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WEST VIRGINIA LEGISLATURE
EIGHTIETH LEGISLATURE
REGULAR SESSION, 2012

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

—●—
ENROLLED

Senate Bill No. 678

(BY SENATORS PREZIOSO, D. FACEMIRE, CHAFIN, EDGELL,
GREEN, HELMICK, LAIRD, McCABE, MILLER, PLYMALE,
STOLLINGS, UNGER, WELLS, YOST, BOLEY, HALL AND SYPOLT)

[PASSED MARCH 10, 2012; IN EFFECT FROM PASSAGE.]

SB 678

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(BY SENATORS PREZIOSO, D. FACEMIRE, CHAFIN,
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STOLLINGS, UNGER, WELLS, YOST, BOLEY, HALL AND SYPOLT)

[Passed March 10, 2012; 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 surplus balance in the State Fund, General Revenue, to the Department of Agriculture, fund 0131, fiscal year 2012, organization 1400, to the Department of Administration, Division of Finance, fund 0203, fiscal year 2012, organization 0209, to the Department of Administration, Public Defender Services, fund 0226, fiscal year 2012, organization 0221, to the Department of Commerce, Division of Forestry, fund 0250, fiscal year 2012, organization 0305, to the Department of Commerce, Division of Natural Resources, fund 0265, fiscal year 2012, organization 0310, to the Department of Education, State Department of Education, fund 0313, fiscal year 2012, organization 0402, to the Department of Education and the Arts, Division of Culture and History, fund 0293, fiscal year 2012, organization 0432, to the Department of Environmental Protection, Division of Environmental Protection, fund 0273, fiscal year 2012, organization 0313, to the Department of Health and Human Resources, Division of Health - Central Office, fund 0407, fiscal year 2012, organization 0506, to the Department of Health and Human Resources, Consolidated Medical Service Fund, fund 0525, fiscal year 2012, organization 0506, to the Department of Health and Human Resources,

Division of Human Services, fund 0403, fiscal year 2012, organization 0511, to the Department of Military Affairs and Public Safety, Division of Corrections - Correctional Units, fund 0450, fiscal year 2012, organization 0608, to the Department of Veterans' Assistance, Department of Veterans' Assistance, fund 0456, fiscal year 2012, organization 0613, to Higher Education, West Virginia Council for Community and Technical College Education - Control Account, fund 0596, fiscal year 2012, organization 0420, and to Higher Education, Higher Education Policy Commission - Administration - Control Account, fund 0589, fiscal year 2012, organization 0441, by supplementing and amending the appropriations for the fiscal year ending June 30, 2012.

WHEREAS, The Governor submitted to the Legislature the Executive Budget Documents on January 11, 2012, which included a Statement of the State Fund, General Revenue, setting forth therein the cash balance as of July 1, 2011, and further included the estimate of revenues for the fiscal year 2012, less net appropriation balances forwarded and regular appropriations for the fiscal year 2012; and

WHEREAS, It appears from the Executive Budget Document Statement of the State Fund, General Revenue, there now remains an unappropriated surplus balance in the State Treasury which is available for appropriation during the fiscal year ending June 30, 2012; therefore

Be it enacted by the Legislature of West Virginia:

That the total appropriation for the fiscal year ending June 30, 2012, to fund 0131, fiscal year 2012, organization 1400, be supplemented and amended by adding a new item of appropriation as follows:

- 1 **TITLE II— APPROPRIATIONS.**
- 2 **Section 1. Appropriations from General Revenue.**
- 3 **EXECUTIVE**
- 4 **10—Department of Agriculture**

5 (WV Code Chapter 19)

6 Fund 0131, FY 2012, Org 1400.

7					
8			Act-		General
9			ivity		Revenue
					Fund
10	13a	Capital Outlay, Repairs and			
11	13b	Equipment - Surplus (R) . . .	677	\$	1,000,000

12 Any unexpended balance remaining in the above appropri-
 13 ation for Capital Outlay, Repairs and Equipment - Surplus
 14 (fund 0131, activity 677) at the close of fiscal year 2012 is
 15 hereby reappropriated for expenditure during the fiscal year
 16 2013.

17 And, That the total appropriation for the fiscal year ending
 18 June 30, 2012, to fund 0203, fiscal year 2012, organization
 19 0209, be supplemented and amended by adding a new item
 20 of appropriation as follows:

21 TITLE II—APPROPRIATIONS.

22 Section 1. Appropriations from General Revenue.

23 DEPARTMENT OF ADMINISTRATION

24 *20-Division of Finance*

25 (WV Code Chapter 5A)

26 Fund 0203, FY 2012, Org 0209.

27					
28			Act-		General
29			ivity		Revenue
					Fund
30	5a	Enterprise Resource Planning			
31	5b	System - Surplus	872	\$	30,400,000

32 The above appropriation for Enterprise Resource Planning
 33 System - Surplus (activity 872) shall be transferred to the
 34 West Virginia Enterprise Resource Planning Board, fund
 35 9080, organization 0947.

36 And, That the total appropriation for the fiscal year ending
37 June 30, 2012, to fund 0226, fiscal year 2012, organization
38 0221, be supplemented and amended by increasing an
39 existing item of appropriation as follows:

40 TITLE II—APPROPRIATIONS.

41 Section 1. Appropriations from General Revenue.

42 DEPARTMENT OF ADMINISTRATION

43 27-Public Defender Services

44 (WV Code Chapter 29)

45 Fund 0226 FY 2012 Org 0221

46	47	48	Act- ivity	General Revenue Fund
49	6 Appointed Counsel Fees -	50	435	\$ 13,000,000
	Surplus (R)	51		

51 Any unexpended balance remaining in the above appropri-
52 ation for the Appointed Counsel Fees - Surplus (fund 0226,
53 activity 435) at the close of fiscal year 2012 is hereby
54 reappropriated for expenditure during the fiscal year 2013.

55 And, That the total appropriation for the fiscal year ending
56 June 30, 2012, to fund 0250, fiscal year 2012, organization
57 0305, be supplemented and amended by increasing an
58 existing item of appropriation as follows:

59 TITLE II—APPROPRIATIONS.

60 Section 1. Appropriations from General Revenue.

61 DEPARTMENT OF COMMERCE

62 34-Division of Forestry

63 (WV Code Chapter 19)

64 Fund 0250 FY 2012 Org 0305

	Act- ivity	General Revenue Fund
65		
66		
67		
68	4	Unclassified - Surplus (R) 097 \$ 375,000

69 Any unexpended balance remaining in the above appropri-
70 ation for Unclassified - Surplus (fund 0250, activity 097) at
71 the close of fiscal year 2012 is hereby reappropriated for
72 expenditure during the fiscal year 2013.

73 And, That the total appropriation for the fiscal year ending
74 June 30, 2012, to fund 0265, fiscal year 2012, organization
75 0310, be supplemented and amended by adding a new item
76 of appropriation as follows:

77 **TITLE II—APPROPRIATIONS.**

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

79 **DEPARTMENT OF COMMERCE**

80 *39—Division of Natural Resources*

81 (WV Code Chapter 20)

82 Fund 0265, FY 2012, Org 0310.

	Act- ivity	General Revenue Fund
83		
84		
85		

86	6a	Canaan Valley Resort State Park	
87	6b	Operating - Surplus (R) 710	\$ 2,000,000

88 Any unexpended balance remaining in the above appro-
89 priation for Canaan Valley Resort State Park Operating -
90 Surplus (fund 0265, activity 710) at the close of fiscal year
91 2012 is hereby reappropriated for expenditure during the
92 fiscal year 2013.

93 And, That the total appropriation for the fiscal year
94 ending June 30, 2012, to fund 0313, fiscal year 2012, organi-
95 zation 0402, be supplemented and amended by adding a new
96 item of appropriation as follows:

97 TITLE II—APPROPRIATIONS.

98 Section 1. Appropriations from General Revenue.

99 DEPARTMENT OF EDUCATION

100 48—*State Department of Education*

101 (WV Code Chapters 18 and 18A)

102 Fund 0313, FY 2012, Org 0402

103		General
104	Act-	Revenue
105	ivity	Fund
106	3a Tax Assessment Errors -	
107	Surplus	209,171
	065	\$

108 And, That the total appropriation for the fiscal year
 109 ending June 30, 2012, to fund 0293, fiscal year 2012, organi-
 110 zation 0432, be supplemented and amended by adding a new
 111 item of appropriation as follows:

112 TITLE II—APPROPRIATIONS.

113 Section 1. Appropriations from General Revenue.

114 DEPARTMENT OF EDUCATION AND THE ARTS

115 55—*Division of Culture and History*

116 (WV Code Chapter 29)

117 Fund 0293, FY 2012, Org 0432

118		General
119	Act-	Revenue
120	ivity	Fund
121	4a Capital Improvements -	
122	Surplus (R)	304,000
	661	\$

123 Any unexpended balance remaining in the above appro-
 124 priation for Capital Improvements - Surplus (fund 0293,

125 activity 661) at the close of fiscal year 2012 is hereby
126 reappropriated for expenditure during the fiscal year 2013.

127 And, That the total appropriation for the fiscal year
128 ending June 30, 2012, to fund 0273, fiscal year 2012, organi-
129 zation 0313, be supplemented and amended by increasing an
130 existing item of appropriation as follows:

131 TITLE II—APPROPRIATIONS.

132 Section 1. Appropriations from General Revenue.

133 DEPARTMENT OF ENVIRONMENTAL PROTECTION

134 60—Division of Environmental Protection

135 (WV Code Chapter 22)

136 Fund 0273, FY 2012, Org 0313.

137	138	139	Act- ivity	General Revenue Fund
140	6	Unclassified - Surplus	097	\$ 1,300,000

141 The above appropriation for Unclassified - Surplus
142 (activity 097) shall be transferred to the Underground
143 Storage Tank Insurance Fund, fund 3218, organization 0313.

144 And, That the total appropriation for the fiscal year
145 ending June 30, 2012, to fund 0407, fiscal year 2012, organi-
146 zation 0506, be supplemented and amended by increasing an
147 existing item of appropriation as follows:

148 TITLE II—APPROPRIATIONS.

149 Section 1. Appropriations from General Revenue.

150 DEPARTMENT OF HEALTH
151 AND HUMAN RESOURCES

152 63—Division of Health -

153 Central Office

154 (WV Code Chapter 16)

155 Fund 0407, FY 2012, Org 0506

156		Act-	General
157		ivity	Revenue
158			Fund
159	5 Unclassified - Surplus	097	\$ 36,545

160 And, That the total appropriation for the fiscal year
 161 ending June 30, 2012, to fund 0525, fiscal year 2012, organi-
 162 zation 0506, be supplemented and amended by adding a new
 163 item of appropriation as follows:

164 TITLE II— APPROPRIATIONS.

165 Section 1. Appropriations from General Revenue.

166 DEPARTMENT OF HEALTH AND
 167 HUMAN RESOURCES

168 *64—Consolidated Medical Service Fund*

169 (WV Code Chapter 16)

170 Fund 0525, FY 2012, Org 0506

171		Act-	General
172		ivity	Revenue
173			Fund
174	9a Capital Outlay, Repairs and		
175	9b Equipment - Surplus (R)	677	\$ 6,000,000

176 Any unexpended balance remaining in the above appro-
 177 priation for Capital Outlay, Repairs and Equipment -
 178 Surplus (fund 0525, activity 677) at the close of fiscal year
 179 2012 is hereby reappropriated for expenditure during the
 180 fiscal year 2013.

181 And, That the total appropriation for the fiscal year
 182 ending June 30, 2012, to fund 0403, fiscal year 2012, organi-
 183 zation 0511, be supplemented and amended by increasing
 184 existing items of appropriation as follows:

185 TITLE II—APPROPRIATIONS.

186 Section 1. Appropriations from General Revenue.

187 DEPARTMENT OF HEALTH AND
188 HUMAN RESOURCES

189 67—Division of Human Services

190 (WV Code Chapters 9, 48 and 49)

191 Fund 0403 FY 2012 Org 0511

192				General
193				Revenue
194			Act-	Fund
			ivity	
195	4	Unclassified - Surplus	097	\$ 313,455
196	9	Social Services - Surplus	082	8,673,484
197	27	Medical Services - Surplus (R) . . .	633	13,144,112

198 The above appropriation for Unclassified - Surplus
199 (activity 097) shall be transferred to the West Virginia Works
200 Separate State Two-Parent Program Fund, fund 5468,
201 organization 0511.

202 Any unexpended balance remaining in the above appro-
203 priation for Medical Services - Surplus (fund 0403, activity
204 633) at the close of fiscal year 2012 is hereby reappropriated
205 for expenditure during the fiscal year 2013.

206 And, That the total appropriation for the fiscal year
207 ending June 30, 2012, to fund 0450, fiscal year 2012, organi-
208 zation 0608, be supplemented and amended by adding new
209 items of appropriation as follows:

210 TITLE II—APPROPRIATIONS.

211 Section 1. Appropriations from General Revenue.

212 DEPARTMENT OF MILITARY AFFAIRS
213 AND PUBLIC SAFETY

214 74—Division of Corrections -

215	<i>Correctional Units</i>		
216	(WV Code Chapters 25, 28, 49 and 62)		
217	Fund 0450 FY 2012 Org 0608		
218			General
219		Act-	Revenue
220		ivity	Fund
221	3a	Payments to Counties and/or Regional	
222	3b	Jails - Surplus (R)	348 \$ 9,000,000
223	3c	Payments for Voluntary Inmate	
224	3d	Placement - Surplus (R)	592 1,500,000
225	3e	Capital Improvements -	
226		Surplus (R)	661 5,500,000
227	3f	Capital Outlay, Repairs and	
228	3g	Equipment - Surplus (R)	677 5,000,000
229	3h	Operational Expenses - Surplus .	779 5,439,629

230 Any unexpended balances remaining in the above
 231 appropriations for Payments to Counties and/or Regional
 232 Jails - Surplus (fund 0450, activity 348), Payments for
 233 Voluntary Inmate Placement - Surplus (fund 0450, activity
 234 592), Capital Improvements - Surplus (fund 0450, activity
 235 661), and Capital Outlay, Repairs and Equipment - Surplus
 236 (fund 0450, activity 677) at the close of fiscal year 2012 are
 237 hereby reappropriated for expenditure during the fiscal year
 238 2013.

239 And, That the total appropriation for the fiscal year
 240 ending June 30, 2012, to fund 0456, fiscal year 2012, organi-
 241 zation 0613, be supplemented and amended by adding a new
 242 item of appropriation as follows:

243 **TITLE II—APPROPRIATIONS.**

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

245 **DEPARTMENT OF VETERANS’ ASSISTANCE**

246 *91-Department of Veterans’ Assistance*

247 (WV Code Chapter 9A)

248 Fund 0456 FY 2012 Org 0613

249				General
250			Act-	Revenue
251			ivity	Fund
252	9a Veterans Bonus - Surplus (R)	344	\$	1,000,000

253 Any unexpended balance remaining in the above appro-
254 priation for Veterans Bonus - Surplus (fund 0456, activity
255 344) at the close of fiscal year 2012 is hereby reappropriated
256 for expenditure during the fiscal year 2013.

257 And, That the total appropriation for the fiscal year
258 ending June 30, 2012, to fund 0596, fiscal year 2012, organi-
259 zation 0420, be supplemented and amended by adding a new
260 item of appropriation as follows:

261 TITLE II—APPROPRIATIONS.

262 Section 1. Appropriations from General Revenue.

263 HIGHER EDUCATION

264 94-West Virginia Council for

265 Community and Technical College Education -

266 Control Account

267 (WV Code Chapter 18B)

268 Fund 0596 FY 2012 Org 0420

269				General
270			Act-	Revenue
271			ivity	Fund

272	18a Capital Improvements -			
273	Surplus (R)	661	\$	2,700,000

274 Any unexpended balance remaining in the above appro-
275 priation for Capital Improvements - Surplus (fund 0596,

276 activity 661) at the close of fiscal year 2012 is hereby
277 reappropriated for expenditure during the fiscal year 2013.

278 And, That the total appropriation for the fiscal year
279 ending June 30, 2012, to fund 0589, fiscal year 2012, organi-
280 zation 0441, be supplemented and amended by increasing an
281 existing item of appropriation as follows:

282 TITLE II – APPROPRIATIONS.

283 Section 1. Appropriations from General Revenue.

284 HIGHER EDUCATION

285 95-Higher Education Policy Commission -

286 Administration -

287 Control Account

288 (WV Code Chapter 18B)

289 Fund 0589, FY 2012, Org 0441,

290	291	292		General
			Act-	Revenue
			ivity	Fund
293	1 Unclassified - Surplus (R)	097	\$ 3,000,000	

294 Any unexpended balance remaining in the above appro-
295 priation for Unclassified - Surplus (fund 0589, activity 097)
296 at the close of fiscal year 2012 is hereby reappropriated for
297 expenditure during the fiscal year 2013.

298 The purpose of this supplemental appropriation bill is to
299 supplement, amend, increase and add items of appropriations
300 in the aforesaid accounts for the designated spending units
301 for expenditure during the fiscal year 2012.

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


.....
Chairman Senate Committee

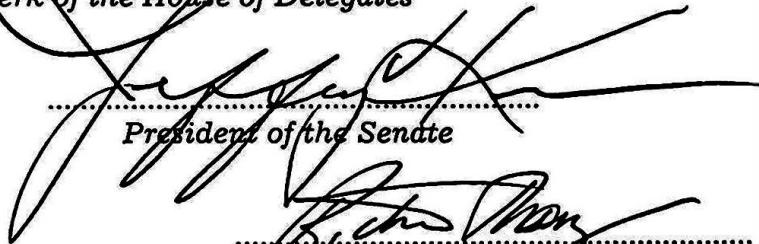

.....
Chairman House Committee

Originated in the Senate.

In effect from passage.


.....
Clerk of the Senate


.....
Clerk of the House of Delegates


.....
President of the Senate


.....
Speaker of the House of Delegates

The within *is approved* this the *21st*
Day of *March*....., 2012.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 21 2012

Time 4:10 pm