

SB 403

FILED

2009 MAR 23 PM 12:02

**WEST VIRGINIA LEGISLATURE**  
SEVENTY-NINTH LEGISLATURE  
REGULAR SESSION, 2009

SECRETARY OF STATE



**ENROLLED**

**Senate Bill No. 403**

(BY SENATORS HELMICK, McCABE, CHAFIN, EDGELL,  
D. FACEMIRE, FANNING, GREEN, PREZIOSO, WHITE,  
BOLEY, K. FACEMYER AND SYPOLT)

[Passed March 11, 2009; in effect from passage.]

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(BY SENATORS HELMICK, MCCABE, CHAFIN, EDGELL,  
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AN ACT supplementing, amending, decreasing and increasing items of the existing appropriations from the State Road Fund to the Department of Transportation, Division of Highways, fund 9017, fiscal year 2009, organization 0803, for the fiscal year ending June 30, 2009, by supplementing and amending the appropriations for the fiscal year ending June 30, 2009.

WHEREAS, The Governor submitted to the Legislature the Executive Budget Document, dated February 11, 2009, which included the statement of the State Road Fund setting forth therein the cash balances and investments as of July 1, 2008, and further included the estimate of revenues for the fiscal year 2009, less net appropriation balances forwarded and regular appropriations for the fiscal year 2009; and

WHEREAS, It thus appears from the Governor's Executive Budget Document, statement of the State Road Fund, there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2009; therefore

*Be it enacted by the Legislature of West Virginia:*

1 That the items of the total appropriation from the State  
 2 Road Fund, fund 9017, fiscal year 2009, organization 0803,  
 3 be supplemented and amended to read as follows:

4 TITLE II-APPROPRIATIONS.

5 Sec. 2. Appropriations from State Road Fund.

6 DEPARTMENT OF TRANSPORTATION

7 93-Division of Highways

8 (WV Code Chapters 17 and 17C)

9 Fund 9017 FY 2009 Org 0803.

		<b>Act-</b>	<b>State</b>
		<b>ivity</b>	<b>Road</b>
			<b>Fund</b>
13 1	Debt Service . . . . .	040	\$ 50,000,000
14 2	Maintenance . . . . .	237	326,769,000
15 3	Maintenance, Contract		
16 4	Paving and Secondary		
17 5	Road Maintenance . . . . .	272	113,000,000
18 6	Bridge Repair and		
19 7	Replacement . . . . .	273	46,000,000
20 8	Inventory Revolving . . . . .	275	4,000,000
21 9	Equipment Revolving . . . . .	276	20,000,000
22 10	General Operations . . . . .	277	46,371,000
23 11	Interstate Construction . . . . .	278	134,000,000
24 12	Other Federal Aid Programs . .	279	339,700,000
25 13	Appalachian Programs . . . . .	280	114,078,000
26 14	Nonfederal Aid Construction .	281	45,000,000

27	15	Highway Litter Control . . . . .	282	1,699,000
28	16	Federal Economic Stimulus . . . . .	891	<u>\$ 40,000,000</u>
29		Total . . . . .		\$ 1,280,617,000

30 The above appropriations are to be expended in accor-  
 31 dance with the provisions of chapters seventeen and  
 32 seventeen-c of the Code of West Virginia.

33 The Commissioner of Highways shall have the author-  
 34 ity to operate revolving funds within the State Road Fund  
 35 for the operation and purchase of various types of equip-  
 36 ment used directly and indirectly in the construction and  
 37 maintenance of roads and for the purchase of inventories  
 38 and materials and supplies.

39 There is hereby appropriated within the above items  
 40 sufficient money for the payment of claims, accrued or  
 41 arising during this budgetary period, to be paid in accor-  
 42 dance with sections seventeen and eighteen, article two,  
 43 chapter fourteen of the Code of West Virginia.

44 It is the intent of the Legislature to capture and match  
 45 all federal funds available for expenditure on the Appala-  
 46 chian Highway System at the earliest possible time.  
 47 Therefore, should amounts in excess of those appropriated  
 48 be required for the purposes of Appalachian programs,  
 49 funds in excess of the amount appropriated may be made  
 50 available upon recommendation of the commissioner and  
 51 approval of the Governor. Further, for the purpose of  
 52 Appalachian programs, funds appropriated to line items  
 53 may be transferred to other line items upon recommenda-  
 54 tion of the commissioner and approval of the Governor.

55 The purpose of this supplemental appropriation bill is  
 56 to supplement, amend, decrease, increase and add items of  
 57 appropriation in the aforesaid account for the designated  
 58 spending unit for expenditure during the fiscal year  
 59 ending June 30, 2009.

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.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

.....  
Speaker House of Delegates

The within *as appended* this the *23rd*  
Day of *March*, 2009.

.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 18 2009

Time 10:00 am