

1 **ENROLLED**

2 **Senate Bill No. 1005**

3 (BY SENATORS KESSLER (MR. PRESIDENT) AND M. HALL,

4 BY REQUEST OF THE EXECUTIVE)

5 _____
6 [Passed April 18, 2013; in effect from passage.]
7 _____

8
9
10 AN ACT expiring funds to the unappropriated surplus balance in the
11 State Fund, General Revenue, for the fiscal year ending June
12 30, 2013, in the amount of \$10,317,860.71 from the Governor's
13 Office - Civil Contingent Fund, fund 0105, fiscal year 2009,
14 organization 0100, activity 236, and in the amount of
15 \$7,459,913 from the Attorney General, Consumer Protection
16 Recovery Fund, fund 1509, fiscal year 2013, organization 1500,
17 and making a supplementary appropriation of public moneys out
18 of the Treasury from the balance of moneys remaining as an
19 unappropriated surplus balance in the State Fund, General
20 Revenue, to the Governor's Office - Civil Contingent Fund,
21 fund 0105, fiscal year 2013, organization 0100, to the
22 Attorney General, fund 0150, fiscal year 2013, organization

1 1500, to the Department of Commerce, West Virginia Development
2 Office, fund 0256, fiscal year 2013, organization 0307, to the
3 Department of Health and Human Resources, Consolidated Medical
4 Service Fund, fund 0525, fiscal year 2013, organization 0506,
5 to the Higher Education Policy Commission - Administration -
6 Control Account, fund 0589, fiscal year 2013, organization
7 0441, and to the Higher Education Policy Commission - System -
8 Control Account, fund 0586, fiscal year 2013, organization
9 0442, by supplementing and amending the appropriations for the
10 fiscal year ending June 30, 2013.

11 WHEREAS, the Governor finds that the account balances in the
12 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year
13 2009, organization 0100, activity 236, and in the Attorney General,
14 Consumer Protection Recovery Fund, fund 1509, fiscal year 2013,
15 organization 1500, exceed that which is necessary for the purposes
16 for which the accounts were established; and

17 WHEREAS, The Governor submitted to the Legislature the
18 Executive Budget document, dated February 13, 2013, which included
19 a statement of the State Fund, General Revenue, setting forth
20 therein the cash balance as of July 1, 2012, and further included
21 the estimate of revenues for the fiscal year 2013, less net
22 appropriation balances forwarded and regular appropriations for the

1 fiscal year 2013; and

2 WHEREAS, It appears from the Governor's Executive Budget
3 document, statement of the State Fund, General Revenue, and this
4 legislation, there now remains an unappropriated surplus balance in
5 the State Treasury which is available for appropriation during the
6 fiscal year ending June 30, 2013; therefore

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

8 That the balance of the funds available for expenditure in the
9 fiscal year ending June 30, 2013, in the Governor's Office - Civil
10 Contingent Fund, fund 0105, fiscal year 2009, organization 0100,
11 activity 236, be decreased by expiring the amount of
12 \$10,317,860.71, and in the Attorney General, Consumer Protection
13 Recovery Fund, fund 1509, fiscal year 2013, organization 1500, be
14 decreased by expiring the amount of \$7,459,913, all to the
15 unappropriated surplus balance of the State Fund, General Revenue,
16 to be available for appropriation during the fiscal year ending
17 June 30, 2013.

18 And, That the total appropriation for the fiscal year ending
19 June 30, 2013, to fund 0105, fiscal year 2013, organization 0100,
20 be supplemented and amended by adding a new item of appropriation
21 as follows:

22 TITLE II -- APPROPRIATIONS.

1 supplemented and amended by adding a new item of appropriation as
2 follows:

3 TITLE II -- APPROPRIATIONS.

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

5 **DEPARTMENT OF COMMERCE**

6 *36-West Virginia Development Office*

7 (WV Code Chapter 5B)

8 Fund 0256 FY 2013 Org 0307

9 **General**

10 **Revenue**

10 **Act-**

11 **ivity**

11 **Fund**

12 21a Unclassified - Transfer - Surplus .. 382 \$ 1,000,000

13 The above appropriation for Unclassified - Transfer - Surplus
14 (fund 0256, activity 382) shall be transferred to the West Virginia
15 Affordable Housing Trust Fund as established under §31-18D.

16 And, That the total appropriation for the fiscal year ending
17 June 30, 2013, to fund 0525, fiscal year 2013, organization 0506,
18 be supplemented and amended by increasing an existing item of
19 appropriation as follows:

20 TITLE II -- APPROPRIATIONS.

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

22 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

(WV Code Chapter 18B)

Fund 0589 FY 2013 Org 0441

General

Act-

Revenue

ivity

Fund

6 10a Educational Enhancements -

7 10b Surplus (R). 927 \$ 1,000,000

8 Any unexpended balance remaining in the above appropriation
9 for Educational Enhancement - Surplus (fund 0589, activity 927) at
10 the close of the fiscal year 2013 is hereby reappropriated for
11 expenditure during the fiscal year 2014.

12 The above appropriation for Educational Enhancements - Surplus
13 (fund 0589, activity 927) is to be distributed evenly between the
14 West Virginia University School of Pharmacy and the Marshall
15 University School of Pharmacy to provide scholarships to pharmacy
16 students.

17 And, That the total appropriation for the fiscal year ending
18 June 30, 2013, to fund 0586, fiscal year 2013, organization 0442,
19 be supplemented and amended by increasing existing items of
20 appropriation as follows:

TITLE II -- APPROPRIATIONS.

Section 1. Appropriations from General Revenue.

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

HIGHER EDUCATION

94-Higher Education Policy Commission -

System -

Control Account

(WV Code Chapter 18B)

Fund 0586 FY 2013 Org 0442

General

Act-

Revenue

ivity

Fund

| | | | | |
|----|----------------------------------|-----|----|---------|
| 2a | Unclassified - Surplus.. | 097 | \$ | 250,000 |
| 6 | WVU-School of Health Sciences - | | | |
| 6a | Surplus (R). | 713 | | 350,000 |

Any unexpended balance remaining in the above appropriation for WVU-School of Health Sciences - Surplus (fund 0586, activity 713) at the close of the fiscal year 2013 is hereby reappropriated for expenditure during the fiscal year 2014.

From the above appropriation for Unclassified - Surplus (fund 0586, activity 097) \$250,000 is for West Virginia State University Land Grant Match.

The purpose of this bill is to expire funds into the unappropriated surplus balance in the State Fund, General Revenue, and to supplement, amend, increase existing items and add new items

1 of appropriation in the aforesaid accounts for the designated
2 spending units for expenditure during the fiscal year 2013.