

1 **Senate Bill No. 207**

2 (By Senators Kessler (Mr. President) and M. Hall,

3 By Request of the Executive)

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5 [Introduced February 19, 2013; referred to the Committee on
6 Finance.]
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10
11 A BILL expiring funds to the unappropriated surplus balance in the
12 State Fund, General Revenue, for the fiscal year ending June
13 30, 2013, in the amount of \$1,500,000 from the State Election
14 Commission, Supreme Court Public Campaign Financing Fund, fund
15 1690, fiscal year 2013, organization 1601, and in the amount
16 of \$2,500,000 from the Department of Administration, Office of
17 the Secretary, State Employee Sick Leave Fund, fund 2045,
18 fiscal year 2013, organization 0201, and in the amount of
19 \$18,317,356.29 from the Department of Administration,
20 Education, Arts, Sciences and Tourism Debt Service Fund, fund
21 2252, fiscal year 2013, organization 0211, and in the amount
22 of \$3,800,000 from the Department of Administration, Division
23 of General Services, 2004 Capitol Complex Parking Garage Fund,
24 fund 2461, fiscal year 2013, organization 0211, and in the

1 amount of \$8,000,000 from the Department of Administration,
2 Board of Risk and Insurance Management, Premium Tax Saving
3 Fund, fund 2367, fiscal year 2013, organization 0218, and in
4 the amount of \$2,000,000 from the Department of Health and
5 Human Resources, Division of Human Services, Low Income Energy
6 Assistance Program Fund, fund 5081, fiscal year 2013,
7 organization 0511, and in the amount of \$4,600,000 from the
8 Department of Revenue, State Budget Office, Public Employees
9 Insurance Reserve Fund, fund 7400, fiscal year 2013,
10 organization 0703, and in the amount of \$20,000,000 from the
11 Department of Revenue, Insurance Commissioner, Insurance
12 Commission Fund, fund 7152, fiscal year 2013, organization
13 0704, and in the amount of \$14,736,022 from the Department of
14 Revenue, Lottery Commission, Revenue Center Construction Fund,
15 fund 7209, fiscal year 2013, organization 0705, and making a
16 supplementary appropriation of public moneys out of the
17 Treasury from the balance of moneys remaining as an
18 unappropriated surplus balance in the State Fund, General
19 Revenue, to the Department of Administration, Division of
20 Finance, fund 0203, fiscal year 2013, organization 0209, to
21 the Department of Commerce, Division of Natural Resources,
22 fund 0265, fiscal year 2013, organization 0310, to the
23 Department of Health and Human Resources, Consolidated Medical
24 Service Fund, fund 0525, fiscal year 2013, organization 0506,

1 to the Department of Health and Human Resources, Division of
2 Human Services, fund 0403, fiscal year 2013, organization
3 0511, to the Department of Military Affairs and Public Safety
4 - Office of the Secretary, fund 0430, fiscal year 2013,
5 organization 0601, to the Department of Military Affairs and
6 Public Safety, Division of Corrections - Correctional Units,
7 fund 0450, fiscal year 2013, organization 0608, to the West
8 Virginia Council for Community and Technical College Education
9 - Control Account, fund 0596, fiscal year 2013, organization
10 0420, and to the Higher Education Policy Commission - Control
11 Account, fund 0586, fiscal year 2013, organization 0442, by
12 supplementing and amending the appropriations for the fiscal
13 year ending June 30, 2013.

14 WHEREAS, the Governor finds that the account balances in the
15 State Election Commission, Supreme Court Public Campaign Financing
16 Fund, fund 1690, fiscal year 2013, organization 1601, the
17 Department of Administration, Office of the Secretary, State
18 Employee Sick Leave Fund, fund 2045, fiscal year 2013, organization
19 0201, the Department of Administration, Education, Arts, Sciences
20 and Tourism Debt Service Fund, fund 2252, fiscal year 2013,
21 organization 0211, the Department of Administration, Division of
22 General Services, 2004 Capitol Complex Parking Garage Fund, fund
23 2461, fiscal year 2013, organization 0211, the Department of
24 Administration, Board of Risk and Insurance Management, Premium Tax

1 Saving Fund, fund 2367, fiscal year 2013, organization 0218, the
2 Department of Health and Human Resources, Division of Human
3 Services, Low Income Energy Assistance Program Fund, fund 5081,
4 fiscal year 2013, organization 0511, the Department of Revenue,
5 State Budget Office, Public Employees Insurance Reserve Fund, fund
6 7400, fiscal year 2013, organization 0703, the Department of
7 Revenue, Insurance Commissioner, Insurance Commission Fund, fund
8 7152, fiscal year 2013, organization 0704, the Department of
9 Revenue, Lottery Commission, Revenue Center Construction Fund, fund
10 7209, fiscal year 2013, organization 0705, exceed that which is
11 necessary for the purposes for which the accounts were established;
12 and

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

20 WHEREAS, It appears from the Executive Budget document,
21 Statement of the State Fund, General Revenue, and this legislation,
22 there now remains an unappropriated surplus balance in the State
23 Treasury which is available for appropriation during the fiscal
24 year ending June 30, 2013; therefore

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

2 That the balance of the funds available for expenditure in the
3 fiscal year ending June 30, 2013, in the State Election Commission,
4 Supreme Court Public Campaign Financing Fund, fund 1690, fiscal
5 year 2013, organization 1601, be decreased by expiring the amount
6 of \$1,500,000, and in the Department of Administration, Office of
7 the Secretary, State Employee Sick Leave Fund, fund 2045, fiscal
8 year 2013, organization 0201, be decreased by expiring the amount
9 of 2,500,000, and in the Department of Administration, Division of
10 General Services, Education, Arts, Sciences and Tourism Debt
11 Service Fund, fund 2252, fiscal year 2013, organization 0211, be
12 decreased by expiring the amount of \$18,317,356.29, and in the
13 Department of Administration, Division of General Services, 2004
14 Capitol Complex Parking Garage Fund, fund 2461, fiscal year 2013,
15 organization 0211, be decreased by expiring the amount of
16 \$3,800,000, and in the Department of Administration, Board of Risk
17 and Insurance Management, Premium Tax Savings Fund, fund 2367,
18 fiscal year 2013, organization 0218, be decreased by expiring the
19 amount of \$8,000,000, and in the Department of Health and Human
20 Resources, Division of Human Services, Low Income Energy Assistance
21 Program Fund, fund 5081, fiscal year 2013, organization 0511, be
22 decreased by expiring the amount of \$2,000,000, and in the
23 Department of Revenue, State Budget Office, Public Employees,
24 Insurance Reserve Fund, fund 7400, fiscal year 2013, organization

1 0703, be decreased by expiring the amount of \$4,600,000, and in the
 2 Department of Revenue, Insurance Commissioner, Insurance Commission
 3 Fund, fund 7152, fiscal year 2013, organization 0704, be decreased
 4 by expiring the amount of \$20,000,000, and in the Department of
 5 Revenue, Lottery Commission, Revenue Center Construction Fund, fund
 6 7209, fiscal year 2013, organization 0705, be decreased by expiring
 7 the amount of \$14,736,022, all to the unappropriated surplus
 8 balance of the State Fund, General Revenue, to be available for
 9 appropriation during the fiscal year ending June 30, 2013.

10 And, That the total appropriation for the fiscal year ending
 11 June 30, 2013, to fund 0203, fiscal year 2013, organization 0209,
 12 be supplemented and amended by adding a new item of appropriation
 13 as follows:

14 TITLE II - APPROPRIATIONS.

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

16 **DEPARTMENT OF ADMINISTRATION**

17 *20-Division of Finance*

18 (WV Code Chapter 5A)

19 Fund 0203 FY 2013 Org 0209

		Act-	General
		ivity	Revenue
			Fund
23	10a Enterprise Resource Planning		
24	10b System - Surplus..	872	\$ 30,000,000

1 The above appropriation for Enterprise Resource Planning
2 System - Surplus (activity 872), shall be transferred to the West
3 Virginia Enterprise Resource Planning Board, fund 9080,
4 organization 0947.

5 And, That the total appropriation for the fiscal year ending
6 June 30, 2013, to fund 0265, fiscal year 2013, organization 0310,
7 be supplemented and amended by adding a new item of appropriation
8 as follows:

9 TITLE II - APPROPRIATIONS.

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

11 **DEPARTMENT OF COMMERCE**

12 *39-Division of Natural Resources*

13 (WV Code Chapter 20)

14 Fund 0265 FY 2013 Org 0310

		General
	Act-	Revenue
	ivity	Fund
15		
16		
17		
18	12a Operating Expenses - Surplus (R).. .	779 \$ 1,000,000

19 Any unexpended balance remaining in the above appropriation
20 for Operating Expenses - Surplus (fund 0265, activity 779) at the
21 close of the fiscal year 2013 is hereby reappropriated for
22 expenditure during the fiscal year 2014.

23 And, That the total appropriation for the fiscal year ending
24 June 30, 2013, to fund 0525, fiscal year 2013, organization 0506,

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 HEALTH AND HUMAN RESOURCES**

6 *64-Consolidated Medical Service Fund*

7 (WV Code Chapter 16)

8 Fund 0525 FY 2013 Org 0506

		General
	Act-	Revenue
	ivity	Fund
12 6 Behavioral Health Program - Surplus (R) 631		\$ 3,662,312

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

17 And, That the total appropriation for the fiscal year ending
18 June 30, 2013, to fund 0403, fiscal year 2013, organization 0511,
19 be supplemented and amended by increasing existing items of
20 appropriation as follows:

21 TITLE II - APPROPRIATIONS.

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

23 **DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

24 *67-Division of Human Services*

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2013 Org 0511

General

Act-

Revenue

ivity

Fund

9	Medical Services - Surplus (R)	633	\$26,350,105
10	Social Services - Surplus	082	4,717,147

Any unexpended balance remaining in the above appropriation for Medical Services - Surplus (fund 0403, activity 633) at the close of the fiscal year 2013 is hereby reappropriated for expenditure during the fiscal year 2014.

And, That the total appropriation for the fiscal year ending June 30, 2013, to fund 0430, fiscal year 2013, organization 0601, be supplemented and amended by adding new items of appropriation as follows:

TITLE II - APPROPRIATIONS.

Section 1. Appropriations from general revenue.

DEPARTMENT OF MILITARY AFFAIRS

AND PUBLIC SAFETY

68-Department of Military Affairs and Public Safety -

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2013 Org 0601

General

		Act-	Revenue
		ivity	Fund
3	9a Substance Abuse		
4	9b Program - Surplus (R)	696	\$ 3,000,000
5	9c Justice Reinvestment		
6	9d Training - Surplus (R)	699	500,000

7 Any unexpended balances remaining in the above appropriations
8 for Substance Abuse Program - Surplus (fund 0430, activity 696) and
9 Justice Reinvestment Training - Surplus (fund 0430, activity 699)
10 at the close of the fiscal year 2013 are hereby reappropriated for
11 expenditure during the fiscal year 2014.

12 The above appropriations for Substance Abuse Program - Surplus
13 (fund 0430, activity 696) and Justice Reinvestment Training -
14 Surplus (fund 0430, activity 699) shall be used for substance abuse
15 and training initiatives designed to increase public safety and
16 decrease the recidivism rate in West Virginia.

17 And, That the total appropriation for the fiscal year ending
18 June 30, 2013, to fund 0450, fiscal year 2013, organization 0608,
19 be supplemented and amended by adding new items of appropriation as
20 follows:

21 TITLE II - APPROPRIATIONS.

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

23 **DEPARTMENT OF MILITARY AFFAIRS**

24 **AND PUBLIC SAFETY**

1 74-Division of Corrections -

2 Correctional Units

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

4 Fund 0450 FY 2013 Org 0608

		Act-	General
		ivity	Revenue
			Fund
8	14a Capital Improvements - Surplus (R)..	661	\$ 6,000,000
9	15a Capital Outlay, Repairs and		
10	15b Equipment - Surplus (R).	677	4,900,000
11	18a Operating Expenses - Surplus (R).. .	779	2,000,000

12 Any unexpended balances remaining in the above appropriations
 13 for Capital Improvements - Surplus (fund 0450, activity 661),
 14 Capital Outlay, Repairs and Equipment - Surplus (fund 0450,
 15 activity 677), and Operating Expenses - Surplus (fund 0450,
 16 activity 779) at the close of the fiscal year 2013 are hereby
 17 reappropriated for expenditure during the fiscal year 2014.

18 And, That the total appropriation for the fiscal year ending
 19 June 30, 2013, to fund 0596, fiscal year 2013, organization 0420,
 20 be supplemented and amended by adding a new item of appropriation
 21 as follows:

22 TITLE II - APPROPRIATIONS.

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

24 **HIGHER EDUCATION**

1 92-West Virginia Council for
 2 Community and Technical College Education-
 3 Control Account

4 (WV Code Chapter 18B)

5 Fund 0596 FY 2013 Org 0420

			General
		Act-	Revenue
		ivity	Fund
9	2a Unclassified - Surplus (R)	097	\$ 80,758

10 And, That the total appropriation for the fiscal year ending
 11 June 30, 2013, to fund 0586, fiscal year 2013, organization 0442,
 12 be supplemented and amended by adding a new item of appropriation
 13 as follows:

14 TITLE II - APPROPRIATIONS.

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

16 **HIGHER EDUCATION**

17 94-Higher Education Policy Commission -
 18 System -
 19 Control Account

20 (WV Code Chapter 18B)

21 Fund 0586 FY 2013 Org 0442

			General
		Act-	Revenue
		ivity	Fund

1 2a Unclassified - Surplus.. 097 \$ 247,234

2 The purpose of this supplemental appropriation bill is to
3 expire, supplement, amend, increase, and add items of appropriation
4 in the aforesaid accounts for the designated spending units for
5 expenditure during the fiscal year 2013.

6