

**H. B. 104**

(By Mr. Speaker, (Mr. Thompson) and Delegate Armstead)  
[By Request of the Executive]  
[Introduced April 17, 2013.]

A BILL expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2013, in the amount of \$10,317,860.71 from the Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2009, organization 0100, activity 236, and in the amount of \$7,459,913 from the Attorney General, Consumer Protection Recovery Fund, fund 1509, fiscal year 2013, organization 1500, 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 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year 2013, organization 0100, to the Attorney General, fund 0150, fiscal year 2013, organization 1500, to the Department of Commerce, West Virginia Development Office, fund 0256, fiscal year 2013, organization 0307, to the Department of Health and Human Resources, Consolidated Medical

1 Service Fund, fund 0525, fiscal year 2013, organization 0506,  
2 to the Higher Education Policy Commission - Administration -  
3 Control Account, fund 0589, fiscal year 2013, organization  
4 0441, and to the Higher Education Policy Commission - System -  
5 Control Account, fund 0586, fiscal year 2013, organization  
6 0442, by supplementing and amending the appropriations for the  
7 fiscal year ending June 30, 2013.

8 WHEREAS, the Governor finds that the account balances in the  
9 Governor's Office - Civil Contingent Fund, fund 0105, fiscal year  
10 2009, organization 0100, activity 236, and in the Attorney General,  
11 Consumer Protection Recovery Fund, fund 1509, fiscal year 2013,  
12 organization 1500, exceed that which is necessary for the purposes  
13 for which the accounts were established; and

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

21 WHEREAS, It appears from the Governor's Executive Budget  
22 document, statement of the State Fund, General Revenue, and this  
23 legislation, there now remains an unappropriated surplus balance in  
24 the State Treasury which is available for appropriation during the

1 fiscal year ending June 30, 2013; therefore

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

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

13       And, That the total appropriation for the fiscal year ending  
14 June 30, 2013, to fund 0105, fiscal year 2013, organization 0100,  
15 be supplemented and amended by adding a new item of appropriation  
16 as follows:

17 TITLE II - APPROPRIATIONS.

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

19 **EXECUTIVE**

20 *7-Governor's Office -*

21 *Civil Contingent Fund*

22 (WV Code Chapter 5)

23 Fund 0105 FY 2013 Org 0100

24

**General**

		<b>Act-</b>	<b>Revenue</b>
		<b>ivity</b>	<b>Fund</b>
3	1b Natural Disasters - Surplus (R) . . .	764	\$10,317,860

4 Any federal reimbursements received to remunerate disbursement  
 5 from this activity or funds transferred from this activity shall be  
 6 credited back to this activity.

7 Any unexpended balance remaining in the above appropriation  
 8 for Natural Disasters - Surplus (fund 0105, activity 764) at the  
 9 close of the fiscal year 2013 is hereby reappropriated for  
 10 expenditure during the fiscal year 2014.

11 And, That the total appropriation for the fiscal year ending  
 12 June 30, 2013, to fund 0150, fiscal year 2013, organization 1500,  
 13 be supplemented and amended by increasing existing items and adding  
 14 new items of appropriation as follows:

15 TITLE II - APPROPRIATIONS.

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

17 **EXECUTIVE**

18 *15-Attorney General*

19 (WV Code Chapter 5, 14, 46A and 47)

20 Fund 0150 FY 2013 Org 1500

			<b>General</b>
		<b>Act-</b>	<b>Revenue</b>
		<b>ivity</b>	<b>Fund</b>
24	1 Personal Services - Surplus. . . . .	243	\$ 309,000

1	4	Employee Benefits - Surplus. . . . .	250	115,425
2	8	Equipment - Surplus (R). . . . .	341	260,200
3	10a	Technology Improvements -		
4	10b	Surplus (R).. . . . .	725	965,020
5	11a	Operating Expenses - Surplus (R).. .	779	210,268

6 Any unexpended balance remaining in the above appropriation  
7 for Equipment - Surplus (fund 0150, activity 341), Technology  
8 Improvements - Surplus (fund 0150, activity 725), and Operating  
9 Expenses - Surplus (fund 0150, activity 779) at the close of the  
10 fiscal year 2013 is hereby reappropriated for expenditure during  
11 the fiscal year 2014.

12 And, That the total appropriation for the fiscal year ending  
13 June 30, 2013, to fund 256, fiscal year 2013, organization 0307, be  
14 supplemented and amended by adding a new item of appropriation as  
15 follows:

16 TITLE II - APPROPRIATIONS.

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

18 **DEPARTMENT OF COMMERCE**

19 *36-West Virginia Development Office*

20 (WV Code Chapter 5B)

21 Fund 0256 FY 2013 Org 0307

22		<b>General</b>
23	<b>Act-</b>	<b>Revenue</b>
24	<b>ivity</b>	<b>Fund</b>

1 20a Unclassified - Transfer - Surplus .. 382 \$ 1,000,000

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

5 And, That the total appropriation for the fiscal year ending  
6 June 30, 2013, to fund 0525, fiscal year 2013, organization 0506,  
7 be supplemented and amended by increasing an existing item of  
8 appropriation as follows:

9 TITLE II - APPROPRIATIONS.

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

11 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

12 *64-Consolidated Medical Service Fund*

13 (WV Code Chapter 16)

14 Fund 0525 FY 2013 Org 0506

15		<b>General</b>
16	<b>Act-</b>	<b>Revenue</b>
17	<b>ivity</b>	<b>Fund</b>

18 6 Behavioral Health Program -

19 6a Surplus (R)... . . . . 631 \$ 3,000,000

20 Any unexpended balance remaining in the above appropriation  
21 for Behavioral Health Program - Surplus (fund 0525, activity 631)  
22 at the close of the fiscal year 2013 is hereby reappropriated for  
23 expenditure during the fiscal year 2014.

24 And, That the total appropriation for the fiscal year ending

1 June 30, 2013, to fund 0589, fiscal year 2013, organization 0441,  
 2 be supplemented and amended by adding a new item of appropriation  
 3 as follows:

4 TITLE II - APPROPRIATIONS.

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

6 **HIGHER EDUCATION**

7 *93-Higher Education Policy Commission -*

8 *Administration -*

9 *Control Account*

10 (WV Code Chapter 18B)

11 Fund 0589 FY 2013 Org 0441

12		<b>General</b>
13	<b>Act-</b>	<b>Revenue</b>
14	<b>ivity</b>	<b>Fund</b>

15 10a Educational Enhancements -

16 10b Surplus (R) . . . . . 927 \$ 1,000,000

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

21 The above appropriation for Educational Enhancements - Surplus  
 22 (fund 0589, activity 927) is to be distributed evenly between the  
 23 West Virginia University School of Pharmacy and the Marshall  
 24 University School of Pharmacy to provide scholarships to pharmacy

1 students.

2 And, That the total appropriation for the fiscal year ending  
 3 June 30, 2013, to fund 0586, fiscal year 2013, organization 0442,  
 4 be supplemented and amended by increasing an existing items of  
 5 appropriation as follows:

6 TITLE II - APPROPRIATIONS.

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

8 **HIGHER EDUCATION**

9 *94-Higher Education Policy Commission -*

10 *System -*

11 *Control Account*

12 (WV Code Chapter 18B)

13 Fund 0586 FY 2013 Org 0442

		<b>Act-</b>	<b>General</b>
		<b>ivity</b>	<b>Revenue</b>
			<b>Fund</b>
17 2a	Unclassified - Surplus.. . . . .	097	\$ 250,000
18 6	WVU-School of Health Sciences -		
19 6a	Surplus (R).. . . . .	713	350,000

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

24 From the above appropriation for Unclassified - Surplus (fund



1 0586, activity 097) \$250,000 is for West Virginia State University  
2 Land Grant Match.

3       The purpose of this bill is to expire funds into the  
4 unappropriated surplus balance in the state fund, general revenue,  
5 and to supplement, amend, increase existing items, and add new  
6 items of appropriation in the aforesaid accounts for the designated  
7 spending units for expenditure during the fiscal year 2013.