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Senate Bill No. 620

(By Senators Prezioso, D. Facemire, Unger, Edgell, Plymale,
McCabe, Laird, Wells, Green, Chafin, Yost, Helmick, Stollings,
Miller, Boley and Sypolt)

[Originating in the Committee on Finance; reported March 10,
2011.]

A BILL 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

1 Services, fund 0226, fiscal year 2011, organization 0221, to
2 the Department of Education - State Department of Education,
3 fund 0313, fiscal year 2011, organization 0402, to the
4 Department of Health and Human Resources - Consolidated
5 Medical Service Fund, fund 0525, fiscal year 2011,
6 organization 0506, to the Department of Health and Human
7 Resources - Division of Human Services, fund 0403, fiscal year
8 2011, organization 0511, to the Department of Military Affairs
9 and Public Safety - West Virginia Parole Board, fund 0440,
10 fiscal year 2011, organization 0605, to the Department of
11 Military Affairs and Public Safety - Division of Corrections -
12 Correctional Units, fund 0450, fiscal year 2011, organization
13 0608, to the Department of Military Affairs and Public Safety
14 - Division of Veterans' Affairs, fund 0456, fiscal year 2011,
15 organization 0613, and to Higher Education - Higher Education
16 Policy Commission - Administration - Control Account, fund
17 0589, fiscal year 2011, organization 0441, by supplementing
18 and amending the appropriations for the fiscal year ending
19 June 30, 2011.

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

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

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

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

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

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

TITLE II--APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

EXECUTIVE

8-Auditor's Office-

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2011 Org 1200

		Act-	General
		ivity	Revenue
			Funds
5	Unclassified - Surplus (R)	097	\$ 2,500,000

Any unexpended balance remaining in the appropriation for Unclassified - Surplus (fund 0116, 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 0131, fiscal year 2011, organization 1400, be supplemented and amended by increasing an existing item of appropriation as follows:

TITLE II--APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

EXECUTIVE

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

And, That the total appropriation for the fiscal year ending

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

4 TITLE II--APPROPRIATIONS.

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

6 **DEPARTMENT OF ADMINISTRATION**

7 *26--Public Defender Services*

8 (WV Code Chapter 29)

9 Fund 0226 FY 2011 Org 0221

		General
	Act-	Revenue
	ivity	Fund
13 6a Appointed Counsel		
14 6b Fees - Surplus (R)	435	\$ 11,500,000

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

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

23 TITLE II--APPROPRIATIONS.

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

1 **DEPARTMENT OF EDUCATION**

2 *46-State Department of Education*

3 (WV Code Chapters 18 and 18A)

4 Fund 0313 FY 2011 Org 0402

5 **General**

6 **Act- Revenue**

7 **ivity Funds**

8 4 Unclassified - Surplus (R) 097 \$ 526,522

9 6 Increased Enrollment - Surplus 059 2,062,718

10 Any unexpended balance remaining in the appropriation for
11 Unclassified - Surplus (fund 0313, 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 0525, fiscal year 2011, organization 0506,
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 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

21 *62-Consolidated Medical Service Fund*

22 (WV Code Chapter 16)

23 Fund 0525 FY 2011 Org 0506

24 **General**

1 of the fiscal year 2011 is hereby reappropriated for expenditure
2 during the fiscal year 2012.

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

7 TITLE II--APPROPRIATIONS.

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

9 **DEPARTMENT OF MILITARY AFFAIRS**

10 **AND PUBLIC SAFETY**

11 *69-West Virginia Parole Board*

12 (WV Code Chapter 62)

13 Fund 0440 FY 2011 Org 0605

14			General
15		Act-	Revenue
16		ivity	Funds
17	4	Unclassified - Surplus (R) 097	\$ 31,491

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

22 And, That the total appropriation for the fiscal year ending
23 June 30, 2011, to fund 0450, fiscal year 2011, organization 0608,
24 be supplemented and amended by increasing existing items of

1 appropriation as follows:

2 TITLE II--APPROPRIATIONS.

3 Section 1. Appropriations from General Revenue.

4 DEPARTMENT OF MILITARY AFFAIRS

5 AND PUBLIC SAFETY

6 72-Division of Corrections -

7 Correctional Units

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

9 Fund 0450 FY 2011 Org 0608

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

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

21 And, That the total appropriation for the fiscal year ending
22 June 30, 2011, to fund 0456, fiscal year 2011, organization 0613,
23 be supplemented and amended by increasing an existing item of
24 appropriation as follows:

TITLE II--APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

74-Division of Veterans' Affairs

(WV Code Chapter 9A)

Fund 0456 FY 2011 Org 0613

		General
	Act-	Revenue
	ivity	Funds
4	Unclassified - Surplus (R) 097	\$ 300,000

Any unexpended balance remaining in the appropriation for Unclassified - Surplus (fund 0456, 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 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 -

Administration -

