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WEST VIRGINIA LEGISLATURE
EIGHTIETH LEGISLATURE
REGULAR SESSION, 2011

SECRETARY OF STATE

—●—
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.]

SB620

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SECRETARY OF STATE

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Senate Bill No. 620

(BY SENATORS PREZIOSO, D. FACEMIRE, UNGER, EDGELL,
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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 the Department of Education - State Department of Education, fund 0313, fiscal year 2011, organization 0402, to the Department of Health and Human Resources - Consolidated Medical Service Fund, fund 0525, fiscal year 2011, organization 0506, to the Department of Health and Human Resources - Division of Human Services, fund 0403, fiscal year 2011, organization 0511, to the Department of Military Affairs and Public Safety -

West Virginia Parole Board, fund 0440, fiscal year 2011, organization 0605, to the Department of Military Affairs and Public Safety - Division of Corrections - Correctional Units, fund 0450, fiscal year 2011, organization 0608, to the Department of Military Affairs and Public Safety - Division of Veterans' Affairs, fund 0456, fiscal year 2011, organization 0613, to Higher Education - Higher Education Policy Commission - Administration - Control Account, fund 0589, fiscal year 2011, organization 0441, and to Higher Education Policy Commission - System Control Account, fund 0586, fiscal year 2011, organization 0442, by supplementing and amending the appropriations for the fiscal year ending June 30, 2011.

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

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

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

Be it enacted by the Legislature of West Virginia:

That the balance of the funds available for expenditure in the fiscal year ending June 30, 2011, to the Department of Military Affairs and Public Safety - Office of the Secretary, fund 0430, fiscal year 2006, organization 0601, activity 511, be decreased by expiring the amount of \$7,100,000 to the unappropriated surplus

24 (WV Code Chapter 19)

25 Fund 0131 FY 2011 Org 1400

26			General
27		Act-	Revenue
28		ivity	Funds

29	7 Unclassified - Surplus (R)	097	\$	725,000
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30 Any unexpended balance remaining in the appropriation
31 for Unclassified - Surplus (fund 0131, activity 097) at the
32 close of the fiscal year 2011 is hereby reappropriated for
33 expenditure during the fiscal year 2012.

34 And, That the total appropriation for the fiscal year ending
35 June 30, 2011, to fund 0223, fiscal year 2011, organization
36 0220, be supplemented and amended by increasing an
37 existing item of appropriation as follows:

38 TITLE II—APPROPRIATIONS.

39 Section 1. Appropriations from general revenue.

40 DEPARTMENT OF ADMINISTRATION

41 25—*Ethics Commission*

42 (WV Code Chapter 6B)

43 Fund 0223 FY 2011 Org 0220

44			General
45		Act-	Revenue
46		ivity	Fund

47	1 Unclassified - Surplus	097	\$	75,000
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48 And, That the total appropriation for the fiscal year ending
49 June 30, 2011, to fund 0226, fiscal year 2011, organization
50 0221, be supplemented and amended by increasing an
51 existing item of appropriation as follows:

52 TITLE II—APPROPRIATIONS.

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

54 **DEPARTMENT OF ADMINISTRATION**

55 *26—Public Defender Services*

56 (WV Code Chapter 29)

57 Fund 0226 FY 2011 Org 0221

58			General
59		Act-	Revenue
60		ivity	Fund

61	6a	Appointed Counsel		
62	6b	Fees - Surplus (R)	435	\$ 11,500,000

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

67 And, That the total appropriation for the fiscal year ending
68 June 30, 2011, to fund 0313, fiscal year 2011, organization
69 0402, be supplemented and amended by increasing existing
70 items of appropriation as follows:

71 **TITLE II—APPROPRIATIONS.**

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

73 **DEPARTMENT OF EDUCATION**

74 *46-State Department of Education*

75 (WV Code Chapters 18 and 18A)

76 Fund 0313 FY 2011 Org 0402

77				General
78		Act-		Revenue
79		ivity		Funds

80	4	Unclassified - Surplus (R)	097	\$ 526,522
81	6	Increased Enrollment - Surplus . . .	059	2,062,718

82 Any unexpended balance remaining in the appropriation
83 for Unclassified - Surplus (fund 0313, activity 097) at the
84 close of the fiscal year 2011 is hereby reappropriated for
85 expenditure during the fiscal year 2012.

86 And, That the total appropriation for the fiscal year ending
87 June 30, 2011, to fund 0525, fiscal year 2011, organization
88 0506, be supplemented and amended by increasing an
89 existing item of appropriation as follows:

90 TITLE II—APPROPRIATIONS.

91 Section 1. Appropriations from General Revenue.

92 DEPARTMENT OF HEALTH AND
93 HUMAN RESOURCES

94 *62-Consolidated Medical Service Fund*

95 (WV Code Chapter 16)

96 Fund 0525 FY 2011 Org 0506

97		General
98	Act-	Revenue
99	ivity	Funds

100	9 Institutional Facilities		
101	Operations - Surplus (R)	632	\$ 3,961,964

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

106 And, That the total appropriation for the fiscal year ending
107 June 30, 2011, to fund 0403, fiscal year 2011, organization
108 0511, be supplemented and amended by increasing an
109 existing item of appropriation as follows:

110 TITLE II—APPROPRIATIONS.

111 Section 1. Appropriations from General Revenue.

112 **DEPARTMENT OF HEALTH**
 113 **AND HUMAN RESOURCES**

114 *65-Division of Human Services*

115 (WV Code Chapters 9, 48 and 49)

116 Fund 0403 FY 2011 Org 0511

	Act- ivity	General Revenue Funds
120 40 Indigent Burials - Surplus (R) . . .	076	\$ 850,000

121 Any unexpended balance remaining in the appropriation
 122 for Indigent Burials - Surplus (fund 0403, activity 076) at the
 123 close of the fiscal year 2011 is hereby reappropriated for
 124 expenditure during the fiscal year 2012.

125 And, That the total appropriation for the fiscal year ending
 126 June 30, 2011, to fund 0440, fiscal year 2011, organization
 127 0605, be supplemented and amended by increasing an
 128 existing item of appropriation as follows:

129 TITLE II—APPROPRIATIONS.

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

131 **DEPARTMENT OF MILITARY AFFAIRS**
 132 **AND PUBLIC SAFETY**

133 *69-West Virginia Parole Board*

134 (WV Code Chapter 62)

135 Fund 0440 FY 2011 Org 0605

	Act- ivity	General Revenue Funds
139 4 Unclassified - Surplus (R)	097	\$ 31,491

140 Any unexpended balance remaining in the appropriation
 141 for Unclassified - Surplus (fund 0440, activity 097) at the
 142 close of the fiscal year 2011 is hereby reappropriated for
 143 expenditure during the fiscal year 2012.

144 And, That the total appropriation for the fiscal year ending
 145 June 30, 2011, to fund 0450, fiscal year 2011, organization
 146 0608, be supplemented and amended by increasing existing
 147 items of appropriation as follows:

148 TITLE II—APPROPRIATIONS.

149 Section 1. Appropriations from General Revenue.

150 DEPARTMENT OF MILITARY AFFAIRS

151 AND PUBLIC SAFETY

152 *72-Division of Corrections -*

153 *Correctional Units*

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

155 Fund 0450 FY 2011 Org 0608

156	157	158	Act- ivity	General Revenue Funds
159 3	Unclassified - Surplus (R)	097	\$	7,100,000
160 12	Payments to Federal, County, and/or			
161 13	Regional Jails - Surplus (R) . . .	008	\$	6,000,000

162 Any unexpended balance remaining in the appropriation
 163 for Unclassified - Surplus (fund 0450, activity 097), and
 164 Payments to Federal, County, and/or Regional Jails - Surplus
 165 (fund 0450, activity 008) at the close of the fiscal year 2011
 166 is hereby reappropriated for expenditure during the fiscal
 167 year 2012.

168 And, That the total appropriation for the fiscal year ending
 169 June 30, 2011, to fund 0456, fiscal year 2011, organization

170 0613, be supplemented and amended by increasing an
171 existing item of appropriation as follows:

172 TITLE II—APPROPRIATIONS.

173 Section 1. Appropriations from General Revenue.

174 DEPARTMENT OF MILITARY AFFAIRS
175 AND PUBLIC SAFETY

176 *74-Division of Veterans' Affairs*

177 (WV Code Chapter 9A)

178 Fund 0456 FY 2011 Org 0613

				General Revenue Funds
		Act- ivity		
179				
180		Act- ivity		General Revenue Funds
181				
182	4 Unclassified - Surplus (R)	097	\$	300,000

183 Any unexpended balance remaining in the appropriation
184 for Unclassified - Surplus (fund 0456, activity 097) at the
185 close of the fiscal year 2011 is hereby reappropriated for
186 expenditure during the fiscal year 2012.

187 And, That the total appropriation for the fiscal year ending
188 June 30, 2011, to fund 0589, fiscal year 2011, organization
189 0441, be supplemented and amended by increasing an
190 existing item of appropriation as follows:

191 TITLE II – APPROPRIATIONS.

192 Section 1. Appropriations from General Revenue.

193 HIGHER EDUCATION

194 *91-Higher Education Policy Commission -*

195 *Administration -*

196 *Control Account*

197 (WV Code Chapter 18B)

198 Fund 0589 FY 2011 Org 0441
 199
 200 **Act-** **General**
 201 **ivity** **Revenue**
Funds

202 1 Unclassified - Surplus (R) 097 \$ 4,800,000

203 Any unexpended balance remaining in the appropriation
 204 for Unclassified - Surplus (fund 0589, activity 097) at the
 205 close of the fiscal year 2011 is hereby reappropriated for
 206 expenditure during the fiscal year 2012.

207 And, That the total appropriation for the fiscal year ending
 208 June 30, 2011, to fund 0586, fiscal year 2011, organization
 209 0442, be supplemented and amended by increasing an
 210 existing item of appropriation as follows:

211 **TITLE II - APPROPRIATIONS.**

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

213 **HIGHER EDUCATION**

214 *92-Higher Education Policy Commission -*

215 *System -*

216 *Control Account*

217 (WV Code Chapter 18B)

218 Fund 0586 FY 2011 Org 0442

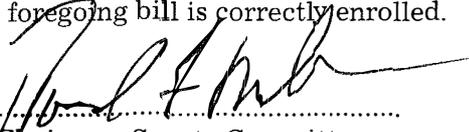
219 **General**
 220 **Act-** **Revenue**
 221 **ivity** **Funds**

222 5 WVU - School of Health
 223 5a Sciences - Surplus 713 \$ 1,000,000

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

228 The purpose of this bill is to expire funds into the unappro-
229 priated surplus balance in the state fund, general revenue,
230 and to supplement, amend, add and increase items of
231 appropriation in the aforesaid accounts for the designated
232 spending units for expenditure during the fiscal year 2011.

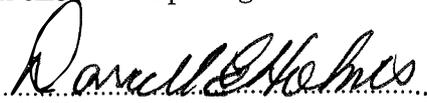
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

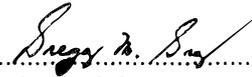

.....
Chairman Senate Committee

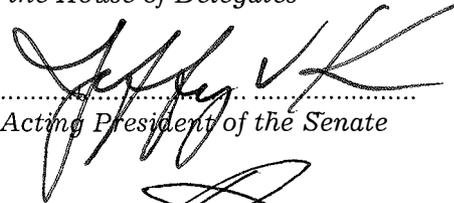

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Chairman House Committee

Originated in the Senate.

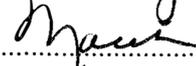
In effect from passage.


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Clerk of the Senate


.....
Clerk of the House of Delegates


.....
Acting President of the Senate


.....
Speaker of the House of Delegates

The within  this the 
Day of  , 2011.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 22 2011

Time 3:45 pm