

FILED

2010 MAY 24 PM 5:50

**WEST VIRGINIA LEGISLATURE**  
**SEVENTY-NINTH LEGISLATURE**  
**FIRST EXTRAORDINARY SESSION, 2010**

OFFICE WEST VIRGINIA  
SECRETARY OF STATE

—●—  
**ENROLLED**

**Senate Bill No. 1018**

(BY SENATOR TOMBLIN (MR. PRESIDENT),  
BY REQUEST OF THE EXECUTIVE)

[Passed May 18, 2010; in effect from passage.]

SB 1018

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## **Senate Bill No. 1018**

(BY SENATOR TOMBLIN (MR. PRESIDENT),  
BY REQUEST OF THE EXECUTIVE)

[Passed May 18, 2010; 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 2010, organization 0705, to the Division of Finance, fund 2208, fiscal year 2010, organization 0209, to a new item of appropriation designated to the Public Defender Services, fund 2422, fiscal year 2010, organization 0221, and to the Division of Corrections - Correctional Units, fund 6283, fiscal year 2010, organization 0608, by supplementing and amending Chapter 10, Acts of the Legislature, Regular Session, 2009, known as the Budget Bill.

WHEREAS, The Governor submitted to the Legislature the Executive Budget Document, dated January 13, 2010, containing a Statement of the State Excess Lottery Revenue Fund, setting forth therein the cash balance as of the first day of July 1, 2009, and further included the estimate of revenue for the fiscal year 2010, less regular appropriations for the fiscal year 2010; and

WHEREAS, It appears from the Governor’s Statement of the State Excess Lottery Revenue Fund there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2010; therefore

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

That the total appropriation for the fiscal year ending June 30, 2010, to fund 7208, fiscal year 2010, organization 0705, be supplemented and amended to hereafter read as follows:

1 TITLE II–APPROPRIATIONS.

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

4 *268–Lottery Commission -*  
 5 *Excess Lottery Revenue Fund Surplus*

6 Fund 7208, FY 2010, Org 0705.

7	8	<b>Act-</b>	<b>Lottery</b>
9	10	<b>ivity</b>	<b>Funds</b>
11 1	Teachers’ Retirement Savings		
12 2	Realized .....	095	\$ 6,688,000
13 3	Other Post Employee		
14 4	Benefits-Transfer .....	289	0
15 5	Unclassified - Transfer .....	482	64,900,000
16 6	School Access Safety .....	978	<u>0</u>
17 6	Total .....		\$ 71,588,000

16 From the above appropriation for Unclassified - Trans-  
 17 fer (fund 7208, activity 482) \$62,900,000 shall be trans-  
 18 ferred to the General Revenue Fund and \$2,000,000 shall  
 19 be transferred to the Underground Storage Tank Insur-  
 20 ance Fund (fund 3218, org 0313).

21 The above appropriation for Teachers’ Retirement  
 22 Savings Realized (fund 7208, activity 095) shall be trans-

23 ferred to the Employee Pension and Health Care Benefit  
24 Fund (fund 2044, org 0201).

25 And, That the total appropriation for the fiscal year  
26 ending June 30, 2010, to fund 2208, fiscal year 2010,  
27 organization 0209, be supplemented and amended by  
28 increasing an existing item of appropriation as follows:

29 TITLE II-APPROPRIATIONS.

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

32 *271-Division of Finance*

33 Fund 2208 FY 2010 Org 0209

34 1 Enterprise Resource Planning  
35 2 System Planning Project . . . 087 \$25,000,000

36 And, That Chapter 10, Acts of the Legislature, Regular  
37 Session, 2009, known as the Budget Bill, be supplemented  
38 and amended by adding to Title II, section 5 thereof, the  
39 following:

40 TITLE II-APPROPRIATIONS.

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

43 *271a-Public Defender Services*

44 (WV Code Chapter 29)

45 Fund 2422 FY 2010 Org 0221

46 1 Appointed Counsel Fees (R) . . . . 788 \$ 11,000,000

47 Any unexpended balance remaining in the appropriation  
48 for Appointed Counsel Fees (fund 2422, activity 788) at the  
49 close of the fiscal year 2010 is hereby reappropriated for  
50 expenditure during the fiscal year 2011.

51 And, That the total appropriation for the fiscal year  
52 ending June 30, 2010, to fund 6283, fiscal year 2010,  
53 organization 0608, be supplemented and amended by  
54 adding a new item of appropriation as follows:

55 TITLE II-APPROPRIATIONS.

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

58 *278-Division of Corrections -*  
59 *Correctional Units*

60 (WV Code Chapters 25, 28, 49 and 62)

61 Fund 6283, FY 2010, Org 0608,

62 1 Capital Outlay and  
63 Maintenance (R) . . . . . 755 \$ 5,375,000

64 The purpose of this supplementary appropriation bill is  
65 to supplement, amend, add a new item and increase  
66 existing items of appropriation in the aforesaid accounts  
67 for the designated spending units for expenditure during  
68 the fiscal year 2010.

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

*[Signature]*  
.....  
Chairman Senate Committee

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

Originated in the Senate.

In effect from passage.

*[Signature]*  
.....  
Clerk of the Senate

*[Signature]*  
.....  
Clerk of the House of Delegates

*[Signature]*  
.....  
President of the Senate

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

The within *is appended* ..... this the *24th*  
Day of *May* ....., 2010.

*[Signature]*  
.....  
Governor

PRESENTED TO THE  
GOVERNOR

MAY 24 2010

Time 4:10 pm