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

ENROLLED

Senate Bill No. 1024

(By Senator Tomblin (Mr. President),
By Request of the Executive)

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

Senate Bill No. 1024

(By Senator Tomblin (Mr. President),
By Request of the Executive)

(Passed May 18, 2010; 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 Senate, fund 0165, fiscal year 2011, organization 2100, to the House of Delegates, fund 0170, fiscal year 2011, organization 2200, to Joint Expenses, fund 0175, fiscal year 2011, organization 2300, to a new item of appropriation designated to the Department of Administration - Travel Management, fund 0615, fiscal year 2011, organization 0215, to the Department of Administration - Real Estate Division, fund 0610, fiscal year 2011, organization 0233, to the Department of Commerce - West Virginia Development Office, fund 0256, fiscal year 2011, organization 0307, to the Department of Education - State Department of Education, fund 0313, fiscal year 2011, organization 0402, to the Department of Education - State Board of Education - Vocational Division, fund 0390, fiscal year 2011, organization 0402, to the Department of Education and the Arts - Department of Education and the Arts -
Office of the Secretary, fund 0294, fiscal year 2011, organization 0431, to the Department of Education and the Arts - Division of Culture and History, fund 0293, fiscal year 2011, organization 0432, to the Department of Education and the Arts - Library Commission, fund 0296, fiscal year 2011, organization 0433, to the Department of Health and Human Resources - Division of Health - Central Office, fund 0407, fiscal year 2011, organization 0506, to the Department of Health and Human Resources - Division of Human Services, fund 0403, fiscal year 2011, organization 0511, to the Department of Military Affairs and Public Safety - Department of Military Affairs and Public Safety - Office of the Secretary, fund 0430, fiscal year 2011, organization 0601, to the Department of Military Affairs and Public Safety - West Virginia State Police, fund 0453, fiscal year 2011, organization 0612, and to Higher Education - Higher Education Policy Commission - Administration - Control Account, fund 0589, fiscal year 2011, organization 0441, by supplementing and amending Chapter 8, Acts of the Legislature, Regular Session, 2010, known as the Budget Bill.

WHEREAS, The Governor submitted to the Legislature a statement of the State Fund, General Revenue, dated May 13, 2010, setting forth therein the cash balance as of July 1, 2009 and further included the estimate of revenues for the fiscal year 2010, less net appropriation balances forwarded and regular appropriations for the fiscal year 2010, and an estimate of revenues for the fiscal year 2011, less regular appropriations; and

WHEREAS, It appears from the Governor’s statement of the State Fund - General Revenue there now remains an unappropriated balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2011; therefore

Be it enacted by the Legislature of West Virginia:
That the total appropriation for the fiscal year ending June 30, 2011, to fund 0165, fiscal year 2011, organization 2100, be supplemented and amended to read as follows:

1. TITLE II—APPROPRIATIONS.

2. Section 1. Appropriations from General Revenue.

   LEGISLATIVE

   1-Senate

   Fund 0165 FY 2011 Org 2100

   General Revenue Funds

<table>
<thead>
<tr>
<th>Activity</th>
<th>Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>003</td>
<td>$1,010,000</td>
</tr>
<tr>
<td>005</td>
<td>$3,003,210</td>
</tr>
<tr>
<td>010</td>
<td>$597,712</td>
</tr>
<tr>
<td>021</td>
<td>$561,392</td>
</tr>
<tr>
<td>064</td>
<td>$210,410</td>
</tr>
<tr>
<td>101</td>
<td>$40,000</td>
</tr>
<tr>
<td>102</td>
<td>$150,000</td>
</tr>
<tr>
<td>103</td>
<td>$150,000</td>
</tr>
<tr>
<td>399</td>
<td>$700,000</td>
</tr>
<tr>
<td>913</td>
<td>$29,482</td>
</tr>
<tr>
<td>913</td>
<td>$29,482</td>
</tr>
</tbody>
</table>

22. The appropriations for the Senate for the fiscal year 2010 are to remain in full force and effect and are hereby reappropriated to June 30, 2011 with the exception of fund 0165, fiscal year 2010, activity 005 ($230,921) which shall expire on June 30, 2010. Any balances so reappropriated may be transferred and credited to the fiscal year 2011 accounts.
Upon the written request of the Clerk of the Senate, the auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the Senate, with the approval of the President, is authorized to draw his or her requisitions upon the auditor, payable out of the Current Expenses and Contingent Fund of the Senate, for any bills for supplies and services that may have been incurred by the Senate and not included in the appropriation bill, for supplies and services incurred in preparation for the opening, the conduct of the business and after adjournment of any regular or extraordinary session, and for the necessary operation of the Senate offices, the requisitions for which are to be accompanied by bills to be filed with the auditor.

The Clerk of the Senate, with the written approval of the President, or the President of the Senate shall have authority to employ such staff personnel during any session of the Legislature as shall be needed in addition to staff personnel authorized by the Senate resolution adopted during any such session. The Clerk of the Senate, with the written approval of the President, or the President of the Senate shall have authority to employ such staff personnel between sessions of the Legislature as shall be needed, the compensation of all staff personnel during and between sessions of the Legislature, notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is hereby authorized to draw his or her requisitions upon the auditor for the payment of all such staff personnel for such services, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly salary as provided.
by the Senate resolution, unless increased between sessions under the authority of the President, payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the Senate.

The distribution of the blue book shall be by the office of the Clerk of the Senate and shall include seventy-five copies for each member of the Legislature and two copies for each classified and approved high school and junior high or middle school and one copy for each elementary school within the state.

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0170, fiscal year 2011, organization 2200, be supplemented and amended to read as follows:

**TITLE II—APPROPRIATIONS.**

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

**LEGISLATIVE**

2-House of Delegates

Fund 0170 FY 2011, Org 2200

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>003 Compensation of Members (R)</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>005 Compensation and Per Diem of Officer and Employees (R)</td>
<td>700,000</td>
</tr>
<tr>
<td>021 Contingent Fund (R)</td>
<td>$3,954,031</td>
</tr>
<tr>
<td>399 Expenses of Members (R)</td>
<td>$1,700,000</td>
</tr>
<tr>
<td>913 BRIM Premium</td>
<td>$50,000</td>
</tr>
<tr>
<td>Total</td>
<td>$9,404,031</td>
</tr>
</tbody>
</table>
The appropriations for the House of Delegates for the fiscal year 2010 are to remain in full force and effect and are hereby reappropriated to June 30, 2011 with the exception of fund 0170, fiscal year 2010, activity 021 ($336,565) which shall expire on June 30, 2010. Any balances so reappropriated may be transferred and credited to the fiscal year 2011 accounts.

Upon the written request of the Clerk of the House of Delegates, the auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to draw his or her requisitions upon the auditor, payable out of the Current Expenses and Contingent Fund of the House of Delegates, for any bills for supplies and services that may have been incurred by the House of Delegates and not included in the appropriation bill, for bills for services and supplies incurred in preparation for the opening of the session and after adjournment, and for the necessary operation of the House of Delegates' offices, the requisitions for which are to be accompanied by bills to be filed with the auditor.

The Speaker of the House of Delegates, upon approval of the House committee on rules, shall have authority to employ such staff personnel during and between sessions of the Legislature as shall be needed, in addition to personnel designated in the House resolution, and the compensation of all personnel shall be as fixed in such House resolution for the session, or fixed by the Speaker, with the approval of the House committee on rules, during and between sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of Delegates is hereby authorized to draw requisitions upon the auditor for such services, payable out of the appropriation for the Compensation and Per Diem of Officers and
Employees or Current Expenses and Contingent Fund of the House of Delegates.

For duties imposed by law and by the House of Delegates, including salary allowed by law as keeper of the rolls, the Clerk of the House of Delegates shall be paid a monthly salary as provided in the House resolution, unless increased between sessions under the authority of the Speaker, with the approval of the House committee on rules, and payable out of the appropriation for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent Fund of the House of Delegates.

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0175, fiscal year 2011, organization 2300, be supplemented and amended to read as follows:

**TITLE II—APPROPRIATIONS.**

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

**LEGISLATIVE**

3-Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2011 Org 2300

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Joint Committee on Government</td>
<td>$6,758,015</td>
</tr>
<tr>
<td>2 and Finance (R)</td>
<td>$760,000</td>
</tr>
<tr>
<td>3 Legislative Printing (R)</td>
<td>147,250</td>
</tr>
<tr>
<td>4 Legislative Rule-Making</td>
<td>902,500</td>
</tr>
<tr>
<td>5 Review Committee (R)</td>
<td></td>
</tr>
<tr>
<td>6 Legislative Computer</td>
<td></td>
</tr>
</tbody>
</table>
The appropriations for the joint expenses for the fiscal year 2010 are to remain in full force and effect and are hereby reappropriated to June 30, 2011 with the exception of fund 0175, fiscal year 2010, activity 104 ($310,375) which shall expire on June 30, 2010. Any balances so reappropriated may be transferred and credited to the fiscal year 2011 accounts.

Upon the written request of the Clerk of the Senate, with the approval of the President of the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the House of Delegates, and a copy to the Legislative Auditor, the auditor shall transfer amounts between items of the total appropriation in order to protect or increase the efficiency of the service.

The appropriation for the Tax Reduction and Federal Funding Increased Compliance (TRAFFIC) (fund 0175, activity 642) is intended for possible general state tax reductions or the offsetting of any reductions in federal funding for state programs.

And, That chapter 8, Acts of the Legislature, regular session, 2010, known as the Budget Bill, be supplemented and amended by adding to Title II, section 1 thereof, the following:

TITLE II–APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION

22a–Travel Management

(WV Code Chapter 5A)
And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0610, fiscal year 2011, organization 0233, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II–APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ADMINISTRATION

31–Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2011 Org 0233.

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0256, fiscal year 2011, organization 0307, be supplemented and amended by adding a new item and increasing an existing item of appropriation as follows:

TITLE II–APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF COMMERCE
Enr. S. B. No. 1024] 10

220 35–West Virginia Development Office
221 (WV Code Chapter 5B)
222 Fund 0256 FY 2011, Org 0307.

223 General
224 Activity
225 Revenue

226 7 Unclassified – Total .......... 099 $ 300,000
227 43a 4-H Camp Improvements .... 941 650,000

And, That the total appropriation for the fiscal year
ending June 30, 2011, to fund 0313, fiscal year 2011,
organization 0402, be supplemented and amended by
increasing an existing item of appropriation as follows:

SECTION 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION

46–State Board of Education–

(WV Code Chapters 18 and 18A)

Fund 0313 FY 2011, Org 0402.

238 General
239 Activity
240 Revenue

241 19 English as a Second
242 Language ...................... 528 $ 350,000

And, That the total appropriation for the fiscal year
ending June 30, 2011, to fund 0390, fiscal year 2011,
organization 0402, be supplemented and amended by
increasing an existing item of appropriation as follows:

TITLE II–APPROPRIATIONS.
Section 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION

49–State Board of Education–Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2011 Org 0402

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 GED Testing (R)</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0294, fiscal year 2011, organization 0431, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II–APPROPRIATIONS.

DEPARTMENT OF EDUCATION AND THE ARTS

52–Department of Education and the Arts–Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2011 Org 0431

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Unclassified (R)</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0293, fiscal year 2011,
Enr. S. B. No. 1024] 12

organization 0432, be supplemented and amended by increasing an existing item of appropriation as follows:

**TITLE II–APPROPRIATIONS.**

Section 1. Appropriations from General Revenue.

DEPARTMENT OF EDUCATION AND THE ARTS

53-Division of Culture and History

(WV Code Chapter 29)

Fund 0293, FY 2011 Org 0432

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>Unclassified (R)</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0296, fiscal year 2011, organization 0433, 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

54-Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2011 Org 0433

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>5a</td>
<td>Grants to Public Libraries</td>
</tr>
</tbody>
</table>
And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0407, fiscal year 2011, 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 2011 Org 0506

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Right Free Clinics</td>
<td>727 $ 750,000</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0403, fiscal year 2011, organization 0511, be supplemented and amended by increasing existing items 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 2011 Org 0511
From the above appropriation for Unclassified (fund 0403, activity 099), up to $200,000 is for an At-Risk Youth Program which may only be used to match the Federal Promise Neighborhood Grant Program.

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0430, fiscal year 2011, organization 0601, be supplemented and amended by adding a new item of appropriation as follows:

### Title II—Appropriations

#### Section 1. Appropriations from General Revenue.

**DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY**

66-Department of Military Affairs and Public Safety-
Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2011 Org 0601

<table>
<thead>
<tr>
<th>Fund</th>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>0430</td>
<td>0601</td>
<td></td>
</tr>
<tr>
<td>3a</td>
<td>WV Fire and EMS</td>
<td>Survivor Benefit (R)</td>
</tr>
</tbody>
</table>
And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0453, fiscal year 2011, organization 0612, be supplemented and amended by increasing existing items of appropriation as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT MILITARY AFFAIRS
AND PUBLIC SAFETY

73-West Virginia State Police
(WV Code Chapter 15)

Fund 0453 FY 2011 Org 0612.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Funds</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>$ 670,152</td>
</tr>
<tr>
<td>010</td>
<td>152,404</td>
</tr>
<tr>
<td>099</td>
<td>200,404</td>
</tr>
<tr>
<td>451</td>
<td>365,400</td>
</tr>
<tr>
<td>558</td>
<td>391,104</td>
</tr>
<tr>
<td>605</td>
<td>126,538</td>
</tr>
</tbody>
</table>

And, That the total appropriation for the fiscal year ending June 30, 2011, to fund 0589, fiscal year 2011, 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

91—Higher Education Policy Commission—
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 2011.
[Enr. S. B. No. 1024]

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 was approved this the 26th Day of May, 2010.

Governor
PRESENTED TO THE GOVERNOR

MAY 24 2010

Time 4:10 PM