for Infrastructure Projects (fund 0256,  
 106 activity 079) at the close of the fiscal year two thousand  
 107 eight is hereby reappropriated for expenditure during  
 108 the fiscal year two thousand nine.

109 And that the total appropriation for the fiscal year  
 110 ending the thirtieth day of June, two thousand eight, to

111 fund 0265, fiscal year 2008, organization 0310, be  
 112 supplemented and amended by adding a new item of  
 113 appropriation as follows:

114 TITLE II—APPROPRIATIONS.

115 Section 1. Appropriations from General Revenue.

116 DEPARTMENT OF COMMERCE

117 38—Division of Natural Resources

118 (WV Code Chapter 20)

119 Fund 0265, FY 2008, Org 0310

120		<b>General</b>
121	<b>Act-</b>	<b>Revenue</b>
122	<b>ivity</b>	<b>Funds</b>

123 8a Land Purchase (R) ..... 761 \$ 5,000,000

124 Any unexpended balance remaining in the  
 125 appropriation for Land Purchase (fund 0265, activity  
 126 761) at the close of the fiscal year two thousand eight is  
 127 hereby reappropriated for expenditure during the fiscal  
 128 year two thousand nine.

129 The above appropriation for Land Purchase (activity  
 130 761) is authorized for expenditure: *Provided*, That by  
 131 the first day of January, two thousand nine, a certified  
 132 appraisal is completed and a letter of intent to purchase  
 133 the land has been issued, as certified by the Secretary of  
 134 the Department of Commerce.

135 And that the total appropriation for the fiscal year  
 136 ending the thirtieth day of June, two thousand eight, to  
 137 fund 0313, fiscal year 2008, organization 0402, be  
 138 supplemented and amended by adding new items of  
 139 appropriation as follows:



140 TITLE II—APPROPRIATIONS.  
 141 Section 1. Appropriations from General Revenue.  
 142 DEPARTMENT OF EDUCATION  
 143 *46—State Department of Education*  
 144 (WV Code Chapters 18 and 18A)  
 145 Fund 0313 FY 2008 Org 0402

				General
			Act-	Revenue
			ivity	Funds
149	7a Transportation . . . . .	154	\$	5,000,000
150	11a Tax Assessment Errors . . . . .	353		100,282

151 And that the total appropriation for the fiscal year  
 152 ending the thirtieth day of June, two thousand eight, to  
 153 fund 0294, fiscal year 2008, organization 0431, be  
 154 supplemented and amended by adding a new item of  
 155 appropriation as follows:

156 TITLE II—APPROPRIATIONS.  
 157 Section 1. Appropriations from General Revenue.  
 158 DEPARTMENT OF EDUCATION AND THE ARTS  
 159 *52—Office of the Secretary*  
 160 (WV Code Chapter 5F)  
 161 Fund 0294 FY 2008 Org 0431

				General
			Act-	Revenue
			ivity	Funds
165	4a Digital Conversion (R) . . . . .	247	\$	800,000
166	Any unexpended balance remaining in the			

167 appropriation for Digital Conversion (fund 0294,  
168 activity 247) at the close of the fiscal year two thousand  
169 eight is hereby reappropriated for expenditure during  
170 the fiscal year two thousand nine.

171 And that the total appropriation for the fiscal year  
172 ending the thirtieth day of June, two thousand eight, to  
173 fund 0273, fiscal year 2008, organization 0313, be  
174 supplemented and amended to read as follows:

175 TITLE II—APPROPRIATIONS.  
176 Section 1. Appropriations from General Revenue.  
177 DEPARTMENT OF ENVIRONMENTAL  
178 PROTECTION  
179 *58—Division of Environmental Protection*  
180 (WV Code Chapter 22)  
181 Fund 0273, FY 2008, Org 0313.

		Act-	General
		ivity	Revenue
			Funds
185	1 Personal Services .....	001	\$ 3,574,292
186	2 Annual Increment .....	004	57,846
187	3 Employee Benefits .....	010	1,222,702
188	4 Unclassified .....	099	844,613
189	5 Dam Safety .....	607	207,105
190	6 West Virginia Stream		
191	7 Partners Program .....	637	77,396
192	8 WV Contribution to River		
193	9 Commissions .....	776	148,485
194	10 Efficiency Savings .....	799	0
195	11 Office of Water Resources		
196	12 Nonenforcement Activity ..	855	1,141,267

197	13	BRIM Premium .....	913	56,802
198	14	Welch DEP Office Continuing		
199	15	Operation .....	993	<u>79,115</u>
200	16	Total .....		\$ 7,409,623

201 From the above appropriations (fund 0273,  
 202 organization 0313) an amount not to exceed \$350,000  
 203 may be transferred to the Dam Safety Rehabilitation  
 204 Revolving Fund (fund 3025).

205 And that the total appropriation for the fiscal year  
 206 ending the thirtieth day of June, two thousand eight, to  
 207 fund 0407, fiscal year 2008, organization 0506, be  
 208 supplemented and amended by increasing an existing  
 209 item of appropriation as follows:

210 TITLE II—APPROPRIATIONS.

211 Section 1. Appropriations from General Revenue.

212 DEPARTMENT OF HEALTH AND HUMAN

213 RESOURCES

214 61—Division of Health-

215 Central Office

216 (WV Code Chapter 16)

217 Fund 0407, FY 2008, Org 0506.

218			<b>General</b>
219		<b>Act-</b>	<b>Revenue</b>
220		<b>ivity</b>	<b>Funds</b>

221 27 Maternal and Child Health

222 28 Clinics, Clinicians and Medical

223 29 Contracts and Fees (R) . . . . 575 \$ 1,008,354

224 Any unexpended balances remaining in the

225 appropriations for Emergency Response Entities -  
 226 Special Projects (fund 0407, activity 822) and Antiviral  
 227 Vaccine Purchases (fund 0407, activity 955) at the close  
 228 of the fiscal year two thousand eight are hereby  
 229 reappropriated for expenditure during the fiscal year  
 230 two thousand nine.

231 And that the total appropriation for the fiscal year  
 232 ending the thirtieth day of June, two thousand eight, to  
 233 fund 0403, fiscal year 2008, organization 0511, be  
 234 supplemented and amended by increasing an existing  
 235 item of appropriation as follows:

236 TITLE II—APPROPRIATIONS.

237 Section 1. Appropriations from General Revenue.

238 DEPARTMENT OF HEALTH AND HUMAN

239 RESOURCES

240 65—*Division of Human Services*

241 (WV Code Chapters 9, 48 and 49)

242 Fund 0403, FY 2008, Org 0511

243		<b>General</b>
244	<b>Act-</b>	<b>Revenue</b>
245	<b>ivity</b>	<b>Funds</b>

246 31 Grants for Licensed Domestic

247 32 Violence Programs and

248 33 Statewide Prevention (R) .. 750 \$ 1,000,000

249 Any unexpended balance remaining in the  
 250 appropriation for Grants for Licensed Domestic  
 251 Violence Programs and Statewide Prevention (fund  
 252 0403, activity 750) at the close of the fiscal year two  
 253 thousand eight is hereby reappropriated for expenditure

254 during the fiscal year two thousand nine.

255 And that the total appropriation for the fiscal year  
256 ending the thirtieth day of June, two thousand eight, to  
257 fund 0470, fiscal year 2008, organization 0702, be  
258 supplemented and amended by increasing an existing  
259 item of appropriation and adding a new item of  
260 appropriation as follows:

261 TITLE II—APPROPRIATIONS.

262 Section 1. Appropriations from General Revenue.

263 DEPARTMENT OF REVENUE

264 *81-Tax Division*

265 (WV Code Chapter 11)

266 Fund 0470, FY 2008, Org 0702.

267			General
268		Act-	Revenue
269		ivity	Funds
270	4 Unclassified (R) . . . . .	099	\$ 1,300,000
271	4a Unclassified - Transfer . . . . .	482	40,000,000

272 The above appropriation for Unclassified - Transfer  
273 (fund 0470, activity 482) shall be transferred to the  
274 Motor Fuel Excise Tax Shortfall Reserve Fund.

275 And that the total appropriation for the fiscal year  
276 ending the thirtieth day of June, two thousand eight, to  
277 fund 0589, fiscal year 2008, organization 0441, be  
278 supplemented and amended by increasing an existing  
279 item of appropriation as follows:

280 TITLE II—APPROPRIATIONS.

281 Section 1. Appropriations from General Revenue.

282

**HIGHER EDUCATION**

283

*90-Higher Education Policy Commission-*

284

*Administration-*

285

*Control Account*

286

(WV Code Chapter 18B)

287

Fund 0589 FY 2008 Org 0441

288

**General**

289

**Act-****Revenue**

290

**ivity****Funds**

291

6 PROMISE Scholarship -

292

7 Transfer ..... 800 \$1,445,000

293

The purpose of this supplemental appropriation bill is

294

to supplement, amend, increase and add items of

295

appropriations in the aforesaid accounts for the

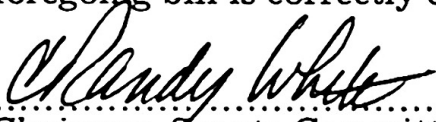
296

designated spending units for expenditure during the

297

fiscal year two thousand eight.


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

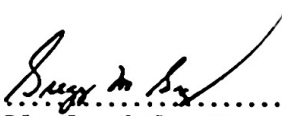
  
.....  
Chairman Senate Committee

  
.....  
Chairman House Committee

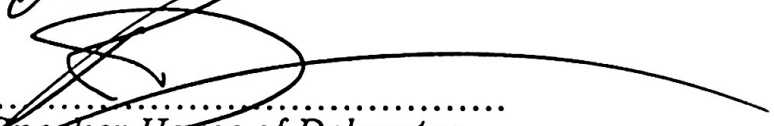
Originated in the Senate.

In effect from passage

  
.....  
Clerk of the Senate

  
.....  
Clerk of the House of Delegates

  
.....  
President of the Senate

  
.....  
Speaker House of Delegates

The within as approved ..... this  
the 30th Day of June ....., 2008.

  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

JUN 28 2008

Time 1:10 pm