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

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.]
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Senate Bill No. 2019

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

[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 the thirtieth day of June, two thousand eight, to fund 0155, fiscal year 2008, organization 1600, be supplemented and amended and by adding a new item of appropriation as follows:

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>8a Debt Reduction (R)</td>
<td>$23,972,984</td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the appropriation for Debt Reduction (fund 0186, activity 635) at the close of the fiscal year two thousand eight is hereby reappropriated for expenditure during the fiscal year two thousand nine.
And that the total appropriation for the fiscal year
ending the thirtieth day of June, two thousand eight, to
fund 0195, fiscal year 2008, organization 0205, be
supplemented and amended by adding a new item of
appropriation as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION
19—Consolidated Public Retirement Board
(WV Code Chapter 5)
Fund 0195, FY 2008, Org 0205.

General

Activity

Revenue

Funds

5 Consolidated Public
6 Retirement - Transfer ...... 918 $25,000,000

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

The appropriation for Consolidated Public Retirement
- Transfer (activity 918) shall be applied toward the
state cost of the Teachers' Defined Contribution
Retirement System plan participants selection to
transfer to the Teachers Retirement System and any
remaining amount of the appropriation in excess of that
which may be required to compensate for the
aforementioned shall go toward the general unfunded
liability of the Teachers Retirement System.
And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand eight, to fund 0611, fiscal year 2008, organization 0232, be supplemented and amended to read as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION

31-West Virginia Retiree Health Benefit Trust Fund
(WV Code Chapter 5)

Fund 0611 FY 2008 Org 0232

<table>
<thead>
<tr>
<th>General Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified -</td>
<td></td>
</tr>
<tr>
<td>Total - Transfer</td>
<td>$39,674,000</td>
</tr>
</tbody>
</table>

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

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 that are 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.

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

TITLE II—APPROPRIATIONS.
Section 1. Appropriations from General Revenue.
DEPARTMENT OF COMMERCE
36-West Virginia Development Office
(WV Code Chapter 5B)
Fund 0256 FY 2008 Org 0307

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>6a Infrastructure Projects (R)</td>
<td>079 $ 150,000</td>
</tr>
<tr>
<td>35 Local Economic Development</td>
<td></td>
</tr>
<tr>
<td>36 Assistance (R)</td>
<td>819 $ 2,500,000</td>
</tr>
</tbody>
</table>

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

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand eight, to
TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF COMMERCE

38—Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2008 Org 0310

General

Activity

Revenue

Funds

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

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

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

And that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand eight, to fund 0313, fiscal year 2008, organization 0402, be supplemented and amended by adding new items of appropriation as follows:
TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION

46—State Department of Education

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2008 Org 0402

<table>
<thead>
<tr>
<th>General</th>
<th>Activity</th>
<th>Revenue</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>7a Transportation</td>
<td>154</td>
<td>$5,000,000</td>
<td></td>
</tr>
<tr>
<td>11a Tax Assessment Errors</td>
<td>353</td>
<td>100,282</td>
<td></td>
</tr>
</tbody>
</table>

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

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION AND THE ARTS

52—Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2008 Org 0431

<table>
<thead>
<tr>
<th>General</th>
<th>Activity</th>
<th>Revenue</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>4a Digital Conversion (R)</td>
<td>247</td>
<td>$800,000</td>
<td></td>
</tr>
</tbody>
</table>

Any unexpended balance remaining in the
appropriation for Digital Conversion (fund 0294, activity 247) at the close of the fiscal year two thousand eight is hereby reappropriated for expenditure during the fiscal year two thousand nine.

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

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

58—Division of Environmental Protection
(WV Code Chapter 22)

Fund 0273 FY 2008 Org 0313

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>$3,574,292</td>
</tr>
<tr>
<td>004</td>
<td>57,846</td>
</tr>
<tr>
<td>010</td>
<td>1,222,702</td>
</tr>
<tr>
<td>099</td>
<td>844,613</td>
</tr>
<tr>
<td>607</td>
<td>207,105</td>
</tr>
<tr>
<td>637</td>
<td>77,396</td>
</tr>
<tr>
<td>776</td>
<td>148,485</td>
</tr>
<tr>
<td>799</td>
<td>0</td>
</tr>
<tr>
<td>855</td>
<td>1,141,267</td>
</tr>
</tbody>
</table>
From the above appropriations (fund 0273, organization 0313) an amount not to exceed $350,000 may be transferred to the Dam Safety Rehabilitation Revolving Fund (fund 3025).

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

**TITLE II—APPROPRIATIONS.**

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

**DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

**61—Division of Health-Central Office**

(WV Code Chapter 16)

Fund 0407 FY 2008 Org 0506

<table>
<thead>
<tr>
<th>General Activity Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maternal and Child Health</td>
</tr>
<tr>
<td>Clinics, Clinicians and Medical</td>
</tr>
<tr>
<td>Contracts and Fees (R)</td>
</tr>
</tbody>
</table>

Any unexpended balances remaining in the
appropriations for Emergency Response Entities - Special Projects (fund 0407, activity 822) and Antiviral Vaccine Purchases (fund 0407, activity 955) at the close of the fiscal year two thousand eight are hereby reappropriated for expenditure during the fiscal year two thousand nine.

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

TITLE II—APPROPRIATIONS.
Section 1. Appropriations from General Revenue.
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
65-Division of Human Services
(WV Code Chapters 9, 48 and 49)
Fund 0403 FY 2008 Org 0511

31 Grants for Licensed Domestic Violence Programs and
32 Statewide Prevention (R) . . 750 $ 1,000,000

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

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

**TITLE II—APPROPRIATIONS.**

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

**DEPARTMENT OF REVENUE**

81-Tax Division

(WV Code Chapter 11)

**Fund 0470 FY 2008 Org 0702**

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Unclassified (R) ...........</td>
</tr>
<tr>
<td>4a</td>
<td>Unclassified - Transfer ......</td>
</tr>
</tbody>
</table>

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

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

**TITLE II—APPROPRIATIONS.**

**Section 1. Appropriations from General Revenue.**
HIGHER EDUCATION

90-Higher Education Policy Commission-
Administration-
Control Account
(WV Code Chapter 18B)
Fund 0589 FY 2008 Org 0441

6 PROMISE Scholarship -
7 Transfer ................. 800 $1,445,000

The purpose of this supplemental appropriation bill is to supplement, amend, increase and add items of appropriations 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 this 30th Day of _________________, 2008.

Governor