

SENATE BILL 2003

FILED
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OFFICE OF THE SECRETARY OF STATE
WEST VIRGINIA

WEST VIRGINIA LEGISLATURE
2nd Extraordinary Session, 2004

ENROLLED

SENATE BILL NO. 2003

(By Senators Tomblin, Mr. President, and Sprouse, *je*
By Request of the Executive.)

PASSED JUNE 15, 2004

In Effect From Passage

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Senate Bill No. 2003

(BY SENATORS TOMBLIN, MR. PRESIDENT, AND SPROUSE,
BY REQUEST OF THE EXECUTIVE)

[Passed June 15, 2004; in effect from passage.]

AN ACT expiring funds to the unappropriated surplus balance in the state fund, general revenue, for the fiscal year ending the thirtieth day of June, two thousand four, in the amount of nine million dollars from the revenue shortfall reserve fund, fund 2038, organization 0201, and in the amount of six million three hundred fifty-nine thousand one hundred dollars from the state excess lottery revenue fund, fund 7205, organization 0705, and making a supplementary appropriation of public moneys out of the treasury from the unappropriated surplus balance for the fiscal year ending the thirtieth day of June, two thousand four, to the governor's office - civil contingent fund, fund 0105, fiscal year 2004, organization 0100, to the department of health and human resources, division of human services, fund 0403, fiscal year 2004, organization 0511, to the department of military affairs and public safety, division of corrections - correctional units, fund 0450, fiscal year 2004, organization 0608,

and to the department of tax and revenue, tax division, fund 0470, fiscal year 2004, organization 0702.

WHEREAS, The Legislature finds that it anticipates that the funds available to assist flood victims and to fund other needed infrastructure and other community development projects throughout the state will fall short of that needed during the fiscal year ending the thirtieth day of June, two thousand four; and

WHEREAS, The revenue shortfall reserve fund has a sufficient balance available for appropriation in the fiscal year ending the thirtieth day of June, two thousand four; and

WHEREAS, The Legislature finds that the account balance in the state excess lottery revenue fund, fund 7205, fiscal year 2004, organization 0705, exceeds that which is necessary for the purpose for which the account was established; and

WHEREAS, The governor submitted to the Legislature a statement of the state fund, general revenue, dated the fifteenth day of June, two thousand four, setting forth therein the cash balance as of the first day of July, two thousand three; and further included the estimate of revenues for the fiscal year two thousand four, less net appropriation balances forwarded and regular appropriations for the fiscal year two thousand four; and

WHEREAS, It appears from the governor's statement of the state fund, general revenue, and by provisions of this legislation, there now remains an unappropriated surplus balance in the state treasury which is available for appropriation during the fiscal year ending the thirtieth day of June, two thousand four; therefore

Be it enacted by the Legislature of West Virginia:

That the balance of funds in the revenue shortfall reserve fund, fund 2038, fiscal year 2004, organization 0201, be decreased by expiring the amount of nine million dollars, and the state excess lottery revenue fund, fund 7205, fiscal year 2004, organization 0705, be decreased by expiring the amount of six

million three hundred fifty-nine thousand one hundred dollars to the unappropriated surplus balance of the state fund, general revenue, and that the total appropriation for the fiscal year ending the thirtieth day of June, two thousand four, to fund 0105, fiscal year 2004, organization 0100, be supplemented and amended by increasing the total appropriation in the existing and new line item as follows:

TITLE II-APPROPRIATIONS.

Section 1. Appropriations from general revenue.

EXECUTIVE

8—Governor’s Office—
Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105, FY 2004, Org 0100.

		Act- ivity	General Revenue Funds
1	1 Civil Contingent Fund -		
2	Surplus (R)	263	\$ 7,180,000
3	3a Stream Restoration -		
4	Surplus (R)	078	2,000,000

5 Any unexpended balances remaining in the appropria-
6 tion for civil contingent fund - surplus (fund 0105, activity
7 263), and stream restoration - surplus (fund 0105, activity
8 078) at the close of the fiscal year two thousand four are
9 hereby reappropriated for expenditure during the fiscal
10 year two thousand five.

11 And, that the total appropriation for the fiscal year
12 ending the thirtieth day of June, two thousand four, to
13 fund 0403, fiscal year 2004, organization 0511, be supple-
14 mented and amended by increasing the total appropriation
15 as follows:

TITLE II-APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

50—Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2004 Org 0511.

	Act- ivity	General Revenue Funds
1 31 Indigent Burials - Surplus	076	\$ 290,000

2 And, that the total appropriation for the fiscal year
 3 ending the thirtieth day of June, two thousand four, to
 4 fund 0450, fiscal year 2004, organization 0608, be supple-
 5 mented and amended by increasing the total appropriation
 6 as follows:

TITLE II-APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS
 AND PUBLIC SAFETY

*56—Division of Corrections—
 Correctional Units*

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

Fund 0450 FY 2004 Org 0608.

	Act- ivity	General Revenue Funds
1 11 Payments to Federal, County		
2 12 and/or Regional Jails-Surplus .	008	\$ 7,600,000

3 And, that the total appropriation for the fiscal year
 4 ending the thirtieth day of June, two thousand four, to
 5 fund 0470, fiscal year 2004, organization 0702, be supple-
 6 mented and amended by increasing the total appropriation
 7 as follows:

TITLE II—APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF TAX AND REVENUE

64—Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2004 Org 0702

	Act- ivity	General Revenue Funds
1 4 Unclassified - Surplus (R)	097	\$ 350,000

2 The purpose of this supplementary appropriation bill is
 3 to expire funds to the unappropriated surplus balance in
 4 the state fund, general revenue, and supplement and
 5 increase items of appropriations in the aforesaid accounts
 6 for the designated spending units for expenditure during
 7 the fiscal year two thousand four.

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

Karen L. Faunoy
.....
Chairman Senate Committee
Member

Sharon Spencer
.....
Chairman House Committee

Originated in the Senate.

In effect from passage.

Parrell E. Gibbs
.....
Clerk of the Senate

Bryce M. Barr
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

Robert R. Kiss
.....
Speaker House of Delegates

The within *is approved* this the *18th*
Day of *June*, 2004.
Bob Wise
.....
Governor

PRESENTED TO THE
GOVERNOR

DATE 6/18/09

TIME 2:20 pm