WEST VIRGINIA LEGISLATURE
EIGHTIETH LEGISLATURE
REGULAR SESSION, 2012

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.]
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**
(WV Code Chapter 19)
Fund 0131 FY 2012 Org 1400.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Fund</th>
<th>General Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>13a Capital Outlay, Repairs and Activity</td>
<td>677</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>13b Equipment - Surplus (R)</td>
<td>677</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>

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

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0203, fiscal year 2012, organization 0209, 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

20-Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2012 Org 0209

<table>
<thead>
<tr>
<th>Activity</th>
<th>Fund</th>
<th>General Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>5a Enterprise Resource Planning System - Surplus</td>
<td>872</td>
<td>$30,400,000</td>
</tr>
</tbody>
</table>

The above appropriation for Enterprise Resource Planning System - Surplus (activity 872) shall be transferred to the West Virginia Enterprise Resource Planning Board, fund 9080, organization 0947.
And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0226, fiscal year 2012, organization 0221, 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**

27—Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2012 Org 0221.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 Appointed Counsel Fees - Surplus (R)</td>
<td>435 $ 13,000,000</td>
</tr>
</tbody>
</table>

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

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

**TITLE II—APPROPRIATIONS.**

Section 1. Appropriations from General Revenue.

**DEPARTMENT OF COMMERCE**

34—Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2012 Org 0305.
Any unexpended balance remaining in the above appropriation for Unclassified - Surplus (fund 0250, activity 097) at the close of fiscal year 2012 is hereby reappropriated for expenditure during the fiscal year 2013.

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

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF COMMERCE

39-Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2012 Org 0310

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

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0313, fiscal year 2012, organization 0402, 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

48-State Department of Education
(WV Code Chapters 18 and 18A)
Fund 0313 FY 2012 Org 0402

General Activity Revenue Fund

3a Tax Assessment Errors -
Surplus ......................... 065 $ 209,171

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

DEPARTMENT OF EDUCATION AND THE ARTS

55-Division of Culture and History
(WV Code Chapter 29)
Fund 0293 FY 2012 Org 0432

General Activity Revenue Fund

4a Capital Improvements -
Surplus (R) ....................... 661 $ 304,000

Any unexpended balance remaining in the above appro-
priation for Capital Improvements - Surplus (fund 0293,
activity 661) at the close of fiscal year 2012 is hereby
reappropriated for expenditure during the fiscal year 2013.

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

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TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

60—Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273, FY 2012, Org 0313.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unclassified - Surplus</td>
<td>097 $ 1,300,000</td>
</tr>
</tbody>
</table>

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

And, That the total appropriation for the fiscal year
ending June 30, 2012, to fund 0496, fiscal year 2012, organi-
zation 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

63—Division of Health -

Central Office
TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF HEALTH AND
HUMAN RESOURCES

64–Consolidated Medical Service Fund

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0525, fiscal year 2012, organization 0506, be supplemented and amended by adding a new item of appropriation as follows:

Any unexpended balance remaining in the above appropriation for Capital Outlay, Repairs and Equipment - Surplus (fund 0525, activity 677) at the close of fiscal year 2012 is hereby reapropriated for expenditure during the fiscal year 2013.

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0403, fiscal year 2012, 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

67-Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2012 Org 0511

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 Unclassified - Surplus</td>
<td>$313,455</td>
</tr>
<tr>
<td>9 Social Services - Surplus</td>
<td>$8,673,484</td>
</tr>
<tr>
<td>27 Medical Services - Surplus (R)</td>
<td>$13,144,112</td>
</tr>
</tbody>
</table>

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

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

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0450, fiscal year 2012, organization 0608, be supplemented and amended by adding new items of appropriation as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF MILITARY AFFAIRS - AND PUBLIC SAFETY

74-Division of Corrections -
Correctional Units  
(WV Code Chapters 25, 28, 49 and 62) 
Fund 0450 FY 2012 Org 0608 

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>3a Payments to Counties and/or Regional Jails - Surplus (R)</td>
<td>348 $9,000,000</td>
</tr>
<tr>
<td>3b Payments for Voluntary Inmate Placement - Surplus (R)</td>
<td>592 $1,500,000</td>
</tr>
<tr>
<td>3c Capital Improvements - Surplus (R)</td>
<td>661 $5,500,000</td>
</tr>
<tr>
<td>3d Capital Outlay, Repairs and Equipment - Surplus (R)</td>
<td>677 $5,000,000</td>
</tr>
<tr>
<td>3e Operational Expenses - Surplus</td>
<td>779 $5,439,629</td>
</tr>
</tbody>
</table>

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

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0456, fiscal year 2012, organization 0613, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF VETERANS’ ASSISTANCE

91-Department of Veterans’ Assistance
(WV Code Chapter 9A)

Fund 0456 FY 2012 Org 0613.

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>9a</td>
<td>344</td>
</tr>
</tbody>
</table>

$1,000,000

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

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0596, fiscal year 2012, organization 0420, be supplemented and amended by adding a new item of appropriation as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

HIGHER EDUCATION

94-West Virginia Council for Community and Technical College Education - Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2012 Org 0420

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>18a</td>
<td>661</td>
</tr>
</tbody>
</table>

$2,700,000

Any unexpended balance remaining in the above appropriation for Capital Improvements - Surplus (fund 0596,
activity 661) at the close of fiscal year 2012 is hereby reappropriated for expenditure during the fiscal year 2013.

And, That the total appropriation for the fiscal year ending June 30, 2012, to fund 0589, fiscal year 2012, 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

95-Higher Education Policy Commission -

Administration -

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2012 Org 0441

<table>
<thead>
<tr>
<th>Activity</th>
<th>General Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Unclassified - Surplus (R)</td>
</tr>
</tbody>
</table>

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

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 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