

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ENROLLED

Senate Bill No. 620

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

[Passed March 12, 2011; in effect from passage.]

AN ACT expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2011 in the amount of \$7,100,000 from the Department of Military Affairs and Public Safety - Office of the Secretary, fund 0430, fiscal year 2006, organization 0601, activity 511, and 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 Auditor's Office - General Administration, fund 0116, fiscal year 2011, organization 1200, to the Department of Agriculture, fund 0131, fiscal year 2011, organization 1400, to the Department of Administration - Ethics Commission, fund 0223, fiscal year 2011, organization 0220, to the Department of Administration - Public Defender Services, fund 0226, fiscal year 2011, organization 0221, to

1 the Department of Education - State Department of Education,
2 fund 0313, fiscal year 2011, organization 0402, to the
3 Department of Health and Human Resources - Consolidated
4 Medical Service Fund, fund 0525, fiscal year 2011,
5 organization 0506, to the Department of Health and Human
6 Resources - Division of Human Services, fund 0403, fiscal year
7 2011, organization 0511, to the Department of Military Affairs
8 and Public Safety - West Virginia Parole Board, fund 0440,
9 fiscal year 2011, organization 0605, to the Department of
10 Military Affairs and Public Safety - Division of Corrections -
11 Correctional Units, fund 0450, fiscal year 2011, organization
12 0608, to the Department of Military Affairs and Public Safety
13 - Division of Veterans' Affairs, fund 0456, fiscal year 2011,
14 organization 0613, to Higher Education - Higher Education
15 Policy Commission - Administration - Control Account, fund
16 0589, fiscal year 2011, organization 0441, and to Higher
17 Education Policy Commission - System Control Account, fund
18 0586, fiscal year 2011, organization 0442, by supplementing
19 and amending the appropriations for the fiscal year ending
20 June 30, 2011.

21 WHEREAS, The Legislature finds that the account balance in the
22 Department of Military Affairs and Public Safety - Office of the
23 Secretary, fund 0430, fiscal year 2006, organization 0601, activity
24 511, exceeds that which is necessary for the purposes for which the

1 account was established; and

2 WHEREAS, The Governor submitted to the Legislature the
3 Executive Budget document, dated January 12, 2011, which included
4 a statement of the State Fund, General Revenue, setting forth
5 therein the cash balance as of July 1, 2010; and further included
6 the estimate of revenues for the fiscal year 2011, less net
7 appropriation balances forwarded and regular appropriations for
8 fiscal year 2011; and

9 WHEREAS, It appears from the Governor's Executive Budget
10 document, statement of the State Fund, General Revenue, and this
11 legislation there now remains an unappropriated surplus balance in
12 the State Treasury which is available for appropriation during the
13 fiscal year ending June 30, 2011; therefore

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

15 That the balance of the funds available for expenditure in the
16 fiscal year ending June 30, 2011, to the Department of Military
17 Affairs and Public Safety - Office of the Secretary, fund 0430,
18 fiscal year 2006, organization 0601, activity 511, be decreased by
19 expiring the amount of \$7,100,000 to the unappropriated surplus
20 balance of the State Fund, General Revenue, to be available for
21 appropriation during the fiscal year 2011.

22 And, That the total appropriation for the fiscal year ending
23 June 30, 2011, to fund 0116, fiscal year 2011, organization 1200,
24 be supplemented and amended by increasing an existing item of

1 appropriation as follows:

2 TITLE II--APPROPRIATIONS.

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

4 **EXECUTIVE**

5 *8-Auditor's Office-*

6 *General Administration*

7 (WV Code Chapter 12)

8 Fund 0116 FY 2011 Org 1200

		General
	Act-	Revenue
	ivity	Funds

12	5	Unclassified - Surplus (R)	097	\$ 2,500,000
----	---	--------------------------------------	-----	--------------

13 Any unexpended balance remaining in the appropriation for
14 Unclassified - Surplus (fund 0116, activity 097) at the close of
15 the fiscal year 2011 is hereby reappropriated for expenditure
16 during the fiscal year 2012.

17 And, That the total appropriation for the fiscal year ending
18 June 30, 2011, to fund 0131, fiscal year 2011, organization 1400,
19 be supplemented and amended by increasing an existing item of
20 appropriation as follows:

21 TITLE II--APPROPRIATIONS.

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

23 **EXECUTIVE**

24 *10-Department of Agriculture*

(WV Code Chapter 19)

Fund 0131 FY 2011 Org 1400

General

Act-

Revenue

ivity

Funds

7 Unclassified - Surplus (R) 097 \$ 725,000

Any unexpended balance remaining in the appropriation for
Unclassified - Surplus (fund 0131, activity 097) at the close of
the fiscal year 2011 is hereby reappropriated for expenditure
during the fiscal year 2012.

And, That the total appropriation for the fiscal year ending
June 30, 2011, to fund 0223, fiscal year 2011, organization 0220,
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

25-Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2011 Org 0220

General

Act-

Revenue

ivity

Fund

1 Unclassified - Surplus 097 \$ 75,000

1 And, That the total appropriation for the fiscal year ending
2 June 30, 2011, to fund 0226, fiscal year 2011, organization 0221,
3 be supplemented and amended by increasing an existing item of
4 appropriation as follows:

5 TITLE II--APPROPRIATIONS.

6 **Section 1. Appropriations from general revenue.**

7 **DEPARTMENT OF ADMINISTRATION**

8 *26--Public Defender Services*

9 (WV Code Chapter 29)

10 Fund 0226 FY 2011 Org 0221

		General
	Act-	Revenue
	ivity	Fund
14 6a Appointed Counsel		
15 6b Fees - Surplus (R)	435	\$ 11,500,000

16 Any unexpended balance remaining in the appropriation for
17 Appointed Counsel Fees - Surplus (fund 0226, activity 435) at the
18 close of the fiscal year 2011 is hereby reappropriated for
19 expenditure during the fiscal year 2012.

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

24 TITLE II--APPROPRIATIONS.

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

2 **DEPARTMENT OF EDUCATION**

3 *46-State Department of Education*

4 (WV Code Chapters 18 and 18A)

5 Fund 0313 FY 2011 Org 0402

6			General
7		Act-	Revenue
8		ivity	Funds
9	4 Unclassified - Surplus (R)	097	\$ 526,522
10	6 Increased Enrollment - Surplus . . .	059	2,062,718

11 Any unexpended balance remaining in the appropriation for
12 Unclassified - Surplus (fund 0313, activity 097) at the close of
13 the fiscal year 2011 is hereby reappropriated for expenditure
14 during the fiscal year 2012.

15 And, That the total appropriation for the fiscal year ending
16 June 30, 2011, to fund 0525, fiscal year 2011, organization 0506,
17 be supplemented and amended by increasing an existing item of
18 appropriation as follows:

19 TITLE II--APPROPRIATIONS.

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

21 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

22 *62-Consolidated Medical Service Fund*

23 (WV Code Chapter 16)

24 Fund 0525 FY 2011 Org 0506

1
2
3

	Act-	General
	ivity	Revenue
		Funds

4 9 Institutional Facilities

Operations - Surplus (R)	632	\$ 3,961,964
----------------------------------	-----	--------------

6 Any unexpended balance remaining in the appropriation for
7 Institutional Facilities Operations - Surplus (fund 0525, activity
8 632) at the close of the fiscal year 2011 is hereby reappropriated
9 for expenditure during the fiscal year 2012.

10 And, That the total appropriation for the fiscal year ending
11 June 30, 2011, to fund 0403, fiscal year 2011, organization 0511,
12 be supplemented and amended by increasing an existing item of
13 appropriation as follows:

14 TITLE II--APPROPRIATIONS.

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

16 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

17 *65-Division of Human Services*

18 (WV Code Chapters 9, 48 and 49)

19 Fund 0403 FY 2011 Org 0511

20
21
22

	Act-	General
	ivity	Revenue
		Funds

23 40 Indigent Burials - Surplus (R).. . 076 \$ 850,000

24 Any unexpended balance remaining in the appropriation for

1 Indigent Burials - Surplus (fund 0403, activity 076) at the close
2 of the fiscal year 2011 is hereby reappropriated for expenditure
3 during the fiscal year 2012.

4 And, That the total appropriation for the fiscal year ending
5 June 30, 2011, to fund 0440, fiscal year 2011, organization 0605,
6 be supplemented and amended by increasing an existing item of
7 appropriation as follows:

8 TITLE II--APPROPRIATIONS.

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

10 **DEPARTMENT OF MILITARY AFFAIRS**

11 **AND PUBLIC SAFETY**

12 *69-West Virginia Parole Board*

13 (WV Code Chapter 62)

14 Fund 0440 FY 2011 Org 0605

		General	
		Act-	Revenue
		ivity	Funds
18	4 Unclassified - Surplus (R)	097	\$ 31,491

19 Any unexpended balance remaining in the appropriation for
20 Unclassified - Surplus (fund 0440, activity 097) at the close of
21 the fiscal year 2011 is hereby reappropriated for expenditure
22 during the fiscal year 2012.

23 And, That the total appropriation for the fiscal year ending
24 June 30, 2011, to fund 0450, fiscal year 2011, organization 0608,

1 be supplemented and amended by increasing existing items of
2 appropriation as follows:

3 TITLE II--APPROPRIATIONS.

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

5 **DEPARTMENT OF MILITARY AFFAIRS**

6 **AND PUBLIC SAFETY**

7 *72-Division of Corrections -*

8 *Correctional Units*

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

10 Fund 0450 FY 2011 Org 0608

			General
		Act-	Revenue
		ivity	Funds
14	3	Unclassified - Surplus (R) 097	\$ 7,100,000
15	12	Payments to Federal, County, and/or	
16	13	Regional Jails - Surplus (R) 008	\$ 6,000,000

17
18 Any unexpended balance remaining in the appropriation for
19 Unclassified - Surplus (fund 0450, activity 097), and Payments to
20 Federal, County, and/or Regional Jails - Surplus (fund 0450,
21 activity 008) at the close of the fiscal year 2011 is hereby
22 reappropriated for expenditure during the fiscal year 2012.

23 And, That the total appropriation for the fiscal year ending
24 June 30, 2011, to fund 0456, fiscal year 2011, organization 0613,

1 be supplemented and amended by increasing an existing item of
2 appropriation as follows:

3 TITLE II--APPROPRIATIONS.

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

5 **DEPARTMENT OF MILITARY AFFAIRS**

6 **AND PUBLIC SAFETY**

7 *74-Division of Veterans' Affairs*

8 (WV Code Chapter 9A)

9 Fund 0456 FY 2011 Org 0613

		General
	Act-	Revenue
	ivity	Funds
10		
11		
12		
13	4	
14	Unclassified - Surplus (R)	097 \$ 300,000

14 Any unexpended balance remaining in the appropriation for
15 Unclassified - Surplus (fund 0456, activity 097) at the close of
16 the fiscal year 2011 is hereby reappropriated for expenditure
17 during the fiscal year 2012.

18 And, That the total appropriation for the fiscal year ending
19 June 30, 2011, to fund 0589, fiscal year 2011, organization 0441,
20 be supplemented and amended by increasing an existing item of
21 appropriation as follows:

22 TITLE II - APPROPRIATIONS.

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

24 **HIGHER EDUCATION**

1 *91-Higher Education Policy Commission -*

2 *Administration -*

3 *Control Account*

4 (WV Code Chapter 18B)

5 Fund 0589 FY 2011 Org 0441

6 **General**

7 **Act-**

Revenue

8 **ivity**

Funds

9 1 Unclassified - Surplus (R)... 097 \$ 4,800,000

10 Any unexpended balance remaining in the appropriation for
11 Unclassified - Surplus (fund 0589, activity 097) at the close of
12 the fiscal year 2011 is hereby reappropriated for expenditure
13 during the fiscal year 2012.

14 And, That the total appropriation for the fiscal year ending
15 June 30, 2011, to fund 0586, fiscal year 2011, organization 0442,
16 be supplemented and amended by increasing an existing item of
17 appropriation as follows:

18 TITLE II - APPROPRIATIONS.

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

20 **HIGHER EDUCATION**

21 *92-Higher Education Policy Commission -*

22 *System -*

23 *Control Account*

24 (WV Code Chapter 18B)

Fund 0586 FY 2011 Org 0442

			General
		Act-	Revenue
		ivity	Funds

5	5	WVU - School of Health	
6	5a	Sciences - Surplus.	713 \$ 1,000,000

7 Any unexpended balance remaining in the appropriation for WVU
8 - School of Health Sciences - Surplus (fund 0586, activity 713) at
9 the close of the fiscal year 2011 is hereby reappropriated for
10 expenditure during the fiscal year 2012.

11 The purpose of this bill is to expire funds into the
12 unappropriated surplus balance in the state fund, general revenue,
13 and to supplement, amend, add and increase items of appropriation
14 in the aforesaid accounts for the designated spending units for
15 expenditure during the fiscal year 2011.