

WEST VIRGINIA LEGISLATURE

SENATE JOURNAL

EIGHTY-THIRD LEGISLATURE
REGULAR SESSION, 2018
FIFTY-SEVENTH DAY

Charleston, West Virginia, Wednesday, March 7, 2018

The Senate met at 11:24 a.m.

(Senator Carmichael, Mr. President, in the Chair.)

Prayer was offered by Pastor Mike Harper, North Hills Baptist Church, Charleston, West Virginia.

The Senate was then led in recitation of the Pledge of Allegiance by the Honorable Robert D. Beach, a senator from the thirteenth district.

Pending the reading of the Journal of Tuesday, March 6, 2018,

At the request of Senator Gaunch, unanimous consent being granted, the Journal was approved and the further reading thereof dispensed with.

The Senate proceeded to the second order of business and the introduction of guests.

At the request of Senator Ferns, and by unanimous consent, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant Rebecca Gaunch, granddaughter of the Honorable C. Edward Gaunch, a senator from the eighth district, privileges of the floor for the day.

At the request of Senator Ferns, unanimous consent being granted, the Senate proceeded to the sixth order of business.

Senators Stollings, Beach, Plymale, and Boso offered the following resolution:

Senate Concurrent Resolution 53—Requesting the Division of Highways name bridge number 22-22-13.73 (22A053), locally known as Scary Creek Box Beam Bridge, carrying County Route 22 over Middle Fork in Lincoln County, the “U. S. Army SGT Harold Scott White Memorial Bridge”.

Whereas, Harold Scott White was born on May 31, 1918, in Griffithsville, West Virginia. When he was young, his family moved to Smith’s Ferry, Pennsylvania; and

Whereas, While in Pennsylvania, Harold Scott White worked as a carpenter, but soon moved back to Sweetland, West Virginia, because he missed his home state. There he met, fell in love with, and married Marry Odessa Ann Chambers of Sweetland. They ran a mom and pop store in Sweetland and had one son, John Elbert White, who was born in 1943; and

Whereas, SGT Harold Scott White served in the U. S. Army in Germany during World War II as Commander of the 290th Engineer Combat Battalion; and

Whereas, After returning from the war, SGT Harold Scott White worked full-time at Houdaille Industries in Huntington for 33 years while he continued to run the mom and pop store with his wife in Sweetland. He and his son, John, started White's Supermarket/Grocery in 1962, which was also the beginning of White's Plaza; and

Whereas, Also, after returning from the war, SGT Harold Scott White became a Colonel with the Honorable Order of Kentucky Colonels, a member of the Veterans of Foreign Wars Post 1064 in Huntington, and the Griffithsville Lodge 71, AF&AM. He organized many activities in Huntington, Hamlin, and Sweetland, most notably a reunion of the 290th Combat Engineers of World War II. He showed off our wonderful state to many during this time and many returned time and time again from all over the country; and

Whereas, SGT Harold Scott White became a 32nd degree Mason in the Scottish Rite, and a Beni Kedem Temple Shriner. He loved being a Shriner and helping others. His volunteer work did not end there, he also served as the vice president of the Lincoln County Opportunity Company and helped the county grow with various, programs especially those helping the senior population; and

Whereas, SGT Harold Scott White also started the U&I Farm in Sweetland. The farm was a place for public gatherings for pure fellowship or to fellowship and learn. He was a member of the Hamlin Baptist Church in Hamlin for more than 30 years and served as a deacon. As SGT Harold Scott White was also a talented wood worker and artist, he helped in the construction of this church; and

Whereas, SGT Harold Scott White was a great ambassador for his community. He worked with other community members to form a community clinic in Hamlin. He provided the original White's Supermarket/Grocery building free of charge to help the community clinic get started. That clinic, founded about the time Marshall University opened its medical school, later became the Lincoln Primary Care Center and has now extended to many counties in southern West Virginia. The clinic was run by several of the physicians at Marshall University and served as a place for medical students, residents, and fellow physicians to practice. Many of the prominent doctors at Marshall University today remember serving the Hamlin and Lincoln County community; and

Whereas, SGT Harold Scott White passed away on January 13, 1981; and

Whereas, It is fitting that an enduring memorial be established to commemorate SGT Harold Scott White and his contributions to our state and country; therefore, be it

Resolved by the West Virginia Legislature:

That the Legislature hereby requests the Division of Highways bridge number 22-22-13.73 (22A053), locally known as Scary Creek Box Beam Bridge, carrying County Route 22 over Middle Fork in Lincoln County, the “U. S. Army SGT Harold Scott White Memorial Bridge”; and, be it

Further Resolved, That the Division of Highways is hereby requested to have made and be placed signs identifying the bridge as the “U. S. Army SGT Harold Scott White Memorial Bridge”; and, be it

Further Resolved, That the Clerk of the Senate is hereby directed to forward a copy of this resolution to the Commissioner of the Division of Highways.

Which, under the rules, lies over one day.

Senators Drennan, Plymale, Stollings, and Boso offered the following resolution:

Senate Resolution 65—Memorializing the life of Leon McCoy, teacher, coach, and dedicated public servant.

Whereas, Leon McCoy was born June 1, 1928, in Jeffrey, Boone County, West Virginia; and

Whereas, Leon McCoy attended Charleston High School, the University of Tennessee, and Morris Harvey College; and

Whereas, Leon McCoy went to the University of Tennessee on a football scholarship in 1947, and then finished up at Morris Harvey (1949-1951) where he was an All-American football player in 1950, three-time All-West Virginia Intercollegiate Athletic Conference first team selection and graduated in 1952. He was also a United States heavyweight boxing champion of the south in 1950 and signed with the Detroit Lions of the National Football League in 1952; and

Whereas, Leon McCoy began his teaching/coaching career as an assistant coach at Charleston Central Catholic HS in 1953. He then took his first turn at Winfield High School from 1955-1959, losing the state title in both 1958 and 1959. Coach McCoy returned to coach at Charleston High School in 1960 but in 1962 went to Cocoa High School in Florida to coach/teach for seven years. In 1969, Coach McCoy arrived back at Winfield High School to teach, coach, and mentor the many athletes, students, and coworkers where he led from the front with his well-known weightlifting program; and

Whereas, Coach McCoy had an outstanding career as Winfield’s football coach, finishing with a career record of 213-68-1 in 26 years; and

Whereas, Coach McCoy had five 10-0 seasons, and two undefeated seasons in 1985 and 1987, winning the state AA Championship with records of 13-0; and

Whereas, Coach McCoy was inducted into the West Virginia Coaches Hall of Fame in 2009 and is also a member of the University of Charleston Hall of Fame; and

Whereas, Coach McCoy was a devout christian and head deacon at the Winfield Baptist Church, and eagerly shared and demonstrated his faith at every opportunity; and

Whereas, Coach McCoy was married to his beloved wife, Betty, of 64 years, with whom he shared the joy of having their children: Cathy Bailey (David), of Scott Depot, and Bill Hughes

(Linda), of Winfield; grandchildren, Brooke Smolder (Eddie), of Ripley, and their children Braylie and Eddric, Brittany Harper (Dave), of Scott Depot, and their children Betley and Cassidy, Amy Artrip (Brent), of Raleigh, and their children Eric and Ian, and John Grass (Kristi), of Raleigh, and his children Tori, Sera, and Jack

Whereas, Sadly, Coach McCoy passed away on May 27, 2017, bringing an end to a legendary teaching and coaching career, and a life dedicated to faith, family, and public service; and

Whereas, It is fitting the Senate honors the memory of Coach Leon McCoy for his contributions to his community and state; therefore, be it

Resolved by the Senate:

That the Senate hereby memorializes the life of Leon McCoy, teacher, coach, and dedicated public servant; and

Further Resolved, That the Senate extends its most sincere condolences to family of Coach Leon McCoy on his passing; and, be it

Further Resolved, That the Clerk is hereby directed to forward a copy of this resolution to the family of Coach Leon McCoy.

At the request of Senator Drennan, unanimous consent being granted, the resolution was taken up for immediate consideration, reference to a committee dispensed with, and adopted.

Thereafter, at the request of Senator Ferns, and by unanimous consent, the remarks by Senators Drennan and Gaunch regarding the adoption of Senate Resolution 65 were ordered printed in the Appendix to the Journal.

On motion of Senator Ferns, at 11:41 a.m., the Senate recessed to present Senate Resolution 65.

The Senate reconvened at 11:46 a.m. today and, at the request of Senator Ferns, and by unanimous consent, returned to the second order of business and the introduction of guests.

The Senate proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the rejection by that body of

Eng. Com. Sub. for Senate Bill 7, Relating to claims under Wage Payment and Collection Act.

A message from the Clerk of the House of Delegates announced that that body had refused to recede from its amendments, and requested the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for Senate Bill 46, Permitting pharmacists to inform customers of lower-cost alternative drugs.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Sobonya, Hollen, and Byrd.

On motion of Senator Ferns, the Senate agreed to the appointment of a conference committee on the bill.

Whereupon, Senator Carmichael (Mr. President) appointed the following conferees on the part of the Senate:

Senators Takubo, Cline, and Stollings.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Senate Bill 47, Requiring Defense Department advocacy groups be notified in abuse or neglect of military person's child.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 102, Creating WV Uniform Fiduciary Access to Digital Assets Act.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

CHAPTER 39B. UNIFORM POWER OF ATTORNEY ACT.

ARTICLE 2. AUTHORITY.

§39B-2-101. Authority that requires specific grant; grant of general authority.

(a) An agent under a power of attorney may do the following on behalf of the principal or with the principal's property only if the power of attorney expressly grants the agent the authority and exercise of the authority is not otherwise prohibited by another agreement or instrument to which the authority or property is subject to:

- (1) Create, amend, revoke, or terminate an inter vivos trust;
- (2) Make a gift;
- (3) Create or change rights of survivorship;
- (4) Create or change a beneficiary designation;
- (5) Delegate authority granted under the power of attorney;

(6) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan;

(7) Exercise fiduciary powers that the principal has authority to delegate; or

(8) Disclaim property, including a power of appointment; or

(9) Exercise authority over the content of electronic communications, as defined in 18 U.S.C. Section 2510(12) sent or received by the principal.

(b) Notwithstanding a grant of authority to do an act described in this section, unless the power of attorney otherwise provides, an agent may not exercise authority under a power of attorney to create in the agent, or in an individual to whom the agent owes a legal obligation of support, an interest in the principal's property, whether by gift, right of survivorship, beneficiary designation, disclaimer, or otherwise, ~~unless the power of attorney expresses in the grant of authority the specific act and identifies the existing property interest with particularity, rather than in general terms.~~

(c) Subject to §39B-2-101(a), §39B-2-101(b), §39B-2-101(d), and §39B-2-101(e) of this code, if a power of attorney grants to an agent authority to do all acts that a principal could do, the agent has the general authority described in §39B-2-104 through §39B-2-116 of this code.

(d) Unless the power of attorney otherwise provides, a grant of authority to make a gift is subject to the provisions of §39B-2-117 of this code.

(e) Subject to §39B-2-101(a), §39B-2-101(b), §39B-2-101(d), and §39B-2-101(e) of this code, if the subjects over which authority is granted in a power of attorney are similar or overlap, the broadest authority controls.

(f) Authority granted in a power of attorney is exercisable with respect to property that the principal has when the power of attorney is executed or acquires later, whether or not the property is located in this state and whether or not the authority is exercised or the power of attorney is executed in this state.

(g) An act performed by an agent pursuant to a power of attorney has the same effect and inures to the benefit of and binds the principal and the principal's successors in interest as if the principal had performed the act.

ARTICLE 3. STATUTORY FORMS

§39B-3-101. Statutory form power of attorney.

A document substantially in the following form may be used to create a statutory form power of attorney that has the meaning and effect prescribed by this act.

STATE OF WEST VIRGINIA

STATUTORY FORM POWER OF ATTORNEY

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Uniform Power of Attorney Act ~~[insert citation]~~, §39B-1-101 et seq. of this code.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the special instructions. This form provides for designation of one agent. If you wish to name more than one agent you may name a coagent in the Special Instructions. Coagents are not required to act together unless you include that requirement in the Special Instructions. If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

I _____ name the following person as my agent:

(Name of Principal)

Name of Agent: _____

Agent's Address: _____

Agent's Telephone Number: _____

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: _____

Successor Agent's Address: _____

Successor Agent's Telephone Number: _____

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name of Second Successor Agent: _____

Second Successor Agent's Address: _____

Second Successor Agent's Telephone Number:_____

GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Uniform Power of Attorney Act ~~[insert citation]~~, §39B-1-101 et seq. of this code:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- Real Property
- Tangible Personal Property
- Stocks and Bonds
- Commodities and Options
- Banks and Other Financial Institutions
- Operation of Entity or Business
- Insurance and Annuities
- Estates, Trusts, and Other Beneficial Interests
- Claims and Litigation
- Personal and Family Maintenance
- Benefits from Governmental Programs or Civil or Military Service
- Retirement Plans
- Taxes
- All Preceding Subjects

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

- Create, amend, revoke, or terminate an inter vivos trust

(___) Make a gift, subject to the limitations of the West Virginia Uniform Power of Attorney Act and any special instructions in this power of attorney

(___) Create or change rights of survivorship

(___) Create or change a beneficiary designation

(___) Authorize another person to exercise the authority granted under this power of attorney

(___) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

(___) Exercise fiduciary powers that the principal has authority to delegate

(___) Disclaim or refuse an interest in property, including a power of appointment

(___) Access the content of electronic communications

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines:

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the special instructions.

NOMINATION OF [CONSERVATOR OR GUARDIAN] (OPTIONAL)

If it becomes necessary for a court to appoint a [conservator or guardian] of my estate or [guardian] of my person, I nominate the following person(s) for appointment:

Name of Nominee for [conservator or guardian] of my estate:

Nominee's Address: _____

Nominee's Telephone Number: _____

Name of Nominee for [guardian] of my person: _____

Nominee's Address: _____

Nominee's Telephone Number: _____

RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid. Unless expressly stated otherwise, this power of attorney is durable and shall remain valid if I become incapacitated.

SIGNATURE AND ACKNOWLEDGMENT

Your Signature _____ Date _____

Your Name Printed _____

Your Address _____

Your Telephone Number _____

State of _____

[County] of _____

This document was acknowledged before me on _____,

(Date)

by _____.

(Name of Principal)

_____ (Seal, if any)

Signature of Notary

My commission expires: _____

[This document prepared by: _____]

IMPORTANT INFORMATION FOR AGENT

Agent's Duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes upon you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

(1) Do what you know the principal reasonably expects you to do with the principal's property or, if you do not know the principal's expectations, act in the principal's best interest; act in good faith;

(2) Do nothing beyond the authority granted in this power of attorney; and

(3) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as "agent" in the following manner:

_____ by _____

(Principal's Name)

(Your Signature) as Agent

Unless the special instructions in this power of attorney state otherwise, you must also:

(1) Act loyally for the principal's benefit;

(2) Avoid conflicts that would impair your ability to act in the principal's best interest;

(3) Act with care, competence, and diligence;

(4) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;

(5) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

TERMINATION OF AGENT'S AUTHORITY

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

(1) Death of the principal;

(2) The principal's revocation of the power of attorney or your authority;

(3) The occurrence of a termination event stated in the power of attorney;

(4) The purpose of the power of attorney is fully accomplished; or

(5) If you are married to the principal, a legal action is filed with a court to end your marriage or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

LIABILITY OF AGENT

The meaning of the authority granted to you is defined in the Uniform Power of Attorney Act [insert citation], §39B-1-101 *et seq.* of this code. If you violate the Uniform Power of Attorney Act

[insert citation], as set forth in §39B-1-101 et seq. of this code, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice.

CHAPTER 44. ADMINISTRATION OF ESTATES AND TRUSTS.

ARTICLE 5B. WEST VIRGINIA UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT.

§44-5B-1. Short title.

This article may be cited as the West Virginia Uniform Fiduciary Access to Digital Assets Act.

§44-5B-2. Definitions.

In this article:

“Account” means an arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user;

“Agent” means an attorney-in-fact granted authority under a durable or nondurable power of attorney;

“Carries” means engages in the transmission of an electronic communication;

“Catalogue of electronic communications” means information that identifies each person with whom a user has had an electronic communication, the time and date of the communication, and the electronic address of the person;

“Conservator” means a person appointed by a court to manage the estate and financial affairs of a protected person. The term includes a limited conservator and temporary conservator;

“Content of an electronic communication” means information concerning the substance or meaning of the communication which:

(1) Has been sent or received by a user;

(2) Is in electronic storage by a custodian providing an electronic communication service to the public or is carried or maintained by a custodian providing a remote computing service to the public; and

(3) Is not readily accessible to the public;

“Court” means the circuit court of the county having jurisdiction over the fiduciary or designated recipient;

“Custodian” means a person that carries, maintains, processes, receives, or stores a digital asset of a user;

“Designated recipient” means a person chosen by a user using an online tool to administer digital assets of the user;

“Digital asset” means an electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability, unless the asset or liability is itself an electronic record;

“Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

“Electronic communication” has the meaning set forth in 18 U.S.C. § 2510(12);

“Electronic communication service” means a custodian that provides to a user the ability to send or receive an electronic communication;

“Fiduciary” means an original, additional or successor personal representative, conservator, agent, or trustee;

“Information” means data, text, images, videos, sounds, codes, computer programs, software, databases, or the like;

“Online tool” means an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person;

“Person” means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, instrumentality, or other legal entity;

“Personal representative” means an executor, administrator, special administrator, or person that performs substantially the same function under law of this state other than this article;

“Power of attorney” means a record that grants an agent authority to act in the place of a principal;

“Principal” means an individual who grants authority to an agent in a power of attorney;

“Protected person” means an individual for whom a conservator has been appointed. The term includes an individual for whom an application for the appointment of a conservator is pending;

“Record” means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

“Remote computing service” means a custodian that provides to a user computer-processing services or the storage of digital assets by means of an electronic communications system, as defined in 18 U.S.C. § 2510(14);

“Terms of service agreement” means an agreement that controls the relationship between a user and a custodian;

“Trustee” means a fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another. The term includes a successor trustee;

“User” means a person that has an account with a custodian; and

“Will” includes a codicil, testamentary instrument that only appoints an executor, and instrument that revokes or revises a testamentary instrument.

§44-5B-3. Applicability.

(a) This article applies to:

(1) A fiduciary acting under a will or power of attorney executed before, on, or after the effective date of this article;

(2) A personal representative acting for a decedent who died before, on, or after the effective date of this article;

(3) A conservatorship proceeding commenced before, on, or after the effective date of this article; and

(4) A trustee acting under a trust created before, on, or after the effective date of this article.

(b) This article applies to a custodian if the user resides in this state or resided in this state at the time of the user’s death.

(c) This article does not apply to a digital asset of an employer used by an employee in the ordinary course of the employer’s business.

§44-5B-4. User direction for disclosure of digital assets.

(a) A user may use an online tool to direct the custodian to disclose or not to disclose to a designated recipient some or all of the user’s digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool overrides a contrary direction by the user in a will, trust, power of attorney, or other record.

(b) If a user has not used an online tool to give direction under §44B-5B-3(a) of this code or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record, disclosure to a fiduciary of some or all of the user’s digital assets, including the content of electronic communications sent or received by the user.

(c) A user’s direction under §44-5B-4(a) or §44-5B-4(b) of this code overrides a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user’s assent to the terms of service.

§44-5B-5. Terms of service agreement.

(a) This article does not change or impair a right of a custodian or a user under a terms-of-service agreement to access and use digital assets of the user.

(b) This article does not give a fiduciary or a designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(c) A fiduciary's or a designated recipient's access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under §44-5B-4 of this code.

§44-5B-6. Procedure for disclosing digital assets.

(a) When disclosing digital assets of a user under this article, the custodian may at its sole discretion:

(1) Grant a fiduciary or designated recipient full access to the user's account;

(2) Grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or

(3) Provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

(b) A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under this article.

(c) A custodian need not disclose under this article a digital asset deleted by a user.

(d) If a user directs or a fiduciary requests a custodian to disclose under this article some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or fiduciary may seek an order from the court to disclose:

(1) A subset limited by date of the user's digital assets;

(2) All of the user's digital assets to the fiduciary or designated recipient;

(3) None of the user's digital assets; or

(4) All of the user's digital assets to the court for review in camera.

§44-5B-7. Disclosure of content of electronic communications of deceased user.

If a deceased user consented or a court directs disclosure of the contents of electronic communications of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the representative gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) A certified copy of the death certificate of the user;

(c) A certified copy of the letter of appointment of the representative;

(d) Unless the user provided direction using an online tool, a copy of the user's will, trust, power of attorney or other record evidencing the user's consent to disclosure of the content of electronic communications; and

(e) If requested by the custodian:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(2) Evidence linking the account to the user; or

(3) A finding by the court that:

(A) The user had a specific account with the custodian, identifiable by the information specified in §44-5B-7(e)(1) of this code;

(B) Disclosure of the content of electronic communications of the user would not violate 18 U.S.C. § 2701 *et seq.*, 47 U.S.C. § 222, or other applicable law;

(C) Unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or

(D) Disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

§44-5B-8. Disclosure of other digital assets of deceased user.

Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications of the user, if the personal representative gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) A certified copy of the death certificate of the user;

(c) A certified copy of the letter of appointment of the representative; and

(d) If requested by the custodian:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(2) Evidence linking the account to the user;

(3) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(4) A finding by the court that:

(A) The user had a specific account with the custodian, identifiable by the information specified in §44-5B-8(d)(1) of this code; or

(B) Disclosure of the user's digital assets is reasonably necessary for administration of the estate.

§44-5B-9. Disclosure of content of electronic communications of principal.

To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;

(c) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(d) If requested by the custodian:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(2) Evidence linking the account to the principal.

§44-5B-10. Disclosure of other digital assets of principal.

Unless otherwise ordered by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalogue of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications, of the principal if the agent gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) An original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;

(c) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(d) If requested by the custodian:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(2) Evidence linking the account to the principal.

§44-5B-11. Disclosure of digital assets held in trust when trustee is original user.

Unless otherwise ordered by the court or provided in a trust instrument, a custodian shall disclose to a trustee that is an original user of an account any digital asset of the account held in trust, including a catalogue of electronic communications of the trustee and the content of electronic communications.

§44-5B-12. Disclosure of contents of electronic communications held in trust when trustee not original user.

Unless otherwise ordered by the court, directed by the user, or provided in a trust instrument, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) A certified copy of the trust instrument or a certification of the trust under §44D-10-1013 of this code that includes consent to disclose the content of electronic communications to the trustee;

(c) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(d) If requested by the custodian:

(1) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(2) Evidence linking the account to the trust.

§44-5B-13. Disclosure of other digital assets held in trust when trustee not original user.

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose, to a trustee that is not an original user of an account, a catalogue of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications, in which the trust has a right or interest if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under §44D-10-1013 of this code;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(B) Evidence linking the account to the trust.

§44-5B-14. Disclosure of digital assets to conservator of protected person.

(a) After an opportunity for a hearing under §44A-1-1 et seq. of this code, the court may grant a conservator access to the digital assets of a protected person.

(b) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a conservator the catalogue of electronic communications sent or received by a protected person and any digital assets, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the court order that gives the conservator authority over the digital assets of the protected person; and

(3) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the protected person; or

(B) Evidence linking the account to the protected person.

(c) A conservator with general authority to manage the assets of a protected person may request a custodian of the digital assets of the protected person to suspend or terminate an account of the protected person for good cause. A request made under this section must be accompanied by a certified copy of the court order giving the conservator authority over the protected person's property.

§44-5B-15. Fiduciary duty and authority.

(a) The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets, including:

(1) The duty of care;

(2) The duty of loyalty; and

(3) The duty of confidentiality.

(b) A fiduciary's or designated recipient's authority with respect to a digital asset of a user:

(1) Except as otherwise provided in §44-5B-4 of this code, is subject to the applicable terms of service;

(2) Is subject to other applicable law, including copyright law;

(3) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and

(4) May not be used to impersonate the user.

(c) A fiduciary with authority over the property of a decedent, protected person, principal, or settlor has the right to access any digital asset in which the decedent, protected person, principal,

or settlor had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

(d) A fiduciary acting within the scope of the fiduciary's duties is an authorized user of the property of the decedent, protected person, principal, or settlor for the purpose of applicable computer fraud and unauthorized computer access laws, including the provisions of §61-3C-1 et seq. of this code.

(e) A fiduciary with authority over the tangible, personal property of a decedent, protected person, principal, or settlor:

(1) Has the right to access the property and any digital asset stored in it; and

(2) Is an authorized user for the purpose of computer fraud and unauthorized computer access laws, including the provisions of §61-3C-1 et seq. of this code.

(f) A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

(g) A fiduciary of a user may request a custodian to terminate the user's account. A request for termination must be in writing, in either physical or electronic form, and accompanied by:

(1) If the user is deceased, a certified copy of the death certificate of the user;

(2) A certified copy of the letter of appointment of the representative, court order, power of attorney, or trust instrument giving the fiduciary authority over the account; and

(3) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(B) Evidence linking the account to the user; or

(C) A finding by the court that the user had a specific account with the custodian, identifiable by the information specified in §44-5B-15(g)(1) of this code.

§44-5B-16. Custodian compliance and immunity.

(a) Not later than 60 days after receipt of the information required under §44-5B-7 through §44-5B-15 of this code, a custodian shall comply with a request under this article from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

(b) An order under §44-5B-16(a) of this code directing compliance must contain a finding that compliance is not in violation of 18 U.S.C. § 2702.

(c) A custodian may notify the user that a request for disclosure or to terminate an account was made under this article.

(d) A custodian may deny a request under §44-5B-1 et seq. of this code from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(e) This article does not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under §44-5B-1 et seq. of this code to obtain a court order which:

(1) Specifies that an account belongs to the protected person or principal;

(2) Specifies that there is sufficient consent from the protected person or principal to support the requested disclosure; and

(3) Contains a finding required by law other than this article.

(f) A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this article.

§44-5B-17. Uniformity of application and construction.

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

§44-5B-18. Relation to Electronic Signatures in Global and National Commerce Act.

This article modifies, limits, or supersedes the Electronic Signatures in Global and National Commerce Act, 15 U. S. C. Section 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U. S. C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U. S. C. Section 7003(b).

§44-5B-19. Severability.

If any provision of §44-5B-1 et seq. of this code or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 102—A Bill to amend and reenact §39B-2-101 of the Code of West Virginia, 1931, as amended; to amend and reenact §39B-3-101 of said code; and to amend said code by adding thereto a new article, designated §44-5B-1, §44-5B-2, §44-5B-3, §44-5B-4, §44-5B-5, §44-5B-6, §44-5B-7, §44-5B-8, §44-5B-9, §44-5B-10, §44-5B-11, §44-5B-12, §44-5B-13, §44-5B-14, §44-5B-15, §44-5B-16, §44-5B-17, §44-5B-18, and §44-5B-19, all relating to the Uniform Power of Attorney Act and the West Virginia Uniform Fiduciary Access to Digital Assets Act; providing that an agent under power of attorney may exercise authority over the content of electronic communications sent or received by the principal; clarifying the ability of an agent under a power of attorney to take self-benefitting actions; providing code references and additional language to the statutory form for power of attorney; creating the West Virginia Uniform Fiduciary

Access to Digital Assets Act; providing a short title; defining certain terms; setting forth to whom the article applies; providing for user direction for disclosure of assets with or without an online tool; addressing terms of service agreements; setting forth procedure for disclosing digital assets by custodian; allowing custodian to assess reasonable administrative charges; allowing custodian or fiduciary to seek court order when request imposes an undue burden; providing for disclosure of content of electronic communications and other digital assets of deceased users and setting forth required documentation; providing for disclosure of content of electronic communications and digital assets of a principal by custodian and setting forth required documentation; addressing disclosure of digital assets held in trust when the trustee is an original owner or user; addressing disclosure of contents of electronic communications held in trust and other digital assets when trustee is not an original owner or user and setting forth required documentation; addressing disclosure of digital assets to conservator of a protected person and setting forth required documentation; setting forth fiduciary's duties and authority; providing for custodian's compliance and immunity; setting time frame for compliance by custodian; authorizing application for court order for noncompliance; allowing custodian to notify user, deny a request, or receive a court order; providing for uniformity of application and construction of article; addressing relation of article to Electronic Signatures in Global and National Commerce Act; and providing for severability of article.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 102, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 102) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 133, Exempting renewal of certain contracts entered into during declared state of emergency.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 3. PURCHASING DIVISION.

§5A-3-3c. Exemptions from purchasing requirements for contracts entered into as part of recovery from a declared state of emergency.

(a) The provisions of this article do not apply to contracts entered into during a state of emergency declared by the Governor pursuant to §15-5-6 of this code, so long as the contract is directly and solely related to the recovery from the declared state of emergency.

(b) The provisions of this article do not apply to the renewal of a contract entered into during a state of emergency declared pursuant to §15-5-6 of this code, if the contract is directly and solely related to the recovery from the declared state of emergency during which the contract was initially entered. For purposes of this subsection, recovery does not include permanent reconstruction after the initial state of emergency has ended.

(c) The provisions of this article do not apply to the purchase of goods or services from the federal government, or an agency thereof, if the purchase of those goods and services is directly and solely related to the recovery from a state of emergency declared pursuant to §15-5-6 of this code.

(d) To qualify for the exemption contained in this section, the Director of the Division of Homeland Security and Emergency Management must certify that the contract or purchase is directly and solely related to the recovery from a declared state of emergency and attach a copy of the proclamation issued by the Governor's office to the certification. Such certifications shall be maintained by the Division of Homeland Security and Emergency Management until the contracts or purchase agreements have been fully executed.

(e) For purposes of this section, "directly and solely related" means that the goods or services being purchased or contracted for will be used for recovery from the state of emergency only, and will not be used for any other purpose.;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 133—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5A-3-3c, relating to exempting certain contracts related to recovery from a declared state of emergency from purchasing requirements; clarifying exemption from purchasing requirements for certain contracts entered into during a declared state of emergency; exempting from purchasing requirements renewals of certain contracts entered into during a declared state of emergency; clarifying that with respect to the renewal of certain contracts entered into during a declared state of emergency, recovery does not include permanent reconstruction after the initial state of emergency has ended; exempting from purchasing requirements the purchase of goods or services from the federal government or an agency thereof if the purchase of those goods and services is directly and solely related to the recovery from a declared state of emergency; requiring the Director of the Division of Homeland Security and Emergency Management to certify eligibility for exemption; setting forth record-keeping requirements; and defining the term "directly and solely related".

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 133, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 133) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 272, Relating generally to drug control.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page two, by striking out all of section six and inserting in lieu thereof a new section, designated section six, to read as follows:

§16-5T-6. COMMUNITY OVERDOSE RESPONSE DEMONSTRATION PILOT PROJECT.

(a) The Director of the Office of Drug Control Policy shall establish a Community Overdose Response Demonstration Pilot Project, to be continued for a period of four years, to develop model government programs to promote public health and general welfare through a comprehensive community-based response to drug overdoses in communities across West Virginia.

(b) The purpose of the demonstration pilot project is the development of community programs that will focus and use existing resources of government agencies to create outreach programs to educate concerned family and community members, including first responders, to recognize an opioid overdose, and to immediately respond with life-saving measures and quick response teams comprised of law enforcement, emergency medical personnel, and a trained opiate case manager to conduct an in-home visit within one week of an overdose.

(c) The objective of the demonstration pilot project is to improve public health by addressing drug overdoses through a comprehensive community development plan. The plan should serve

as a model to improve public health and education through a comprehensive community-based response to drug overdoses across the state.

(d) Communities that experience a high frequency of drug overdoses, compared with national averages as determined by the Office of Drug Control Policy, are eligible for participation in the demonstration pilot project.

(e) The demonstration pilot project shall be developed and administered by the Office of Drug Control Policy to encourage state and local agencies and community groups to work together and coordinate government and community responses to drug overdoses, and identify new and existing funds, personnel, and other existing resources available for the demonstration pilot project. Demonstration projects may include:

(1) Outreach programs to educate concerned family and community members, including first responders, to recognize an opioid overdose and to immediately respond with life-saving measures. This outreach may include basic information, training in the proper and safe administration of Naloxone to reverse drug overdoses, and the distribution of Naloxone kits; and

(2) Quick response teams comprised of law enforcement, emergency medical personnel, and a case manager trained in substance use disorder to conduct an in-home visit within one week of an overdose. The quick response teams would work cooperatively to triage and assess overdose survivors and provide linkage to treatment and services for rehabilitation with the goal of reducing repeated overdoses.

(f) The demonstration project may receive funding and other committed resources from federal, state, or local government and community groups.

(g) A community desiring to participate in the demonstration project shall submit a plan to the director that provides for the following elements:

(1) Community participation;

(2) Development of a community action plan with measurable, achievable, realistic, time-phased objectives;

(3) Implementation of the community action plan; and

(4) Evaluation of results.

(h) By majority vote, the Governor's Advisory Council on Substance Use Disorder Policy created pursuant to Executive Order 10-17 may select one or more communities from those that submit plans for participation in the demonstration pilot project.

(i) Commencing December 1, 2018, and each year thereafter, each participating community shall give a progress report to the director and commencing January 1, 2019, and each year thereafter, the director shall give a summary report of all the participating communities to the Legislative Oversight Commission on Health and Human Resources Accountability as established in §16-29E-1 *et seq.* of this code, on progress made by the pilot demonstration project, including suggested legislation, necessary changes to the demonstration pilot project and suggested expansion of the demonstration project.

(j) This section is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the state, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

(k) The demonstration project terminates on July 1, 2022.;

On page five, section four, line sixteen, after the word “has” by inserting the word “designated”;

And,

By striking out the title and inserting a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 272—A Bill to amend and reenact §16-5T-4 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §16-5T-6; to amend and reenact §16-46-4 of said code; and to amend said code by adding thereto a new section, designated §16-46-7, all relating to drug control; requiring reports to the Office of Drug Control Policy; allowing the Office of Drug Control Policy to establish a pilot program for community response to persons who have experienced a recent overdose; requiring governmental agencies to require first responders to carry Naloxone subject to certain conditions; requiring governmental agencies to require first responders to be trained in naloxone use; providing that naloxone is subject to funding and availability; and providing for a statewide standing order for Naloxone by the state health officer.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 272, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 272) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

At the request of Senator Facemire, and by unanimous consent, the Senate returned to the second order of business and the introduction of guests.

At the request of Senator Ferns, unanimous consent being granted, the provisions of Rule 54 of the Rules of the Senate, relating to persons entitled to the privileges of the floor, were suspended in order to grant the family of the Honorable Douglas E. Facemire, a senator from the twelfth district, privileges of the floor for the day.

The Senate again proceeded to the third order of business.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect July 1, 2018, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Com. Sub. for Senate Bill 319, Allowing individuals who completed home schooling be eligible for PROMISE scholarship without equivalent diploma.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page two, section six, after line twenty-nine, by inserting a new subdivision, designated subdivision (3), to read as follows:

(3) Maintain a grade point average of at least 3.0 on a 4.0 grading scale in the required core and elective course work necessary to prepare students for success in post-secondary education at the associate and baccalaureate degree levels as determined by the commission, if the individual has completed not more than one semester or term at an institution of higher education, excluding credits earned in advanced placement, international baccalaureate, dual credit and comparable courses while the student is enrolled in high school;

And by renumbering the remaining subdivisions;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Com. Sub. for Com. Sub. for Senate Bill 319—A Bill to amend and reenact §18C-7-6 of the Code of West Virginia, 1931, as amended, relating to allowing, in certain instances, individuals completing a secondary education program in a public, private, or home school and individuals obtaining a GED or equivalent to be eligible for the PROMISE scholarship.

Senator Ferns moved that the Senate concur in the House of Delegates amendments to the bill.

Following discussion,

The question being on the adoption of Senator Ferns' aforestated motion, the same was put and prevailed.

Engrossed Committee Substitute for Committee Substitute for Senate Bill 319, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 319) passed with its House of Delegates amended title.

Senator Ferns moved that the bill take effect July 1, 2018.

On this question, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for Com. Sub. for S. B. 319) takes effect July 1, 2018.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 365, Relating to Young Entrepreneur Reinvestment Act.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Senate Bill 365—A Bill to amend and reenact §59-1-2c of the Code of West Virginia, 1931, as amended, relating to the Young Entrepreneur Reinvestment Act; eliminating sunset date for expiration of fee waivers.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Senate Bill 365, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 365) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 404, Relating to sex offender registry information.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page five, section two, line ninety-seven, by striking out the words "or adjudicated".

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Committee Substitute for Senate Bill 404, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 404) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 412, Relating to authority of county litter control officers.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 427, Modifying form of notice for certain tax delinquencies.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, section twenty-three, lines fourteen through twenty, by striking out all of subsection (e) and inserting in lieu thereof a new subsection, designated subsection (e), to read as follows:

(e) Within 10 days after the filing of the list, the Secretary of State shall give final written notice of ~~the any delinquency of \$1,000 or greater~~ by registered or certified mail to each of the delinquent taxpayers at his or her, or its, last known post office address; ~~the Secretary of State may give final written notice of any delinquency of less than \$1,000 by first class mail to each of the delinquent taxpayers at his or her, or its, last known post office address;~~ and upon the failure of any delinquent taxpayer to pay the taxes within 30 days from the mailing of the notice.;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Senate Bill 427—A Bill to amend and reenact §11-6-23 of the Code of West Virginia, 1931, as amended, relating to allowing the Secretary of State to give written notice of delinquency in the payment of certain taxes to certain taxpayers by first class mail.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Senate Bill 427, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 427) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended, to take effect July 1, 2018, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Senate Bill 441, Relating to health care provider taxes.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the bill was reported by the Clerk:

On page two, section thirty-eight, lines forty through forty-five, by striking out all of subsection (e) and inserting in lieu thereof a new subsection (e), to read as follows:

(e) Any funds remaining in the Eligible Acute Care Provider Enhancement Account as of June 30, ~~2017~~ 2018, and on June 30 of each year thereafter, shall be transferred to the West Virginia Medical Services Fund. ~~This transfer shall occur after that June 30 but no later than the next ensuing September 30 2017.~~ These funds shall be used during the state fiscal year 2018 in which they were transferred at the discretion of the Bureau for Medical Services.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendment to the bill.

Engrossed Senate Bill 441, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 441) passed with its title.

Senator Ferns moved that the bill take effect July 1, 2018.

On this question, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. S. B. 441) takes effect July 1, 2018.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to the House of Delegates amendments to, and the passage as amended, with its Senate amended title, of

Eng. Com. Sub. for Senate Bill 451, Relating generally to hunting and fishing.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 456, Physical Therapy Licensure Compact Act.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page one, section two, line one, by striking out the word "Governor" and inserting in lieu thereof the words "West Virginia Board of Physical Therapy";

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 456—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §30-41-1, §30-41-2, and §30-41-3, all relating to creating the Physical Therapy Licensure Compact Act; authorizing the Board of Physical Therapy to execute the compact; setting forth purposes; setting forth the purposes for the compact; defining terms; providing participation requirements; providing licensure requirements; establishing a licensure process; establishing application process; providing for fees; providing requirements for renewal of a license; providing for joint investigation; establishing the effect of disciplinary actions; creating the commission to administer the compact; setting forth commission composition; establishing the authority of the commission; providing immunity; establishing commission rule-making authority; establishing licensure information system; providing for compact administrators; providing for judicial review; providing for state enforcement; providing the commission may intervene in proceedings; providing for legal enforcement of compact rules and provisions; providing for termination or withdrawal of a member state; providing for compact oversight; providing dispute resolution; setting forth provisions for resolution of disputes; establishing provisions for state eligibility; setting forth the circumstances under which the compact will become effective; providing for amending the compact; setting forth procedures for states to withdraw from the compact; providing process to amend the compact; establishing provisions related to severability.; and establishing an effective date.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 456, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—32.

The nays were: None.

Absent: Mann and Maroney—2.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 456) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 493, Relating to guaranty associations.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Com. Sub. for Senate Bill 499, Requiring one year of certain approved postgraduate clinical training for persons with foreign medical degrees.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

On page eight, section ten, line one hundred eighty-five, by striking out the word “shall” and inserting in lieu thereof the word “may”;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Com. Sub. for Senate Bill 499—A Bill to amend and reenact §30-3-10 of the Code of West Virginia, 1931, as amended, relating to the licensing by the Board of Medicine; clarifying certain requirements to obtain licensure; reorganizing the minimum licensing requirements for a license; providing the completion of a certain amount of graduate clinical training.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendments to the bill.

Engrossed Committee Substitute for Senate Bill 499, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Beach, Mann, and Maroney—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 499) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the amendment by that body to the title of the bill, passage as amended, and requested the concurrence of the Senate in the House of Delegates amendment, as to

Eng. Com. Sub. for Senate Bill 510, Designating hospitals for stroke treatment.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendment to the title of the bill was reported by the Clerk:

Eng. Com. Sub. for Senate Bill 510—A Bill to amend and reenact §16-5B-18 of the Code of West Virginia, 1931, as amended, relating to designation of hospitals for stroke treatment; adding a designation as a thrombectomy-capable stroke center; modifying the makeup of the advisory committee; providing certain functions to the advisory committee; permitting the advisory committee to make recommendations to the office of Emergency Services; staggering the terms of the advisory committee members; providing for a database; and prohibiting certain inspections of hospitals conducted by the Department of Health and Human Resources.

On motion of Senator Ferns, the Senate concurred in the House of Delegates amendment to the title of the bill.

Engrossed Committee Substitute for Senate Bill 510, as amended by the House of Delegates, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—31.

The nays were: None.

Absent: Beach, Mann, and Maroney—3.

So, a majority of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for S. B. 510) passed with its House of Delegates amended title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the passage of

Eng. Com. Sub. for Senate Bill 522, Relating generally to Administrative Procedures Act.

A message from the Clerk of the House of Delegates announced the amendment by that body, passage as amended with its House of Delegates amended title, to take effect from passage, and requested the concurrence of the Senate in the House of Delegates amendments, as to

Eng. Senate Bill 545, Relating to driving privileges and requirements for persons under 18.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

The following House of Delegates amendments to the bill were reported by the Clerk:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 2. ISSUANCE OF LICENSE, EXPIRATION, AND RENEWAL.**§17B-2-3a. Graduated driver's license.**

(a) Any person under the age of 18 may not operate a motor vehicle unless he or she has obtained a graduated driver's license in accordance with the three-level graduated driver's license system described in the following provisions.

(b) Any person under the age of 21, regardless of class or level of licensure, who operates a motor vehicle with any measurable alcohol in his or her system is subject to ~~the provisions of~~ §17C-5-2 and §17C-5A-2 of this code. Any person under the age of 18, regardless of class or licensure level, is subject to the mandatory school attendance and satisfactory academic progress provisions of §18-8-11 of this code.

(c) *Level one instruction permit.* — An applicant who is 15 years or older meeting all other requirements prescribed in this code may be issued a level one instruction permit.

(1) *Eligibility.* — The division shall not issue a level one instruction permit unless the applicant:

(A) Presents a completed application, as prescribed by ~~the provisions of~~ §17B-2-6 of this code, and which is accompanied by a writing, duly acknowledged, consenting to the issuance of the graduated driver's license, and executed by a parent or guardian entitled to custody of the applicant;

(B) Presents a certified copy of a birth certificate issued by a state or other governmental entity responsible for vital records unexpired, or a valid passport issued by the United States government evidencing that the applicant meets the minimum age requirement and is of verifiable identity;

(C) Passes the vision and written knowledge examination and completes the driving under the influence awareness program, as prescribed in §17B-2-7 of this code;

(D) Presents a driver's eligibility certificate or otherwise shows compliance with ~~the provisions of~~ §18-8-11 of this code; and

(E) Pays a fee of \$7.50, which shall permit the applicant one attempt at the written knowledge test. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed 10 percent of the total fee amount in a single year.

(2) *Terms and conditions of instruction permit.* — A level one instruction permit issued under ~~the provisions of~~ this section is valid until 30 days after the date the applicant attains the age of 18 and is not renewable. However, any permit holder who allows his or her permit to expire prior to successfully passing the road skills portion of the driver examination, and who has not committed any offense which requires the suspension, revocation, or cancellation of the instruction permit, may reapply for a new instruction permit under ~~the provisions of~~ §17B-2-6 of this code. The division shall immediately revoke the permit upon receipt of a second conviction for a moving violation of traffic regulations and laws of the road or violation of the terms and conditions of a level one instruction permit, which convictions have become final unless a greater penalty is required by this section or any other provision of this code. Any person whose

instruction permit has been revoked is disqualified from retesting for a period of 90 days. However, after the expiration of 90 days, the person may retest if otherwise eligible. In addition to all other provisions of this code for which a driver's license may be restricted, suspended, revoked, or canceled, the holder of a level one instruction permit may only operate a motor vehicle under the following conditions:

(A) Under the direct supervision of a licensed driver, 21 years of age or older, or a driver's education or driving school instructor who is acting in an official capacity as an instructor, who is fully alert and unimpaired, and the only other occupant of the front seat. The vehicle may be operated with no more than two additional passengers, unless the passengers are family members;

(B) Between the hours of 5:00 a. m. and 10:00 p. m.;

(C) All occupants must use safety belts in accordance with ~~the provisions of~~ §17C-15-49 of this code;

(D) Without any measurable blood alcohol content, in accordance with ~~the provisions of~~ §17C-5-2(h) of this code; and

(E) Maintains current school enrollment and is making satisfactory academic progress or otherwise shows compliance with ~~the provisions of~~ §18-8-11 of this code.

(F) A holder of a level one instruction permit who is under the age of 18 years ~~shall be is~~ prohibited from using a wireless communication device while operating a motor vehicle, unless the use of the wireless communication device is for contacting a 9-1-1 system. ~~A person violating the provisions of this paragraph is guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be fined \$25; for a second offense be fined \$50; and for a third or subsequent offense be fined \$75.~~

(d) *Level two intermediate driver's license.* — An applicant 16 years of age or older, meeting all other requirements of the code, may be issued a level two intermediate driver's license.

(1) *Eligibility.* — The division shall not issue a level two intermediate driver's license unless the applicant:

(A) Presents a completed application as prescribed in §17B-2-6 of this code;

(B) Has held the level one instruction permit conviction-free for the 180 days immediately preceding the date of application for a level two intermediate license;

(C) Has completed either a driver's education course approved by the state Department of Education or 50 hours of behind-the-wheel driving experience, including a minimum of 10 hours of night time driving, certified by a parent or legal guardian or other responsible adult over the age of 21 as indicated on the form prescribed by the division: *Provided*, That nothing in this paragraph shall be construed to require any school or any county board of education to provide any particular number of driver's education courses or to provide driver's education training to any student;

(D) Presents a driver's eligibility certificate or otherwise shows compliance with ~~the provisions of~~ §18-8-11 of this code;

(E) Passes the road skills examination as prescribed by §17B-2-7 of this code; and

(F) Pays a fee of \$7.50 for one attempt. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed 10 percent of the total fee amount in a single year.

(2) *Terms and conditions of a level two intermediate driver's license.* — A level two intermediate driver's license issued under the provisions of this section shall expire 30 days after the applicant attains the age of 18, or until the licensee qualifies for a level three full Class E license, whichever comes first. In addition to all other provisions of this code for which a driver's license may be restricted, suspended, revoked, or canceled, the holder of a level two intermediate driver's license may only operate a motor vehicle under the following conditions:

(A) Unsupervised between the hours of 5:00 a. m. and 10:00 p. m.;

(B) Only under the direct supervision of a licensed driver, age 21 years or older, between the hours of 10:00 p. m. and 5:00 a. m. except when the licensee is going to or returning from:

(i) Lawful employment;

(ii) A school-sanctioned activity;

(iii) A religious event; or

(iv) An emergency situation that requires the licensee to operate a motor vehicle to prevent bodily injury or death of another;

(C) All occupants shall use safety belts in accordance with ~~the provisions of~~ §17C-15-49 of this code;

(D) For the first six months after issuance of a level two intermediate driver's license, the licensee may not operate a motor vehicle carrying any passengers less than 20 years old, unless these passengers are family members of the licensee; for the second six months after issuance of a level two intermediate driver's license, the licensee may not operate a motor vehicle carrying more than one passenger less than 20 years old, unless these passengers are family members of the licensee;

(E) Without any measurable blood alcohol content in accordance with ~~the provisions of~~ §17C-5-2(h) of this code;

(F) Maintains current school enrollment and is making satisfactory academic progress or otherwise shows compliance with ~~the provisions of~~ §18-8-11 of this code;

(G) A holder of a level two intermediate driver's license who is under the age of 18 years shall ~~be is~~ prohibited from using a wireless communication device while operating a motor vehicle, unless the use of the wireless communication device is for contacting a 9-1-1 system; ~~A person violating the provisions of this paragraph is guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be fined \$25; for a second offense be fined \$50; and for a third or subsequent offense be fined \$75.~~

(H) Upon the first conviction for a moving traffic violation or a violation of ~~paragraph (A), (B), (C), (D) or (G), subdivision (1), subsection (d) of this section §17B-2-3a(d)(2)(A), §17B-2-3a(d)(2)(B), §17B-2-3a(d)(2)(C), §17B-2-3a(d)(2)(D), or §17B-2-3a(d)(2)(G) of this code~~ of the terms and conditions of a level two intermediate driver's license, the licensee shall enroll in an approved driver improvement program unless a greater penalty is required by this section or by any other provision of this code; and

At the discretion of the commissioner, completion of an approved driver improvement program may be used to negate the effect of a minor traffic violation as defined by the commissioner against the one year conviction-free driving criteria for early eligibility for a level three driver's license and may also negate the effect of one minor traffic violation for purposes of avoiding a second conviction under §17B-2-3a(d)(2)(I) of this code; and

(I) Upon the second conviction for a moving traffic violation or a violation of the terms and conditions of the level two intermediate driver's license, the licensee's privilege to operate a motor vehicle shall be revoked or suspended for the applicable statutory period or until the licensee's eighteenth birthday, whichever is longer unless a greater penalty is required by this section or any other provision of this code. Any person whose driver's license has been revoked as a level two intermediate driver, upon reaching the age of 18 years and if otherwise eligible may reapply for an instruction permit, then a driver's license in accordance with ~~the provisions of §17B-2-5, §17B-2-6, and §17B-2-7 of this code.~~

(e) Level three, full Class E license driver's license. Terms and Conditions. — The level three license is valid until 30 days after the date the licensee attains his or her twenty-first birthday. A holder of a level three, full Class E driver's license who is under the age of 18 years is prohibited from using a wireless communication device while operating a motor vehicle unless the use of the wireless communication device is for contacting a 9-1-1 system. Unless otherwise provided in this section or any other section of this code, the holder of a level three full Class E license is subject to the same terms and conditions as the holder of a regular Class E driver's license.

A level two intermediate licensee whose privilege to operate a motor vehicle has not been suspended, revoked, or otherwise canceled and who meets all other requirements of the code may be issued a level three full Class E license without further examination or road skills testing if the licensee:

(1) Has reached the age of 17 years; and

(A) Presents a completed application as prescribed by ~~the provisions of §17B-2-6 of this code;~~

(B) Has held the level two intermediate license conviction free for the 12-month period immediately preceding the date of the application;

(C) Has completed any driver improvement program required under ~~paragraph (G), subdivision (2), subsection (d) of this section §17B-2-3a(d)(2)(H) of this code;~~ and

(D) Pays a fee of \$2.50 for each year the license is valid. An additional fee of 50 cents shall be collected to be deposited in the Combined Voter Registration and Driver's Licensing Fund established in §3-2-12 of this code;

(E) Presents a driver's eligibility certificate or otherwise shows compliance with ~~the provisions of §18-8-11 of this code;~~ or

(2) Reaches the age of 18 years; and

(A) Presents a completed application as prescribed by ~~the provisions of §17B-2-6 of this code;~~
and

(B) Pays a fee of \$5 for each year the license is valid. The Division of Motor Vehicles may adjust this fee every five years on September 1, based on the U. S. Department of Labor, Bureau of Labor Statistics most current Consumer Price Index: *Provided*, That an increase in such fee may not exceed 10 percent of the total fee amount in a single year. An additional fee of 50 cents shall be collected to be deposited in the Combined Voter Registration and Driver's Licensing Fund established in §3-2-12 of this code.

(f) A person violating the provisions of the terms and conditions of a level one instruction permit, ~~or level two intermediate driver's license, or level three, full Class E driver's license~~ is guilty of a misdemeanor and, upon conviction thereof, shall for the first offense be fined \$25; for a second offense be fined \$50; and for a third or subsequent offense be fined \$75.;

And,

By striking out the title and substituting therefore a new title, to read as follows:

Eng. Senate Bill 545—A Bill to amend and reenact §17B-2-3a of the Code of West Virginia, 1931, as amended, relating to driving privileges and requirements for persons under the age of 18; prohibiting a holder of a level three, full Class E license who is under the age of 18 years from using a wireless communication device while operating a motor vehicle and specifying exception; and making violations of level-three license terms and conditions subject to the penalty provision.

Senator Ferns moved that that Senate concur in the House of Delegates amendments to the bill.

Following discussion,

At the request of Senator Ferns, and by unanimous consent, his foregoing motion was withdrawn.

Thereafter, on motion of Senator Ferns, the Senate refused to concur in the House amendments to the bill (Eng. S. B. 545) and requested the House of Delegates to recede therefrom.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 2607, Extending the maximum period of confinement a judge may impose for certain, first-time probationary violations.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Foster, Sobonya, and Canestraro.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 2995, Permitting certain animal euthanasia technicians who have been certified by other states be certified animal euthanasia technicians in West Virginia.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Hamrick, Sypolt, and Lynch.

A message from the Clerk of the House of Delegates announced that that body had refused to concur in the Senate amendments to, and requested the Senate to recede therefrom, as to

Eng. Com. Sub. for House Bill 4024, Relating generally to direct cremation or direct burial expenses for indigent persons.

On motion of Senator Ferns, the bill was taken up for immediate consideration.

Senator Ferns moved that the Senate accede to the request of the House of Delegates and recede from its amendments to the bill.

Following discussion,

The question being on the adoption of Senator Ferns' aforestated motion, the same was put and prevailed.

Engrossed Committee Substitute for House Bill 4024, as amended by deletion, was then put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4024) passed with its title.

Senator Ferns moved that the bill take effect July 1, 2018.

On this question, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, two thirds of all the members elected to the Senate having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4024) takes effect July 1, 2018.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

A message from the Clerk of the House of Delegates announced the concurrence by that body in the Senate amendment to, and the passage as amended, of

Eng. Com. Sub. for House Bill 4142, Providing certain employees of the Division of Corrections, Division of Juvenile Services, and West Virginia Regional Jail and Correctional Facility Authority a salary adjustment.

A message from the Clerk of the House of Delegates announced that that body had agreed to the appointment of a committee of conference of three from each house on the disagreeing votes of the two houses, as to

Eng. Com. Sub. for House Bill 4186, Relating generally to guaranteed asset protection waivers.

The message further announced the appointment of the following conferees on the part of the House of Delegates:

Delegates Fast, Overington, and Lovejoy.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following communication from His Excellency, the Governor:

Jim Justice
Governor of West Virginia

March 6, 2018

The Honorable Mitch Carmichael
President of the Senate
State Capitol, Building 1, Room 229-M
Charleston, West Virginia 25305

The Honorable Tim Armstead
Speaker of the House of Delegates
State Capitol, Building 1, Room 228-M
Charleston, West Virginia 25305

Dear President Carmichael and Speaker Armstead:

After submission of my recommended FY 2019 Executive Budget on January 10, 2018, there have been a few areas that require adjustments.

These adjustments, along with my revised General Revenue estimate from February 28, and potential revised revenue estimates from the passage of certain bills that increase General Revenue, will result in a unappropriated balance in General Revenue of over \$58 million that will solidify certainty in our budgetary condition, alleviate any doubt and fear of midyear reduction, and allow for future supplemental appropriations if the revenue comes in as I expect it to from the federal tax reform and historic sale of our road bonds.

Therefore, pursuant to Section 51, Article VI of the Constitution of the State of West Virginia, I submit revisions to the FY 2019 Budget Bill for the TITLE II – APPROPRIATIONS as follows:

Section 1. Appropriations from general revenue.

Funds appropriated for the Public Employees Insurance Agency (PEIA) employer premiums, are adjusted in numerous line items throughout the General Revenue to account for the change in employer premiums originally funded in my recommended budget to alleviate the need for increased employee premium increases. Current premium rates are slightly out of sync of the 80% for employer and 20% for the employee premium rule. This adjustment will bring it back into alignment without increasing the employee premiums for the upcoming plan year. My original recommended increase of \$6,507,266 for PEIA in the General Revenue Fund is being decreased by \$1,301,455, for a net-net increase to employer premiums in General Revenue of \$5,205,811. A summary of required changes is attached.

According to my proposal for a 5% average raise for all state employees (\$2,160) and educators (\$2,020 for teachers and \$1,100 for service personnel), I am adjusting numerous lines throughout General Revenue to account for the increased raise. This also includes shifting Professional Student Support Personnel raises from county to state funding. The General Revenue cost for this increased raise is \$79,863,276 above my original recommendation. A summary of required changes is attached.

Judicial

Supreme Court – General Judicial, Fund 0180, Fiscal Year 2019, Org 2400

(To revise Judicial Branch appropriation request, as requested)

- Decrease “Current Expenses” appropriation 13000 by \$1,300,000.
- Decrease “Repairs and Alterations” appropriation 06400 by \$400,000.
- Decrease “Other Assets” appropriation 69000 by \$300,000.

(To revise Judges’ Retirement System contribution based on actuarial requirements from the Retirement Board, as requested.)

- Decrease “Current Expenses” appropriation 13000 by \$89,000.
- Increase “Judges’ Retirement System” appropriation 11000 by \$89,000.

Executive*Treasurer's Office, Fund 0126, Fiscal Year 2019, Org 1300*

(To provide funding to operate the ABLE program.)

- Add "ABLE Program" appropriation 69201 for \$150,000.

Department of Agriculture, Fund 0131, Fiscal Year 2019, Org 1400

(To provide funding to operate the Veterans to Agriculture program.)

- Add "Veterans to Agriculture Program" appropriation 36301 for \$250,000.

(To combine the appropriations for existing farmers markets.)

- Decrease "Huntington Farmers Market" appropriation 12800 by \$37,142.
- Add "WV Farmers Markets" appropriation 12801 for \$149,604.
- Decrease "Logan Farmers Market" appropriation 50100 by \$41,033.
- Decrease "Charleston Farmers Market" appropriation 74600 by \$71,429.

Department of Administration*Division of General Services, Fund 0230, Fiscal Year 2019, Org 0211*

(To move reduce funding for Capital Outlay to be supplemented as revenue comes available.)

- Decrease "Capital Outlay, Repairs and Equipment" appropriation 58900 by \$8,000,000.

Public Employees Insurance Agency, Fund 0200, Fiscal Year 2019, Org 0225

(To provide funding to maintain current employee health insurance coverage levels.)

- Add "PEIA Subsidy" appropriation 80100 for \$21,000,000.
- Add the language, "The above appropriation for PEIA Subsidy (fund 0200, appropriation 80100) may be transferred to a special revenue fund and shall be utilized by the West Virginia Public Employees Insurance Agency for the purposes of offsetting benefit changes to offset the aggregate premium cost-sharing percentage requirements between employers and employees. Such amount shall not be included in the calculation of the plan year aggregate premium cost-sharing percentages between employers and employees."

Department of Commerce*West Virginia Tourism Office, Fund 0246, Fiscal Year 2019, Org 0307*

(To move reduce funding for tourism initiatives to be supplemented as revenue comes available.)

- Decrease “Tourism - Marketing” Appropriation 61801 by \$2,500,000.
- Decrease “Tourism – Brand Awareness” Appropriation 61802 by \$3,000,000.
- Decrease “Tourism – Brand Promotion” Appropriation 61803 by \$4,000,000.
- Decrease “Tourism – Public Relations” Appropriation 61804 by \$1,000,000.
- Decrease “Tourism – Events and Sponsorships” Appropriation 61805 by \$2,000,000.
- Decrease “Tourism – Industry Development” Appropriation 61806 by \$500,000.
- Decrease “State Parks and Recreation Advertising” Appropriation 61900 by \$1,000,000.

West Virginia Development Office, Fund 0256, Fiscal Year 2019, Org 0307

(To move reduce funding for economic development initiatives to be supplemented as revenue comes available.)

- Decrease “Site Readiness Program” Appropriation 05052 by \$8,500,000.
- Decrease “Strategic Investment Program” Appropriation 05053 by \$17,200,000.
- Decrease “Sales and Marketing Enhancement” Appropriation 05054 by \$4,300,000.
- Decrease “Infrastructure and Economic Development Projects” Appropriation 23401 by \$2,000,000.

Department of Education

State Board of Education – State Aid to Schools, Fund 0317, Fiscal Year 2019, Org 0402

(To adjust the State Aid Formula Teachers’ Retirement System appropriations based on the actuarial requirement from the Retirement Board inclusive of the pay raise.)

- Decrease “Teachers’ Retirement System” Appropriation 01900 by \$6,658,000.
- Increase “Retirement Systems – Unfunded Liability” Appropriation 77500 by \$20,430,000.

(To adjust School Aid Formula based on final local share numbers.) *(subject to revision)*

- Increase “Less Local Share” line by \$5,858,717 from (\$452,763,992) to (\$458,622,709).
- Increase “Improved Instructional Programs” Appropriation 15600 by \$413,575.

- Increase “21st Century Strategic Technology Learning Growth” Appropriation 93600 by \$827,150.

Department of Health and Human Resources

Division of Human Services, Fund 0403, Fiscal Year 2019, Org 0511

(Reduce and partially move funding to lottery surpluses.)

- Decrease “Medical Services” Appropriation 18900 by \$24,000,000.

Department of Military Affairs and Public Safety

West Virginia State Police, Fund 0453, Fiscal Year 2019, Org 0612

(To adjust the Troopers Retirement System appropriations based on the actuarial requirement from the Retirement Board inclusive of the pay raise.)

- Increase “Troopers Retirement Fund” Appropriation 60500 by \$693,492.
- Decrease “Retirement Systems – Unfunded Liability” Appropriation 77500 by \$505,000.

Division of Justice and Community Services, Fund 0546, Fiscal Year 2019, Org 0620

(To add reappropriation language due to a purchasing delay.)

- Insert into the reappropriation language after Child Advocacy Centers (fund 0546, appropriation 45800), “,,Sexual Assault Forensic Examination Commission (fund 0546, appropriation 71400),...”

Bureau of Senior Services

Bureau of Senior Services, Fund 0420, Fiscal Year 2019, Org 0508

(To move funding from Lottery Net Profits.)

- Increase “Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens” Appropriation 53900 by \$637,471.

Council for Community and Technical College Education

West Virginia Council for Community and Technical College Education – Control Account, Fund 0596, Fiscal Year 2019, Org 0420

(To reduce funding for the Community College Tuition Subsidy Program based on the lack of movement of SB 284.)

- Decrease “Community College Tuition Subsidy” Appropriation 87801 by \$7,000,000.

Higher Education Policy Commission

West Virginia University – School of Medicine Medical School Fund, Fund 0343, Fiscal Year 2019, Org 0463

(To provide funding for the Neuroscience Institute.)

- Increase “WVU – School of Health Sciences” Appropriation 17400 by \$2,000,000.

Section 3. Appropriations from other funds.

Department of Administration

Division of Finance – Shared Services Section Fund, Fund _____, Fiscal Year 2019, Org 0209

(To create the Shared Services Section Fund recommended in SB 271.)

- Add “Personal Services and Employee Benefits” Appropriation 00100 for \$1,500,000.
- Add “Current Expenses” Appropriation 13000 for \$500,000.

Travel Management, - Aviation Fund, Fund 2302, Fiscal Year 2019, Org 0215

(To increase spending authority for planned aircraft repair and maintenance expenses.)

- Add “Repairs and Alterations” Appropriation 00640 for \$775,000.

Department of Commerce

Division of Forestry – Severance Tax Operations, Fund 3084, Fiscal Year 2019, Org 0305

(To allow for the replacement of vehicles.)

- Add “Equipment” Appropriation 07000 for \$300,000.

Section 4. Appropriations from lottery net profits.

Funds appropriated for the Public Employees Insurance Agency (PEIA) employer premiums, are adjusted in numerous line items throughout the Lottery Net Profits to account for the change in employer premiums originally funded in my recommended budget to alleviate the need for increased employee premium increases. Current premium rates are slightly out of sync of the 80% for employer and 20% for the employee premium rule. This adjustment will bring it back into alignment without increasing the employee premiums for the upcoming plan year. My original recommended increase of \$40,734 for PEIA in the Lottery Net Profits is being decreased by \$8,147, for a net-net increase to employer premiums in Lottery Net Profits of \$32,587. A summary of required changes is attached.

According to my pay raise proposal of 5% average raise (\$2,160) for state employees, I am adjusting numerous lines throughout Lottery Net Profits to account for the increased raise. The Lottery cost for this increased raise is \$426,732 above my original recommendation. A summary of required changes is attached.

Department of Education and the Arts

Division of Culture and History – Lottery Education Fund, Fund 3534, Fiscal Year 2019, Org 0432

(To provide state matching funds for federal grants.)

- Increase “Historic Preservation Grants” Appropriation 31100 by \$73,686.
- Increase “Grants for Competitive Arts Program” Appropriation 62400 by \$145,200.

Bureau of Senior Services

Bureau of Senior Services – Lottery Senior Citizens Fund, Fund 5405, Fiscal Year 2019, Org 0508

(To move funding from Lottery Net Profits to General Revenue to balance.)

- Decrease “Transfer to Division of Human Services for Health Care and Title XIX Waiver for Senior Citizens” Appropriation 53900 by \$637,471.

Section 6. Appropriations of federal funds.**Department of Health and Human Resources**

Division of Human Services, Fund 8722, Fiscal Year 2019, Org 0511

(To adjust federal spending authority based on current projections.)

- Increase “Current Expenses” Appropriation 13000 by \$15,000,000.
- Decrease “Federal Economic Stimulus” Appropriation 89100 by \$15,000,000.

Section 8. Awards for claims against the state.

Amend the language to read as follows:

“There are hereby appropriated for fiscal year 2019, from the fund as designated, in the amounts as specified, general revenue funds in the amount of \$1,753,740, special revenue funds in the amount of \$22,442, and state road funds in the amount of \$408,811 for payment of claims against the state.”

Add the following Sections 10 and 11 –

“Sec. 10. Appropriations from lottery net profits surplus accrued. — The following item is hereby appropriated from the lottery net profits, and is to be available for expenditure during the fiscal year 2019 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2018, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2018.

In the event that surplus revenues available from the fiscal year ending June 30, 2018, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

*Bureau of Senior Services –
Lottery Senior Citizens Fund
(WV Code Chapter 29)
Fund 5405 FY 2019 Org 0508*

Senior Services Medicaid Transfer – Lottery Surplus	68199	<u>\$ 6,000,000</u>
Total TITLE II, Section 10 – Surplus Accrued		<u>\$ 6,000,000</u>

Sec. 11. Appropriations from state excess lottery revenue surplus accrued. — The following item is hereby appropriated from the state excess lottery revenue fund, and is to be available for expenditure during the fiscal year 2019 out of surplus funds only, as determined by the director of lottery, accrued from the fiscal year ending June 30, 2018, subject to the terms and conditions set forth in this section.

It is the intent and mandate of the Legislature that the following appropriation be payable only from surplus accrued from the fiscal year ending June 30, 2018.

In the event that surplus revenues available from the fiscal year ending June 30, 2018, are not sufficient to meet the appropriation made pursuant to this section, then the appropriation shall be made to the extent that surplus funds are available.

*Division of Human Services
(WV Code Chapter 9, 48 and 49)
Fund 5365 FY 2019 Org 0511*

Medical Services – Lottery Surplus	68100	<u>\$ 8,000,000</u>
Total TITLE II, Section 11 – Surplus Accrued		<u>\$ 8,000,000</u>

Additionally, I submit revisions to the FY 2019 Budget Bill for the TITLE I – GENERAL PROVISIONS, Section 3 Classification of Appropriations. In the language describing terms of agency transfer authority add the following after “...no funds from other appropriations shall be transferred to the “personnel services and employee benefits” or the “unclassified” appropriation...”:

“...except that for funds appropriated in Title II – Sections 3, 6, or 7, funds may be transferred to the “personnel services and employee benefits” appropriation of the same fund in an amount not to exceed 5% of the enrolled appropriation for “personnel services and employee benefits”...”

Thank you for your prompt attention of this matter. Your cooperation is always appreciated. Should you have any questions or require additional information, please call me at any time.

Sincerely,

Jim Justice
Governor

cc: The Honorable Craig Blair, Chairman
The Honorable Eric Nelson, Chairman
State Budget Office

Which communication was received and referred to the Committee on Finance.

The Senate proceeded to the fourth order of business.

Senator Blair, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Com. Sub. for Senate Bill 152, Budget Bill.

And has amended same.

Now on second reading, having been read a first time and rereferred to the Committee on Finance on March 5, 2018;

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Com. Sub. for S. B. 152) contained in the preceding report from the Committee on Finance was taken up for immediate consideration and read a second time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

TITLE I – GENERAL PROVISIONS.

1 **Section 1. General policy.** – The purpose of this bill is to appropriate money necessary for the
2 economical and efficient discharge of the duties and responsibilities of the state and its agencies
3 during the fiscal year 2019.

1 **Sec. 2. Definitions.** — For the purpose of this bill:

2 “Governor” shall mean the Governor of the State of West Virginia.

3 “Code” shall mean the Code of West Virginia, one thousand nine hundred thirty-one, as amended.

4 “Spending unit” shall mean the department, bureau, division, office, board, commission, agency or
5 institution to which an appropriation is made.

6 The “fiscal year 2019” shall mean the period from July 1, 2018, through June 30, 2019.

7 “General revenue fund” shall mean the general operating fund of the state and includes all moneys
8 received or collected by the state except as provided in W.Va. Code §12-2-2 or as otherwise provided.

9 “Special revenue funds” shall mean specific revenue sources which by legislative enactments are
10 not required to be accounted for as general revenue, including federal funds.

11 “From collections” shall mean that part of the total appropriation which must be collected by the
12 spending unit to be available for expenditure. If the authorized amount of collections is not collected,
13 the total appropriation for the spending unit shall be reduced automatically by the amount of the
14 deficiency in the collections. If the amount collected exceeds the amount designated “from collections,”
15 the excess shall be set aside in a special surplus fund and may be expended for the purpose of the
16 spending unit as provided by Article 2, Chapter 11B of the Code.

1 **Sec. 3. Classification of appropriations.** — An appropriation for:

2 “Personal services” shall mean salaries, wages and other compensation paid to full-time, part-time
3 and temporary employees of the spending unit but shall not include fees or contractual payments paid
4 to consultants or to independent contractors engaged by the spending unit. “Personal services” shall
5 include “annual increment” for “eligible employees” and shall be disbursed only in accordance with
6 Article 5, Chapter 5 of the Code.

7 Unless otherwise specified, appropriations for “personal services” shall include salaries of heads
8 of spending units.

9 “Employee benefits” shall mean social security matching, workers’ compensation, unemployment
10 compensation, pension and retirement contributions, public employees insurance matching,
11 personnel fees or any other benefit normally paid by the employer as a direct cost of employment.
12 Should the appropriation be insufficient to cover such costs, the remainder of such cost shall be paid
13 by each spending unit from its “unclassified” appropriation, or its “current expenses” appropriation or
14 other appropriate appropriation. Each spending unit is hereby authorized and required to make such
15 payments in accordance with the provisions of Article 2, Chapter 11B of the Code.

16 Each spending unit shall be responsible for all contributions, payments or other costs related to
17 coverage and claims of its employees for unemployment compensation and workers compensation.
18 Such expenditures shall be considered an employee benefit.

19 “BRIM Premiums” shall mean the amount charged as consideration for insurance protection and
20 includes the present value of projected losses and administrative expenses. Premiums are assessed
21 for coverages, as defined in the applicable policies, for claims arising from, inter alia, general liability,
22 wrongful acts, property, professional liability and automobile exposures.

23 Should the appropriation for "BRIM Premium" be insufficient to cover such cost, the remainder of
24 such costs shall be paid by each spending unit from its "unclassified" appropriation, its "current
25 expenses" appropriation or any other appropriate appropriation to the Board of Risk and Insurance
26 Management. Each spending unit is hereby authorized and required to make such payments. If there
27 is no appropriation for "BRIM Premium" such costs shall be paid by each spending unit from its "current
28 expenses" appropriation, "unclassified" appropriation or other appropriate appropriation.

29 West Virginia Council for Community and Technical College Education and Higher Education Policy
30 Commission entities operating with special revenue funds and/or federal funds shall pay their
31 proportionate share of the Board of Risk and Insurance Management total insurance premium cost for
32 their respective institutions.

33 "Current expenses" shall mean operating costs other than personal services and shall not include
34 equipment, repairs and alterations, buildings or lands. Each spending unit shall be responsible for and
35 charged monthly for all postage meter service and shall reimburse the appropriate revolving fund
36 monthly for all such amounts. Such expenditures shall be considered a current expense.

37 "Equipment" shall mean equipment items which have an appreciable and calculable period of
38 usefulness in excess of one year.

39 "Repairs and alterations" shall mean routine maintenance and repairs to structures and minor
40 improvements to property which do not increase the capital assets.

41 "Buildings" shall include new construction and major alteration of existing structures and the
42 improvement of lands and shall include shelter, support, storage, protection or the improvement of a
43 natural condition.

44 "Lands" shall mean the purchase of real property or interest in real property.

45 "Capital outlay" shall mean and include buildings, lands or buildings and lands, with such category
46 or item of appropriation to remain in effect as provided by W.Va. Code §12-3-12.

47 From appropriations made to the spending units of state government, upon approval of the
48 Governor there may be transferred to a special account an amount sufficient to match federal funds
49 under any federal act.

50 Appropriations classified in any of the above categories shall be expended only for the purposes
51 as defined above and only for the spending units herein designated: *Provided*, That the secretary of
52 each department shall have the authority to transfer within the department those general revenue
53 funds appropriated to the various agencies of the department: *Provided, however*, That no more than
54 five percent of the general revenue funds appropriated to any one agency or board may be transferred
55 to other agencies or boards within the department: and no funds may be transferred to a "personal
56 services and employee benefits" appropriation unless the source funds are also wholly from a
57 "personal services and employee benefits" line, or unless the source funds are from another
58 appropriation that has exclusively funded employment expenses for at least twelve consecutive
59 months prior to the time of transfer and the position(s) supported by the transferred funds are also
60 permanently transferred to the receiving agency or board within the department: *Provided further*, That
61 the secretary of each department and the director, commissioner, executive secretary, superintendent,
62 chairman or any other agency head not governed by a departmental secretary as established by
63 Chapter 5F of the Code shall have the authority to transfer funds appropriated to "personal services
64 and employee benefits," "current expenses," "repairs and alterations," "equipment," "other assets,"

65 “land,” and “buildings” to other appropriations within the same account and no funds from other
 66 appropriations shall be transferred to the “personal services and employee benefits” or the
 67 “unclassified” appropriation except that for funds appropriated in Title II – Section 3, 6, or 7 funds may
 68 be transferred to the “personal services and employee benefits” appropriation of the same fund in an
 69 amount not to exceed 5% of the enrolled appropriation for “personal services and employee benefits”:
 70 *And provided further*, That no authority exists hereunder to transfer funds into appropriations to which
 71 no funds are legislatively appropriated: *And provided further*, That if the Legislature by subsequent
 72 enactment consolidates agencies, boards or functions, the secretary or other appropriate agency head
 73 may transfer the funds formerly appropriated to such agency, board or function in order to implement
 74 such consolidation. No funds may be transferred from a Special Revenue Account, dedicated account,
 75 capital expenditure account or any other account or fund specifically exempted by the Legislature from
 76 transfer, except that the use of the appropriations from the State Road Fund for the office of the
 77 Secretary of the Department of Transportation is not a use other than the purpose for which such
 78 funds were dedicated and is permitted.

79 Appropriations otherwise classified shall be expended only where the distribution of expenditures
 80 for different purposes cannot well be determined in advance or it is necessary or desirable to permit
 81 the spending unit the freedom to spend an appropriation for more than one of the above classifications.

1 **Sec. 4. Method of expenditure.** — Money appropriated by this bill, unless otherwise specifically
 2 directed, shall be appropriated and expended according to the provisions of Article 3, Chapter 12 of
 3 the Code or according to any law detailing a procedure specifically limiting that article.

1 **Sec. 5. Maximum expenditures.** — No authority or requirement of law shall be interpreted as
 2 requiring or permitting an expenditure in excess of the appropriations set out in this bill.

TITLE II – APPROPRIATIONS.

ORDER OF SECTIONS

- SECTION 1. Appropriations from general revenue.
- SECTION 2. Appropriations from state road fund.
- SECTION 3. Appropriations from other funds.
- SECTION 4. Appropriations from lottery net profits.
- SECTION 5. Appropriations from state excess lottery revenue.
- SECTION 6. Appropriations of federal funds.
- SECTION 7. Appropriations from federal block grants.
- SECTION 8. Awards for claims against the state.
- SECTION 9. Appropriations from general revenue surplus accrued.
- SECTION 10. Appropriations from lottery net profits surplus accrued.

- SECTION 11. Appropriations from state excess lottery revenue surplus accrued.
- SECTION 12. Special revenue appropriations.
- SECTION 13. State improvement fund appropriations.
- SECTION 14. Specific funds and collection accounts.
- SECTION 15. Appropriations for refunding erroneous payment.
- SECTION 16. Sinking fund deficiencies.
- SECTION 17. Appropriations for local governments.
- SECTION 18. Total appropriations.
- SECTION 19. General school fund.

1 **Section 1. Appropriations from general revenue.** – From the State Fund, General Revenue,
 2 there are hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2,
 3 Chapter 11B the following amounts, as itemized, for expenditure during the fiscal year 2019.

LEGISLATIVE

1 - Senate

Fund 0165 FY 2019 Org 2100

	Appro-		General
	priation		Revenue
			Fund
1 Compensation of Members (R)	00300	\$	1,010,000
2 Compensation and Per Diem of Officers			
3 and Employees (R).....	00500		4,011,332
4 Current Expenses and Contingent Fund (R)	02100		276,392
5 Repairs and Alterations (R)	06400		50,000
6 Computer Supplies (R).....	10100		20,000
7 Computer Systems (R).....	10200		60,000
8 Printing Blue Book (R).....	10300		125,000
9 Expenses of Members (R)	39900		370,000

10	BRIM Premium (R).....	91300	29,482
11	Total.....		\$ 5,952,206

12 The appropriations for the Senate for the fiscal year 2018 are to remain in full force and effect
 13 and are hereby reappropriated to June 30, 2019. Any balances so reappropriated may be transferred
 14 and credited to the fiscal year 2018 accounts.

15 Upon the written request of the Clerk of the Senate, the Auditor shall transfer amounts between
 16 items of the total appropriation in order to protect or increase the efficiency of the service.

17 The Clerk of the Senate, with the approval of the President, is authorized to draw his or her
 18 requisitions upon the Auditor, payable out of the Current Expenses and Contingent Fund of the
 19 Senate, for any bills for supplies and services that may have been incurred by the Senate and not
 20 included in the appropriation bill, for supplies and services incurred in preparation for the opening, the
 21 conduct of the business and after adjournment of any regular or extraordinary session, and for the
 22 necessary operation of the Senate offices, the requisitions for which are to be accompanied by bills to
 23 be filed with the Auditor.

24 The Clerk of the Senate, with the approval of the President, or the President of the Senate
 25 shall have authority to employ such staff personnel during any session of the Legislature as shall be
 26 needed in addition to staff personnel authorized by the Senate resolution adopted during any such
 27 session. The Clerk of the Senate, with the approval of the President, or the President of the Senate
 28 shall have authority to employ such staff personnel between sessions of the Legislature as shall be
 29 needed, the compensation of all staff personnel during and between sessions of the Legislature,
 30 notwithstanding any such Senate resolution, to be fixed by the President of the Senate. The Clerk is
 31 hereby authorized to draw his or her requisitions upon the Auditor for the payment of all such staff
 32 personnel for such services, payable out of the appropriation for Compensation and Per Diem of
 33 Officers and Employees or Current Expenses and Contingent Fund of the Senate.

34 For duties imposed by law and by the Senate, the Clerk of the Senate shall be paid a monthly
 35 salary as provided by the Senate resolution, unless increased between sessions under the authority
 36 of the President, payable out of the appropriation for Compensation and Per Diem of Officers and
 37 Employees or Current Expenses and Contingent Fund of the Senate.

38 The distribution of the blue book shall be by the office of the Clerk of the Senate and shall
 39 include 75 copies for each member of the Legislature and two copies for each classified and approved
 40 high school and junior high or middle school and one copy for each elementary school within the state.

41 Included in the above appropriation for Senate (fund 0165, appropriation 02100), an amount
 42 not less than \$5,000 is to be used for the West Virginia Academy of Family Physicians - Doc of the
 43 Day Program.

2 - House of Delegates

Fund 0170 FY 2019 Org 2200

1	Compensation of Members (R)	00300	\$ 3,000,000
2	Compensation and Per Diem of Officers		

3	and Employees (R).....	00500	575,000
4	Current Expenses and Contingent Fund (R)	02100	3,909,031
5	Expenses of Members (R)	39900	1,350,000
6	BRIM Premium (R).....	91300	<u>70,000</u>
7	Total		\$ 8,904,031

8 The appropriations for the House of Delegates for the fiscal year 2018 are to remain in full
9 force and effect and are hereby reappropriated to June 30, 2019. Any balances so reappropriated
10 may be transferred and credited to the fiscal year 2018 accounts.

11 Upon the written request of the Clerk of the House of Delegates, the Auditor shall transfer
12 amounts between items of the total appropriation in order to protect or increase the efficiency of
13 the service.

14 The Clerk of the House of Delegates, with the approval of the Speaker, is authorized to
15 draw his or her requisitions upon the Auditor, payable out of the Current Expenses and Contingent
16 Fund of the House of Delegates, for any bills for supplies and services that may have been
17 incurred by the House of Delegates and not included in the appropriation bill, for bills for services
18 and supplies incurred in preparation for the opening of the session and after adjournment, and for
19 the necessary operation of the House of Delegates' offices, the requisitions for which are to be
20 accompanied by bills to be filed with the Auditor.

21 The Speaker of the House of Delegates, upon approval of the House committee on rules,
22 shall have authority to employ such staff personnel during and between sessions of the
23 Legislature as shall be needed, in addition to personnel designated in the House resolution, and
24 the compensation of all personnel shall be as fixed in such House resolution for the session, or
25 fixed by the Speaker, with the approval of the House committee on rules, during and between
26 sessions of the Legislature, notwithstanding such House resolution. The Clerk of the House of
27 Delegates is hereby authorized to draw requisitions upon the Auditor for such services, payable
28 out of the appropriation for the Compensation and Per Diem of Officers and Employees or Current
29 Expenses and Contingent Fund of the House of Delegates.

30 For duties imposed by law and by the House of Delegates, including salary allowed by law
31 as keeper of the rolls, the Clerk of the House of Delegates shall be paid a monthly salary as
32 provided in the House resolution, unless increased between sessions under the authority of the
33 Speaker, with the approval of the House committee on rules, and payable out of the appropriation
34 for Compensation and Per Diem of Officers and Employees or Current Expenses and Contingent
35 Fund of the House of Delegates.

36 Included in the above appropriation for House of Delegates (fund 0170, appropriation
37 02100), an amount not less than \$5,000 is to be used for the West Virginia Academy of Family
38 Physicians - Doc of the Day Program.

3 - Joint Expenses

(WV Code Chapter 4)

Fund 0175 FY 2019 Org 2300

1	Joint Committee on Government and Finance (R)	10400	\$	5,725,138
2	Legislative Printing (R)	10500		760,000
3	Legislative Rule-Making Review Committee (R).....	10600		147,250
4	Legislative Computer System (R).....	10700		1,447,500
5	BRIM Premium (R).....	91300		<u>60,569</u>
6	Total		\$	8,140,457

7 The appropriations for the Joint Expenses for the fiscal year 2018 are to remain in full
8 force and effect and are hereby reappropriated to June 30, 2019. Any balances reappropriated
9 may be transferred and credited to the fiscal year 2018 accounts.

10 Upon the written request of the Clerk of the Senate, with the approval of the President of
11 the Senate, and the Clerk of the House of Delegates, with the approval of the Speaker of the
12 House of Delegates, and a copy to the Legislative Auditor, the Auditor shall transfer amounts
13 between items of the total appropriation in order to protect or increase the efficiency of the service.

JUDICIAL*4 - Supreme Court –**General Judicial*Fund 0180 FY 2019 Org 2400

1	Personal Services and Employee Benefits (R)	00100	\$	102,856,258
2	Children's Protection Act (R)	09000		214,700
3	Current Expenses (R)	13000		32,882,879
4	Repairs and Alterations (R)	06400		236,450
5	Equipment (R).....	07000		1,800,000
6	Judges' Retirement System (R)	11000		779,000
7	Buildings (R)	25800		100,000
8	Other Assets (R)	69000		200,000
9	BRIM Premium (R).....	91300		<u>690,383</u>
10	Total		\$	139,759,670

11 The appropriations to the Supreme Court of Appeals for the fiscal years 2017 and 2018
 12 are to remain in full force and effect and are hereby reappropriated to June 30, 2019. Any
 13 balances so reappropriated may be transferred and credited to the fiscal year 2018 accounts.

14 This fund shall be administered by the Administrative Director of the Supreme Court of
 15 Appeals, who shall draw requisitions for warrants in payment in the form of payrolls, making
 16 deductions there from as required by law for taxes and other items.

17 The appropriation for the Judges' Retirement System (fund 0180, appropriation 11000) is
 18 to be transferred to the Consolidated Public Retirement Board, in accordance with the law relating
 19 thereto, upon requisition of the Administrative Director of the Supreme Court of Appeals.

EXECUTIVE

5 - Governor's Office

(WV Code Chapter 5)

Fund 0101 FY 2019 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$	3,171,318
2	Current Expenses (R)	13000		760,888
3	Repairs and Alterations.....	06400		2,000
4	National Governors Association	12300		60,700
5	Herbert Henderson Office of Minority Affairs	13400		146,726
6	BRIM Premium.....	91300		<u>183,645</u>
7	Total.....		\$	4,325,277

8 Any unexpended balances remaining in the appropriations for Unclassified (fund 0101,
 9 appropriation 09900), and Current Expenses (fund 0101, appropriation 13000) at the close of the
 10 fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

11 The above appropriation for Herbert Henderson Office of Minority Affairs (fund 0101,
 12 appropriation 13400) shall be transferred to the Minority Affairs Fund (fund 1058).

6 - Governor's Office –

Custodial Fund

(WV Code Chapter 5)

Fund 0102 FY 2019 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$	364,421
2	Current Expenses (R)	13000		183,158

3	Repairs and Alterations.....	06400	5,000
4	Total.....		\$ 552,579

5 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0102,
6 appropriation 13000) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
7 during the fiscal year 2019.

8 Appropriations are to be used for current general expenses, including compensation of
9 employees, household maintenance, cost of official functions and additional household expenses
10 occasioned by such official functions.

7 - Governor's Office –

Civil Contingent Fund

(WV Code Chapter 5)

Fund 0105 FY 2019 Org 0100

1 Any unexpended balances remaining in the appropriations for Business and Economic
2 Development Stimulus – Surplus (fund 0105, appropriation 08400), Civil Contingent Fund – Total
3 (fund 0105, appropriation 11400), 2012 Natural Disasters – Surplus (fund 0105, appropriation
4 13500), Civil Contingent Fund – Total – Surplus (fund 0105, appropriation 23800), Civil
5 Contingent Fund – Surplus (fund 0105, appropriation 26300), Business and Economic
6 Development Stimulus (fund 0105, appropriation 58600), Civil Contingent Fund (fund 0105,
7 appropriation 61400), and Natural Disasters – Surplus (fund 0105, appropriation 76400) at the
8 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year.

9 From this fund there may be expended, at the discretion of the Governor, an amount not
10 to exceed \$1,000 as West Virginia's contribution to the interstate oil compact commission.

11 The above fund is intended to provide contingency funding for accidental, unanticipated,
12 emergency or unplanned events which may occur during the fiscal year and is not to be expended
13 for the normal day-to-day operations of the Governor's Office.

8 - Auditor's Office –

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 2,694,191
2	Current Expenses (R)	13000	13,429
3	BRIM Premium.....	91300	12,077
4	Total.....		\$ 2,719,697

5 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0116,
6 appropriation 13000) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
7 during the fiscal year 2019.

8 Included in the above appropriation to Personal Services and Employee Benefits (fund
9 0116, appropriation 00100), is \$95,000 for the Salary of the Auditor.

9 - Treasurer's Office

(WV Code Chapter 12)

Fund 0126 FY 2019 Org 1300

1	Personal Services and Employee Benefits.....	00100	\$	2,480,419
2	Unclassified	09900		30,415
3	Current Expenses (R)	13000		475,100
4	Abandoned Property Program.....	11800		41,794
5	Other Assets	69000		10,000
6	ABLE Program.....	69202		150,000
7	BRIM Premium.....	91300		<u>59,169</u>
8	Total.....		\$	3,246,897

9 Any unexpended balances remaining in the appropriation for Current Expenses (fund
10 0126, appropriation 13000) at the close of the fiscal year 2018 are hereby reappropriated for
11 expenditure during the fiscal year 2019.

12 Included in the above appropriation to Personal Services and Employee Benefits (fund
13 0126, appropriation 00100), is \$95,000 for the Salary of the Treasurer.

10 - Department of Agriculture

(WV Code Chapter 19)

Fund 0131 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	5,301,277
2	Animal Identification Program	03900		126,318
3	State Farm Museum.....	05500		87,759
4	Current Expenses (R)	13000		141,960
5	Gypsy Moth Program (R)	11900		954,230

6	WV Farmers Market.....	12801	150,467
7	Black Fly Control.....	13700	453,164
8	Donated Foods Program.....	36300	45,000
9	Veterans to Agriculture Program.....	36301	250,000
10	Predator Control (R).....	47000	176,400
11	Bee Research.....	69100	67,822
12	Microbiology Program.....	78500	97,016
13	Moorefield Agriculture Center.....	78600	933,624
14	Chesapeake Bay Watershed.....	83000	106,803
15	Livestock Care Standards Board.....	84300	8,820
16	BRIM Premium.....	91300	138,905
17	State FFA-FHA Camp and Conference Center.....	94101	613,246
18	Threat Preparedness.....	94200	70,731
19	WV Food Banks.....	96900	126,000
20	Senior's Farmers' Market Nutrition Coupon Program.....	97000	<u>55,835</u>
21	Total.....		\$ 9,905,377

22 Any unexpended balances remaining in the appropriations for Gypsy Moth Program (fund
 23 0131, appropriation 11900), Current Expenses (fund 0131, appropriation 13000), Predator
 24 Control (fund 0131, appropriation 47000), and Agricultural Disaster and Mitigation Needs –
 25 Surplus (fund 0131, appropriation 85000) at the close of the fiscal year 2018 are hereby
 26 reappropriated for expenditure during the fiscal year 2019.

27 Included in the above appropriation to Personal Services and Employee Benefits (fund
 28 0131, appropriation 00100), is \$95,000 for the Salary of the Commissioner.

29 The above appropriation for Predator Control (fund 0131, appropriation 47000) is to be
 30 made available to the United States Department of Agriculture, Wildlife Services to administer the
 31 Predator Control Program.

32 A portion of the Current Expenses appropriation may be transferred to a special revenue
 33 fund for the purpose of matching federal funds for marketing and development activities.

34 From the above appropriation for WV Food Banks (fund 0131, appropriation 96900),
 35 \$20,000 is for House of Hope and the remainder of the appropriation shall be allocated to the
 36 Huntington Food Bank and the Mountaineer Food Bank in Braxton County.

11 - West Virginia Conservation Agency

(WV Code Chapter 19)

Fund 0132 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	754,823
2	Unclassified	09900		77,059
3	Current Expenses (R)	13000		317,848
4	Soil Conservation Projects (R)	12000		6,649,447
5	BRIM Premium.....	91300		<u>34,428</u>
6	Total.....		\$	7,833,605

7 Any unexpended balances remaining in the appropriations for Soil Conservation Projects
 8 (fund 0132, appropriation 12000), and Current Expenses (fund 0132, appropriation 13000) at the
 9 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

12 - Department of Agriculture –

Meat Inspection Fund

(WV Code Chapter 19)

Fund 0135 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	640,093
2	Unclassified	09900		7,090
3	Current Expenses	13000		<u>82,605</u>
4	Total.....		\$	729,788

5 Any part or all of this appropriation may be transferred to a special revenue fund for the
 6 purpose of matching federal funds for the above-named program.

13 - Department of Agriculture –

Agricultural Awards Fund

(WV Code Chapter 19)

Fund 0136 FY 2019 Org 1400

1	Programs and Awards for 4-H Clubs and FFA/FHA	57700	\$	15,000
2	Commissioner's Awards and Programs	73700		<u>39,250</u>

3	Total		\$ 54,250
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14 - Department of Agriculture –

West Virginia Agricultural Land Protection Authority

(WV Code Chapter 8A)

Fund 0607 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$ 96,735
2	Unclassified	09900	950
3	Total		\$ 97,685

15 - Attorney General

(WV Code Chapters 5, 14, 46A and 47)

Fund 0150 FY 2019 Org 1500

1	Personal Services and Employee Benefits (R).....	00100	\$ 2,537,784
2	Unclassified (R).....	09900	24,428
3	Current Expenses (R)	13000	762,097
4	Repairs and Alterations.....	06400	1,000
5	Equipment.....	07000	1,000
6	Criminal Convictions and Habeas Corpus Appeals (R)	26000	923,582
7	Better Government Bureau	74000	275,194
8	BRIM Premium.....	91300	120,654
9	Total		\$ 4,645,739

10 Any unexpended balances remaining in the above appropriations for Personal Services
 11 and Employee Benefits (fund 0150, appropriation 00100), Unclassified (fund 0150, appropriation
 12 09900), Current Expenses (fund 0150, appropriation 13000), Criminal Convictions and Habeas
 13 Corpus Appeals (fund 0150, appropriation 26000), and Agency Client Revolving Liquidity Pool
 14 (fund 0150, appropriation 36200) at the close of the fiscal year 2018 are hereby reappropriated
 15 for expenditure during the fiscal year 2019.

16 Included in the above appropriation to Personal Services and Employee Benefits (fund
 17 0150, appropriation 00100), is \$95,000 for the Salary of the Attorney General.

18 When legal counsel or secretarial help is appointed by the Attorney General for any state
 19 spending unit, this account shall be reimbursed from such spending units specifically appropriated

20 account or from accounts appropriated by general language contained within this bill: *Provided,*
 21 That the spending unit shall reimburse at a rate and upon terms agreed to by the state spending
 22 unit and the Attorney General: *Provided, however,* That if the spending unit and the Attorney
 23 General are unable to agree on the amount and terms of the reimbursement, the spending unit
 24 and the Attorney General shall submit their proposed reimbursement rates and terms to the
 25 Governor for final determination.

16 - *Secretary of State*

(WV Code Chapters 3, 5 and 59)

Fund 0155 FY 2019 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	118,794
2	Unclassified (R).....	09900		9,555
3	Current Expenses (R)	13000		805,948
4	BRIM Premium.....	91300		<u>23,297</u>
5	Total		\$	957,594

6 Any unexpended balances remaining in the appropriations for Unclassified (fund 0155,
 7 appropriation 09900) and Current Expenses (fund 0155, appropriation 13000) at the close of the
 8 fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

9 Included in the above appropriation to Personal Services and Employee Benefits (fund
 10 0155, appropriation 00100), is \$95,000 for the Salary of the Secretary of State.

17 - *State Election Commission*

(WV Code Chapter 3)

Fund 0160 FY 2019 Org 1601

1	Personal Services and Employee Benefits.....	00100	\$	2,477
2	Unclassified	09900		75
3	Current Expenses	13000		<u>4,956</u>
4	Total		\$	7,508

DEPARTMENT OF ADMINISTRATION

18 - *Department of Administration –*

Office of the Secretary

(WV Code Chapter 5F)

Fund 0186 FY 2019 Org 0201

1	Personal Services and Employee Benefits.....	00100	\$	591,118
2	Unclassified	09900		9,177
3	Current Expenses	13000		85,446
4	Repairs and Alterations.....	06400		100
5	Equipment.....	07000		1,000
6	Financial Advisor (R).....	30400		27,546
7	Lease Rental Payments.....	51600		15,000,000
8	Design-Build Board.....	54000		4,000
9	Other Assets	69000		100
10	BRIM Premium.....	91300		<u>6,299</u>
11	Total.....		\$	15,724,786

12 Any unexpended balance remaining in the appropriation for Financial Advisor (fund 0186,
 13 appropriation 30400) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
 14 during the fiscal year 2019.

15 The appropriation for Lease Rental Payments (fund 0186, appropriation 51600) shall be
 16 disbursed as provided by W.Va. Code §31-15-6b.

19 - Consolidated Public Retirement Board

(WV Code Chapter 5)

Fund 0195 FY 2019 Org 0205

1 The Division of Highways, Division of Motor Vehicles, Public Service Commission and
 2 other departments, bureaus, divisions, or commissions operating from special revenue funds
 3 and/or federal funds shall pay their proportionate share of the retirement costs for their respective
 4 divisions. When specific appropriations are not made, such payments may be made from the
 5 balances in the various special revenue funds in excess of specific appropriations.

20 - Division of Finance

(WV Code Chapter 5A)

Fund 0203 FY 2019 Org 0209

1	Personal Services and Employee Benefits.....	00100	\$	64,696
2	Unclassified	09900		1,400

3	Current Expenses	13000	66,721
4	GAAP Project (R).....	12500	593,684
5	BRIM Premium.....	91300	<u>7,517</u>
6	Total		\$ 734,018

7 Any unexpended balance remaining in the appropriation for GAAP Project (fund 0203,
8 appropriation 12500) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
9 during the fiscal year 2019.

21 - Division of General Services

(WV Code Chapter 5A)

Fund 0230 FY 2019 Org 0211

1	Personal Services and Employee Benefits.....	00100	\$ 2,593,147
2	Unclassified	09900	20,000
3	Current Expenses	13000	728,849
4	Repairs and Alterations.....	06400	500
5	Equipment.....	07000	5,000
6	Fire Service Fee.....	12600	14,000
7	Buildings (R)	25800	500
8	Preservation and Maintenance of Statues and Monuments		
9	on Capitol Grounds	37100	68,000
10	Capital Outlay, Repairs and Equipment (R).....	58900	14,344,432
11	Other Assets	69000	500
12	Land (R).....	73000	500
13	BRIM Premium.....	91300	<u>129,983</u>
14	Total		\$ 17,905,411

15 Any unexpended balances remaining in the above appropriations for Buildings (fund 0230,
16 appropriation 25800), Capital Outlay, Repairs and Equipment (fund 0230, appropriation 58900),
17 Capital Outlay, Repairs and Equipment – Surplus (fund 0230, appropriation 67700), and Land
18 (fund 0230, appropriation 73000) at the close of the fiscal year 2018 are hereby reappropriated
19 for expenditure during the fiscal year 2019.

20 From the above appropriation for Preservation and Maintenance of Statues and
 21 Monuments on Capitol Grounds (fund 0230, appropriation 37100), the Division shall consult the
 22 Division of Culture and History and Capitol Building Commission in all aspects of planning,
 23 assessment, maintenance and restoration.

24 The above appropriation for Capital Outlay, Repairs and Equipment (fund 0230,
 25 appropriation 58900) shall be expended for capital improvements, maintenance, repairs and
 26 equipment for state-owned buildings.

22 - Division of Purchasing

(WV Code Chapter 5A)

Fund 0210 FY 2019 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	1,023,307
2	Unclassified	09900		144
3	Current Expenses	13000		1,285
4	Repairs and Alterations.....	06400		200
5	BRIM Premium.....	91300		<u>6,922</u>
6	Total		\$	1,031,858

7 The Division of Highways shall reimburse Fund 2031 within the Division of Purchasing for
 8 all actual expenses incurred pursuant to the provisions of W.Va. Code §17-2A-13.

23 - Travel Management

(WV Code Chapter 5A)

Fund 0615 FY 2019 Org 0215

1	Personal Services and Employee Benefits.....	00100	\$	779,867
2	Unclassified	09900		12,032
3	Current Expenses	13000		440,247
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		5,000
6	Buildings (R)	25800		100
7	Other Assets	69000		<u>100</u>
8	Total		\$	1,238,346

9 Any unexpended balance remaining in the appropriation for Buildings (fund 0615,
10 appropriation 25800) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
11 during the fiscal year 2019.

24 - Commission on Uniform State Laws

(WV Code Chapter 29)

Fund 0214 FY 2019 Org 0217

1	Current Expenses	13000	\$	45,550
2	To pay expenses for members of the commission on uniform state laws.			

25 - West Virginia Public Employees Grievance Board

(WV Code Chapter 6C)

Fund 0220 FY 2019 Org 0219

1	Personal Services and Employee Benefits.....	00100	\$	935,883
2	Unclassified	09900		1,000
3	Current Expenses	13000		143,754
4	Equipment.....	07000		50
5	BRIM Premium.....	91300		<u>10,281</u>
6	Total.....		\$	1,090,968

26 - Ethics Commission

(WV Code Chapter 6B)

Fund 0223 FY 2019 Org 0220

1	Personal Services and Employee Benefits.....	00100	\$	588,831
2	Unclassified	09900		2,200
3	Current Expenses	13000		104,501
4	Repairs and Alterations.....	06400		500
5	Other Assets	69000		100
6	BRIM Premium.....	91300		<u>5,574</u>
7	Total.....		\$	701,706

27 - Public Defender Services

(WV Code Chapter 29)

Fund 0226 FY 2019 Org 0221

1	Personal Services and Employee Benefits.....	00100	\$	1,367,785
2	Unclassified	09900		314,700
3	Current Expenses	13000		12,740
4	Public Defender Corporations	35200		19,204,999
5	Appointed Counsel Fees (R)	78800		10,723,115
6	BRIM Premium.....	91300		<u>10,575</u>
7	Total		\$	31,633,914

8 Any unexpended balance remaining in the above appropriation for Appointed Counsel
 9 Fees (fund 0226, appropriation 78800) at the close of the fiscal year 2018 is hereby
 10 reappropriated for expenditure during the fiscal year 2019.

11 The director shall have the authority to transfer funds from the appropriation to Public
 12 Defender Corporations (fund 0226, appropriation 35200) to Appointed Counsel Fees (fund 0226,
 13 appropriation 78800).

28 - Committee for the Purchase of

Commodities and Services from the Handicapped

(WV Code Chapter 5A)

Fund 0233 FY 2019 Org 0224

1	Personal Services and Employee Benefits.....	00100	\$	3,187
2	Current Expenses	13000		<u>868</u>
3	Total		\$	4,055

29 - Public Employees Insurance Agency

(WV Code Chapter 5)

Fund 0200 FY 2019 Org 0225

1	PEIA Subsidy	80100	\$	21,000,000
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2 The Division of Highways, Division of Motor Vehicles, Public Service Commission and
 3 other departments, bureaus, divisions, or commissions operating from special revenue funds

4 and/or federal funds shall pay their proportionate share of the public employees health insurance
 5 cost for their respective divisions.

6 The above appropriation for PEIA Subsidy (fund 0200, appropriation 80100) may be
 7 transferred to a special revenue fund and shall be utilized by the West Virginia Public Employees
 8 Insurance Agency for the purposes of offsetting benefit changes to offset the aggregate premium
 9 cost-sharing percentage requirements between employers and employees. Such amount shall
 10 not be included in the calculation of the plan year aggregate premium cost-sharing percentages
 11 between employers and employees.

30 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 0557 FY 2019 Org 0228

1	Forensic Medical Examinations (R).....	68300	\$	139,611
2	Federal Funds/Grant Match (R)	74900		<u>101,418</u>
3	Total		\$	241,029

4 Any unexpended balances remaining in the appropriations for Forensic Medical
 5 Examinations (fund 0557, appropriation 68300) and Federal Funds/Grant Match (fund 0557,
 6 appropriation 74900) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
 7 during the fiscal year 2019.

31 - Real Estate Division

(WV Code Chapter 5A)

Fund 0610 FY 2019 Org 0233

1	Personal Services and Employee Benefits.....	00100	\$	660,855
2	Unclassified	09900		1,000
3	Current Expenses	13000		138,631
4	Repairs and Alterations.....	06400		100
5	Equipment.....	07000		2,500
6	BRIM Premium.....	91300		<u>8,534</u>
7	Total		\$	811,620

1 **DEPARTMENT OF COMMERCE**

32 - Division of Forestry

(WV Code Chapter 19)

Fund 0250 FY 2019 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	2,743,667
2	Unclassified	09900		21,435
3	Current Expenses	13000		338,953
4	Repairs and Alterations.....	06400		80,000
5	Equipment (R).....	07000		2,061
6	BRIM Premium.....	91300		<u>98,754</u>
7	Total.....		\$	3,284,870

8 Any unexpended balance remaining in the appropriation for Equipment (fund 0250,
9 Appropriation 07000) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
10 during the fiscal year 2019.

11 Out of the above appropriations a sum may be used to match federal funds for cooperative
12 studies or other funds for similar purposes.

33 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 0253 FY 2019 Org 0306

1	Personal Services and Employee Benefits.....	00100	\$	1,614,784
2	Unclassified	09900		27,678
3	Current Expenses	13000		51,524
4	Repairs and Alterations.....	06400		968
5	Mineral Mapping System (R).....	20700		1,114,009
6	BRIM Premium.....	91300		<u>24,486</u>
7	Total.....		\$	2,833,449

8 Any unexpended balance remaining in the appropriation for Mineral Mapping System
9 (fund 0253, appropriation 20700) at the close of the fiscal year 2018 is hereby reappropriated for
10 expenditure during the fiscal year 2019.

11 The above Unclassified and Current Expense appropriations include funding to secure
12 federal and other contracts and may be transferred to a special revolving fund (fund 3105) for the
13 purpose of providing advance funding for such contracts.

34 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	4,204,485
2	Unclassified	09900		108,687
3	Current Expenses	13000		3,769,645
4	National Youth Science Camp	13200		241,570
5	Local Economic Development Partnerships (R)	13300		792,000
6	ARC Assessment.....	13600		152,585
7	Infrastructure and Economic Development Projects.....	23401		3,000,000
8	Guaranteed Work Force Grant (R).....	24200		970,955
9	Mainstreet Program	79400		164,655
10	BRIM Premium.....	91300		3,157
11	Hatfield McCoy Recreational Trail.....	96000		<u>198,415</u>
12	Total.....		\$	13,606,154

13 Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund
 14 0256, appropriation 09700), Partnership Grants (fund 0256, appropriation 13100), Local
 15 Economic Development Partnerships (fund 0256, appropriation 13300), Guaranteed Work Force
 16 Grant (fund 0256, appropriation 24200), Industrial Park Assistance (fund 0256, appropriation
 17 48000), and Local Economic Development Assistance (fund 0256, appropriation 81900) at the
 18 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

19 The above appropriation to Local Economic Development Partnerships (fund 0256,
 20 appropriation 13300) shall be used by the West Virginia Development Office for the award of
 21 funding assistance to county and regional economic development corporations or authorities
 22 participating in the Certified Development Community Program developed under the provisions
 23 of W.Va. Code §5B-2-14. The West Virginia Development Office shall award the funding
 24 assistance through a matching grant program, based upon a formula whereby funding assistance
 25 may not exceed \$34,000 per county served by an economic development or redevelopment
 26 corporation or authority.

35 - Division of Labor -

Weights and Measures Fund

(WV Code Chapter 47)

Fund 0260 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	1,500,000
2	Current Expenses	13000		227,000
3	Repairs and Alterations.....	06400		28,000
4	Equipment.....	07000		15,000
5	BRIM Premium.....	91300		<u>8,500</u>
6	Total		\$	1,778,500

36 - Division of Natural Resources

(WV Code Chapter 20)

Fund 0265 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	16,193,634
2	Unclassified	09900		184,711
3	Current Expenses	13000		196,302
4	Repairs and Alterations.....	06400		100
5	Equipment.....	07000		100
6	Buildings	25800		100
7	Capital Outlay – Parks.....	28800		3,000,000
8	Litter Control Conservation Officers	56400		142,712
9	Upper Mud River Flood Control.....	65400		163,385
10	Other Assets	69000		100
11	Land (R).....	73000		100
12	Law Enforcement	80600		2,473,246
13	BRIM Premium.....	91300		<u>45,141</u>
14	Total		\$	22,399,631

15 Any unexpended balances remaining in the appropriations for Buildings (fund 0265,
 16 appropriation 25800), Land (fund 0265, appropriation 73000), and State Park Improvements –
 17 Surplus (fund 0265, appropriation 76300) at the close of the fiscal year 2018 are hereby
 18 reappropriated for expenditure during the fiscal year 2019.

19 Any revenue derived from mineral extraction at any state park shall be deposited in a
 20 special revenue account of the Division of Natural Resources, first for bond debt payment
 21 purposes and with any remainder to be for park operation and improvement purposes.

37 - Division of Miners' Health, Safety and Training

(WV Code Chapter 22)

Fund 0277 FY 2019 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$	9,249,358
2	Unclassified	09900		111,016
3	Current Expenses	13000		1,396,141
4	Coal Dust and Rock Dust Sampling	27000		482,128
5	BRIM Premium.....	91300		<u>80,668</u>
6	Total		\$	11,319,311

7 Included in the above appropriation for Current Expenses (fund 0277, appropriation
 8 13000) is \$500,000 to be used for coal mine training activities at an established mine training
 9 facility in southern West Virginia.

38 - Board of Coal Mine Health and Safety

(WV Code Chapter 22)

Fund 0280 FY 2019 Org 0319

1	Personal Services and Employee Benefits.....	00100	\$	231,169
2	Unclassified	09900		3,480
3	Current Expenses	13000		<u>118,138</u>
4	Total		\$	352,787

39 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 0572 FY 2019 Org 0323

1	Personal Services and Employee Benefits.....	00100	\$	51,433
2	Unclassified	09900		593
3	Current Expenses	13000		<u>7,337</u>

4 Total \$ 59,363

40 - Department of Commerce –

Office of the Secretary

(WV Code Chapter 19)

Fund 0606 FY 2019 Org 0327

1	Personal Services and Employee Benefits.....	00100	\$	555,128
2	Unclassified	09900		3,500
3	Current Expenses	13000		<u>15,089</u>
4	Total.....		\$	573,717

41 - Office of Energy

(WV Code Chapter 5B)

Fund 0612 FY 2019 Org 0328

1	Personal Services and Employee Benefits.....	00100	\$	195,487
2	Unclassified	09900		12,395
3	Current Expenses	13000		1,029,679
4	BRIM Premium.....	91300		<u>3,894</u>
5	Total.....		\$	1,241,455

6 From the above appropriation for Current Expenses (fund 0612, appropriation 13000)
 7 \$558,247 is for West Virginia University and \$308,247 is for Southern West Virginia Community
 8 and Technical College for the Mine Training and Energy Technologies Academy.

DEPARTMENT OF EDUCATION

42 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 0303 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	335,494
2	Current Expenses	13000		<u>2,118,865</u>

3 Total \$ 2,454,359

*43 - State Board of Education –
State Department of Education
(WV Code Chapters 18 and 18A)
Fund 0313 FY 2019 Org 0402*

1	Personal Services and Employee Benefits.....	00100	\$	4,387,599
2	Teachers' Retirement Savings Realized.....	09500		35,000,000
3	Unclassified (R).....	09900		300,000
4	Current Expenses (R)	13000		2,572,000
5	Equipment.....	07000		5,000
6	Increased Enrollment	14000		2,910,000
7	Safe Schools.....	14300		4,869,447
8	Teacher Mentor.....	15800		550,000
9	National Teacher Certification (R)	16100		300,000
10	Buildings (R)	25800		1,000
11	Technology Repair and Modernization	29800		951,003
12	HVAC Technicians.....	35500		506,851
13	Early Retirement Notification Incentive.....	36600		300,000
14	MATH Program.....	36800		336,532
15	Assessment Programs	39600		1,339,588
16	21st Century Fellows.....	50700		274,899
17	English as a Second Language.....	52800		96,000
18	Teacher Reimbursement.....	57300		297,188
19	Hospitality Training	60000		270,103
20	Hi-Y Youth in Government	61600		100,000
21	High Acuity Special Needs (R)	63400		1,500,000

22	Foreign Student Education.....	63600	100,013
23	Principals Mentorship.....	64900	69,250
24	State Board of Education Administrative Costs	68400	271,779
25	Other Assets	69000	1,000
26	IT Academy (R).....	72100	500,000
27	Land (R).....	73000	1,000
28	Early Literacy Program.....	75600	5,700,000
29	School Based Truancy Prevention (R)	78101	2,015,366
30	Communities in Schools.....	78103	400,000
31	21st Century Learners (R).....	88600	1,726,944
32	BRIM Premium.....	91300	342,859
33	21st Century Assessment and Professional Development	93100	2,004,447
34	21st Century Technology Infrastructure Network		
35	Tools and Support.....	93300	7,636,586
36	Educational Program Allowance	99600	<u>516,250</u>
37	Total.....		\$ 78,152,704

38 The above appropriations include funding for the state board of education and their
39 executive office.

40 Any unexpended balances remaining in the appropriations for Unclassified (fund 0313,
41 appropriation 09900), Current Expenses (fund 0313, appropriation 13000), National Teacher
42 Certification (fund 0313, appropriation 16100), Buildings (fund 0313, appropriation 25800), High
43 Acuity Special Needs (fund 0313, appropriation 63400), IT Academy (fund 0313, appropriation
44 72100), Land (fund 0313, appropriation 73000), School Based Truancy Prevention (fund 0313,
45 appropriation 78101), and 21st Century Learners (fund 0313, appropriation 88600) at the close
46 of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

47 The above appropriation for Teachers' Retirement Savings Realized (fund 0313,
48 appropriation 09500) shall be transferred to the Employee Pension and Health Care Benefit Fund
49 (fund 2044).

50 The above appropriation for Hospitality Training (fund 0313, appropriation 60000), shall
51 be allocated only to entities that have a plan approved for funding by the Department of Education,
52 at the funding level determined by the State Superintendent of Schools. Plans shall be submitted
53 to the State Superintendent of Schools to be considered for funding.

54 From the above appropriation for Educational Program Allowance (fund 0313,
 55 appropriation 99600), \$100,000 shall be expended for Webster County Board of Education for
 56 Hacker Valley; \$150,000 shall be for the Randolph County Board of Education for Pickens School;
 57 \$100,000 shall be for the Preston County Board of Education for the Aurora School; \$100,000
 58 shall be for the Fayette County Board of Education for Meadow Bridge; and \$66,250 is for Project
 59 Based Learning in STEM fields.

44 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 0314 FY 2019 Org 0402

1	Special Education – Counties	15900	\$	7,271,757
2	Special Education – Institutions	16000		3,858,654
3	Education of Juveniles Held in Predispositional			
4	Juvenile Detention Centers.....	30200		625,614
5	Education of Institutionalized Juveniles and Adults (R)	47200		<u>18,472,954</u>
6	Total		\$	30,228,979

7 Any unexpended balance remaining in the appropriation for Education of Institutionalized
 8 Juveniles and Adults (fund 0314, appropriation 47200) at the close of the fiscal year 2018 is
 9 hereby reappropriated for expenditure during the fiscal year 2019.

10 From the above appropriations, the superintendent shall have authority to expend funds
 11 for the costs of special education for those children residing in out-of-state placements.

45 - State Board of Education –

State Aid to Schools

(WV Code Chapters 18 and 18A)

Fund 0317 FY 2019 Org 0402

1	Other Current Expenses	02200	\$	149,651,626
2	Advanced Placement	05300		595,663
3	Professional Educators	15100		876,075,903
4	Service Personnel.....	15200		297,680,615
5	Fixed Charges.....	15300		103,542,614

6	Transportation.....	15400	73,375,145
7	Professional Student Support Services	65500	38,686,260
8	Improved Instructional Programs	15600	49,544,683
9	21st Century Strategic Technology Learning Growth	93600	<u>21,584,131</u>
10	Basic Foundation Allowances		1,610,736,640
11	Less Local Share		(458,622,709)
12	Adjustments		<u>(1,694,701)</u>
13	Total Basic State Aid.....		1,150,419,230
14	Public Employees' Insurance Matching.....	01200	232,810,116
15	Teachers' Retirement System	01900	72,719,190
16	School Building Authority	45300	23,420,520
17	Retirement Systems – Unfunded Liability.....	77500	<u>353,640,000</u>
18	Total		\$ 1,833,009,056

46 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 0390 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$ 1,305,125
2	Unclassified	09900	268,800
3	Current Expenses	13000	883,106
4	Wood Products – Forestry Vocational Program.....	14600	73,715
5	Albert Yanni Vocational Program	14700	132,123
6	Vocational Aid.....	14800	23,239,266
7	Adult Basic Education	14900	4,894,607
8	Program Modernization.....	30500	884,313
9	High School Equivalency Diploma Testing (R)	72600	790,743

10	FFA Grant Awards	83900	11,496
11	Pre-Engineering Academy Program.....	84000	<u>265,294</u>
12	Total		\$ 32,748,588

13 Any unexpended balance remaining in the appropriation for High School Equivalency
 14 Diploma Testing (fund 0390, appropriation 72600) at the close of the fiscal year 2018 is hereby
 15 reappropriated for expenditure during the fiscal year 2019.

47 - State Board of Education –

West Virginia Schools for the Deaf and the Blind

(WV Code Chapters 18 and 18A)

Fund 0320 FY 2019 Org 0403

1	Personal Services and Employee Benefits.....	00100	\$ 11,588,010
2	Unclassified	09900	110,000
3	Current Expenses	13000	2,145,469
4	Repairs and Alterations.....	06400	85,000
5	Equipment.....	07000	70,000
6	Buildings (R)	25800	50,000
7	Capital Outlay and Maintenance (R)	75500	82,500
8	BRIM Premium.....	91300	<u>140,842</u>
9	Total		\$ 14,271,821

10 Any unexpended balances remaining in the appropriations for Buildings (fund 0320,
 11 appropriation 25800) and Capital Outlay and Maintenance (fund 0320, appropriation 75500) at
 12 the close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year
 13 2019.

DEPARTMENT OF EDUCATION AND THE ARTS

48 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0294 FY 2019 Org 0431

1	Personal Services and Employee Benefits.....	00100	\$ 533,834
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2	Unclassified	09900	35,000
3	Center for Professional Development (R).....	11500	1,511,331
4	Current Expenses	13000	7,162
5	WV Humanities Council	16800	250,000
6	Benedum Professional Development Collaborative (R).....	42700	429,775
7	Governor's Honors Academy (R)	47800	1,059,270
8	Educational Enhancements.....	69500	573,500
9	S.T.E.M. Education and Grant Program (R)	71900	492,262
10	Energy Express.....	86100	382,935
11	BRIM Premium.....	91300	5,336
12	Special Olympic Games.....	96600	<u>25,000</u>
13	Total		\$ 5,305,405

14 Any unexpended balances remaining in the appropriations for Center for Professional
 15 Development (fund 0294, appropriation 11500), Benedum Professional Development
 16 Collaborative (fund 0294, appropriation 42700), Governor's Honors Academy (fund 0294,
 17 appropriation 47800), and S.T.E.M. Education and Grant Program (fund 0294, appropriation
 18 71900) at the close of the fiscal year 2018 are hereby reappropriated for expenditure during the
 19 fiscal year 2019.

20 From the above appropriation for Educational Enhancements (fund 0294, appropriation
 21 69500), \$73,500 shall be used for the Clay Center and \$500,000 for Save the Children.

49 - Division of Culture and History

(WV Code Chapter 29)

Fund 0293 FY 2019 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$ 3,299,919
2	Current Expenses	13000	610,843
3	Repairs and Alterations.....	06400	1,000
4	Equipment.....	07000	1
5	Unclassified (R).....	09900	28,483
6	Buildings (R)	25800	1

7	Other Assets	69000	1
8	Land (R).....	73000	1
9	Culture and History Programming	73200	231,573
10	Capital Outlay and Maintenance (R)	75500	19,600
11	Historical Highway Marker Program.....	84400	57,548
12	BRIM Premium.....	91300	<u>39,337</u>
13	Total.....	\$	4,288,307

14 Any unexpended balances remaining in the appropriations for Unclassified (fund 0293,
 15 appropriation 09900), Buildings (fund 0293, appropriation 25800), Capital Outlay, Repairs and
 16 Equipment (fund 0293, appropriation 58900), Capital Improvements – Surplus (fund 0293,
 17 appropriation 66100), Capital Outlay, Repairs and Equipment – Surplus (fund 0293, appropriation
 18 67700), Land (fund 0293, appropriation 73000), and Capital Outlay and Maintenance (fund 0293,
 19 appropriation 75500) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
 20 during the fiscal year 2019.

21 The Current Expense appropriation includes funding for the arts funds, department
 22 programming funds, grants, fairs and festivals and Camp Washington Carver and shall be
 23 expended only upon authorization of the Division of Culture and History and in accordance with
 24 the provisions of Chapter 5A, Article 3, and Chapter 12 of the Code.

50 - Library Commission

(WV Code Chapter 10)

Fund 0296 FY 2019 Org 0433

1	Personal Services and Employee Benefits.....	00100	\$	1,261,316
2	Current Expenses	13000		139,624
3	Repairs and Alterations.....	06400		6,500
4	Services to Blind & Handicapped.....	18100		161,717
5	BRIM Premium.....	91300		<u>18,205</u>
6	Total.....		\$	1,587,362

51 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 0300 FY 2019 Org 0439

1	Personal Services and Employee Benefits.....	00100	\$	1,767,321
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2	Current Expenses	13000	1,591,805
3	Mountain Stage.....	24900	300,000
4	Capital Outlay and Maintenance (R)	75500	50,000
5	BRIM Premium.....	91300	<u>48,453</u>
6	Total		\$ 3,757,579

7 Any unexpended balance remaining in the appropriation for Capital Outlay and
 8 Maintenance (fund 0300, appropriation 75500) at the close of the fiscal year 2018 is hereby
 9 reappropriated for expenditure during the fiscal year 2019.

52 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 0310 FY 2019 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$ 10,953,816
2	Independent Living Services	00900	429,418
3	Current Expenses	13000	558,815
4	Workshop Development.....	16300	1,817,427
5	Supported Employment Extended Services	20600	77,960
6	Ron Yost Personal Assistance Fund	40700	333,828
7	Employment Attendant Care Program.....	59800	131,575
8	BRIM Premium.....	91300	<u>77,464</u>
9	Total		\$ 14,380,303

10 From the above appropriation for Workshop Development (fund 0310, appropriation
 11 16300), funds shall be used exclusively with the private nonprofit community rehabilitation
 12 program organizations known as work centers or sheltered workshops. The appropriation shall
 13 also be used to continue the support of the program, services, and individuals with disabilities
 14 currently in place at those organizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

53 - Environmental Quality Board

(WV Code Chapter 20)

Fund 0270 FY 2019 Org 0311

1	Personal Services and Employee Benefits.....	00100	\$	76,915
2	Current Expenses	13000		29,353
3	Repairs and Alterations.....	06400		100
4	Equipment.....	07000		300
5	Other Assets	69000		400
6	BRIM Premium.....	91300		<u>791</u>
7	Total.....		\$	107,859

54 - Division of Environmental Protection

(WV Code Chapter 22)

Fund 0273 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	4,051,891
2	Water Resources Protection and Management.....	06800		570,654
3	Current Expenses	13000		96,916
4	Repairs and Alterations.....	06400		1,500
5	Unclassified	09900		14,825
6	Dam Safety	60700		212,186
7	West Virginia Stream Partners Program.....	63700		77,396
8	Meth Lab Cleanup.....	65600		199,616
9	WV Contributions to River Commissions.....	77600		148,485
10	Office of Water Resources Non-Enforcement Activity	85500		<u>934,525</u>
11	Total.....		\$	6,307,994

12 A portion of the appropriations for Current Expense (fund 0273, appropriation 13000) and
 13 Dam Safety (fund 0273, appropriation 60700) may be transferred to the special revenue fund
 14 Dam Safety Rehabilitation Revolving Fund (fund 3025) for the state deficient dams rehabilitation
 15 assistance program.

55 - Air Quality Board

(WV Code Chapter 16)

Fund 0550 FY 2019 Org 0325

1	Personal Services and Employee Benefits.....	00100	\$	60,737
2	Current Expenses	13000		12,462
3	Repairs and Alterations.....	06400		50
4	Equipment.....	07000		300
5	Other Assets	69000		200
6	BRIM Premium.....	91300		<u>2,304</u>
7	Total.....		\$	76,053

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*56 - Department of Health and Human Resources –**Office of the Secretary*

(WV Code Chapter 5F)

Fund 0400 FY 2019 Org 0501

1	Personal Services and Employee Benefits.....	00100	\$	379,014
2	Unclassified	09900		6,459
3	Current Expenses	13000		50,613
4	Commission for the Deaf and Hard of Hearing.....	70400		<u>219,910</u>
5	Total.....		\$	655,996

6 Any unexpended balance remaining in the appropriation for the Women's Commission
7 (fund 0400, appropriation 19100) at the close of the fiscal year 2018 is hereby reappropriated for
8 expenditure during the fiscal year 2019.

*57 - Division of Health –**Central Office*

(WV Code Chapter 16)

Fund 0407 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	12,446,690
2	Chief Medical Examiner	04500		6,618,003

3	Unclassified	09900	671,795
4	Current Expenses	13000	4,677,059
5	State Aid for Local and Basic Public Health Services	18400	12,652,756
6	Safe Drinking Water Program (R).....	18700	2,188,827
7	Women, Infants and Children.....	21000	38,621
8	Early Intervention	22300	8,134,060
9	Cancer Registry	22500	200,682
10	Statewide EMS Program Support (R).....	38300	1,835,429
11	Black Lung Clinics.....	46700	170,885
12	Vaccine for Children.....	55100	335,423
13	Tuberculosis Control	55300	372,366
14	Maternal and Child Health Clinics, Clinicians		
15	Medical Contracts and Fees (R)	57500	6,335,115
16	Epidemiology Support.....	62600	1,513,869
17	Primary Care Support	62800	4,245,849
18	Sexual Assault Intervention and Prevention	72300	125,000
19	Health Right Free Clinics	72700	2,750,000
20	Capital Outlay and Maintenance (R)	75500	100,000
21	Maternal Mortality Review	83400	47,712
22	Diabetes Education and Prevention	87300	97,125
23	BRIM Premium.....	91300	169,791
24	State Trauma and Emergency Care System	91800	<u>2,004,450</u>
25	Total		\$ 67,731,507

26 Any unexpended balances remaining in the appropriations for Safe Drinking Water
27 Program (fund 0407, appropriation 18700), Statewide EMS Program Support (fund 0407,
28 appropriation 38300), Maternal and Child Health Clinics, Clinicians and Medical Contracts and
29 Fees (fund 0407, appropriation 57500), Capital Outlay and Maintenance (fund 0407, appropriation
30 75500), Emergency Response Entities – Special Projects (fund 0407, appropriation 82200).

31 From the above appropriation for Current Expenses (fund 0407, appropriation 13000), an
 32 amount not less than \$100,000 is for the West Virginia Cancer Coalition; \$50,000 shall be
 33 expended for the West Virginia Aids Coalition; \$100,000 is for Adolescent Immunization
 34 Education; \$73,065 is for informal dispute resolution relating to nursing home administrative
 35 appeals; and \$50,000 is for Hospital Hospitality House of Huntington.

36 From the above appropriation for Maternal and Child Health Clinics, Clinicians and
 37 Medical Contracts and Fees (fund 0407, appropriation 57500) up to \$400,000 may be transferred
 38 to the Breast and Cervical Cancer Diagnostic Treatment Fund (fund 5197) and \$11,000 is for the
 39 Marshall County Health Department for dental services.

58 - Consolidated Medical Services Fund

(WV Code Chapter 16)

Fund 0525 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	1,590,408
2	Current Expenses	13000		14,113
3	Behavioral Health Program (R)	21900		64,462,622
4	Family Support Act.....	22100		251,226
5	Institutional Facilities Operations (R).....	33500		134,223,239
6	Substance Abuse Continuum of Care (R)	35400		5,000,000
7	Capital Outlay and Maintenance (R)	75500		950,000
8	Renaissance Program.....	80400		165,996
9	BRIM Premium.....	91300		<u>1,296,098</u>
10	Total		\$	207,953,702

11 Any unexpended balances remaining in the appropriations for Behavioral Health Program
 12 (fund 0525, appropriation 21900), Institutional Facilities Operations (fund 0525, appropriation
 13 33500), Substance Abuse Continuum of Care (fund 0525, appropriation 35400), and Capital
 14 Outlay and Maintenance (fund 0525, appropriation 75500) at the close of the fiscal year 2018 are
 15 hereby reappropriated for expenditure during the fiscal year 2019.

16 Notwithstanding the provisions of Title I, section three of this bill, the secretary of the
 17 Department of Health and Human Resources shall have the authority to transfer funds within the
 18 above appropriations: *Provided*, That no more than five percent of the funds appropriated to one
 19 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
 20 other appropriations shall be transferred to the personal services and employee benefits
 21 appropriation.

22 Included in the above appropriation for Behavioral Health Program (fund 0525,
 23 appropriation 21900) is \$100,000 for the Healing Place of Huntington.

24 From the above appropriation for Institutional Facilities Operations (fund 0525,
 25 appropriation 33500), together with available funds from the Division of Health – Hospital Services
 26 Revenue Account (fund 5156, appropriation 33500), on July 1, 2018, the sum of \$160,000 shall
 27 be transferred to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as
 28 advance payment for the purchase of food products; actual payments for such purchases shall
 29 not be required until such credits have been completely expended.

30 The above appropriation for Institutional Facilities Operations (fund 0525, appropriation
 31 33500) contains prior year salary increases due to the Hartley court order in the amount of
 32 \$2,202,013 for William R. Sharpe Jr. Hospital, and \$2,067,984 for Mildred Mitchel-Bateman
 33 Hospital.

34 From the above appropriation for Substance Abuse Continuum of Care (fund 0525,
 35 appropriation 35400), the funding will be consistent with the goal areas outlined in the
 36 Comprehensive Substance Abuse Strategic Action Plan.

37 Additional funds have been appropriated in fund 5156, fiscal year 2019, organization 0506,
 38 for the operation of the institutional facilities. The secretary of the Department of Health and
 39 Human Resources is authorized to utilize up to ten percent of the funds from the Institutional
 40 Facilities Operations appropriation to facilitate cost effective and cost saving services at the
 41 community level.

59 - Division of Health –

West Virginia Drinking Water Treatment

(WV Code Chapter 16)

Fund 0561 FY 2019 Org 0506

1 West Virginia Drinking Water Treatment

2	Revolving Fund-Transfer	68900	\$	647,500
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3 The above appropriation for Drinking Water Treatment Revolving Fund – Transfer shall
 4 be transferred to the West Virginia Drinking Water Treatment Revolving Fund or appropriate bank
 5 depository and the Drinking Water Treatment Revolving – Administrative Expense Fund as
 6 provided by Chapter 16 of the Code.

60 - Human Rights Commission

(WV Code Chapter 5)

Fund 0416 FY 2019 Org 0510

1	Personal Services and Employee Benefits.....	00100	\$	1,028,561
2	Unclassified	09900		4,024
3	Current Expenses	13000		331,304
4	BRIM Premium.....	91300		<u>10,764</u>

5 Total \$ 1,374,653

61 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 0403 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 45,354,625
2	Unclassified	09900	5,688,944
3	Current Expenses	13000	11,404,008
4	Child Care Development.....	14400	4,090,908
5	Medical Services.....	18900	413,957,363
6	Social Services	19500	154,183,734
7	Family Preservation Program.....	19600	1,565,000
8	Family Resource Networks	27400	1,762,464
9	Domestic Violence Legal Services Fund	38400	400,000
10	James "Tiger" Morton Catastrophic Illness Fund.....	45500	102,883
11	I/DD Waiver	46600	88,753,483
12	Child Protective Services Case Workers.....	46800	23,473,825
13	OSCAR and RAPIDS.....	51500	6,453,502
14	Title XIX Waiver for Seniors	53300	13,593,620
15	WV Teaching Hospitals Tertiary/Safety Net	54700	6,356,000
16	Child Welfare System.....	60300	1,291,873
17	In-Home Family Education	68800	1,000,000
18	WV Works Separate State Program.....	69800	1,935,000
19	Child Support Enforcement	70500	6,487,501
20	Temporary Assistance for Needy Families/		
21	Maintenance of Effort	70700	25,819,096
22	Child Care – Maintenance of Effort Match.....	70800	5,693,743

23	Grants for Licensed Domestic Violence		
24	Programs and Statewide Prevention	75000	2,500,000
25	Capital Outlay and Maintenance (R)	75500	11,875
26	Community Based Services and Pilot Programs for Youth.....	75900	1,000,000
27	Medical Services Administrative Costs.....	78900	38,127,412
28	Traumatic Brain Injury Waiver	83500	800,000
29	Indigent Burials (R)	85100	2,050,000
30	BRIM Premium.....	91300	892,642
31	Rural Hospitals Under 150 Beds	94000	2,596,000
32	Children's Trust Fund – Transfer.....	95100	<u>220,000</u>
33	Total.....		\$ 867,565,501

34 Any unexpended balances remaining in the appropriations for Capital Outlay and
35 Maintenance (fund 0403, appropriation 75500) and Indigent Burials (fund 0403, appropriation
36 85100) at the close of the fiscal year 2018 are hereby reappropriated for expenditure during the
37 fiscal year 2019.

38 Notwithstanding the provisions of Title I, section three of this bill, the secretary of the
39 Department of Health and Human Resources shall have the authority to transfer funds within the
40 above appropriations: *Provided*, That no more than five percent of the funds appropriated to one
41 appropriation may be transferred to other appropriations: *Provided, however*, That no funds from
42 other appropriations shall be transferred to the personal services and employee benefits
43 appropriation.

44 The secretary shall have authority to expend funds for the educational costs of those
45 children residing in out-of-state placements, excluding the costs of special education programs.

46 Included in the above appropriation for Social Services (fund 0403, appropriation 19500)
47 is funding for continuing education requirements relating to the practice of social work.

48 The above appropriation for Domestic Violence Legal Services Fund (fund 0403,
49 appropriation 38400) shall be transferred to the Domestic Violence Legal Services Fund (fund
50 5455).

51 The above appropriation for James "Tiger" Morton Catastrophic Illness Fund (fund 0403,
52 appropriation 45500) shall be transferred to the James "Tiger" Morton Catastrophic Illness Fund
53 (fund 5454) as provided by Article 5Q, Chapter 16 of the Code.

54 The above appropriation for WV Works Separate State Program (fund 0403, appropriation
55 69800), shall be transferred to the WV Works Separate State College Program Fund (fund 5467),
56 and the WV Works Separate State Two-Parent Program Fund (fund 5468) as determined by the
57 secretary of the Department of Health and Human Resources.

58 From the above appropriation for Child Support Enforcement (fund 0403, appropriation
 59 70500) an amount not to exceed \$300,000 may be transferred to a local banking depository to be
 60 utilized to offset funds determined to be uncollectible.

61 From the above appropriation for the Grants for Licensed Domestic Violence Programs
 62 and Statewide Prevention (fund 0403, appropriation 75000), 50% of the total shall be divided
 63 equally and distributed among the fourteen (14) licensed programs and the West Virginia Coalition
 64 Against Domestic Violence (WVCADV). The balance remaining in the appropriation for Grants for
 65 Licensed Domestic Violence Programs and Statewide Prevention (fund 0403, appropriation
 66 75000), shall be distributed according to the formula established by the Family Protection
 67 Services Board.

68 The above appropriation for Children’s Trust Fund – Transfer (fund 0403, appropriation
 69 95100) shall be transferred to the Children’s Trust Fund (fund 5469, org 0511).

**DEPARTMENT OF MILITARY AFFAIRS
 AND PUBLIC SAFETY**

62 - Department of Military Affairs and Public Safety –

Office of the Secretary

(WV Code Chapter 5F)

Fund 0430 FY 2019 Org 0601

1	Personal Services and Employee Benefits.....	00100	\$	732,256
2	Unclassified (R).....	09900		18,949
3	Current Expenses	13000		58,320
4	Repairs and Alterations.....	06400		2,500
5	Equipment.....	07000		2,500
6	Fusion Center (R)	46900		542,430
7	Other Assets	69000		2,500
8	Directed Transfer	70000		32,000
9	BRIM Premium.....	91300		18,190
10	WV Fire and EMS Survivor Benefit (R)	93900		200,000
11	Homeland State Security Administrative Agency (R).....	95300		<u>318,890</u>
12	Total.....		\$	1,928,535

13 Any unexpended balances remaining in the appropriations for Unclassified (fund 0430,
 14 appropriation 09900), Fusion Center (fund 0430, appropriation 46900), Justice Reinvestment
 15 Training – Surplus (fund 0430, appropriation 69900), WV Fire and EMS Survivor Benefit (fund
 16 0430, appropriation 93900), and Homeland State Security Administrative Agency (fund 0430,
 17 appropriation 95300) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
 18 during the fiscal year 2019.

19 The above appropriation for Directed Transfer (fund 0430, appropriation 70000) shall be
 20 transferred to the Law-Enforcement, Safety and Emergency Worker Funeral Expense Payment
 21 Fund (fund 6003).

63 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 0433 FY 2019 Org 0603

1	Unclassified (R).....	09900	\$	106,798
2	College Education Fund.....	23200		4,000,000
3	Civil Air Patrol	23400		249,664
4	Mountaineer ChalleNGe Academy.....	70900		1,500,000
5	Armory Board Transfer.....	70015		2,317,555
6	Military Authority (R).....	74800		6,029,611
7	Drug Enforcement and Support.....	74801		<u>1,500,000</u>
8	Total		\$	15,703,628

9 Any unexpended balance remaining in the appropriations for Unclassified (fund 0433,
 10 appropriation 09900) and Military Authority (fund 0433, appropriation 74800) at the close of the
 11 fiscal year 2018 is hereby reappropriated for expenditure during the fiscal year 2019.

12 From the above appropriations an amount approved by the Adjutant General and the
 13 secretary of Military Affairs and Public Safety may be transferred to the State Armory Board for
 14 operation and maintenance of National Guard Armories.

15 The adjutant general shall have the authority to transfer between appropriations.

16 From the above appropriation and other state and federal funding, the Adjutant General
 17 shall provide an amount not less than \$4,500,000 to the Mountaineer ChalleNGe Academy to
 18 meet anticipated program demand.

64 - Adjutant General –

Military Fund

(WV Code Chapter 15)

Fund 0605 FY 2019 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$	100,000
2	Current Expenses	13000		<u>57,775</u>
3	Total		\$	157,775

65 - West Virginia Parole Board

(WV Code Chapter 62)

Fund 0440 FY 2019 Org 0605

1	Personal Services and Employee Benefits.....	00100	\$	402,254
2	Current Expenses	13000		365,234
3	Salaries of Members of West Virginia Parole Board.....	22700		609,833
4	BRIM Premium.....	91300		<u>6,149</u>
5	Total		\$	1,383,470

6 The above appropriation for Salaries of Members of West Virginia Parole Board (fund
7 0440, appropriation 22700) includes funding for salary, annual increment (as provided for in W.Va.
8 Code §5-5-1), and related employee benefits of board members.

*66 - Division of Homeland Security and**Emergency Management*

(WV Code Chapter 15)

Fund 0443 FY 2019 Org 0606

1	Personal Services and Employee Benefits.....	00100	\$	1,268,402
2	Unclassified	09900		26,342
3	Current Expenses	13000		53,024
4	Repairs and Alterations.....	06400		600
5	Radiological Emergency Preparedness	55400		17,052
6	SIRN.....	55401		600,000
7	Federal Funds/Grant Match (R)	74900		663,463

8	Mine and Industrial Accident Rapid		
9	Response Call Center	78100	461,355
10	Early Warning Flood System (R).....	87700	475,832
11	BRIM Premium.....	91300	96,529
12	WVU Charleston Poison Control Hotline	94400	<u>712,942</u>
13	Total.....		\$ 4,375,541

14 Any unexpended balances remaining in the appropriations for Federal Funds/Grant Match
 15 (fund 0443, appropriation 74900), Early Warning Flood System (fund 0443, appropriation 87700),
 16 and Disaster Mitigation (fund 0443, appropriation 95200) at the close of the fiscal year 2018 are
 17 hereby reappropriated for expenditure during the fiscal year 2019.

67 - Division of Corrections –

Central Office

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

Fund 0446 FY 2019 Org 0608

1	Personal Services and Employee Benefits.....	00100	\$ 621,000
2	Current Expenses	13000	<u>2,400</u>
3	Total.....		\$ 623,400

68 - Division of Corrections –

Correctional Units

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

Fund 0450 FY 2019 Org 0608

1	Employee Benefits	01000	\$ 1,258,136
2	Children’s Protection Act (R).....	09000	838,437
3	Unclassified	09900	1,578,800
4	Current Expenses (R)	13000	21,151,011
5	Facilities Planning and Administration (R).....	38600	1,274,200
6	Charleston Correctional Center	45600	3,026,773
7	Beckley Correctional Center.....	49000	2,027,265

8	Anthony Correctional Center	50400	5,468,335
9	Huttonsville Correctional Center.....	51400	20,907,772
10	Northern Correctional Center	53400	7,205,041
11	Inmate Medical Expenses (R)	53500	21,226,064
12	Pruntytown Correctional Center	54300	7,630,256
13	Corrections Academy.....	56900	1,666,247
14	Information Technology Services	59901	2,259,052
15	Martinsburg Correctional Center	66300	3,856,727
16	Parole Services.....	68600	5,361,413
17	Special Services	68700	7,100,452
18	Investigative Services	71600	3,129,759
19	Capital Outlay and Maintenance (R)	75500	2,000,000
20	Salem Correctional Center.....	77400	10,260,770
21	McDowell County Correctional Center	79000	2,542,590
22	Stevens Correctional Center	79100	7,863,195
23	Parkersburg Correctional Center.....	82800	3,412,708
24	St. Mary's Correctional Center	88100	12,939,805
25	Denmar Correctional Center	88200	4,666,171
26	Ohio County Correctional Center	88300	1,874,033
27	Mt. Olive Correctional Complex.....	88800	20,063,054
28	Lakin Correctional Center	89600	9,510,551
29	BRIM Premium.....	91300	<u>2,527,657</u>
30	Total.....		\$ 194,626,274

31 Any unexpended balances remaining in the appropriations for Children's Protection Act
32 (fund 0450, appropriation 09000), Unclassified – Surplus (fund 0450, appropriation 09700),
33 Current Expenses (fund 0450, appropriation 13000), Facilities Planning and Administration (fund
34 0450, appropriation 38600), Inmate Medical Expenses (fund 0450, appropriation 53500), Capital
35 Improvements – Surplus (fund 0450, appropriation 66100), Capital Outlay, Repairs and
36 Equipment – Surplus (fund 0450, appropriation 67700), Capital Outlay and Maintenance (fund

37 0450, appropriation 75500), and Security System Improvements – Surplus (fund 0450,
 38 appropriation 75501) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
 39 during the fiscal year 2019.

40 The Commissioner of Corrections shall have the authority to transfer between
 41 appropriations to the individual correctional units above and may transfer funds from the individual
 42 correctional units to Current Expenses (fund 0450, appropriation 13000) or Inmate Medical
 43 Expenses (fund 0450, appropriation 53500).

44 From the above appropriation to Unclassified (fund 0450, appropriation 09900), on July 1,
 45 2018, the sum of \$300,000 shall be transferred to the Department of Agriculture – Land Division
 46 – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual
 47 payments for such purchases shall not be required until such credits have been completely
 48 expended.

49 From the above appropriation to Current Expenses (fund 0450, appropriation 13000)
 50 payment shall be made to house Division of Corrections inmates in federal, county, and /or
 51 regional jails.

52 Any realized savings from Energy Savings Contract may be transferred to Facilities
 53 Planning and Administration (fund 0450, appropriation 38600).

69 - West Virginia State Police

(WV Code Chapter 15)

Fund 0453 FY 2019 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	58,623,980
2	Children's Protection Act.....	09000		972,973
3	Current Expenses	13000		10,382,444
4	Repairs and Alterations.....	06400		450,523
5	Trooper Class	52100		4,000,000
6	Barracks Lease Payments	55600		237,898
7	Communications and Other Equipment (R).....	55800		570,968
8	Trooper Retirement Fund.....	60500		5,584,775
9	Handgun Administration Expense	74700		72,268
10	Capital Outlay and Maintenance (R)	75500		250,000
11	Retirement Systems – Unfunded Liability.....	77500		15,415,000
12	Automated Fingerprint Identification System	89800		3,155,926

13	BRIM Premium.....	91300	<u>5,743,921</u>
14	Total.....		\$ 105,460,676

15 Any unexpended balances remaining in the appropriations for Communications and Other
 16 Equipment (fund 0453, appropriation 55800), and Capital Outlay and Maintenance (fund 0453,
 17 appropriation 75500) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
 18 during the fiscal year 2019.

19 From the above appropriation for Personal Services and Employee Benefits (fund 0453,
 20 appropriation 00100), an amount not less than \$25,000 shall be expended to offset the costs
 21 associated with providing police services for the West Virginia State Fair.

70 - Fire Commission

(WV Code Chapter 29)

Fund 0436 FY 2019 Org 0619

1	Current Expenses	13000	\$ 64,021
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71 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 0546 FY 2019 Org 0620

1	Personal Services and Employee Benefits.....	00100	\$ 550,620
2	Current Expenses	13000	133,360
3	Repairs and Alterations.....	06400	1,804
4	Child Advocacy Centers (R).....	45800	1,704,001
5	Community Corrections (R).....	56100	6,919,589
6	Statistical Analysis Program.....	59700	48,272
7	Sexual Assault Forensic Examination Commission (R).....	71400	76,963
8	Qualitative Analysis and Training for Youth Services (R)	76200	332,446
9	Law Enforcement Professional Standards.....	83800	157,692
10	BRIM Premium.....	91300	<u>2,123</u>
11	Total.....		\$ 9,926,870

12 Any unexpended balances remaining in the appropriations for Child Advocacy Centers
 13 (fund 0546, appropriation 45800), Community Corrections (fund 0546, appropriation 56100),
 14 Sexual Assault Forensic Examination Commission (fund 0546, appropriation 71400), and

15 Qualitative Analysis and Training for Youth Services (fund 0546, appropriation 76200) at the close
 16 of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

17 From the above appropriation for Child Advocacy Centers (fund 0546, appropriation
 18 45800), the division may retain an amount not to exceed four percent of the appropriation for
 19 administrative purposes.

72 - Division of Juvenile Services

(WV Code Chapter 49)

Fund 0570 FY 2019 Org 0621

1	Statewide Reporting Centers	26200	\$	6,730,137
2	Robert L. Shell Juvenile Center.....	26700		2,183,169
3	Resident Medical Expenses (R).....	53501		3,604,999
4	Central Office	70100		2,496,733
5	Capital Outlay and Maintenance (R)	75500		250,000
6	Gene Spadaro Juvenile Center	79300		2,356,207
7	BRIM Premium.....	91300		115,967
8	Kenneth Honey Rubenstein Juvenile Center (R).....	98000		5,325,233
9	Vicki Douglas Juvenile Center.....	98100		2,083,190
10	Northern Regional Juvenile Center	98200		2,876,302
11	Lorrie Yeager Jr. Juvenile Center.....	98300		2,118,510
12	Sam Perdue Juvenile Center	98400		2,220,766
13	Tiger Morton Center	98500		2,322,188
14	Donald R. Kuhn Juvenile Center	98600		4,465,381
15	J.M. "Chick" Buckbee Juvenile Center	98700		<u>2,227,993</u>
16	Total.....		\$	41,376,775

17 Any unexpended balances remaining in the appropriations for Resident Medical Expenses
 18 (fund 0570, appropriation 53501), Capital Outlay and Maintenance (fund 0570, appropriation
 19 75500), and Kenneth Honey Rubenstein Juvenile Center (fund 0570, appropriation 98000) at the
 20 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

21 From the above appropriations, on July 1, 2018, the sum of \$50,000 shall be transferred
 22 to the Department of Agriculture – Land Division – Farm Operating Fund (1412) as advance

23 payment for the purchase of food products; actual payments for such purchases shall not be
24 required until such credits have been completely expended.

25 The Director of Juvenile Services shall have the authority to transfer between
26 appropriations to the individual juvenile centers above and may transfer funds from the individual
27 juvenile centers to Resident Medical Expenses (fund 0570, appropriation 53501).

73 - Division of Protective Services

(WV Code Chapter 5F)

Fund 0585 FY 2019 Org 0622

1	Personal Services and Employee Benefits.....	00100	\$	2,894,483
2	Unclassified (R).....	09900		21,991
3	Current Expenses	13000		443,357
4	Repairs and Alterations.....	06400		8,500
5	Equipment (R).....	07000		64,171
6	BRIM Premium.....	91300		<u>12,226</u>
7	Total.....		\$	3,444,728

8 Any unexpended balances remaining in the appropriations for Equipment (fund 0585,
9 appropriation 07000), and Unclassified (fund 0585, appropriation 09900) at the close of the fiscal
10 year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

DEPARTMENT OF REVENUE

74 - Office of the Secretary

(WV Code Chapter 11)

Fund 0465 FY 2019 Org 0701

1	Personal Services and Employee Benefits.....	00100	\$	502,846
2	Unclassified	09900		5,837
3	Current Expenses	13000		81,594
4	Repairs and Alterations.....	06400		1,262
5	Equipment.....	07000		8,000
6	Other Assets	69000		<u>500</u>
7	Total.....		\$	600,039

8 Any unexpended balance remaining in the appropriation for Unclassified – Total (fund
 9 0465, appropriation 09600) at the close of the fiscal year 2018 is hereby reappropriated for
 10 expenditure during the fiscal year 2019.

75 - Tax Division

(WV Code Chapter 11)

Fund 0470 FY 2019 Org 0702

1	Personal Services and Employee Benefits (R).....	00100	\$	18,211,688
2	Unclassified (R).....	09900		224,578
3	Current Expenses (R)	13000		5,770,589
4	Repairs and Alterations.....	06400		10,000
5	Equipment.....	07000		50,000
6	Tax Technology Upgrade.....	09400		3,700,000
7	Integrated Tax Assessment System.....	29200		5,000,000
8	Multi State Tax Commission.....	65300		77,958
9	Other Assets	69000		10,000
10	BRIM Premium.....	91300		<u>15,579</u>
11	Total.....		\$	33,070,392

12 Any unexpended balances remaining in the appropriations for Personal Services and
 13 Employee Benefits (fund 0470, appropriation 00100), Unclassified (fund 0470, appropriation
 14 09900), and Current Expenses (fund 0470, appropriation 13000) at the close of the fiscal year
 15 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

76 - State Budget Office

(WV Code Chapter 11B)

Fund 0595 FY 2019 Org 0703

1	Personal Services and Employee Benefits.....	00100	\$	672,446
2	Unclassified (R).....	09900		<u>1,199</u>
3	Total.....		\$	673,645

4 Any unexpended balance remaining in the appropriation for Unclassified (fund 0595,
 5 appropriation 09900) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
 6 during the fiscal year 2019.

77 - West Virginia Office of Tax Appeals

(WV Code Chapter 11)

Fund 0593 FY 2019 Org 0709

1	Personal Services and Employee Benefits.....	00100	\$	438,046
2	Current Expenses (R)	13000		93,022
3	Unclassified	09900		5,255
4	BRIM Premium.....	91300		<u>3,062</u>
5	Total.....		\$	539,385

6 Any unexpended balance remaining in the appropriation for Current Expenses (fund 0593,
 7 appropriation 13000) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
 8 during the fiscal year 2019.

78 - Division of Professional and Occupational Licenses –

State Athletic Commission

(WV Code Chapter 29)

Fund 0523 FY 2019 Org 0933

1	Personal Services and Employee Benefits.....	00100	\$	7,200
2	Current Expenses	13000		<u>29,611</u>
3	Total.....		\$	36,811

DEPARTMENT OF TRANSPORTATION

79 - State Rail Authority

(WV Code Chapter 29)

Fund 0506 FY 2019 Org 0804

1	Personal Services and Employee Benefits.....	00100	\$	319,933
2	Current Expenses	13000		287,707
3	Other Assets (R)	69000		1,303,277
4	BRIM Premium.....	91300		<u>201,541</u>
5	Total.....		\$	2,112,458

6 Any unexpended balance remaining in the appropriation Other Assets (fund 0506,
7 appropriation 69000) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
8 during the fiscal year 2019.

80 - Division of Public Transit

(WV Code Chapter 17)

Fund 0510 FY 2019 Org 0805

1	Equipment (R).....	07000	\$	384,710
2	Current Expenses (R)	13000		<u>1,878,279</u>
3	Total.....		\$	2,262,989

4 Any unexpended balances remaining in the appropriations for Equipment (fund 0510,
5 appropriation 07000), Current Expenses (fund 0510, appropriation 13000), Buildings (fund 0510,
6 appropriation 25800), and Other Assets (fund 0510, appropriation 69000) at the close of the fiscal
7 year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

81 - Public Port Authority

(WV Code Chapter 17)

Fund 0581 FY 2019 Org 0806

1	Personal Services and Employee Benefits.....	00100	\$	200,000
2	Current Expenses	13000		<u>300,000</u>
3	Total.....		\$	500,000

82 - Aeronautics Commission

(WV Code Chapter 29)

Fund 0582 FY 2019 Org 0807

1	Personal Services and Employee Benefits.....	00100	\$	170,304
2	Current Expenses (R)	13000		591,839
3	Repairs and Alterations.....	06400		100
4	BRIM Premium.....	91300		<u>4,438</u>
5	Total.....		\$	766,681

6 Any unexpended balances remaining in the appropriations for Unclassified (fund 0582,
7 appropriation 09900) and Current Expenses (fund 0582, appropriation 13000) at the close of the
8 fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

DEPARTMENT OF VETERANS' ASSISTANCE*83 - Department of Veterans' Assistance*

(WV Code Chapter 9A)

Fund 0456 FY 2019 Org 0613

1	Personal Services and Employee Benefits.....	00100	\$	1,887,475
2	Unclassified	09900		20,000
3	Current Expenses	13000		140,161
4	Repairs and Alterations.....	06400		5,000
5	Veterans' Field Offices.....	22800		248,345
6	Veterans' Nursing Home (R)	28600		5,770,950
7	Veterans' Toll Free Assistance Line.....	32800		2,015
8	Veterans' Reeducation Assistance (R).....	32900		29,502
9	Veterans' Grant Program (R)	34200		30,741
10	Veterans' Grave Markers	47300		10,254
11	Veterans' Transportation.....	48500		625,000
12	Veterans Outreach Programs.....	61700		162,107
13	Memorial Day Patriotic Exercise	69700		20,000
14	Veterans Cemetery	80800		382,085
15	BRIM Premium.....	91300		<u>25,530</u>
16	Total.....		\$	9,359,165

17 Any unexpended balances remaining in the appropriations for Veterans' Nursing Home
 18 (fund 0456, appropriation 28600), Veterans' Reeducation Assistance (fund 0456, appropriation
 19 32900), Veterans' Grant Program (fund 0456, appropriation 34200), Veterans' Bonus – Surplus
 20 (fund 0456, appropriation 34400), and Educational Opportunities for Children of Deceased
 21 Veterans (fund 0456, appropriation 85400) at the close of the fiscal year 2018 are hereby
 22 reappropriated for expenditure during the fiscal year 2019.

*84 - Department of Veterans' Assistance –**Veterans' Home*

(WV Code Chapter 9A)

Fund 0460 FY 2019 Org 0618

1	Personal Services and Employee Benefits.....	00100	\$	1,148,764
2	Current Expenses	13000		<u>46,759</u>
3	Total		\$	1,195,523

BUREAU OF SENIOR SERVICES

85 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 0420 FY 2019 Org 0508

1	Transfer to Division of Human Services for Health Care			
2	and Title XIX Waiver for Senior Citizens	53900	\$	29,950,955

3 The above appropriation for Transfer to Division of Human Services for Health Care and
 4 Title XIX Waiver for Senior Citizens (fund 0420, appropriation 53900) along with the federal
 5 moneys generated thereby shall be used for reimbursement for services provided under the
 6 program.

7 The above appropriation is in addition to funding provided in fund 5405 for this program.

**WEST VIRGINIA COUNCIL FOR COMMUNITY
 AND TECHNICAL COLLEGE EDUCATION**

86 - West Virginia Council for

Community and Technical College Education –

Control Account

(WV Code Chapter 18B)

Fund 0596 FY 2019 Org 0420

1	West Virginia Council for Community			
2	and Technical Education (R)	39200	\$	730,800
3	Transit Training Partnership	78300		34,293
4	Community College Workforce Development (R)	87800		2,784,901
5	College Transition Program.....	88700		278,222
6	West Virginia Advance Workforce Development (R)	89300		3,118,172

7	Technical Program Development (R)	89400	<u>1,800,735</u>
8	Total		\$ 8,747,123

9 Any unexpended balances remaining in the appropriations for West Virginia Council for
 10 Community and Technical Education (fund 0596, appropriation 39200), Capital Improvements –
 11 Surplus (fund 0596, appropriation 66100), Community College Workforce Development (fund
 12 0596, appropriation 87800), West Virginia Advance Workforce Development (fund 0596,
 13 appropriation 89300), and Technical Program Development (fund 0596, appropriation 89400) at
 14 the close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year
 15 2019.

16 From the above appropriation for the Community College Workforce Development (fund
 17 0596, appropriation 87800), \$200,000 shall be expended on the Mine Training Program in
 18 Southern West Virginia.

19 Included in the above appropriation for West Virginia Advance Workforce Development
 20 (fund 0596, appropriation 89300) is \$200,000 to be used exclusively for advanced manufacturing
 21 and energy industry specific training programs.

87 - Mountwest Community and Technical College

(WV Code Chapter 18B)

Fund 0599 FY 2019 Org 0444

1	Mountwest Community and Technical College.....	48700	\$ 5,505,121
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88 - New River Community and Technical College

(WV Code Chapter 18B)

Fund 0600 FY 2019 Org 0445

1	New River Community and Technical College.....	35800	\$ 5,452,807
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89 - Pierpont Community and Technical College

(WV Code Chapter 18B)

Fund 0597 FY 2019 Org 0446

1	Pierpont Community and Technical College.....	93000	\$ 7,244,243
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90 - Blue Ridge Community and Technical College

(WV Code Chapter 18B)

Fund 0601 FY 2019 Org 0447

1	Blue Ridge Community and Technical College.....	88500	\$ 5,099,246
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91 - West Virginia University at Parkersburg

(WV Code Chapter 18B)

Fund 0351 FY 2019 Org 0464

1 West Virginia University – Parkersburg 47100 \$ 9,495,037

92 - Southern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0380 FY 2019 Org 0487

1 Southern West Virginia Community and Technical College..... 44600 \$ 7,944,214

93 - West Virginia Northern Community and Technical College

(WV Code Chapter 18B)

Fund 0383 FY 2019 Org 0489

1 West Virginia Northern Community and Technical College 44700 \$ 6,833,499

94 - Eastern West Virginia Community and Technical College

(WV Code Chapter 18B)

Fund 0587 FY 2019 Org 0492

1 Eastern West Virginia Community and Technical College..... 41200 \$ 1,812,537

95 - BridgeValley Community and Technical College

(WV Code Chapter 18B)

Fund 0618 FY 2019 Org 0493

1 BridgeValley Community and Technical College..... 71700 \$ 7,420,648

HIGHER EDUCATION POLICY COMMISSION

96 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 0589 FY 2019 Org 0441

1	Personal Services and Employee Benefits.....	00100	\$	2,646,406
2	Current Expenses	13000		1,114,959
3	Higher Education Grant Program	16400		40,619,864
4	Tuition Contract Program (R)	16500		1,224,839
5	Underwood-Smith Scholarship Program-Student Awards	16700		328,349
6	Facilities Planning and Administration.....	38600		1,760,254
7	Higher Education System Initiatives	48801		1,630,000
8	PROMISE Scholarship – Transfer.....	80000		18,500,000
9	HEAPS Grant Program (R)	86700		5,011,298
10	BRIM Premium.....	91300		<u>17,817</u>
11	Total.....		\$	72,853,786

12 Any unexpended balances remaining in the appropriations for Unclassified – Surplus (fund
 13 0589, appropriation 09700), Tuition Contract Program (fund 0589, appropriation 16500), Capital
 14 Improvements – Surplus (fund 0589, appropriation 66100), Capital Outlay and Maintenance (fund
 15 0589, appropriation 75500), and HEAPS Grant Program (fund 0589, appropriation 86700) at the
 16 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

17 The above appropriation for Facilities Planning and Administration (fund 0589,
 18 appropriation 38600) is for operational expenses of the West Virginia Education, Research and
 19 Technology Park between construction and full occupancy.

20 The above appropriation for Higher Education Grant Program (fund 0589, appropriation
 21 16400) shall be transferred to the Higher Education Grant Fund (fund 4933, org 0441) established
 22 by W.Va. Code §18C-5-3.

23 The above appropriation for Underwood-Smith Scholarship Program-Student Awards
 24 (fund 0589, appropriation 16700) shall be transferred to the Underwood-Smith Teacher
 25 Scholarship and Loan Assistance Fund (fund 4922, org 0441) established by W.Va. Code §18C-
 26 4-1.

27 The above appropriation for PROMISE Scholarship – Transfer (fund 0589, appropriation
 28 80000) shall be transferred to the PROMISE Scholarship Fund (fund 4296, org 0441) established
 29 by W.Va. Code §18C-7-7.

97 - Higher Education Policy Commission –

Administration -

West Virginia Network for Educational Telecomputing (WVNET)

(WV Code Chapter 18B9)

Fund 0551 FY 2019 Org 0495

1	WVNET.....	16900	\$	1,681,744
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98 - West Virginia University –

School of Medicine

Medical School Fund

(WV Code Chapter 18B)

Fund 0343 FY 2019 Org 0463

1	WVU School of Health Science – Eastern Division	05600	\$	2,158,359
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2	WVU – School of Health Sciences	17400		16,778,145
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3	WVU – School of Health Sciences – Charleston Division.....	17500		2,218,598
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4	Rural Health Outreach Programs	37700		162,520
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5 West Virginia University School of Medicine

6	BRIM Subsidy	46000		<u>1,203,087</u>
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7	Total.....		\$	22,520,709
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8 The above appropriation for Rural Health Outreach Programs (fund 0343, appropriation
9 37700) includes rural health activities and programs; rural residency development and education;
10 and rural outreach activities.

11 The above appropriation for West Virginia University School of Medicine BRIM Subsidy
12 (fund 0343, appropriation 46000) shall be paid to the Board of Risk and Insurance Management
13 as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the
14 full cost of their malpractice insurance coverage.

99 - West Virginia University –

General Administrative Fund

(WV Code Chapter 18B)

Fund 0344 FY 2019 Org 0463

1	West Virginia University	45900	\$	93,559,659
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2	Jackson’s Mill.....	46100		480,879
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3	West Virginia University Institute of Technology.....	47900		7,717,964
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4	State Priorities – Brownfield Professional Development.....	53100		316,556
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5	West Virginia University – Potomac State	99400	<u>3,834,937</u>
6	Total		\$ 105,909,995

7 From the above appropriation for Jackson’s Mill (fund 0344, appropriation 46100)
 8 \$250,000 shall be used for the West Virginia State Fire Training Academy.

100 - Marshall University –

School of Medicine

(WV Code Chapter 18B)

Fund 0347 FY 2019 Org 0471

1	Marshall Medical School	17300	\$ 11,774,743
2	Rural Health Outreach Programs (R)	37700	156,022
3	Forensic Lab	37701	226,009
4	Center for Rural Health	37702	153,075
5	Marshall University Medical School BRIM Subsidy	44900	<u>872,612</u>
6	Total		\$ 13,182,461

7 Any unexpended balance remaining in the appropriation for Rural Health Outreach
 8 Program (fund 0347, appropriation 37700) at the close of the fiscal year 2018 is hereby
 9 reappropriated for expenditure during the fiscal year 2019.

10 The above appropriation for Rural Health Outreach Programs (fund 0347, appropriation
 11 37700) includes rural health activities and programs; rural residency development and education;
 12 and rural outreach activities.

13 The above appropriation for Marshall University Medical School BRIM Subsidy (fund 0347,
 14 appropriation 44900) shall be paid to the Board of Risk and Insurance Management as a general
 15 revenue subsidy against the “Total Premium Billed” to the institution as part of the full cost of their
 16 malpractice insurance coverage.

101 - Marshall University –

General Administration Fund

(WV Code Chapter 18B)

Fund 0348 FY 2019 Org 0471

1	Marshall University	44800	\$ 44,273,845
2	Luke Lee Listening Language and Learning Lab	44801	96,203

3	Vista E-Learning (R).....	51900	229,019
4	State Priorities – Brownfield Professional Development (R)	53100	309,606
5	Marshall University Graduate College Writing Project (R)	80700	25,412
6	WV Autism Training Center (R).....	93200	<u>1,742,215</u>
7	Total.....		\$ 46,676,300

8 Any unexpended balances remaining in the appropriations for Vista E-Learning (fund
9 0348, appropriation 51900), State Priorities – Brownfield Professional Development (fund 0348,
10 appropriation 53100), Marshall University Graduate College Writing Project (fund 0348,
11 appropriation 80700), and WV Autism Training Center (fund 0348, appropriation 93200) at the
12 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

102 - West Virginia School of Osteopathic Medicine

(WV Code Chapter 18B)

Fund 0336 FY 2019 Org 0476

1	West Virginia School of Osteopathic Medicine	17200	\$ 6,683,018
2	Rural Health Outreach Programs (R)	37700	163,299
3	West Virginia School of Osteopathic Medicine		
4	BRIM Subsidy	40300	153,405
5	Rural Health Initiative – Medical Schools Support.....	58100	<u>391,968</u>
6	Total.....		\$ 7,391,690

7 Any unexpended balance remaining in the appropriation for Rural Health Outreach
8 Programs (fund 0336, appropriation 37700) at the close of fiscal year 2018 is hereby
9 reappropriated for expenditure during the fiscal year 2019.

10 The above appropriation for Rural Health Outreach Programs (fund 0336, appropriation
11 37700) includes rural health activities and programs; rural residency development and education;
12 and rural outreach activities.

13 The above appropriation for West Virginia School of Osteopathic Medicine BRIM Subsidy
14 (fund 0336, appropriation 40300) shall be paid to the Board of Risk and Insurance Management
15 as a general revenue subsidy against the “Total Premium Billed” to the institution as part of the
16 full cost of their malpractice insurance coverage.

103 - Bluefield State College

(WV Code Chapter 18B)

Fund 0354 FY 2019 Org 0482

1	Bluefield State College.....	40800	\$	5,600,993
	<i>104 - Concord University</i>			
	(WV Code Chapter 18B)			
	Fund <u>0357</u> FY <u>2019</u> Org <u>0483</u>			
1	Concord University.....	41000	\$	8,552,843
	<i>105 - Fairmont State University</i>			
	(WV Code Chapter 18B)			
	Fund <u>0360</u> FY <u>2019</u> Org <u>0484</u>			
1	Fairmont State University.....	41400	\$	15,111,777
	<i>106 - Glenville State College</i>			
	(WV Code Chapter 18B)			
	Fund <u>0363</u> FY <u>2019</u> Org <u>0485</u>			
1	Glenville State College.....	42800	\$	5,885,700
	<i>107 - Shepherd University</i>			
	(WV Code Chapter 18B)			
	Fund <u>0366</u> FY <u>2019</u> Org <u>0486</u>			
1	Shepherd University.....	43200	\$	9,671,542
	<i>108 - West Liberty University</i>			
	(WV Code Chapter 18B)			
	Fund <u>0370</u> FY <u>2019</u> Org <u>0488</u>			
1	West Liberty University.....	43900	\$	7,823,727
	<i>109 - West Virginia State University</i>			
	(WV Code Chapter 18B)			
	Fund <u>0373</u> FY <u>2019</u> Org <u>0490</u>			
1	West Virginia State University.....	44100	\$	9,861,240
2	West Virginia State University Land Grant Match.....	95600		<u>1,586,340</u>

3	Total	\$ 11,447,580
4	Total TITLE II, Section 1 – General Revenue	
5	(Including claims against the state).....	<u>\$ 4,381,808,884</u>

1 **Sec. 2. Appropriations from state road fund.** — From the state road fund there are
 2 hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2,
 3 Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal
 4 year 2019.

DEPARTMENT OF TRANSPORTATION

110 - Division of Motor Vehicles

(WV Code Chapters 17, 17A, 17B, 17C, 17D, 20 and 24A)

Fund 9007 FY 2019 Org 0802

			State
	Appro-		Road
	priation		Fund
1	Personal Services and Employee Benefits.....	00100	\$ 23,378,949
2	Current Expenses	13000	16,181,042
3	Repairs and Alterations.....	06400	144,000
4	Equipment.....	07000	1,080,000
5	Buildings	25800	10,000
6	Other Assets	69000	2,600,000
7	BRIM Premium.....	91300	<u>84,738</u>
8	Total		\$ 43,478,729

111 - Division of Highways

(WV Code Chapters 17 and 17C)

Fund 9017 FY 2019 Org 0803

1	Debt Service	04000	\$ 89,000,000
2	Maintenance	23700	386,386,000
3	Nonfederal Improvements.....	23701	156,500,000

4	Inventory Revolving	27500	4,000,000
5	Equipment Revolving	27600	22,500,000
6	General Operations.....	27700	68,295,000
7	Interstate Construction	27800	95,000,000
8	Other Federal Aid Programs	27900	370,000,000
9	Appalachian Programs.....	28000	110,000,000
10	Highway Litter Control.....	28200	1,719,000
11	Courtesy Patrol	28201	<u>5,000,000</u>
12	Total.....		\$ 1,308,400,000

13 The above appropriations are to be expended in accordance with the provisions of
14 Chapters 17 and 17C of the code.

15 The Commissioner of Highways shall have the authority to operate revolving funds within
16 the State Road Fund for the operation and purchase of various types of equipment used directly
17 and indirectly in the construction and maintenance of roads and for the purchase of inventories
18 and materials and supplies.

19 There is hereby appropriated in addition to the above appropriations, sufficient money for
20 the payment of claims, accrued or arising during this budgetary period, to be paid in accordance
21 with Sections 17 and 18, Article 2, Chapter 14 of the code.

22 It is the intent of the Legislature to capture and match all federal funds available for
23 expenditure on the Appalachian highway system at the earliest possible time. Therefore, should
24 amounts in excess of those appropriated be required for the purposes of Appalachian programs,
25 funds in excess of the amount appropriated may be made available upon recommendation of the
26 commissioner and approval of the Governor. Further, for the purpose of Appalachian programs,
27 funds appropriated by appropriation may be transferred to other appropriations upon
28 recommendation of the commissioner and approval of the Governor.

112 - Office of Administrative Hearings

(WV Code Chapter 17C)

Fund 9027 FY 2019 Org 0808

1	Personal Services and Employee Benefits.....	00100	\$ 1,585,201
2	Current Expenses	13000	338,278
3	Repairs and Alterations.....	06400	3,000
4	Equipment.....	07000	15,500

5	BRIM Premium.....	91300	<u>10,000</u>
6	Total		\$ 1,951,979
7	Total TITLE II, Section 2 – State Road Fund		
8	(Including claims against the state).....		<u>\$ 1,352,461,019</u>

1 **Sec. 3. Appropriations from other funds.** — From the funds designated there are
 2 hereby appropriated conditionally upon the fulfillment of the provisions set forth in Article 2,
 3 Chapter 11B of the Code the following amounts, as itemized, for expenditure during the fiscal
 4 year 2019.

LEGISLATIVE

113 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 1731 FY 2019 Org 2300

		Appro- piation	Other Funds
1	Personal Services and Employee Benefits.....	00100	\$ 498,020
2	Current Expenses	13000	133,903
3	Repairs and Alterations.....	06400	1,000
4	Economic Loss Claim Payment Fund.....	33400	2,360,125
5	Other Assets	69000	<u>3,700</u>
6	Total		\$ 2,996,748

JUDICIAL

114 - Supreme Court –

Family Court Fund

(WV Code Chapter 51)

Fund 1763 FY 2019 Org 2400

1	Current Expenses	13000	\$ 1,600,000
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115 - Supreme Court –

Court Advanced Technology Subscription Fund

(WV Code Chapter 51)

Fund 1704 FY 2019 Org 2400

1	Current Expenses	13000	\$	500,000
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116 - Supreme Court –

Adult Drug Court Participation Fund

(WV Code Chapter 62)

Fund 1705 FY 2019 Org 2400

1	Current Expenses	13000	\$	300,000
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EXECUTIVE

117 - Governor's Office –

Minority Affairs Fund

(WV Code Chapter 5)

Fund 1058 FY 2019 Org 0100

1	Personal Services and Employee Benefits.....	00100	\$	172,800
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2	Current Expenses	13000		503,200
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3	Martin Luther King, Jr. Holiday Celebration	03100		<u>8,926</u>
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4	Total		\$	684,926
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118 - Auditor's Office –

Land Operating Fund

(WV Code Chapters 11A, 12 and 36)

Fund 1206 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	749,297
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2	Unclassified	09900		15,139
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3	Current Expenses	13000		715,291
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4	Repairs and Alterations.....	06400		2,600
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5	Equipment.....	07000		426,741
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6	Cost of Delinquent Land Sales.....	76800	<u>1,341,168</u>
7	Total		\$ 3,250,236

8 There is hereby appropriated from this fund, in addition to the above appropriations if
 9 needed, the necessary amount for the expenditure of funds other than Personal Services and
 10 Employee Benefits to enable the division to pay the direct expenses relating to land sales as
 11 provided in Chapter 11A of the West Virginia Code.

12 The total amount of these appropriations shall be paid from the special revenue fund out
 13 of fees and collections as provided by law.

119 - Auditor's Office –

Local Government Purchasing Card Expenditure Fund

(WV Code Chapter 6)

Fund 1224 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 588,283
2	Current Expenses	13000	282,030
3	Repairs and Alterations.....	06400	6,000
4	Equipment.....	07000	10,805
5	Other Assets	69000	50,000
6	Statutory Revenue Distribution.....	74100	<u>2,350,000</u>
7	Total		\$ 3,287,118

8 There is hereby appropriated from this fund, in addition to the above appropriations if
 9 needed, the amount necessary to meet the transfer of revenue distribution requirements to
 10 provide a proportionate share of rebates back to the general fund of local governments based on
 11 utilization of the program in accordance with W.Va. Code §6-9-2b.

120 - Auditor's Office –

Securities Regulation Fund

(WV Code Chapter 32)

Fund 1225 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$ 2,375,836
2	Unclassified	09900	31,866
3	Current Expenses	13000	1,463,830

4	Repairs and Alterations.....	06400		12,400
5	Equipment.....	07000		394,700
6	Other Assets	69000		<u>900,000</u>
7	Total		\$	5,178,632

121 - Auditor's Office – Technology Support and Acquisition Fund

(WV Code Chapter 12)

Fund 1233 FY 2019 Org 1200

1	Current Expenses	13000	\$	10,000
2	Other Assets	69000		<u>5,000</u>
3	Total		\$	15,000

4 Fifty percent of the deposits made into this fund shall be transferred to the Treasurer's
5 Office – Technology Support and Acquisition Fund (fund 1329, org 1300) for expenditure for the
6 purposes described in W.Va. Code §12-3-10c.

122 - Auditor's Office –

Purchasing Card Administration Fund

(WV Code Chapter 12)

Fund 1234 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	2,667,397
2	Current Expenses	13000		2,303,622
3	Repairs and Alterations.....	06400		5,500
4	Equipment.....	07000		650,000
5	Other Assets	69000		308,886
6	Statutory Revenue Distribution.....	74100		<u>8,000,000</u>
7	Total		\$	13,935,405

8 There is hereby appropriated from this fund, in addition to the above appropriations if
9 needed, the amount necessary to meet the transfer and revenue distribution requirements to the
10 Purchasing Improvement Fund (fund 2264), the Hatfield-McCoy Regional Recreation Authority,
11 and the State Park Operating Fund (fund 3265) per W.Va. Code §12-3-10d.

123 - Auditor's Office –

Chief Inspector's Fund

(WV Code Chapter 6)

Fund 1235 FY 2019 Org 1200

1	Personal Services and Employee Benefits.....	00100	\$	3,405,512
2	Current Expenses	13000		765,915
3	Equipment.....	07000		<u>50,000</u>
4	Total		\$	4,221,427

124 - Auditor's Office –

Volunteer Fire Department Workers'

Compensation Premium Subsidy Fund

(WV Code Chapters 12 and 33)

Fund 1239 FY 2019 Org 1200

1	Volunteer Fire Department			
2	Workers' Compensation Subsidy.....	83200	\$	2,500,000

125 - Treasurer's Office

College Prepaid Tuition and Savings Program

Administrative Account

(WV Code Chapter 18)

Fund 1301 FY 2019 Org 1300

1	Personal Services and Employee Benefits.....	00100	\$	774,769
2	Unclassified	09900		14,000
3	Current Expenses	13000		<u>619,862</u>
4	Total		\$	1,408,631

126 - Department of Agriculture –

Agriculture Fees Fund

(WV Code Chapter 19)

Fund 1401 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	2,244,245
2	Unclassified	09900		37,425
3	Current Expenses	13000		1,856,184
4	Repairs and Alterations.....	06400		158,500
5	Equipment.....	07000		436,209
6	Other Assets	69000		<u>10,000</u>
7	Total.....		\$	4,742,563

*127 - Department of Agriculture –**West Virginia Rural Rehabilitation Program*

(WV Code Chapter 19)

Fund 1408 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	73,807
2	Unclassified	09900		10,476
3	Current Expenses	13000		<u>963,404</u>
4	Total.....		\$	1,047,687

*128 - Department of Agriculture –**General John McCausland Memorial Farm Fund*

(WV Code Chapter 19)

Fund 1409 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	67,000
2	Unclassified	09900		2,100
3	Current Expenses	13000		89,500
4	Repairs and Alterations.....	06400		36,400
5	Equipment.....	07000		<u>15,000</u>
6	Total.....		\$	210,000

7 The above appropriations shall be expended in accordance with Article 26, Chapter 19 of
8 the Code.

129 - Department of Agriculture –

Farm Operating Fund

(WV Code Chapter 19)

Fund 1412 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	809,248
2	Unclassified	09900		15,173
3	Current Expenses	13000		1,367,464
4	Repairs and Alterations.....	06400		388,722
5	Equipment.....	07000		399,393
6	Other Assets	69000		<u>20,000</u>
7	Total		\$	3,000,000

130 - Department of Agriculture –

Donated Food Fund

(WV Code Chapter 19)

Fund 1446 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	958,864
2	Unclassified	09900		45,807
3	Current Expenses	13000		3,410,542
4	Repairs and Alterations.....	06400		128,500
5	Equipment.....	07000		10,000
6	Other Assets	69000		<u>27,000</u>
7	Total		\$	4,580,713

131 - Department of Agriculture –

Integrated Predation Management Fund

(WV Code Chapter 7)

Fund 1465 FY 2019 Org 1400

1	Current Expenses	13000	\$	100,000
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132 - Department of Agriculture –

West Virginia Spay Neuter Assistance Fund

(WV Code Chapter 19)

Fund 1481 FY 2019 Org 1400

1	Current Expenses	13000	\$	500,000
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133 - Department of Agriculture –

Veterans and Warriors to Agriculture Fund

(WV Code Chapter 19)

Fund 1483 FY 2019 Org 1400

1	Current Expenses	13000	\$	7,500
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134 - Department of Agriculture –

State FFA-FHA Camp and Conference Center

(WV Code Chapters 18 and 18A)

Fund 1484 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	1,169,194
2	Unclassified	09900		17,000
3	Current Expenses	13000		1,143,306
4	Repairs and Alterations.....	06400		82,500
5	Equipment.....	07000		76,000
6	Buildings	25800		1,000
7	Other Assets	69000		10,000
8	Land	73000		<u>1,000</u>
9	Total		\$	2,500,000

135 - Attorney General –

Antitrust Enforcement Fund

(WV Code Chapter 47)

Fund 1507 FY 2019 Org 1500

1	Personal Services and Employee Benefits.....	00100	\$	356,900
2	Current Expenses	13000		148,803
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		<u>1,000</u>
5	Total.....		\$	507,703

136 - Attorney General –

Preneed Burial Contract Regulation Fund

(WV Code Chapter 47)

Fund 1513 FY 2019 Org 1500

1	Personal Services and Employee Benefits.....	00100	\$	210,226
2	Current Expenses	13000		54,615
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		<u>1,000</u>
5	Total.....		\$	266,841

137 - Attorney General –

Preneed Funeral Guarantee Fund

(WV Code Chapter 47)

Fund 1514 FY 2019 Org 1500

1	Current Expenses	13000	\$	901,135
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138 - Secretary of State –

Service Fees and Collection Account

(WV Code Chapters 3, 5, and 59)

Fund 1612 FY 2019 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	991,051
2	Unclassified	09900		4,524
3	Current Expenses	13000		<u>8,036</u>
4	Total		\$	1,003,611

139 - Secretary of State –

General Administrative Fees Account

(WV Code Chapters 3, 5, and 59)

Fund 1617 FY 2019 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	2,769,898
2	Unclassified	09900		25,529
3	Current Expenses	13000		796,716
4	Technology Improvements.....	59900		<u>750,000</u>
5	Total		\$	4,342,143

DEPARTMENT OF ADMINISTRATION

140 - Department of Administration –

Office of the Secretary –

Tobacco Settlement Fund

(WV Code Chapter 4)

Fund 2041 FY 2019 Org 0201

1	Tobacco Settlement Securitization Trustee Pass Thru.....	65000	\$	80,000,000
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141 - Department of Administration –

Office of the Secretary –

Employee Pension and Health Care Benefit Fund

(WV Code Chapter 18)

Fund 2044 FY 2019 Org 0201

1	Current Expenses	13000	\$	35,000,000
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2 The above appropriation for Current Expenses (fund 2044, appropriation 13000) shall be
 3 transferred to the Consolidated Public Retirement Board – Teachers’ Accumulation Fund (fund
 4 2600).

142 - Department of Administration –

Division of Finance –

Shared Services Section Fund

(WV Code Chapter 5A)

Fund ____ FY 2019 Org 0209

1	Personal Services and Employee Benefits.....	00100	\$	1,500,000
2	Current Expenses	13000		<u>500,000</u>
3	Total		\$	2,000,000

143 - Division of Information Services and Communications

(WV Code Chapter 5A)

Fund 2220 FY 2019 Org 0210

1	Personal Services and Employee Benefits.....	00100	\$	21,378,322
2	Unclassified	09900		382,354
3	Current Expenses	13000		13,378,766
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		2,050,000
6	Other Assets	69000		<u>1,045,000</u>
7	Total		\$	38,235,442

8 The total amount of these appropriations shall be paid from a special revenue fund out of
 9 collections made by the Division of Information Services and Communications as provided by law.

10 Each spending unit operating from the General Revenue Fund, from special revenue
 11 funds or receiving reimbursement for postage from the federal government shall be charged
 12 monthly for all postage meter service and shall reimburse the revolving fund monthly for all such
 13 amounts.

144 - Division of Purchasing –

Vendor Fee Fund

(WV Code Chapter 5A)

Fund 2263 FY 2019 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	655,208
2	Unclassified	09900		2,382
3	Current Expenses	13000		238,115
4	Repairs and Alterations.....	06400		5,000
5	Equipment.....	07000		2,500
6	Other Assets	69000		2,500
7	BRIM Premium.....	91300		<u>810</u>
8	Total		\$	906,515

145 - Division of Purchasing –

Purchasing Improvement Fund

(WV Code Chapter 5A)

Fund 2264 FY 2019 Org 0213

1	Personal Services and Employee Benefits.....	00100	\$	739,272
2	Unclassified	09900		5,562
3	Current Expenses	13000		393,066
4	Repairs and Alterations.....	06400		500
5	Equipment.....	07000		500
6	Other Assets	69000		500
7	BRIM Premium.....	91300		<u>850</u>
8	Total		\$	1,140,250

146 - Travel Management –

Fleet Management Office Fund

(WV Code Chapter 5A)

Fund 2301 FY 2019 Org 0215

1	Personal Services and Employee Benefits.....	00100	\$	722,586
2	Unclassified	09900		4,000
3	Current Expenses	13000		8,130,614
4	Repairs and Alterations.....	06400		12,000
5	Equipment.....	07000		800,000
6	Other Assets	69000		<u>2,000</u>
7	Total		\$	9,671,200

147 - Travel Management –

Aviation Fund

(WV Code Chapter 5A)

Fund 2302 FY 2019 Org 0215

1	Unclassified	09900	\$	1,000
2	Current Expenses	13000		149,700
3	Repairs and Alterations.....	06400		1,175,237
4	Equipment.....	07000		1,000
5	Buildings	25800		100
6	Other Assets	69000		100
7	Land	73000		<u>100</u>
8	Total		\$	1,327,237

148 - Division of Personnel

(WV Code Chapter 29)

Fund 2440 FY 2019 Org 0222

1	Personal Services and Employee Benefits.....	00100	\$	4,442,590
2	Unclassified	09900		51,418
3	Current Expenses	13000		1,262,813
4	Repairs and Alterations.....	06400		5,000

5	Equipment.....	07000		20,000
6	Other Assets	69000		<u>60,000</u>
7	Total		\$	5,841,821

8 The total amount of these appropriations shall be paid from a special revenue fund out of
9 fees collected by the Division of Personnel.

149 - West Virginia Prosecuting Attorneys Institute

(WV Code Chapter 7)

Fund 2521 FY 2019 Org 0228

1	Personal Services and Employee Benefits.....	00100	\$	249,242
2	Unclassified	09900		4,023
3	Current Expenses	13000		297,528
4	Repairs and Alterations.....	06400		600
5	Equipment.....	07000		500
6	Other Assets	69000		<u>500</u>
7	Total		\$	552,393

150 - Office of Technology –

Chief Technology Officer Administration Fund

(WV Code Chapter 5A)

Fund 2531 FY 2019 Org 0231

1	Personal Services and Employee Benefits.....	00100	\$	399,911
2	Unclassified	09900		6,949
3	Current Expenses	13000		227,116
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		50,000
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	694,976

8 From the above fund, the provisions of W.Va. Code §11B-2-18 shall not operate to permit
 9 expenditures in excess of the funds authorized for expenditure herein.

DEPARTMENT OF COMMERCE

151 - Division of Forestry

(WV Code Chapter 19)

Fund 3081 FY 2019 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	1,464,328
2	Current Expenses	13000		282,202
3	Repairs and Alterations.....	06400		53,000
4	Equipment.....	07000		<u>300,000</u>
5	Total		\$	2,099,530

152 - Division of Forestry –

Timbering Operations Enforcement Fund

(WV Code Chapter 19)

Fund 3082 FY 2019 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	224,433
2	Current Expenses	13000		87,036
3	Repairs and Alterations.....	06400		<u>11,250</u>
4	Total		\$	322,719

153 - Division of Forestry –

Severance Tax Operations

(WV Code Chapter 11)

Fund 3084 FY 2019 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	859,626
2	Current Expenses	13000		<u>435,339</u>
3	Total		\$	1,294,965

154 - Geological and Economic Survey –

Geological and Analytical Services Fund

(WV Code Chapter 29)

Fund 3100 FY 2019 Org 0306

1	Personal Services and Employee Benefits.....	00100	\$	37,966
2	Unclassified	09900		2,182
3	Current Expenses	13000		141,631
4	Repairs and Alterations.....	06400		50,000
5	Equipment.....	07000		20,000
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	261,779

8 The above appropriations shall be used in accordance with W.Va. Code §29-2-4.

*155 - West Virginia Development Office –**Department of Commerce –**Marketing and Communications Operating Fund*

(WV Code Chapter 5B)

Fund 3002 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	1,528,219
2	Unclassified	09900		30,000
3	Current Expenses	13000		<u>1,482,760</u>
4	Total		\$	3,040,979

*156 - West Virginia Development Office –**Office of Coalfield Community Development*

(WV Code Chapter 5B)

Fund 3162 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	430,724
2	Unclassified	09900		8,300

3	Current Expenses	13000	<u>399,191</u>
4	Total		\$ 838,215

157 - Division of Labor –

HVAC Fund

(WV Code Chapter 21)

Fund 3186 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 300,000
2	Unclassified	09900	4,000
3	Current Expenses	13000	85,000
4	Repairs and Alterations.....	06400	1,500
5	Buildings	25800	1,000
6	BRIM Premium.....	91300	<u>8,500</u>
7	Total		\$ 400,000

158 - Division of Labor –

Contractor Licensing Board Fund

(WV Code Chapter 21)

Fund 3187 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 3,019,374
2	Unclassified	09900	21,589
3	Current Expenses	13000	597,995
4	Repairs and Alterations.....	06400	15,000
5	Buildings	25800	5,000
6	BRIM Premium.....	91300	<u>8,500</u>
7	Total		\$ 3,667,458

159 - Division of Labor –

Elevator Safety Fund

(WV Code Chapter 21)

Fund 3188 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	376,772
2	Unclassified	09900		2,261
3	Current Expenses	13000		44,112
4	Repairs and Alterations.....	06400		2,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>8,500</u>
7	Total.....		\$	434,645

*160 - Division of Labor –**Steam Boiler Fund*

(WV Code Chapter 21)

Fund 3189 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	80,000
2	Unclassified	09900		1,000
3	Current Expenses	13000		15,000
4	Repairs and Alterations.....	06400		2,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>1,000</u>
7	Total.....		\$	100,000

*161 - Division of Labor –**Crane Operator Certification Fund*

(WV Code Chapter 21)

Fund 3191 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	184,380
2	Unclassified	09900		1,380

3	Current Expenses	13000		49,765
4	Repairs and Alterations.....	06400		1,500
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>8,500</u>
7	Total		\$	246,525

162 - Division of Labor –

Amusement Rides and Amusement Attraction Safety Fund

(WV Code Chapter 21)

Fund 3192 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	179,316
2	Unclassified	09900		1,281
3	Current Expenses	13000		44,520
4	Repairs and Alterations.....	06400		2,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>8,500</u>
7	Total		\$	236,617

163 - Division of Labor –

State Manufactured Housing Administration Fund

(WV Code Chapter 21)

Fund 3195 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	283,768
2	Unclassified	09900		1,847
3	Current Expenses	13000		43,700
4	Repairs and Alterations.....	06400		1,000
5	Buildings	25800		1,000
6	BRIM Premium.....	91300		<u>3,404</u>

7	Total		\$ 334,719
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164 - Division of Labor –

Bedding and Upholstery Fund

(WV Code Chapter 21)

Fund 3198 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$ 150,000
2	Unclassified	09900	2,000
3	Current Expenses	13000	43,000
4	Repairs and Alterations.....	06400	2,000
5	Buildings	25800	1,000
6	BRIM Premium.....	91300	<u>2,000</u>
7	Total		\$ 200,000

165 - Division of Labor –

Psychophysiological Examiners Fund

(WV Code Chapter 21)

Fund 3199 FY 2019 Org 0308

1	Current Expenses	13000	\$ 4,000
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166 - Division of Natural Resources –

License Fund – Wildlife Resources

(WV Code Chapter 20)

Fund 3200 FY 2019 Org 0310

1	Wildlife Resources	02300	\$ 7,064,884
2	Administration	15500	1,766,221
3	Capital Improvements and Land Purchase (R).....	24800	1,766,220
4	Law Enforcement	80600	<u>7,064,884</u>
5	Total		\$ 17,662,209

6 The total amount of these appropriations shall be paid from a special revenue fund out of
 7 fees collected by the Division of Natural Resources.

8 Any unexpended balance remaining in the appropriation for Capital Improvements and
 9 Land Purchase (fund 3200, appropriation 24800) at the close of the fiscal year 2018 is hereby
 10 reappropriated for expenditure during the fiscal year 2019.

167 - Division of Natural Resources –

Natural Resources Game Fish and Aquatic Life Fund

(WV Code Chapter 22)

Fund 3202 FY 2019 Org 0310

1	Current Expenses	13000	\$	125,000
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168 - Division of Natural Resources –

Nongame Fund

(WV Code Chapter 20)

Fund 3203 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	678,109
2	Current Expenses	13000		201,930
3	Equipment.....	07000		106,615
4	Total.....		\$	986,654

169 - Division of Natural Resources –

Planning and Development Division

(WV Code Chapter 20)

Fund 3205 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	437,496
2	Current Expenses	13000		157,864
3	Repairs and Alterations.....	06400		15,016
4	Equipment.....	07000		8,300
5	Buildings	25800		8,300
6	Other Assets	69000		2,000,000

7	Land	73000	<u>31,700</u>
8	Total		\$ 2,658,676

170 - Division of Natural Resources –

Whitewater Study and Improvement Fund

(WV Code Chapter 20)

Fund 3253 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$ 62,704
2	Current Expenses	13000	64,778
3	Equipment.....	07000	1,297
4	Buildings	25800	<u>6,969</u>
5	Total		\$ 135,748

171 - Division of Natural Resources –

Whitewater Advertising and Promotion Fund

(WV Code Chapter 20)

Fund 3256 FY 2019 Org 0310

1	Unclassified	09900	\$ 200
2	Current Expenses	13000	<u>19,800</u>
3	Total		\$ 20,000

172 - Division of Miners' Health, Safety and Training –

Special Health, Safety and Training Fund

(WV Code Chapter 22A)

Fund 3355 FY 2019 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$ 471,606
2	WV Mining Extension Service	02600	150,000
3	Unclassified	09900	40,985
4	Current Expenses	13000	1,954,557

5	Buildings	25800		481,358
6	Land	73000		1,000,000
7	Total		\$	4,098,506

*173 - Department of Commerce –
Office of the Secretary –
Broadband Enhancement Fund
Fund 3013 FY 2019 Org 0327*

1	Current Expenses	13000		\$ 1,431,043
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*174 - Office of Energy –
Energy Assistance
(WV Code Chapter 5B)
Fund 3010 FY 2019 Org 0328*

1	Energy Assistance – Total	64700		\$ 7,211
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DEPARTMENT OF EDUCATION

*175 - State Board of Education –
Strategic Staff Development
(WV Code Chapter 18)
Fund 3937 FY 2019 Org 0402*

1	Personal Services and Employee Benefits.....	00100		\$ 134,000
2	Unclassified	09900		1,000
3	Current Expenses	13000		765,000
4	Total		\$	900,000

*176 - State Board of Education –
School Construction Fund
(WV Code Chapters 18 and 18A)
Fund 3951 FY 2019 Org 0402*

1	SBA Construction Grants	24000	\$	35,845,818
2	Directed Transfer	70000		<u>1,371,182</u>
3	Total		\$	37,217,000

4 The above appropriation for Directed Transfer (fund 3951, appropriation 70000) shall be
 5 transferred to the School Building Authority Fund (3959) for the administrative expenses of the
 6 School Building Authority.

177 - School Building Authority

(WV Code Chapter 18)

Fund 3959 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	1,085,152
2	Current Expenses	13000		244,100
3	Repairs and Alterations.....	06400		13,150
4	Equipment.....	07000		<u>26,000</u>
5	Total		\$	1,368,402

DEPARTMENT OF EDUCATION AND THE ARTS

178 - Office of the Secretary –

Lottery Education Fund Interest Earnings –

Control Account

(WV Code Chapter 29)

Fund 3508 FY 2019 Org 0431

1 Any unexpended balance remaining in the appropriation for Educational Enhancements
 2 (fund 3508, appropriation 69500) at the close of the fiscal year 2018 is hereby reappropriated for
 3 expenditure during the fiscal year 2019.

179 - Division of Culture and History –

Public Records and Preservation Revenue Account

(WV Code Chapter 5A)

Fund 3542 FY 2019 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$	211,418
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2	Current Expenses	13000	862,241
3	Equipment.....	07000	75,000
4	Buildings	25800	1,000
5	Other Assets	69000	52,328
6	Land	73000	<u>1,000</u>
7	Total.....		\$ 1,202,987

180 - State Board of Rehabilitation –

Division of Rehabilitation Services –

West Virginia Rehabilitation Center Special Account

(WV Code Chapter 18)

Fund 8664 FY 2019 Org 0932

1	Personal Services and Employee Benefits.....	00100	\$ 119,738
2	Current Expenses	13000	2,180,122
3	Repairs and Alterations.....	06400	85,500
4	Equipment.....	07000	220,000
5	Buildings	25800	150,000
6	Other Assets	69000	<u>150,000</u>
7	Total.....		\$ 2,905,360

DEPARTMENT OF ENVIRONMENTAL PROTECTION

181 - Solid Waste Management Board

(WV Code Chapter 22C)

Fund 3288 FY 2019 Org 0312

1	Personal Services and Employee Benefits.....	00100	\$ 802,269
2	Current Expenses	13000	2,060,997
3	Repairs and Alterations.....	06400	1,000
4	Equipment.....	07000	5,000

5	Other Assets	69000	<u>4,403</u>
6	Total		\$ 2,873,669

182 - Division of Environmental Protection –

Hazardous Waste Management Fund

(WV Code Chapter 22)

Fund 3023 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 692,784
2	Current Expenses	13000	190,569
3	Repairs and Alterations.....	06400	500
4	Equipment.....	07000	1,505
5	Unclassified	09900	8,072
6	Other Assets	69000	<u>2,000</u>
7	Total		\$ 895,430

183 - Division of Environmental Protection –

Air Pollution Education and Environment Fund

(WV Code Chapter 22)

Fund 3024 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$ 935,324
2	Current Expenses	13000	1,226,863
3	Repairs and Alterations.....	06400	13,000
4	Equipment.....	07000	53,105
5	Unclassified	09900	14,647
6	Other Assets	69000	<u>20,000</u>
7	Total		\$ 2,262,939

184 - Division of Environmental Protection –

Special Reclamation Fund

(WV Code Chapter 22)

Fund 3321 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	1,350,829
2	Current Expenses	13000		16,402,506
3	Repairs and Alterations.....	06400		79,950
4	Equipment.....	07000		130,192
5	Other Assets	69000		<u>32,000</u>
6	Total.....		\$	17,995,477

185 - Division of Environmental Protection –

Oil and Gas Reclamation Fund

(WV Code Chapter 22)

Fund 3322 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	143,906
2	Current Expenses	13000		<u>356,094</u>
3	Total.....		\$	500,000

186 - Division of Environmental Protection –

Oil and Gas Operating Permit and Processing Fund

(WV Code Chapter 22)

Fund 3323 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	3,321,164
2	Current Expenses	13000		1,237,758
3	Repairs and Alterations.....	06400		40,600
4	Equipment.....	07000		8,000
5	Unclassified	09900		44,700
6	Other Assets	69000		<u>15,000</u>
7	Total.....		\$	4,667,222

*187 - Division of Environmental Protection –**Mining and Reclamation Operations Fund*

(WV Code Chapter 22)

Fund 3324 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	4,035,449
2	Current Expenses	13000		2,302,231
3	Repairs and Alterations.....	06400		60,260
4	Equipment.....	07000		83,000
5	Unclassified	09900		920
6	Other Assets	69000		<u>57,500</u>
7	Total		\$	6,539,360

*188 - Division of Environmental Protection –**Underground Storage Tank**Administrative Fund*

(WV Code Chapter 22)

Fund 3325 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	466,543
2	Current Expenses	13000		318,420
3	Repairs and Alterations.....	06400		5,350
4	Equipment.....	07000		3,610
5	Unclassified	09900		7,520
6	Other Assets	69000		<u>3,500</u>
7	Total		\$	804,943

*189 - Division of Environmental Protection –**Hazardous Waste Emergency Response Fund*

(WV Code Chapter 22)

Fund 3331 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	6,000
2	Current Expenses	13000		1,067,905
3	Repairs and Alterations.....	06400		7,014
4	Equipment.....	07000		9,000
5	Unclassified	09900		10,616
6	Other Assets	69000		<u>3,500</u>
7	Total.....		\$	1,104,035

190 - Division of Environmental Protection –

*Solid Waste Reclamation and
Environmental Response Fund
(WV Code Chapter 22)*

Fund 3332 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	793,967
2	Current Expenses	13000		3,604,737
3	Repairs and Alterations.....	06400		25,000
4	Equipment.....	07000		31,500
5	Unclassified	09900		22,900
6	Buildings.....	25800		500
7	Other Assets	69000		<u>1,000</u>
8	Total.....		\$	4,479,604

191 - Division of Environmental Protection –

*Solid Waste Enforcement Fund
(WV Code Chapter 22)*

Fund 3333 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	3,041,424
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2	Current Expenses	13000		1,020,229
3	Repairs and Alterations.....	06400		30,930
4	Equipment.....	07000		23,356
5	Unclassified	09900		37,145
6	Other Assets	69000		<u>25,554</u>
7	Total		\$	4,178,638

192 - Division of Environmental Protection –

Air Pollution Control Fund

(WV Code Chapter 22)

Fund 3336 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	5,643,421
2	Current Expenses	13000		1,489,467
3	Repairs and Alterations.....	06400		84,045
4	Equipment.....	07000		103,601
5	Unclassified	09900		70,572
6	Other Assets	69000		<u>52,951</u>
7	Total		\$	7,444,057

193 - Division of Environmental Protection –

Environmental Laboratory

Certification Fund

(WV Code Chapter 22)

Fund 3340 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	311,044
2	Current Expenses	13000		208,188
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		1,000

5	Unclassified	09900		1,120
6	Other Assets	69000		<u>177,000</u>
7	Total		\$	699,352

194 - Division of Environmental Protection –
 Stream Restoration Fund
 (WV Code Chapter 22)
 Fund 3349 FY 2019 Org 0313

1	Current Expenses	13000	\$	9,298,205
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195 - Division of Environmental Protection –
 Litter Control Fund
 (WV Code Chapter 22)
 Fund 3486 FY 2019 Org 0313

1	Current Expenses	13000	\$	60,000
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196 - Division of Environmental Protection –
 Recycling Assistance Fund
 (WV Code Chapter 22)
 Fund 3487 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	646,395
2	Current Expenses	13000		2,735,112
3	Repairs and Alterations.....	06400		800
4	Equipment.....	07000		500
5	Unclassified	09900		400
6	Other Assets	69000		<u>2,500</u>
7	Total		\$	3,385,707

197 - Division of Environmental Protection –
 Mountaintop Removal Fund

(WV Code Chapter 22)

Fund 3490 FY 2019 Org 0313

1	Personal Services and Employee Benefits.....	00100	\$	1,228,345
2	Current Expenses	13000		642,934
3	Repairs and Alterations.....	06400		30,112
4	Equipment.....	07000		23,500
5	Unclassified	09900		1,180
6	Other Assets	69000		<u>11,520</u>
7	Total.....		\$	1,937,591

*198 - Oil and Gas Conservation Commission –**Special Oil and Gas Conservation Fund*

(WV Code Chapter 22C)

Fund 3371 FY 2019 Org 0315

1	Personal Services and Employee Benefits.....	00100	\$	157,224
2	Current Expenses	13000		161,225
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		9,481
5	Other Assets	69000		<u>1,500</u>
6	Total.....		\$	330,430

DEPARTMENT OF HEALTH AND HUMAN RESOURCES*199 - Division of Health –**Ryan Brown Addiction Prevention and Recovery Fund*

(WV Code Chapter 19)

Fund 5111 FY 2019 Org 0506

1	Current Expenses	13000	\$	13,588,654
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200 - Division of Health –

The Vital Statistics Account

(WV Code Chapter 16)

Fund 5144 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	876,771
2	Unclassified	09900		15,500
3	Current Expenses	13000		<u>1,257,788</u>
4	Total		\$	2,150,059

201 - Division of Health –

Hospital Services Revenue Account

Special Fund

Capital Improvement, Renovation and Operations

(WV Code Chapter 16)

Fund 5156 FY 2019 Org 0506

1	Institutional Facilities Operations.....	33500	\$	35,555,221
2	Medical Services Trust Fund – Transfer.....	51200		<u>27,800,000</u>
3	Total		\$	63,355,221

4 The total amount of these appropriations shall be paid from the Hospital Services Revenue
 5 Account Special Fund created by W.Va. Code §16-1-13, and shall be used for operating expenses
 6 and for improvements in connection with existing facilities.

7 Additional funds have been appropriated in fund 0525, fiscal year 2019, organization 0506,
 8 for the operation of the institutional facilities. The Secretary of the Department of Health and
 9 Human Resources is authorized to utilize up to ten percent of the funds from the appropriation for
 10 Institutional Facilities Operations to facilitate cost effective and cost saving services at the
 11 community level.

12 Necessary funds from the above appropriation may be used for medical facilities
 13 operations, either in connection with this fund or in connection with the appropriation designated
 14 Institutional Facilities Operations in the Consolidated Medical Service Fund (fund 0525,
 15 organization 0506).

16 From the above appropriation to Institutional Facilities Operations, together with available
 17 funds from the Consolidated Medical Services Fund (fund 0525, appropriation 33500) on July 1,
 18 2018, the sum of \$160,000 shall be transferred to the Department of Agriculture – Land Division
 19 – Farm Operating Fund (1412) as advance payment for the purchase of food products; actual

20 payments for such purchases shall not be required until such credits have been completely
 21 expended.

202 - Division of Health –

Laboratory Services Fund

(WV Code Chapter 16)

Fund 5163 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	862,657
2	Unclassified	09900		18,114
3	Current Expenses	13000		<u>930,716</u>
4	Total.....		\$	1,811,487

203 - Division of Health –

The Health Facility Licensing Account

(WV Code Chapter 16)

Fund 5172 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	605,950
2	Unclassified	09900		7,113
3	Current Expenses	13000		<u>98,247</u>
4	Total.....		\$	711,310

204 - Division of Health –

Hepatitis B Vaccine

(WV Code Chapter 16)

Fund 5183 FY 2019 Org 0506

1	Current Expenses	13000	\$	9,740
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205 - Division of Health –

Lead Abatement Account

(WV Code Chapter 16)

Fund 5204 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	19,100
2	Unclassified	09900		373
3	Current Expenses	13000		<u>17,875</u>
4	Total		\$	37,348

206 - Division of Health –

West Virginia Birth-to-Three Fund

(WV Code Chapter 16)

Fund 5214 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	647,545
2	Unclassified	09900		223,999
3	Current Expenses	13000		<u>28,053,549</u>
4	Total		\$	28,925,093

207 - Division of Health –

Tobacco Control Special Fund

(WV Code Chapter 16)

Fund 5218 FY 2019 Org 0506

1	Current Expenses	13000	\$	7,579
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208 - Division of Health –

Medical Cannabis Program Fund

(WV Code Chapter 16A)

Fund 5420 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	509,658
2	Current Expenses	13000		1,151,040
3	Other Assets	69000		<u>895,000</u>
4	Total		\$	2,555,698

209 - West Virginia Health Care Authority –

Health Care Cost Review Fund

(WV Code Chapter 16)

Fund 5375 FY 2019 Org 0507

1	Personal Services and Employee Benefits.....	00100	\$	1,310,821
2	Hospital Assistance.....	02500		50,000
3	Unclassified	09900		100
4	Current Expenses	13000		754,645
5	Repairs and Alterations.....	06400		500
6	Equipment.....	07000		<u>300</u>
7	Total.....		\$	2,116,366

8 The above appropriation is to be expended in accordance with and pursuant to the
 9 provisions of W.Va. Code §16-29B and from the special revolving fund designated Health Care
 10 Cost Review Fund.

210 - West Virginia Health Care Authority –

Certificate of Need Program Fund

(WV Code Chapter 16)

Fund 5377 FY 2019 Org 0507

1	Personal Services and Employee Benefits.....	00100	\$	805,113
2	Current Expenses	13000		<u>774,967</u>
3	Total.....		\$	1,580,080

211 - Division of Human Services –

Health Care Provider Tax –

Medicaid State Share Fund

(WV Code Chapter 11)

Fund 5090 FY 2019 Org 0511

1	Medical Services.....	18900	\$	198,568,451
2	Medical Services Administrative Costs.....	78900		<u>231,549</u>

3 Total..... \$ 198,800,000

4 The above appropriation for Medical Services Administrative Costs (fund 5090,
 5 appropriation 78900) shall be transferred to a special revenue account in the treasury for use by
 6 the Department of Health and Human Resources for administrative purposes. The remainder of
 7 all moneys deposited in the fund shall be transferred to the West Virginia Medical Services Fund
 8 (fund 5084.)

212 - Division of Human Services –

Child Support Enforcement Fund

(WV Code Chapter 48A)

Fund 5094 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 24,809,509
2	Unclassified	09900	380,000
3	Current Expenses	13000	<u>12,810,491</u>
4	Total		\$ 38,000,000

213 - Division of Human Services –

Medical Services Trust Fund

(WV Code Chapter 9)

Fund 5185 FY 2019 Org 0511

1	Medical Services.....	18900	\$ 73,477,905
2	Medical Services Administrative Costs.....	78900	<u>548,723</u>
3	Total		\$ 74,026,628

4 The above appropriation to Medical Services shall be used to provide state match of
 5 Medicaid expenditures as defined and authorized in subsection (c) of W.Va. Code §9-4A-2a.
 6 Expenditures from the fund are limited to the following: payment of backlogged billings, funding
 7 for services to future federally mandated population groups and payment of the required state
 8 match for Medicaid disproportionate share payments. The remainder of all moneys deposited in
 9 the fund shall be transferred to the Division of Human Services accounts.

214 - Division of Human Services –

James “Tiger” Morton Catastrophic Illness Fund

(WV Code Chapter 16)

Fund 5454 FY 2019 Org 0511

1	Unclassified	09900	\$	7,000
2	Current Expenses	13000		693,000
3	Total		\$	700,000

*215 - Division of Human Services –
Domestic Violence Legal Services Fund
(WV Code Chapter 48)*

Fund 5455 FY 2019 Org 0511

1	Current Expenses	13000	\$	900,000
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*216 - Division of Human Services –
West Virginia Works Separate State College Program Fund
(WV Code Chapter 9)*

Fund 5467 FY 2019 Org 0511

1	Current Expenses	13000	\$	1,000,000
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*217 - Division of Human Services –
West Virginia Works Separate State Two-Parent Program Fund
(WV Code Chapter 9)*

Fund 5468 FY 2019 Org 0511

1	Current Expenses	13000	\$	2,000,000
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*218 - Division of Human Services –
Marriage Education Fund
(WV Code Chapter 9)*

Fund 5490 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$	10,000
2	Current Expenses	13000		25,000
3	Total		\$	35,000

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

219 - Department of Military Affairs and Public Safety –

Office of the Secretary –

Law-Enforcement, Safety and Emergency Worker

Funeral Expense Payment Fund

(WV Code Chapter 15)

Fund 6003 FY 2019 Org 0601

1	Current Expenses	13000		32,000
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220 - State Armory Board –

General Armory Fund

(WV Code Chapter 15)

Fund 6057 FY 2019 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$	1,643,528
2	Current Expenses	13000		650,000
3	Repairs and Alterations.....	06400		385,652
4	Equipment.....	07000		250,000
5	Buildings	25800		770,820
6	Other Assets	69000		100,000
7	Land	73000		<u>200,000</u>
8	Total.....		\$	4,000,000

9 From the above appropriations, the Adjutant General may receive and expend funds to
 10 conduct operations and activities to include functions of the Military Authority. The Adjutant
 11 General may transfer funds between appropriations, except no funds may be transferred to
 12 Personal Services and Employee Benefits (fund 6057, appropriation 00100).

221 - Division of Homeland Security

And Emergency Management –

Statewide Interoperable Radio Network Account

(WV Code Chapter 15)

Fund 6208 FY 2019 Org 0606

1	Current Expenses	13000	\$	80,000
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*222 - Division of Homeland Security and
Emergency Management –
West Virginia Interoperable Radio Project
(WV Code Chapter 24)
Fund 6295 FY 2019 Org 0606*

1	Current Expenses	13000	\$	2,000,000
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2 Any unexpended balance remaining in the appropriation for Unclassified – Total (fund
3 6295, appropriation 09600) at the close of fiscal year 2018 is hereby reappropriated for
4 expenditure during the fiscal year 2019.

*223 - West Virginia Division of Corrections –
Parolee Supervision Fees
(WV Code Chapter 62)
Fund 6362 FY 2019 Org 0608*

1	Personal Services and Employee Benefits.....	00100	\$	1,013,793
2	Unclassified	09900		9,804
3	Current Expenses	13000		758,480
4	Equipment.....	07000		30,000
5	Other Assets	69000		<u>40,129</u>
6	Total		\$	1,852,206

*224 - West Virginia State Police –
Motor Vehicle Inspection Fund
(WV Code Chapter 17C)
Fund 6501 FY 2019 Org 0612*

1	Personal Services and Employee Benefits.....	00100	\$	1,786,923
2	Current Expenses	13000		1,488,211
3	Repairs and Alterations.....	06400		204,500

4	Equipment.....	07000	3,770,751
5	Buildings	25800	534,000
6	Other Assets	69000	5,000
7	BRIM Premium.....	91300	<u>302,432</u>
8	Total		\$ 8,091,817

9 The total amount of these appropriations shall be paid from the special revenue fund out
 10 of fees collected for inspection stickers as provided by law.

225 - West Virginia State Police –

Forensic Laboratory Fund

(WV Code Chapter 15)

Fund 6511 FY 2019 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$ 100,000
2	Current Expenses	13000	90,000
3	Repairs and Alterations.....	06400	5,000
4	Equipment.....	07000	<u>45,000</u>
5	Total		\$ 240,000

226 - West Virginia State Police –

Drunk Driving Prevention Fund

(WV Code Chapter 15)

Fund 6513 FY 2019 Org 0612

1	Current Expenses	13000	\$ 1,327,000
2	Equipment.....	07000	3,491,895
3	BRIM Premium.....	91300	<u>154,452</u>
4	Total		\$ 4,973,347

5 The total amount of these appropriations shall be paid from the special revenue fund out
 6 of receipts collected pursuant to W.Va. Code §11-15-9a and 16 and paid into a revolving fund
 7 account in the State Treasury.

227 - West Virginia State Police –

Surplus Real Property Proceeds Fund

(WV Code Chapter 15)

Fund 6516 FY 2019 Org 0612

1	Buildings	25800	\$	1,022,778
2	Land	73000		1,000
3	BRIM Premium.....	91300		<u>77,222</u>
4	Total		\$	1,101,000

*228 - West Virginia State Police –**Surplus Transfer Account*

(WV Code Chapter 15)

Fund 6519 FY 2019 Org 0612

1	Current Expenses	13000	\$	225,000
2	Repairs and Alterations.....	06400		20,000
3	Equipment.....	07000		250,000
4	Buildings	25800		40,000
5	Other Assets	69000		45,000
6	BRIM Premium.....	91300		<u>5,000</u>
7	Total		\$	585,000

*229 - West Virginia State Police –**Central Abuse Registry Fund*

(WV Code Chapter 15)

Fund 6527 FY 2019 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	236,881
2	Current Expenses	13000		51,443
3	Repairs and Alterations.....	06400		500
4	Equipment.....	07000		300,500

5	Other Assets	69000		300,500
6	BRIM Premium.....	91300		18,524
7	Total		\$	908,348

230 - West Virginia State Police –

Bail Bond Enforcer Account

(WV Code Chapter 15)

Fund 6532 FY 2019 Org 0612

1	Current Expenses	13000		\$ 8,300
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231 - West Virginia State Police –

State Police Academy Post Exchange

(WV Code Chapter 15)

Fund 6544 FY 2019 Org 0612

1	Current Expenses	13000		\$ 160,000
2	Repairs and Alterations.....	06400		40,000
3	Total		\$	200,000

232 - Regional Jail and Correctional Facility Authority

(WV Code Chapter 31)

Fund 6675 FY 2019 Org 0615

1	Personal Services and Employee Benefits.....	00100		\$ 1,971,039
2	Debt Service	04000		9,000,000
3	Current Expenses	13000		495,852
4	Repairs and Alterations.....	06400		4,000
5	Equipment.....	07000		1,743
6	Total		\$	11,472,634

233 - Fire Commission –

Fire Marshal Fees

(WV Code Chapter 29)

Fund 6152 FY 2019 Org 0619

1	Personal Services and Employee Benefits.....	00100	\$	3,233,683
2	Unclassified	09900		3,800
3	Current Expenses	13000		1,249,550
4	Repairs and Alterations.....	06400		58,500
5	Equipment.....	07000		140,800
6	Other Assets	69000		2,000
7	BRIM Premium.....	91300		<u>60,000</u>
8	Total		\$	4,748,333

*234 - Division of Justice and Community Services –**WV Community Corrections Fund*

(WV Code Chapter 62)

Fund 6386 FY 2019 Org 0620

1	Personal Services and Employee Benefits.....	00100	\$	152,000
2	Unclassified	09900		750
3	Current Expenses	13000		1,846,250
4	Repairs and Alterations.....	06400		<u>1,000</u>
5	Total		\$	2,000,000

*235 - Division of Justice and Community Services –**Court Security Fund*

(WV Code Chapter 51)

Fund 6804 FY 2019 Org 0620

1	Personal Services and Employee Benefits.....	00100	\$	21,865
2	Current Expenses	13000		<u>1,478,135</u>
3	Total		\$	1,500,000

*236 - Division of Justice and Community Services –
Second Chance Driver’s License Program Account*

(WV Code Chapter 17B)

Fund 6810 FY 2019 Org 0620

1	Current Expenses	13000	\$	25,000
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DEPARTMENT OF REVENUE

237 - Division of Financial Institutions

(WV Code Chapter 31A)

Fund 3041 FY 2019 Org 0303

1	Personal Services and Employee Benefits.....	00100	\$	2,511,101
2	Current Expenses	13000		705,875
3	Repairs and Alterations.....	06400		100
4	Equipment.....	07000		12,000
5	Total		\$	3,229,076

238 - Office of the Secretary –

State Debt Reduction Fund

(WV Code Chapter 29)

Fund 7007 FY 2019 Org 0701

1	Directed Transfer	70000	\$	20,000,000
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2 The above appropriation for Directed Transfer shall be transferred to the Consolidated
 3 Public Retirement Board – West Virginia Public Employees Retirement System Employers
 4 Accumulation Fund (fund 2510).

239 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2019 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	23,459
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2	Current Expenses	13000	<u>7,717</u>
3	Total		\$ 31,176

240 - Tax Division –

Special Audit and Investigative Unit

(WV Code Chapter 11)

Fund 7073 FY 2019 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$ 655,203
2	Unclassified	09900	9,500
3	Current Expenses	13000	273,297
4	Repairs and Alterations.....	06400	7,000
5	Equipment.....	07000	<u>5,000</u>
6	Total		\$ 950,000

241 - Tax Division –

Wine Tax Administration Fund

(WV Code Chapter 60)

Fund 7087 FY 2019 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$ 254,162
2	Current Expenses	13000	<u>5,406</u>
3	Total		\$ 259,568

242 - Tax Division –

Reduced Cigarette Ignition Propensity

Standard and Fire Prevention Act Fund

(WV Code Chapter 47)

Fund 7092 FY 2019 Org 0702

1	Current Expenses	13000	\$ 35,000
2	Equipment.....	07000	<u>15,000</u>

3 Total \$ 50,000

243 - Tax Division –

Local Sales Tax and Excise Tax

Administration Fund

(WV Code Chapter 11)

Fund 7099 FY 2019 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	1,508,968
2	Unclassified	09900		10,000
3	Current Expenses	13000		784,563
4	Repairs and Alterations.....	06400		1,000
5	Equipment.....	07000		<u>5,000</u>
6	Total		\$	2,309,531

244 - State Budget Office –

Public Employees Insurance Reserve Fund

(WV Code Chapter 11B)

Fund 7400 FY 2019 Org 0703

1 Public Employees Insurance Reserve Fund – Transfer..... 90300 \$ 6,800,000

2 The above appropriation for Public Employees Insurance Reserve Fund – Transfer shall
 3 be transferred to the Medical Services Trust Fund (fund 5185, org 0511) for expenditure.

245 - State Budget Office –

Public Employees Insurance Agency Financial Stability Fund

(WV Code Chapter 11B)

Fund 7401 FY 2019 Org 0703

1	Retiree Premium Offset.....	80101	\$	5,000,000
2	PEIA Reserve	80102		<u>10,000,000</u>
3	Total		\$	15,000,000

4 The above appropriation shall be transferred to special revenue funds to be utilized by the
 5 West Virginia Public Employees Insurance Agency for the purposes of permitting the PEIA
 6 Finance Board to offset \$5 million in retiree premium increases. Additionally, \$10 million will be
 7 put into a reserve fund to stabilize and preserve the future solvency of PEIA. Such amount shall
 8 not be included in the calculation of the plan year aggregate premium cost-sharing percentages
 9 between employers and employees.

246 - Insurance Commissioner –

Examination Revolving Fund

(WV Code Chapter 33)

Fund 7150 FY 2019 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	721,117
2	Current Expenses	13000		1,357,201
3	Repairs and Alterations.....	06400		3,000
4	Equipment.....	07000		81,374
5	Buildings	25800		8,289
6	Other Assets	69000		<u>11,426</u>
7	Total.....		\$	2,182,407

247 - Insurance Commissioner –

Consumer Advocate

(WV Code Chapter 33)

Fund 7151 FY 2019 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	552,228
2	Current Expenses	13000		202,152
3	Repairs and Alterations.....	06400		5,000
4	Equipment.....	07000		34,225
5	Buildings	25800		4,865
6	Other Assets	69000		<u>19,460</u>
7	Total.....		\$	817,930

248 - Insurance Commissioner –

Insurance Commission Fund

(WV Code Chapter 33)

Fund 7152 FY 2019 Org 0704

1	Personal Services and Employee Benefits.....	00100	\$	23,039,727
2	Current Expenses	13000		8,797,758
3	Repairs and Alterations.....	06400		68,614
4	Equipment.....	07000		1,728,240
5	Buildings	25800		25,000
6	Other Assets	69000		<u>340,661</u>
7	Total.....		\$	34,000,000

249 - Insurance Commissioner –

Workers' Compensation Old Fund

(WV Code Chapter 23)

Fund 7162 FY 2019 Org 0704

1	Employee Benefits	01000	\$	50,000
2	Current Expenses	13000		<u>250,500,000</u>
3	Total.....		\$	250,550,000

250 - Insurance Commissioner –

Workers' Compensation Uninsured Employers' Fund

(WV Code Chapter 23)

Fund 7163 FY 2019 Org 0704

1	Current Expenses	13000	\$	15,000,000
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251 - Insurance Commissioner –

Self-Insured Employer Guaranty Risk Pool

(WV Code Chapter 23)

Fund 7164 FY 2019 Org 0704

1	Current Expenses	13000	\$	9,000,000
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*252 - Insurance Commissioner –
Self-Insured Employer Security Risk Pool
(WV Code Chapter 23)
Fund 7165 FY 2019 Org 0704*

1	Current Expenses	13000	\$	14,000,000
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*253 - Municipal Bond Commission
(WV Code Chapter 13)
Fund 7253 FY 2019 Org 0706*

1	Personal Services and Employee Benefits.....	00100	\$	247,523
2	Current Expenses	13000		144,844
3	Equipment.....	07000		100
4	Total		\$	392,467

*254 - Racing Commission –
Relief Fund
(WV Code Chapter 19)
Fund 7300 FY 2019 Org 0707*

1	Medical Expenses – Total	24500	\$	57,000
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2 The total amount of this appropriation shall be paid from the special revenue fund out of
3 collections of license fees and fines as provided by law.

4 No expenditures shall be made from this fund except for hospitalization, medical care
5 and/or funeral expenses for persons contributing to this fund.

*255 - Racing Commission –
Administration and Promotion Account
(WV Code Chapter 19)
Fund 7304 FY 2019 Org 0707*

1	Personal Services and Employee Benefits.....	00100	\$	256,665
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2	Current Expenses	13000		93,335
3	Other Assets	69000		<u>5,000</u>
4	Total		\$	355,000

256 - Racing Commission –

General Administration

(WV Code Chapter 19)

Fund 7305 FY 2019 Org 0707

1	Personal Services and Employee Benefits.....	00100	\$	2,271,339
2	Current Expenses	13000		566,248
3	Repairs and Alterations.....	06400		7,000
4	Other Assets	69000		<u>50,000</u>
5	Total		\$	2,894,587

257 - Racing Commission –

Administration, Promotion, Education, Capital Improvement

and Greyhound Adoption Programs

to include Spaying and Neutering Account

(WV Code Chapter 19)

Fund 7307 FY 2019 Org 0707

1	Personal Services and Employee Benefits.....	00100	\$	864,474
2	Current Expenses	13000		214,406
3	Other Assets	69000		<u>200,000</u>
4	Total		\$	1,278,880

258 - Alcohol Beverage Control Administration –

Wine License Special Fund

(WV Code Chapter 60)

Fund 7351 FY 2019 Org 0708

1	Personal Services and Employee Benefits.....	00100	\$	122,339
2	Current Expenses	13000		69,186
3	Repairs and Alterations.....	06400		7,263
4	Equipment.....	07000		10,000
5	Buildings	25800		100,000
6	Other Assets	69000		<u>100</u>
7	Total		\$	308,888

8 To the extent permitted by law, four classified exempt positions shall be provided from
 9 Personal Services and Employee Benefits appropriation for field auditors.

259 - Alcohol Beverage Control Administration

(WV Code Chapter 60)

Fund 7352 FY 2019 Org 0708

1	Personal Services and Employee Benefits.....	00100	\$	5,413,237
2	Current Expenses	13000		2,890,577
3	Repairs and Alterations.....	06400		91,000
4	Equipment.....	07000		108,000
5	Buildings	25800		375,100
6	Purchase of Supplies for Resale	41900		72,500,000
7	Transfer Liquor Profits and Taxes	42500		20,800,000
8	Other Assets	69000		125,100
9	Land	73000		<u>100</u>
10	Total		\$	102,303,114

11 The total amount of these appropriations shall be paid from a special revenue fund out of
 12 liquor revenues and any other revenues available.

13 The above appropriations include the salary of the commissioner and the salaries,
 14 expenses and equipment of administrative offices, warehouses and inspectors.

15 The above appropriations include funding for the Tobacco/Alcohol Education Program.

16 There is hereby appropriated from liquor revenues, in addition to the above appropriations
 17 as needed, the necessary amount for the purchase of liquor as provided by law and the remittance
 18 of profits and taxes to the General Revenue Fund.

260 - State Athletic Commission Fund

(WV Code Chapter 29)

Fund 7009 FY 2019 Org 0933

1	Personal Services and Employee Benefits.....	00100	\$	2,900
2	Current Expenses	13000		<u>37,100</u>
3	Total.....		\$	40,000

DEPARTMENT OF TRANSPORTATION

261 - Division of Motor Vehicles –

Dealer Recovery Fund

(WV Code Chapter 17)

Fund 8220 FY 2019 Org 0802

1	Current Expenses	13000	\$	189,000
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262 - Division of Motor Vehicles –

Motor Vehicle Fees Fund

(WV Code Chapter 17B)

Fund 8223 FY 2019 Org 0802

1	Personal Services and Employee Benefits.....	00100	\$	3,362,799
2	Current Expenses	13000		4,362,975
3	Repairs and Alterations.....	06400		16,000
4	Equipment.....	07000		75,000
5	Other Assets	69000		10,000
6	BRIM Premium.....	91300		<u>84,737</u>
7	Total.....		\$	7,911,511

263 - Division of Highways –

A. James Manchin Fund

(WV Code Chapter 22)

Fund 8319 FY 2019 Org 0803

1	Current Expenses	13000	\$	1,650,000
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DEPARTMENT OF VETERANS' ASSISTANCE

264 - Veterans' Facilities Support Fund

(WV Code Chapter 9A)

Fund 6703 FY 2019 Org 0613

1	Personal Services and Employee Benefits.....	00100	\$	94,210
2	Current Expenses	13000		2,255,997
3	Repairs and Alterations.....	06400		10,000
4	Equipment.....	07000		10,000
5	Other Assets	69000		10,000
6	Total		\$	2,380,207

265 - Department of Veterans' Assistance –

WV Veterans' Home –

Special Revenue Operating Fund

(WV Code Chapter 9A)

Fund 6754 FY 2019 Org 0618

1	Current Expenses	13000	\$	700,000
2	Repairs and Alterations.....	06400		50,000
3	Total		\$	750,000

BUREAU OF SENIOR SERVICES

266 - Bureau of Senior Services –

Community Based Service Fund

(WV Code Chapter 22)

Fund 5409 FY 2019 Org 0508

1	Personal Services and Employee Benefits.....	00100	\$	151,290
2	Current Expenses	13000		<u>10,348,710</u>
3	Total		\$	10,500,000

4 The total amount of these appropriations are funded from annual table game license fees
5 to enable the aged and disabled citizens of West Virginia to stay in their homes through the
6 provision of home and community-based services.

HIGHER EDUCATION POLICY COMMISSION

267 - Higher Education Policy Commission –

System –

Tuition Fee Capital Improvement Fund

(Capital Improvement and Bond Retirement Fund)

Control Account

(WV Code Chapters 18 and 18B)

Fund 4903 FY 2019 Org 0442

1	Debt Service	04000	\$	27,713,123
2	General Capital Expenditures	30600		5,000,000
3	Facilities Planning and Administration.....	38600		<u>421,082</u>
4	Total		\$	33,134,205

5 The total amount of these appropriations shall be paid from the Special Capital
6 Improvement Fund created in W.Va. Code §18B-10-8. Projects are to be paid on a cash basis
7 and made available on July 1.

8 The above appropriations, except for Debt Service, may be transferred to special revenue
9 funds for capital improvement projects at the institutions.

268 - Tuition Fee Revenue Bond Construction Fund

(WV Code Chapters 18 and 18B)

Fund 4906 FY 2019 Org 0442

1 Any unexpended balance remaining in the appropriation for Capital Outlay (fund 4906,
2 appropriation 51100) at the close of the fiscal year 2018 is hereby reappropriated for expenditure
3 during the fiscal year 2019.

4 The appropriation shall be paid from available unexpended cash balances and interest
 5 earnings accruing to the fund. The appropriation shall be expended at the discretion of the Higher
 6 Education Policy Commission and the funds may be allocated to any institution within the system.

7 The total amount of this appropriation shall be paid from the unexpended proceeds of
 8 revenue bonds previously issued pursuant to W.Va. Code §18-12B-8, which have since been
 9 refunded.

269 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2019 Org 0442

1 Any unexpended balance remaining in the appropriation for Capital Improvements – Total
 2 (fund 4908, appropriation 95800) at the close of fiscal year 2018 is hereby reappropriated for
 3 expenditure during the fiscal year 2019.

4 The total amount of this appropriation shall be paid from the sale of the Series 2017
 5 Community and Technical College Capital Improvement Refunding Revenue Bonds and
 6 anticipated interest earnings.

270 - West Virginia University –

West Virginia University Health Sciences Center

(WV Code Chapters 18 and 18B)

Fund 4179 FY 2019 Org 0463

1	Personal Services and Employee Benefits.....	00100	\$	10,274,340
2	Current Expenses	13000		4,524,300
3	Repairs and Alterations.....	06400		425,000
4	Equipment.....	07000		512,000
5	Buildings	25800		150,000
6	Other Assets	69000		<u>50,000</u>
7	Total.....		\$	15,935,640

MISCELLANEOUS BOARDS AND COMMISSIONS

271 - Board of Barbers and Cosmetologists –

Barbers and Beauticians Special Fund

(WV Code Chapters 16 and 30)

Fund 5425 FY 2019 Org 0505

1	Personal Services and Employee Benefits.....	00100	\$	504,497
2	Current Expenses	13000		<u>239,969</u>
3	Total		\$	744,466

4 The total amount of these appropriations shall be paid from a special revenue fund out of
5 collections made by the Board of Barbers and Cosmetologists as provided by law.

272 - Hospital Finance Authority –

Hospital Finance Authority Fund

(WV Code Chapter 16)

Fund 5475 FY 2019 Org 0509

1	Personal Services and Employee Benefits.....	00100	\$	85,981
2	Unclassified	09900		1,450
3	Current Expenses	13000		<u>57,740</u>
4	Total		\$	145,171

5 The total amount of these appropriations shall be paid from the special revenue fund out
6 of fees and collections as provided by Article 29A, Chapter 16 of the Code.

273 - WV State Board of Examiners for Licensed Practical Nurses –

Licensed Practical Nurses

(WV Code Chapter 30)

Fund 8517 FY 2019 Org 0906

1	Personal Services and Employee Benefits.....	00100	\$	455,324
2	Current Expenses	13000		<u>128,133</u>
3	Total		\$	583,457

274 - WV Board of Examiners for Registered Professional Nurses –

Registered Professional Nurses

(WV Code Chapter 30)

Fund 8520 FY 2019 Org 0907

1	Personal Services and Employee Benefits.....	00100	\$	1,226,557
2	Current Expenses	13000		312,655
3	Repairs and Alterations.....	06400		3,000
4	Equipment.....	07000		25,000
5	Other Assets	69000		<u>4,500</u>
6	Total		\$	1,571,712

275 - Public Service Commission

(WV Code Chapter 24)

Fund 8623 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	11,807,314
2	Unclassified	09900		147,643
3	Current Expenses	13000		2,572,222
4	Repairs and Alterations.....	06400		55,000
5	Equipment.....	07000		160,000
6	PSC Weight Enforcement	34500		4,370,453
7	Debt Payment/Capital Outlay	52000		350,000
8	BRIM Premium.....	91300		<u>172,216</u>
9	Total		\$	19,634,848

10 The total amount of these appropriations shall be paid from a special revenue fund out of
 11 collections for special license fees from public service corporations as provided by law.

12 The Public Service Commission is authorized to transfer up to \$500,000 from this fund to
 13 meet the expected deficiencies in the Motor Carrier Division (fund 8625, org 0926) due to the
 14 amendment and reenactment of W.Va. Code §24A-3-1 by Enrolled House Bill Number 2715,
 15 Regular Session, 1997.

276 - Public Service Commission –

Gas Pipeline Division –

Public Service Commission Pipeline Safety Fund

(WV Code Chapter 24B)

Fund 8624 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	284,198
2	Unclassified	09900		3,851
3	Current Expenses	13000		93,115
4	Repairs and Alterations.....	06400		<u>4,000</u>
5	Total		\$	385,164

6 The total amount of these appropriations shall be paid from a special revenue fund out of
7 receipts collected for or by the Public Service Commission pursuant to and in the exercise of
8 regulatory authority over pipeline companies as provided by law.

*277 - Public Service Commission –**Motor Carrier Division*

(WV Code Chapter 24A)

Fund 8625 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	2,243,526
2	Unclassified	09900		29,233
3	Current Expenses	13000		577,557
4	Repairs and Alterations.....	06400		23,000
5	Equipment.....	07000		<u>50,000</u>
6	Total		\$	2,923,316

7 The total amount of these appropriations shall be paid from a special revenue fund out of
8 receipts collected for or by the Public Service Commission pursuant to and in the exercise of
9 regulatory authority over motor carriers as provided by law.

*278 - Public Service Commission –**Consumer Advocate Fund*

(WV Code Chapter 24)

Fund 8627 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	743,372
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2	Current Expenses	13000	276,472
3	Equipment.....	07000	9,872
4	BRIM Premium.....	91300	<u>4,660</u>
5	Total		\$ 1,034,376

6 The total amount of these appropriations shall be supported by cash from a special
7 revenue fund out of collections made by the Public Service Commission.

279 - Real Estate Commission –

Real Estate License Fund

(WV Code Chapter 30)

Fund 8635 FY 2019 Org 0927

1	Personal Services and Employee Benefits.....	00100	\$ 582,413
2	Current Expenses	13000	285,622
3	Repairs and Alterations.....	06400	5,000
4	Equipment.....	07000	<u>10,000</u>
5	Total		\$ 883,035

6 The total amount of these appropriations shall be paid out of collections of license fees as
7 provided by law.

280 - WV Board of Examiners for Speech-Language

Pathology and Audiology –

Speech-Language Pathology and Audiology Operating Fund

(WV Code Chapter 30)

Fund 8646 FY 2019 Org 0930

1	Personal Services and Employee Benefits.....	00100	\$ 73,190
2	Current Expenses	13000	<u>65,623</u>
3	Total		\$ 138,813

281 - WV Board of Respiratory Care –

Board of Respiratory Care Fund

(WV Code Chapter 30)

Fund 8676 FY 2019 Org 0935

1	Personal Services and Employee Benefits.....	00100	\$	82,803
2	Current Expenses	13000		50,387
3	Repairs and Alterations.....	06400		<u>400</u>
4	Total		\$	133,590

282 - WV Board of Licensed Dietitians –

Dietitians Licensure Board Fund

(WV Code Chapter 30)

Fund 8680 FY 2019 Org 0936

1	Personal Services and Employee Benefits.....	00100	\$	15,950
2	Current Expenses	13000		<u>17,050</u>
3	Total		\$	33,000

283 - Massage Therapy Licensure Board –

Massage Therapist Board Fund

(WV Code Chapter 30)

Fund 8671 FY 2019 Org 0938

1	Personal Services and Employee Benefits.....	00100	\$	104,418
2	Current Expenses	13000		<u>42,648</u>
3	Total		\$	147,066

284 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2019 Org 0945

1	Personal Services and Employee Benefits.....	00100	\$	1,187,752
2	Current Expenses	13000		988,789

3	Repairs and Alterations.....	06400	<u>20,000</u>
4	Total.....		\$ 2,196,541

285 - West Virginia Enterprise Resource Planning Board –

Enterprise Resource Planning System Fund

(WV Code Chapter 12)

Fund 9080 FY 2019 Org 0947

1	Personal Services and Employee Benefits.....	00100	\$ 6,713,066
2	Unclassified	09900	232,000
3	Current Expenses	13000	17,640,134
4	Repairs and Alterations.....	06400	300
5	Equipment.....	07000	213,000
6	Buildings	25800	2,000
7	Other Assets	69000	<u>199,500</u>
8	Total.....		\$ 25,000,000

286 - Board of Treasury Investments –

Board of Treasury Investments Fee Fund

(WV Code Chapter 12)

Fund 9152 FY 2019 Org 0950

1	Personal Services and Employee Benefits.....	00100	\$ 782,889
2	Unclassified	09900	14,850
3	Current Expenses	13000	650,714
4	BRIM Premium.....	91300	36,547
5	Fees of Custodians, Fund Advisors and Fund Managers	93800	<u>3,500,000</u>
6	Total.....		\$ 4,985,000

7 There is hereby appropriated from this fund, in addition to the above appropriation if
8 needed, an amount of funds necessary for the Board of Treasury Investments to pay the fees and
9 expenses of custodians, fund advisors and fund managers for the consolidated fund of the State
10 as provided in Article 6C, Chapter 12 of the Code.

11 The total amount of these appropriations shall be paid from the special revenue fund out
12 of fees and collections as provided by law.

13 Total TITLE II, Section 3 – Other Funds

14 (Including claims against the state)..... \$ 1,483,565,891

1 **Sec. 4. Appropriations from lottery net profits.** — Net profits of the lottery are to be
2 deposited by the Director of the Lottery to the following accounts in the amounts indicated. The
3 Director of the Lottery shall prorate each deposit of net profits in the proportion the appropriation
4 for each account bears to the total of the appropriations for all accounts.

5 After first satisfying the requirements for Fund 2252, Fund 3963, and Fund 4908 pursuant
6 to W.Va. Code §29-22-18, the Director of the Lottery shall make available from the remaining net
7 profits of the lottery any amounts needed to pay debt service for which an appropriation is made
8 for Fund 9065, Fund 4297, Fund 3390, and Fund 3514 and is authorized to transfer any such
9 amounts to Fund 9065, Fund 4297, Fund 3390, and Fund 3514 for that purpose. Upon receipt of
10 reimbursement of amounts so transferred, the Director of the Lottery shall deposit the
11 reimbursement amounts to the following accounts as required by this section.

287 - Education, Arts, Sciences and Tourism –

Debt Service Fund

(WV Code Chapter 5)

Fund 2252 FY 2019 Org 0211

	Appro-		Lottery
	priation		Funds
1 Debt Service – Total	31000	\$	10,000,000

288 - West Virginia Development Office –

West Virginia Tourism Office

(WV Code Chapter 5B)

Fund 3067 FY 2019 Org 0304

1 Tourism – Telemarketing Center	46300	\$	82,080
2 Tourism – Advertising (R)	61800		2,422,407
3 Tourism – Operations (R).....	66200		<u>4,045,269</u>
4 Total		\$	6,549,756

5 Any unexpended balances remaining in the appropriations for Tourism – Advertising (fund
6 3067, appropriation 61800), and Tourism – Operations (fund 3067, appropriation 66200) at the
7 close of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

289 - Division of Natural Resources

(WV Code Chapter 20)

Fund 3267 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	2,196,139
2	Current Expenses	13000		26,900
3	Pricketts Fort State Park	32400		106,560
4	Non-Game Wildlife (R)	52700		372,124
5	State Parks and Recreation Advertising (R)	61900		<u>494,578</u>
6	Total		\$	3,196,301

7 Any unexpended balances remaining in the appropriations for Unclassified (fund 3267,
8 appropriation 09900), Capital Outlay – Parks (fund 3267, appropriation 28800), Non-Game
9 Wildlife (fund 3267, appropriation 52700), and State Parks and Recreation Advertising (fund 3267,
10 appropriation 61900) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
11 during the fiscal year 2019.

290 - State Board of Education

(WV Code Chapters 18 and 18A)

Fund 3951 FY 2019 Org 0402

1	FBI Checks	37200	\$	111,611
2	Vocational Education Equipment Replacement.....	39300		800,000
3	Assessment Program (R)	39600		2,969,690
4	21st Century Technology Infrastructure			
5	Network Tools and Support (R)	93300		<u>14,295,591</u>
6	Total		\$	18,176,892

7 Any unexpended balances remaining in the appropriations for Unclassified (fund 3951,
8 appropriation 09900), Current Expenses (fund 3951, appropriation 13000), Assessment Program
9 (fund 3951, appropriation 39600), and 21st Century Technology Infrastructure Network Tools and
10 Support (fund 3951, appropriation 93300) at the close of the fiscal year 2018 are hereby
11 reappropriated for expenditure during the fiscal year 2019.

291 - State Department of Education –

School Building Authority –

Debt Service Fund

(WV Code Chapter 18)

Fund 3963 FY 2019 Org 0402

1	Debt Service – Total	31000	\$	15,320,363
2	Directed Transfer	70000		<u>2,679,637</u>
3	Total		\$	18,000,000

4 The School Building Authority shall have the authority to transfer between the above
5 appropriations in accordance with W.Va. Code §29-22-18.

292 - Department of Education and the Arts –

Office of the Secretary –

Control Account –

Lottery Education Fund

(WV Code Chapter 5F)

Fund 3508 FY 2019 Org 0431

1	Unclassified (R).....	09900	\$	9,483
2	Current Expenses	13000		110,617
3	Commission for National and Community Service.....	19300		357,084
4	Statewide STEM 21st Century Academy.....	89700		130,000
5	Literacy Project (R)	89900		<u>350,000</u>
6	Total		\$	957,184

7 Any unexpended balances remaining in the appropriations for Unclassified (fund 3508,
8 appropriation 09900), Governor’s Honors Academy (fund 3508, appropriation 47800), Arts
9 Programs (fund 3508, appropriation 50000), and Literacy Project (fund 3508, appropriation
10 89900) at the close of fiscal year 2018 are hereby reappropriated for expenditure during the fiscal
11 year 2019.

293 - Division of Culture and History –

Lottery Education Fund

(WV Code Chapter 29)

Fund 3534 FY 2019 Org 0432

1	Huntington Symphony.....	02700	\$	59,058
2	Preservation WV (R).....	09200		491,921
3	Fairs and Festivals (R).....	12200		1,346,814
4	Archeological Curation/Capital Improvements (R).....	24600		32,079
5	Historic Preservation Grants (R)	31100		368,428
6	West Virginia Public Theater	31200		120,019
7	Greenbrier Valley Theater	42300		99,543
8	Theater Arts of West Virginia	46400		90,000
9	Marshall Artists Series	51800		36,005
10	Grants for Competitive Arts Program (R).....	62400		726,000
11	West Virginia State Fair	65700		31,241
12	Save the Music	68000		24,000
13	Contemporary American Theater Festival.....	81100		57,281
14	Independence Hall	81200		27,277
15	Mountain State Forest Festival.....	86400		38,187
16	WV Symphony	90700		59,058
17	Wheeling Symphony	90800		59,058
18	Appalachian Children's Chorus	91600		<u>54,554</u>
19	Total.....		\$	3,720,523

20 From the above appropriation for Preservation West Virginia (fund 3534, appropriation
 21 09200) funding shall be provided to the African-American Heritage Family Tree Museum (Fayette)
 22 \$2,673, Aracoma Story (Logan) \$29,703, Arts Monongahela (Monongalia) \$11,881, Barbour
 23 County Arts and Humanities Council \$891, Beckley Main Street (Raleigh) \$2,970, Buffalo Creek
 24 Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical Society
 25 (Wayne) \$1,188, Ceredo Kenova Railroad Museum (Wayne) \$1,188, Ceredo Museum (Wayne)
 26 \$720, Children's Theatre of Charleston (Kanawha) \$3,127, Chuck Mathena Center (Mercer)
 27 \$62,532, Collis P. Huntington Railroad Historical Society (Cabell) \$5,941, Country Music Hall of
 28 Fame and Museum (Marion) \$4,159, First Stage Children's Theater Company \$1,188, Flannigan
 29 Murrell House (Summers) \$3,781, Fort Ashby Fort (Mineral) \$891, Fort New Salem (Harrison)

30 \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen Memorial Foundation (Berkeley)
 31 \$11,006, Grafton Mother's Day Shrine Committee (Taylor) \$5,049, Hardy County Tour and Crafts
 32 Association \$11,881, Heartwood in the Hills (Calhoun) \$5,040, Heritage Farm Museum & Village
 33 (Cabell) \$29,703, Historic Fayette Theater (Fayette) \$3,267, Historic Middleway Conservancy
 34 (Jefferson) \$594, Jefferson County Black History Preservation Society \$2,970, Jefferson County
 35 Historical Landmark Commission \$4,753, Maddie Carroll House (Cabell) \$4,455, Marshall County
 36 Historical Society \$5,049, McCoy Theater (Hardy) \$11,881, Morgantown Theater Company
 37 (Monongalia) \$11,881, Mountaineer Boys' State (Lewis) \$5,941, Nicholas Old Main Foundation
 38 (Nicholas) \$1,188, Norman Dillon Farm Museum (Berkeley) \$5,941, Old Opera House Theater
 39 Company (Jefferson) \$8,911, Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic
 40 Opera House \$3,564, Raleigh County All Wars Museum \$5,941, Rhododendron Girl's State
 41 (Ohio) \$5,941, Roane County 4-H and FFA Youth Livestock Program \$2,970, Scottish Heritage
 42 Society/N. Central WV (Harrison) \$2,970, Society for the Preservation of McGrew House
 43 (Preston) \$2,079, Southern West Virginia Veterans' Museum \$3,393, Summers County Historic
 44 Landmark Commission \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers
 45 Avian Center (Summers) \$5,311, Tug Valley Arts Council (Mingo) \$2,970, Tug Valley Chamber
 46 of Commerce Coal House (Mingo) \$1,188, Tunnelton Historical Society (Preston) \$1,188,
 47 Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia Museum
 48 of Glass (Lewis) \$2,970, West Virginia Music Hall of Fame (Kanawha) \$20,792, YMCA Camp
 49 Horseshoe (Tucker) \$59,406, Youth Museum of Southern West Virginia (Raleigh) \$7,129, Z.D.
 50 Ramsdell House (Wayne) \$720.

51 From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200)
 52 funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage
 53 Festival (Jefferson) \$2,970, Alderson 4th of July Celebration (Greenbrier) \$2,970, Allegheny Echo
 54 (Pocahontas) \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American Civil War
 55 (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250, Angus Beef
 56 and Cattle Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296, Annual Don Redman
 57 Heritage Concert & Awards (Jefferson) \$938, Annual Ruddle Park Jamboree (Pendleton) \$4,690,
 58 Antique Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program (Berkeley) \$1,188, Apple
 59 Butter Festival (Morgan) \$3,564, Arkansaw Homemaker's Heritage Weekend (Hardy) \$2,079,
 60 Armed Forces Day-South Charleston (Kanawha) \$1,782, Arthurdale Heritage New Deal Festival
 61 (Preston) \$2,970, Athens Town Fair (Mercer) \$1,188, Augusta Fair (Randolph) \$2,970, Autumn
 62 Harvest Fest (Monroe) \$2,448, Barbour County Fair \$14,851, Barboursville Octoberfest (Cabell)
 63 \$2,970, Bass Festival (Pleasants) \$1,099, Battelle District Fair (Monongalia) \$2,970, Battle of Dry
 64 Creek (Greenbrier) \$891, Battle of Point Pleasant Memorial Committee (Mason) \$2,970, Belle
 65 Town Fair (Kanawha) \$2,673, Belleville Homecoming (Wood) \$11,881, Bergoo Down Home Days
 66 (Webster) \$1,485, Berkeley County Youth Fair \$10,990, Black Bear 4K Mountain Bike Race
 67 (Kanawha) \$684, Black Heritage Festival (Harrison) \$3,564, Black Walnut Festival (Roane)
 68 \$5,940, Blast from the Past (Upshur) \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone County
 69 Fair \$5,940, Boone County Labor Day Celebration \$2,376, Bradshaw Fall Festival (McDowell)
 70 \$1,188, Brandonville Heritage Day (Preston) \$1,048, Braxton County Fair \$6,832, Braxton County
 71 Monster Fest / West Virginia Autumn Festival \$1,485, Brooke County Fair \$2,079, Bruceton Mills
 72 Good Neighbor Days (Preston) \$1,188, Buckwheat Festival (Preston) \$5,050, Buffalo 4th of July
 73 Celebration (Putnam) \$400, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest
 74 Festival (Mineral) \$17,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burnsville
 75 Harvest Festival (Braxton) \$1,407, Cabell County Fair \$5,940, Calhoun County Wood Festival
 76 \$1,188, Campbell's Creek Community Fair (Kanawha) \$1,485, Cape Coalwood Festival
 77 Association (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$1,188,
 78 Capon Springs Ruritan 4th of July (Hampshire) \$684, Cass Homecoming (Pocahontas) \$1,188,
 79 Cedarville Town Festival (Gilmer) \$684, Celebration in the Park (Wood) \$2,376, Celebration of

80 America (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700, Chapmanville Apple
81 Butter Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles
82 Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson) \$2,970,
83 Cherry River Festival (Nicholas) \$3,861, Chester Fireworks (Hancock) \$891, Chester 4th of July
84 Festivities (Hancock) \$2,970, Chief Logan State Park-Civil War Celebration (Logan) \$4,752,
85 Chilifest West Virginia State Chili Championship (Cabell) \$1,563, Christmas In Our Town (Marion)
86 \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park (Brooke) \$2,970,
87 Christmas in the Park (Logan) \$14,851, City of Dunbar Critter Dinner (Kanawha) \$5,940, City of
88 Logan Polar Express (Logan) \$4,456, City of New Martinsville Festival of Memories (Wetzel)
89 \$6,534, Clay County Golden Delicious Apple Festival \$4,158, Clay District Fair (Monongalia)
90 \$1,080, Coal Field Jamboree (Logan) \$20,792, Coalton Days Fair (Randolph) \$4,158, Country
91 Roads Festival (Fayette) \$1,188, Cowen Railroad Festival (Webster) \$2,079, Craigsville Fall
92 Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer) \$2,160, Culturefest World Music & Arts
93 Festival (Mercer) \$4,690, Delbarton Homecoming (Mingo) \$2,079, Doddridge County Fair \$4,158,
94 Dorcas Ice Cream Social (Grant) \$3,564, Durbin Days (Pocahontas) \$2,970, Elbert/Filbert
95 Reunion Festival (McDowell) \$891, Elkins Randolph County 4th of July Car Show (Randolph)
96 \$1,188, Fairview 4th of July Celebration (Marion) \$684, Farm Safety Day (Preston) \$1,188,
97 Farmer's Day Festival (Monroe) \$2,330, Farmers' Day Parade (Wyoming) \$720, Fenwick
98 Mountain Old Time Community Festival (Nicholas) \$2,880, FestivALL Charleston (Kanawha)
99 \$11,881, Flatwoods Days (Braxton) \$700, Flemington Day Fair and Festival (Taylor) \$2,079,
100 Follansbee Community Days (Brooke) \$4,900, Fort Gay Mountain Heritage Days (Wayne)
101 \$2,970, Fort Henry Days (Ohio) \$3,148, Fort Henry Living History (Ohio) \$1,563, Fort New Salem
102 Spirit of Christmas Festival (Harrison) \$2,432, Frankford Autumnfest (Greenbrier) \$2,970,
103 Franklin Fishing Derby (Pendleton) \$4,456, Freshwater Folk Festival (Greenbrier) \$2,970, Friends
104 Auxiliary of W.R. Sharpe Hospital (Lewis) \$2,970, Frontier Days (Harrison) \$1,782, Frontier
105 Fest/Canaan Valley (Taylor) \$2,970, Fund for the Arts-Wine & All that Jazz Festival (Kanawha)
106 \$1,485, Gassaway Days Celebration (Braxton) \$2,970, Gilbert Elementary Fall Blast (Mingo)
107 \$2,188, Gilbert Kiwanis Harvest Festival (Mingo) \$2,376, Gilbert Spring Fling (Mingo) \$3,595,
108 Gilmer County Farm Show \$2,376, Grant County Arts Council \$1,188, Grape Stomping Wine
109 Festival (Nicholas) \$1,188, Great Greenbrier River Race (Pocahontas) \$5,940, Greater Quinwood
110 Days (Greenbrier) \$781, Guyandotte Civil War Days (Cabell) \$5,941, Hamlin 4th of July
111 Celebration (Lincoln) \$2,970, Hampshire Civil War Celebration Days (Hampshire) \$684,
112 Hampshire County 4th of July Celebration \$11,881, Hampshire County Fair \$5,002, Hampshire
113 Heritage Days (Hampshire) \$2,376, Hancock County Oldtime Fair \$2,970, Hardy County
114 Commission - 4th of July \$5,940, Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330,
115 Hatfield McCoy Trail National ATV and Dirt Bike Weekend (Wyoming) \$2,970, Heat'n the Hills
116 Chilifest (Lincoln) \$2,970, Heritage Craft Festival (Monroe) \$1,044, Heritage Days Festival
117 (Roane) \$891, Hilltop Festival (Cabell) \$684, Hilltop Festival of Lights (McDowell) \$1,188, Hinton
118 Railroad Days (Summers) \$4,347, Holly River Festival (Webster) \$891, Hometown Mountain
119 Heritage Festival (Fayette) \$2,432, Hundred 4th of July (Wetzel) \$4,307, Hundred American
120 Legion Earl Kiger Post Bluegrass Festival (Wetzel) \$1,188, Hurricane 4th of July Celebration
121 (Putnam) \$2,970, Jaeger Town Fair (McDowell) \$891, Irish Heritage Festival of West Virginia
122 (Raleigh) \$2,970, Irish Spring Festival (Lewis) \$684, Italian Heritage Festival-Clarksburg
123 (Harrison) \$17,821, Jackson County Fair \$2,970, Jamboree (Pocahontas) \$2,970, Jane Lew Arts
124 and Crafts Fair (Lewis) \$684, Jefferson County Fair Association \$14,851, Jersey Mountain
125 Ruritan Pioneer Days (Hampshire) \$684, John Henry Days Festival (Monroe) \$4,698, Johnnie
126 Johnson Blues and Jazz Festival (Marion) \$2,970, Johnstown Community Fair (Harrison) \$1,485,
127 Junior Heifer Preview Show (Lewis) \$1,188, Kanawha Coal Riverfest-St. Albans 4th of July
128 Festival (Kanawha) \$2,970, Keeper of the Mountains-Kayford (Kanawha) \$1,485, Kenova
129 Autumn Festival (Wayne) \$4,377, Kermit Fall Festival (Mingo) \$1,782, Keystone Reunion Gala
130 (McDowell) \$1,563, King Coal Festival (Mingo) \$2,970, Kingwood Downtown Street Fair and

131 Heritage Days (Preston) \$1,188, L.Z. Rainelle West Virginia Veterans Reunion (Greenbrier)
132 \$2,970, Lady of Agriculture (Preston) \$684, Larry Joe Harless Center Octoberfest Hatfield McCoy
133 Trail (Mingo) \$5,940, Larry Joe Harless Community Center Spring Middle School Event (Mingo)
134 \$2,970, Last Blast of Summer (McDowell) \$2,970, Lewis County Fair Association \$2,079,
135 Lewisburg Shanghai (Greenbrier) \$1,188, Lincoln County Fall Festival \$4,752, Lincoln County
136 Winterfest \$2,970, Linside Veterans' Day Parade \$720, Little Levels Heritage Festival
137 (Pocahontas) \$1,188, Lost Creek Community Festival (Harrison) \$4,158, Main Street Arts Festival
138 (Upshur) \$3,127, Main Street Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813,
139 Mannington District Fair (Marion) \$3,564, Maple Syrup Festival (Randolph) \$684, Marion County
140 FFA Farm Fest \$1,485, Marmet Labor Day Celebration (Kanawha) \$3,078, Marshall County
141 Antique Power Show \$1,485, Marshall County Fair \$4,456, Mason County Fair \$2,970, Mason
142 Dixon Festival (Monongalia) \$4,158, Matewan Massacre Reenactment (Mingo) \$5,004, Matewan-
143 Magnolia Fair (Mingo) \$15,932, McARTS-McDowell County \$11,881, McDowell County Fair
144 \$1,485, McGrew House History Day (Preston) \$1,188, McNeill's Rangers (Mineral) \$4,752,
145 Meadow Bridge Hometown Festival (Fayette) \$743, Meadow River Days Festival (Greenbrier)
146 \$1,782, Mercer Bluestone Valley Fair (Mercer) \$1,188, Mercer County Fair \$1,188, Mercer
147 County Heritage Festival \$3,474, Mid Ohio Valley Antique Engine Festival (Wood) \$1,782, Milton
148 Christmas in the Park (Cabell) \$1,485, Milton 4th of July Celebration (Cabell) \$1,485, Mineral
149 County Fair \$1,040, Mineral County Veterans Day Parade \$891, Molasses Festival (Calhoun)
150 \$1,188, Monongahfest (Marion) \$3,752, Moon Over Mountwood Fishing Festival (Wood) \$1,782,
151 Morgan County Fair-History Wagon \$891, Moundsville Bass Festival (Marshall) \$2,376,
152 Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour) \$1,485,
153 Mountain Fest (Monongalia) \$11,881, Mountain Festival (Mercer) \$2,747, Mountain Heritage Arts
154 and Crafts Festival (Jefferson) \$2,970, Mountain Music Festival (McDowell) \$1,485, Mountain
155 State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts Fair Cedar Lakes
156 (Jackson) \$26,732, Mountaineer Hot Air Balloon Festival (Monongalia) \$2,376, Mullens Dogwood
157 Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia (Kanawha) \$11,881, Music
158 and Barbecue - Banks District VFD (Upshur) \$1,278, New Cumberland Christmas Parade
159 (Hancock) \$1,782, New Cumberland 4th of July (Hancock) \$2,970, New River Bridge Day Festival
160 (Fayette) \$23,762, Newburg Volunteer Fireman's Field Day (Preston) \$684, Nicholas County Fair
161 \$2,970, Nicholas County Potato Festival \$2,079, Oak Leaf Festival (Fayette) \$6,253, Oceana
162 Heritage Festival (Wyoming) \$3,564, Oglebay City Park - Festival of Lights (Ohio) \$47,524,
163 Oglebay Festival (Ohio) \$5,940, Ohio County Country Fair \$5,346, Ohio River Fest (Jackson)
164 \$4,320, Ohio Valley Beef Association (Wood) \$1,485, Ohio Valley Black Heritage Festival (Ohio)
165 \$3,267, Old Central City Fair (Cabell) \$2,970, Old Century City Fair (Barbour) \$1,250, Old Tyme
166 Christmas (Jefferson) \$1,425, Paden City Labor Day Festival (Wetzel) \$3,861, Parkersburg
167 Homecoming (Wood) \$8,754, Patty Fest (Monongalia) \$1,188, Paw Paw District Fair (Marion)
168 \$2,079, Pax Reunion Committee (Fayette) \$2,970, Pendleton County 4-H Weekend \$1,188,
169 Pendleton County Committee for Arts \$8,910, Pendleton County Fair \$6,253, Pennsboro Country
170 Road Festival (Ritchie) \$1,188, Petersburg 4th of July Celebration (Grant) \$11,881, Petersburg
171 HS Celebration (Grant) \$5,940, Piedmont-Annual Back Street Festival (Mineral) \$2,376, Pinch
172 Reunion (Kanawha) \$891, Pine Bluff Fall Festival (Harrison) \$2,376, Pine Grove 4th of July
173 Festival (Wetzel) \$4,158, Pineville Festival (Wyoming) \$3,564, Pleasants County Agriculture
174 Youth Fair \$2,970, Poca Heritage Days (Putnam) \$1,782, Pocahontas County Pioneer Days
175 \$4,159, Point Pleasant Stern Wheel Regatta (Mason) \$2,970, Pratt Fall Festival (Kanawha)
176 \$1,485, Princeton Autumnfest (Mercer) \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam
177 County Fair \$2,970, Quartets on Parade (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier)
178 \$3,127, Rand Community Center Festival (Kanawha) \$1,485, Randolph County Community Arts
179 Council \$1,782, Randolph County Fair \$4,158, Randolph County Ramp and Rails \$1,188, Ranson
180 Christmas Festival (Jefferson) \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty
181 Festival (Greenbrier) \$684, Ripley 4th of July (Jackson) \$8,910, Ritchie County Fair and

182 Exposition \$2,970, Ritchie County Pioneer Days \$684, River City Festival (Preston) \$684, Roane
183 County Agriculture Field Day \$1,782, Rock the Park (Kanawha) \$3,240, Rocket Boys Festival
184 (Raleigh) \$1,710, Romney Heritage Days (Hampshire) \$1,876, Ronceverte River Festival
185 (Greenbrier) \$2,970, Rowlesburg Labor Day Festival (Preston) \$684, Rupert Country Fling
186 (Greenbrier) \$1,876, Saint Spyridon Greek Festival (Harrison) \$1,485, Salem Apple Butter
187 Festival (Harrison) \$2,376, Sistersville 4th of July (Tyler) \$3,267, Skirmish on the River (Mingo)
188 \$1,250, Smoke on the Water (Wetzel) \$1,782, South Charleston Summerfest (Kanawha) \$5,940,
189 Southern Wayne County Fall Festival \$684, Spirit of Grafton Celebration (Taylor) \$5,940,
190 Springfield Peach Festival (Hampshire) \$738, St. Albans City of Lights - December (Kanawha)
191 \$2,970, Sternwheel Festival (Wood) \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall Jackson
192 Heritage Arts & Crafts Jubilee (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley)
193 \$7,200, Storytelling Festival (Lewis) \$400, Strawberry Festival (Upshur) \$17,821, Sylvester Big
194 Coal River Festival \$1,944, Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970,
195 Taylor County Fair \$3,267, Terra Alta VFD 4th of July Celebration (Preston) \$684, The Gathering
196 at Sweet Creek (Wood) \$1,782, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the
197 Tygart - Mothers' Day Celebration (Taylor) \$8,910, Town of Delbarton 4th of July Celebration
198 (Mingo) \$1,782, Town of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Matoaka Hog
199 Roast (Mercer) \$684, Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield -
200 Putnam County Homecoming \$3,240, St. Albans Train Fest (Kanawha) \$6,120, Treasure
201 Mountain Festival (Pendleton) \$14,851, Tri-County Fair (Grant) \$22,548, Tucker County Arts
202 Festival and Celebration \$10,692, Tucker County Fair \$2,821, Tucker County Health Fair \$1,188,
203 Tunnelton Depot Days (Preston) \$684, Tunnelton Volunteer Fire Department Festival (Preston)
204 \$684, Turkey Festival (Hardy) \$1,782, Tyler County Fair \$3,088, Tyler County 4th of July \$400,
205 Tyler County OctoberFest \$720, Union Community Irish Festival (Barbour) \$648, Uniquely West
206 Virginia Festival (Morgan) \$1,188, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,485, Upper
207 Ohio Valley Italian Festival (Ohio) \$7,128, Upshur County Youth Livestock Show \$1,440, Valley
208 District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938, Vietnam
209 Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood Park
210 (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall Festival
211 (Hardy) \$2,970, Wayne County Fair \$2,970, Wayne County Fall Festival \$2,970, Webster County
212 Fair \$3,600, Webster County Wood Chopping Festival \$8,910, Webster Wild Water Weekend
213 \$1,188, Weirton July 4th Celebration (Hancock) \$11,881, Welcome Home Family Day (Wayne)
214 \$1,900, Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg Apple Festival of Brooke
215 County \$2,970, West Virginia Blackberry Festival (Harrison) \$2,970, West Virginia Chestnut
216 Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940, West Virginia Coal Show
217 (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940, West Virginia Dandelion
218 Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum (Mercer) \$1,800, West
219 Virginia Fair and Exposition (Wood) \$4,812, West Virginia Fireman's Rodeo (Fayette) \$1,485,
220 West Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach Festival (Hampshire)
221 \$3,240, West Virginia Polled Hereford Association (Braxton) \$891, West Virginia Poultry Festival
222 (Hardy) \$2,970, West Virginia Pumpkin Festival (Cabell) \$5,940, West Virginia State Folk Festival
223 (Gilmer) \$2,970, West Virginia Water Festival - City of Hinton (Summers) \$9,144, Weston VFD
224 4th of July Firemen Festival (Lewis) \$1,188, Wetzel County Autumnfest \$3,267, Wetzel County
225 Town and Country Days \$10,098, Wheeling Celtic Festival (Ohio) \$1,166, Wheeling City of Lights
226 (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio) \$5,940, Wheeling Vintage Raceboat Regatta
227 (Ohio) \$11,881, Whipple Community Action (Fayette) \$1,485, Wileyville Homecoming (Wetzel)
228 \$2,376, Wine Festival and Mountain Music Event (Harrison) \$2,970, Winter Festival of the Waters
229 (Berkeley) \$2,970, Wirt County Fair \$1,485, Wirt County Pioneer Days \$1,188, Wyoming County
230 Civil War Days \$1,296, Youth Stockman Beef Expo (Lewis) \$1,188.

231 Any unexpended balances remaining in the appropriations for Preservation West Virginia
 232 (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200),
 233 Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic
 234 Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund
 235 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close
 236 of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

237 Any Fairs & Festivals awards shall be funded in addition to, and not in lieu of, individual
 238 grant allocations derived from the Arts Council and the Cultural Grant Program allocations.

294 - Library Commission –

Lottery Education Fund

(WV Code Chapter 10)

Fund 3559 FY 2019 Org 0433

1	Books and Films	17900	\$	360,784
2	Services to Libraries.....	18000		550,000
3	Grants to Public Libraries.....	18200		9,439,571
4	Digital Resources.....	30900		219,992
5	Infomine Network.....	88400		<u>884,109</u>
6	Total.....		\$	11,454,456

7 Any unexpended balance remaining in the appropriation for Libraries – Special Projects
 8 (fund 3559, appropriation 62500) at the close of fiscal year 2018 is hereby reappropriated for
 9 expenditure during the fiscal year 2019.

295 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2019 Org 0508

1	Personal Services and Employee Benefits.....	00100	\$	198,745
2	Current Expenses	13000		332,284
3	Repairs and Alterations.....	06400		1,000
4	Local Programs Service Delivery Costs	20000		2,435,250
5	Silver Haired Legislature.....	20200		18,500

6	Transfer to Division of Human Services for Health Care		
7	and Title XIX Waiver for Senior Citizens	53900	4,615,503
8	Roger Tompkins Alzheimer’s Respite Care	64300	2,298,312
9	WV Alzheimer’s Hotline.....	72400	45,000
10	Regional Aged and Disabled Resource Center	76700	425,000
11	Senior Services Medicaid Transfer.....	87100	14,502,312
12	Legislative Initiatives for the Elderly	90400	9,671,239
13	Long Term Care Ombudsman.....	90500	297,226
14	BRIM Premium.....	91300	7,718
15	In-Home Services and Nutrition for Senior Citizens.....	91700	<u>4,320,941</u>
16	Total		\$ 39,169,030

17 Any unexpended balance remaining in the appropriation for Senior Citizen Centers and
 18 Programs (fund 5405, appropriation 46200) at the close of the fiscal year 2018 is hereby
 19 reappropriated for expenditure during the fiscal year 2019.

20 Included in the above appropriation for Current Expenses (fund 5405, appropriation
 21 13000), is funding to support an in-home direct care workforce registry.

22 The above appropriation for Transfer to Division of Human Services for Health Care and
 23 Title XIX Waiver for Senior Citizens (appropriation 53900) along with the federal moneys
 24 generated thereby shall be used for reimbursement for services provided under the program.

296 - Higher Education Policy Commission –

Lottery Education –

Higher Education Policy Commission –

Control Account

(WV Code Chapters 18B and 18C)

Fund 4925 FY 2019 Org 0441

1	RHI Program and Site Support (R).....	03600	\$ 1,912,491
2	RHI Program and Site Support –		
3	RHEP Program Administration	03700	146,653
4	RHI Program and Site Support – Grad Med		

5	Ed and Fiscal Oversight (R).....	03800	87,777
6	Minority Doctoral Fellowship (R)	16600	129,604
7	Health Sciences Scholarship (R).....	17600	222,417
8	Vice Chancellor for Health Sciences –		
9	Rural Health Residency Program (R)	60100	62,725
10	WV Engineering, Science, and		
11	Technology Scholarship Program.....	86800	<u>452,831</u>
12	Total.....		\$ 3,014,498

13 Any unexpended balances remaining in the appropriations for RHI Program and Site
 14 Support (fund 4925, appropriation 03600), RHI Program and Site Support – Grad Med Ed and
 15 Fiscal Oversight (fund 4925, appropriation 03800), Minority Doctoral Fellowship (fund 4925,
 16 appropriation 16600), Health Sciences Scholarship (fund 4925, appropriation 17600), and Vice
 17 Chancellor for Health Sciences – Rural Health Residency Program (fund 4925, appropriation
 18 60100) at the close of fiscal year 2018 are hereby reappropriated for expenditure during the fiscal
 19 year 2019.

20 The above appropriation for WV Engineering, Science, and Technology Scholarship
 21 Program (appropriation 86800) shall be transferred to the West Virginia Engineering, Science and
 22 Technology Scholarship Fund (fund 4928, org 0441) established by W.Va. Code §18C-6-1.

297 - Community and Technical College –

Capital Improvement Fund

(WV Code Chapter 18B)

Fund 4908 FY 2019 Org 0442

1	Debt Service – Total	31000	\$ 5,000,000
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2 Any unexpended balance remaining in the appropriation for Capital Outlay and
 3 Improvements – Total (fund 4908, appropriation 84700) at the close of fiscal year 2018 is hereby
 4 reappropriated for expenditure during the fiscal year 2019.

298 - Higher Education Policy Commission –

Lottery Education –

West Virginia University – School of Medicine

(WV Code Chapter 18B)

Fund 4185 FY 2019 Org 0463

1	WVU Health Sciences –			
2	RHI Program and Site Support (R)	03500	\$	1,132,812
3	MA Public Health Program and			
4	Health Science Technology (R)	62300		52,445
5	Health Sciences Career Opportunities Program (R)	86900		325,138
6	HSTA Program (R)	87000		1,680,240
7	Center for Excellence in Disabilities (R)	96700		<u>303,739</u>
8	Total		\$	3,494,374

9 Any unexpended balances remaining in the appropriations for WVU Health Sciences –
10 RHI Program and Site Support (fund 4185, appropriation 03500), MA Public Health Program and
11 Health Science Technology (fund 4185, appropriation 62300), Health Sciences Career
12 Opportunities Program (fund 4185, appropriation 86900), HSTA Program (fund 4185,
13 appropriation 87000), and Center for Excellence in Disabilities (fund 4185, appropriation 96700)
14 at the close of fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year
15 2019.

299 - Higher Education Policy Commission –

Lottery Education –

Marshall University – School of Medicine

(WV Code Chapter 18B)

Fund 4896 FY 2019 Org 0471

1	Marshall Medical School –			
2	RHI Program and Site Support (R)	03300	\$	408,216
3	Vice Chancellor for Health Sciences –			
4	Rural Health Residency Program (R)	60100		<u>166,770</u>
5	Total		\$	<u>574,986</u>

6 Any unexpended balances remaining in the appropriations for Marshall Medical School –
7 RHI Program and Site Support (fund 4896, appropriation 03300) and Vice Chancellor for Health
8 Sciences – Rural Health Residency Program (fund 4896, appropriation 60100) at the close of
9 fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

10	Total TITLE II, Section 4 – Lottery Revenue		\$	<u>123,308,000</u>
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1 **Sec. 5. Appropriations from state excess lottery revenue fund.** — In accordance with
 2 W.Va. Code §29-22-18a, §29-22A-10d, §29-22A-10e, §29-22C-27a and §29-25-22b, the
 3 following appropriations shall be deposited and disbursed by the Director of the Lottery to the
 4 following accounts in this section in the amounts indicated.

5 After first funding the appropriations required by W.Va. Code §29-22-18a, §29-22A-10d,
 6 §29-22A-10e, §29-22C-27a and §29-25-22b, the Director of the Lottery shall provide funding from
 7 the State Excess Lottery Revenue Fund for the remaining appropriations in this section to the
 8 extent that funds are available. In the event that revenues to the State Excess Lottery Revenue
 9 Fund are sufficient to meet all the appropriations required made pursuant to this section, then the
 10 Director of the Lottery shall then provide the funds available for fund 5365, appropriation 18900.

300 - Lottery Commission –

Refundable Credit

Fund 7207 FY 2019 Org 0705

	Appro-		Excess
	priation		Lottery
			Funds
1 Directed Transfer	70000	\$	10,000,000

2 The above appropriation shall be transferred to the General Revenue Fund to provide
 3 reimbursement for the refundable credit allowable under W.Va. Code §11-21-21. The amount of
 4 the required transfer shall be determined solely by the State Tax Commissioner and shall be
 5 completed by the Director of the Lottery upon the commissioner’s request.

301 - Lottery Commission –

General Purpose Account

Fund 7206 FY 2019 Org 0705

1 General Revenue Fund – Transfer.....	70011	\$	65,000,000
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2 The above appropriation shall be transferred to the General Revenue Fund as determined
 3 by the Director of the Lottery in accordance with W.Va. Code §29-22-18a.

302 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2019 Org 0441

1 PROMISE Scholarship – Transfer.....	80000	\$	29,000,000
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2 The above appropriation shall be transferred to the PROMISE Scholarship Fund (fund
 3 4296, org 0441) established by W.Va. Code §18C-7-7.

4 The Legislature has explicitly set a finite amount of available appropriations and directed
 5 the administrators of the Program to provide for the award of scholarships within the limits of
 6 available appropriations.

303 - Economic Development Authority –

Economic Development Project Fund

Fund 9065 FY 2019 Org 0944

1 Debt Service – Total 31000 \$ 19,000,000

2 Pursuant to W.Va. Code §29-22-18a, subsection (f), excess lottery revenues are
 3 authorized to be transferred to the lottery fund as reimbursement of amounts transferred to the
 4 economic development project fund pursuant to section four of this title and W.Va. Code §29-22-
 5 18, subsection (f).

304 - Department of Education –

School Building Authority

Fund 3514 FY 2019 Org 0402

1 Debt Service – Total 31000 \$ 19,000,000

305 - West Virginia Infrastructure Council –

West Virginia Infrastructure Transfer Fund

Fund 3390 FY 2019 Org 0316

1 Directed Transfer 70000 \$ 46,000,000

2 The above appropriation shall be allocated pursuant to W.Va. Code §29-22-18d and §31-
 3 15-9.

306 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2019 Org 0441

1 Directed Transfer 70000 \$ 15,000,000

2 The above appropriation shall be transferred to fund 4903, org 0442 as authorized by
 3 Senate Concurrent Resolution No. 41.

307 - Division of Natural Resources –

State Park Improvement Fund

Fund 3277 FY 2019 Org 0310

1	Current Expenses (R)	13000	\$	2,438,300
2	Repairs and Alterations (R).....	06400		2,161,200
3	Equipment (R).....	07000		200,000
4	Buildings (R)	25800		100,000
5	Other Assets (R)	69000		<u>100,500</u>
6	Total.....		\$	5,000,000

7 Any unexpended balances remaining in the above appropriations for Repairs and
 8 Alterations (fund 3277, appropriation 06400), Equipment (fund 3277, appropriation 07000),
 9 Unclassified – Total (fund 3277, appropriation 09600), Unclassified (fund 3277, appropriation
 10 09900), Current Expenses (fund 3277, appropriation 13000), Buildings (fund 3277, appropriation
 11 25800), and Other Assets (fund 3277, appropriation 69000) at the close of the fiscal year 2018
 12 are hereby reappropriated for expenditure during the fiscal year 2019.

308 - Economic Development Authority –

Cacapon and Beech Fork State Parks –

Lottery Revenue Debt Service

Fund 9067 FY 2019 Org 0944

1	Debt Service	04000	\$	2,032,000
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309 - Racing Commission –

Fund 7308 FY 2019 Org 0707

1	Special Breeders Compensation			
2	(WVC §29-22-18a, subsection (I))	21800	\$	2,000,000

310 - Lottery Commission –

Distributions to Statutory Funds and Purposes

Fund 7213 FY 2019 Org 0705

1	Parking Garage Fund – Transfer.....	70001	\$	500,000
2	2004 Capitol Complex Parking Garage Fund – Transfer.....	70002		216,478
3	Capitol Dome and Improvements Fund – Transfer.....	70003		1,796,256
4	Capitol Renovation and Improvement Fund – Transfer	70004		2,381,252

5	Development Office Promotion Fund – Transfer	70005	1,298,864
6	Research Challenge Fund – Transfer	70006	1,731,820
7	Tourism Promotion Fund – Transfer.....	70007	4,808,142
8	Cultural Facilities and Capitol Resources Matching		
9	Grant Program Fund – Transfer	70008	1,250,535
10	State Debt Reduction Fund – Transfer.....	70010	20,000,000
11	General Revenue Fund – Transfer.....	70011	1,167,799
12	West Virginia Racing Commission Racetrack		
13	Video Lottery Account	70012	3,463,637
14	Historic Resort Hotel Fund	70013	24,010
15	Licensed Racetrack Regular Purse Fund.....	70014	<u>11,383,247</u>
16	Total.....		\$ 50,022,040

311 - Governor's Office

(WV Code Chapter 5)

Fund 1046 FY 2019 Org 0100

1 Any unexpended balance remaining in the appropriation for Publication of Papers and
2 Transition Expenses – Lottery Surplus (fund 1046, appropriation 06600) at the close of the fiscal
3 year 2018 is hereby reappropriated for expenditure during the fiscal year 2019.

312 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 3170 FY 2019 Org 0307

1 Any unexpended balances remaining in the appropriations for Unclassified – Total (fund
2 3170, appropriation 09600), Recreational Grants or Economic Development Loans (fund 3170,
3 appropriation 25300), and Connectivity Research and Development – Lottery Surplus (fund 3170,
4 appropriation 92300) at the close of the fiscal year 2018 are hereby reappropriated for expenditure
5 during the fiscal year 2019.

313 - Higher Education Policy Commission –

Administration –

Control Account

(WV Code Chapter 18B)

Fund 4932 FY 2019 Org 0441

1 Any unexpended balance remaining in the appropriation for Advanced Technology
2 Centers (fund 4932, appropriation 02800) at the close of the fiscal year 2018 is hereby
3 reappropriated for expenditure during the fiscal year 2019.

314 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2019 Org 0511

1 Medical Services..... 18900 \$ 28,202,960

315 - Division of Corrections –

Correctional Units

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

Fund 6283 FY 2019 Org 0608

1 Any unexpended balance remaining in the appropriation for Capital Outlay and
2 Maintenance (fund 6283, appropriation 75500) at the close of the fiscal year 2018 is hereby
3 reappropriated for expenditure during the fiscal year 2019.

4 Total TITLE II, Section 5 – Excess Lottery Funds..... \$ 290,257,000

1 **Sec. 6. Appropriations of federal funds.** — In accordance with Article 11, Chapter 4 of
2 the Code from federal funds there are hereby appropriated conditionally upon the fulfillment of
3 the provisions set forth in Article 2, Chapter 11B of the Code the following amounts, as itemized,
4 for expenditure during the fiscal year 2019.

LEGISLATIVE

316 - Crime Victims Compensation Fund

(WV Code Chapter 14)

Fund 8738 FY 2019 Org 2300

	Appro-		Federal
	priation		Funds
1 Economic Loss Claim Payment Fund.....	33400	\$	2,360,125

JUDICIAL

317 - Supreme Court

Fund 8867 FY 2019 Org 2400

1	Personal Services and Employee Benefits.....	00100	\$	2,008,000
2	Current Expenses	13000		<u>1,992,000</u>
3	Total		\$	4,000,000

EXECUTIVE*318 - Department of Agriculture*

(WV Code Chapter 19)

Fund 8736 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	2,563,760
2	Unclassified	09900		50,534
3	Current Expenses	13000		3,828,661
4	Repairs and Alterations.....	06400		650,000
5	Equipment.....	07000		910,500
6	Buildings.....	25800		1,000,000
7	Other Assets	69000		<u>50,000</u>
8	Total		\$	9,053,455

*319 - Department of Agriculture –**Meat Inspection Fund*

(WV Code Chapter 19)

Fund 8737 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	610,830
2	Unclassified	09900		8,755
3	Current Expenses	13000		136,012
4	Repairs and Alterations.....	06400		5,500
5	Equipment.....	07000		<u>114,478</u>
6	Total		\$	875,575

*320 - Department of Agriculture –**State Conservation Committee*

(WV Code Chapter 19)

Fund 8783 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	97,250
2	Current Expenses	13000		<u>15,599,974</u>
3	Total		\$	15,697,224

*321 - Department of Agriculture –**Land Protection Authority*Fund 8896 FY 2019 Org 1400

1	Personal Services and Employee Benefits.....	00100	\$	46,526
2	Unclassified	09900		5,004
3	Current Expenses	13000		<u>448,920</u>
4	Total		\$	500,450

*322 - Secretary of State –**State Election Fund*

(WV Code Chapter 3)

Fund 8854 FY 2019 Org 1600

1	Personal Services and Employee Benefits.....	00100	\$	210,240
2	Unclassified	09900		7,484
3	Current Expenses	13000		415,727
4	Repairs and Alterations.....	06400		15,000
5	Other Assets	69000		<u>100,000</u>
6	Total		\$	748,451

DEPARTMENT OF COMMERCE*323 - Division of Forestry*

(WV Code Chapter 19)

Fund 8703 FY 2019 Org 0305

1	Personal Services and Employee Benefits.....	00100	\$	1,578,347
2	Unclassified	09900		51,050
3	Current Expenses	13000		5,232,560
4	Repairs and Alterations.....	06400		155,795
5	Equipment.....	07000		100,000
6	Other Assets	69000		<u>1,808,300</u>
7	Total.....		\$	8,926,052

324 - Geological and Economic Survey

(WV Code Chapter 29)

Fund 8704 FY 2019 Org 0306

1	Personal Services and Employee Benefits.....	00100	\$	54,432
2	Unclassified	09900		2,803
3	Current Expenses	13000		195,639
4	Repairs and Alterations.....	06400		5,000
5	Equipment.....	07000		7,500
6	Other Assets	69000		<u>15,000</u>
7	Total.....		\$	280,374

325 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 8705 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	745,981
2	Unclassified	09900		50,000
3	Current Expenses	13000		<u>4,504,019</u>
4	Total.....		\$	5,300,000

326 - West Virginia Development Office –

Office of Economic Opportunity

(WV Code Chapter 5)

Fund 8901 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	497,289
2	Repairs and Alterations.....	06400		250
3	Equipment.....	07000		6,000
4	Unclassified	09900		106,795
5	Current Expenses	13000		<u>10,069,166</u>
6	Total.....		\$	10,679,500

327 - Division of Labor

(WV Code Chapters 21 and 47)

Fund 8706 FY 2019 Org 0308

1	Personal Services and Employee Benefits.....	00100	\$	384,072
2	Unclassified	09900		5,572
3	Current Expenses	13000		167,098
4	Repairs and Alterations.....	06400		<u>500</u>
5	Total.....		\$	557,242

328 - Division of Natural Resources

(WV Code Chapter 20)

Fund 8707 FY 2019 Org 0310

1	Personal Services and Employee Benefits.....	00100	\$	7,912,218
2	Unclassified	09900		107,693
3	Current Expenses	13000		5,556,594
4	Repairs and Alterations.....	06400		289,400
5	Equipment.....	07000		1,815,182

6	Buildings	25800	951,000
7	Other Assets	69000	6,951,000
8	Land	73000	<u>6,001,000</u>
9	Total		\$ 29,584,087

329 - Division of Miners' Health,

Safety and Training

(WV Code Chapter 22)

Fund 8709 FY 2019 Org 0314

1	Personal Services and Employee Benefits.....	00100	\$ 613,177
2	Current Expenses	13000	<u>150,000</u>
3	Total		\$ 763,177

330 - WorkForce West Virginia

(WV Code Chapter 23)

Fund 8835 FY 2019 Org 0323

1	Unclassified	09900	\$ 5,127
2	Current Expenses	13000	507,530
3	Reed Act 2002 – Unemployment Compensation.....	62200	2,850,000
4	Reed Act 2002 – Employment Services	63000	<u>1,650,000</u>
5	Total		\$ 5,012,657

6 Pursuant to the requirements of 42 U.S.C. 1103, Section 903 of the Social Security Act,
7 as amended, and the provisions of W.Va. Code §21A-9-9, the above appropriation to Unclassified
8 and Current Expenses shall be used by WorkForce West Virginia for the specific purpose of
9 administration of the state's unemployment insurance program or job service activities, subject to
10 each and every restriction, limitation or obligation imposed on the use of the funds by those federal
11 and state statutes.

331 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2019 Org 0328

1	Personal Services and Employee Benefits.....	00100	\$ 411,574
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2	Unclassified	09900	7,350
3	Current Expenses	13000	<u>2,816,076</u>
4	Total		\$ 3,235,000

DEPARTMENT OF EDUCATION

332 - State Board of Education –

State Department of Education

(WV Code Chapters 18 and 18A)

Fund 8712 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$ 5,628,855
2	Unclassified	09900	2,000,000
3	Current Expenses	13000	212,367,820
4	Repairs and Alterations.....	06400	10,000
5	Equipment.....	07000	10,000
6	Other Assets	69000	<u>10,000</u>
7	Total		\$ 220,026,675

333 - State Board of Education –

School Lunch Program

(WV Code Chapters 18 and 18A)

Fund 8713 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$ 1,812,648
2	Unclassified	09900	1,150,500
3	Current Expenses	13000	148,281,265
4	Repairs and Alterations.....	06400	20,000
5	Equipment.....	07000	100,000
6	Other Assets	69000	<u>25,000</u>
7	Total		\$ 151,389,413

334 - State Board of Education –

Vocational Division

(WV Code Chapters 18 and 18A)

Fund 8714 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	1,819,972
2	Unclassified	09900		155,000
3	Current Expenses	13000		14,320,081
4	Repairs and Alterations.....	06400		10,000
5	Equipment.....	07000		10,000
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	16,325,053

335 - State Board of Education –

Aid for Exceptional Children

(WV Code Chapters 18 and 18A)

Fund 8715 FY 2019 Org 0402

1	Personal Services and Employee Benefits.....	00100	\$	3,344,940
2	Unclassified	09900		1,000,000
3	Current Expenses	13000		108,346,390
4	Repairs and Alterations.....	06400		10,000
5	Equipment.....	07000		10,000
6	Other Assets	69000		<u>10,000</u>
7	Total		\$	112,721,330

DEPARTMENT OF EDUCATION AND THE ARTS

336 - Department of Education and the Arts –

Office of the Secretary

(WV Code Chapter 5F)

Fund 8841 FY 2019 Org 0431

1	Personal Services and Employee Benefits.....	00100	\$	416,675
2	Current Expenses	13000		5,587,325
3	Repairs and Alterations.....	06400		<u>1,000</u>
4	Total		\$	6,005,000

337 - Division of Culture and History

(WV Code Chapter 29)

Fund 8718 FY 2019 Org 0432

1	Personal Services and Employee Benefits.....	00100	\$	743,046
2	Current Expenses	13000		1,947,372
3	Repairs and Alterations.....	06400		1,000
4	Equipment.....	07000		1,000
5	Buildings	25800		1,000
6	Other Assets	69000		1,000
7	Land	73000		<u>360</u>
8	Total		\$	2,694,778

338 - Library Commission

(WV Code Chapter 10)

Fund 8720 FY 2019 Org 0433

1	Personal Services and Employee Benefits.....	00100	\$	333,648
2	Current Expenses	13000		1,076,162
3	Equipment.....	07000		<u>543,406</u>
4	Total		\$	1,953,216

339 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2019 Org 0439

1	Equipment.....	07000	\$	200,000
<p><i>340 - State Board of Rehabilitation – Division of Rehabilitation Services (WV Code Chapter 18) Fund <u>8734</u> FY <u>2019</u> Org <u>0932</u></i></p>				
1	Personal Services and Employee Benefits.....	00100	\$	11,248,930
2	Current Expenses	13000		39,440,940
3	Repairs and Alterations.....	06400		350,400
4	Equipment.....	07000		<u>1,275,870</u>
5	Total		\$	52,316,140

*341 - State Board of Rehabilitation –
Division of Rehabilitation Services –
Disability Determination Services
(WV Code Chapter 18)
Fund 8890 FY 2019 Org 0932*

1	Personal Services and Employee Benefits.....	00100	\$	13,730,634
2	Current Expenses	13000		11,383,206
3	Repairs and Alterations.....	06400		1,100
4	Equipment.....	07000		<u>83,350</u>
5	Total		\$	25,198,290

DEPARTMENT OF ENVIRONMENTAL PROTECTION

*342 - Division of Environmental Protection
(WV Code Chapter 22)
Fund 8708 FY 2019 Org 0313*

1	Personal Services and Employee Benefits.....	00100	\$	30,084,598
2	Current Expenses	13000		169,448,731

3	Repairs and Alterations.....	06400	738,283
4	Equipment.....	07000	1,712,238
5	Unclassified	09900	2,062,978
6	Other Assets	69000	2,151,011
7	Land	73000	<u>100,000</u>
8	Total.....		\$ 206,297,839

DEPARTMENT OF HEALTH AND HUMAN RESOURCES

343 - Consolidated Medical Service Fund

(WV Code Chapter 16)

Fund 8723 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 750,876
2	Unclassified	09900	73,307
3	Current Expenses	13000	<u>17,330,086</u>
4	Total.....		\$ 18,154,269

344 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 8802 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$ 13,744,404
2	Unclassified	09900	947,948
3	Current Expenses	13000	79,110,551
4	Equipment.....	07000	456,972
5	Buildings	25800	155,000
6	Other Assets	69000	<u>380,000</u>
7	Total.....		\$ 94,794,875

345 - Division of Health –

West Virginia Safe Drinking Water Treatment

(WV Code Chapter 16)

Fund 8824 FY 2019 Org 0506

1	West Virginia Drinking Water Treatment		
2	Revolving Fund – Transfer	68900	\$ 16,000,000

346 - Human Rights Commission

(WV Code Chapter 5)

Fund 8725 FY 2019 Org 0510

1	Personal Services and Employee Benefits.....	00100	\$ 625,349
2	Unclassified	09900	5,482
3	Current Expenses	13000	<u>140,389</u>
4	Total		\$ 771,220

347 - Division of Human Services

(WV Code Chapters 9, 48, and 49)

Fund 8722 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 69,213,619
2	Unclassified	09900	22,855,833
3	Current Expenses	13000	112,085,005
4	Medical Services.....	18900	3,404,265,405
5	Medical Services Administrative Costs.....	78900	132,045,119
6	CHIP Administrative Costs.....	85601	4,500,000
7	CHIP Services.....	85602	47,422,974
8	Federal Economic Stimulus.....	89100	<u>5,000,000</u>
9	Total		\$ 3,797,387,955

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY

348 - Office of the Secretary

(WV Code Chapter 5F)

Fund 8876 FY 2019 Org 0601

1	Unclassified	09900	\$	47,800
2	Current Expenses	13000		4,727,200
3	Repairs and Alterations.....	06400		<u>5,000</u>
4	Total		\$	4,780,000

349 - Adjutant General –

State Militia

(WV Code Chapter 15)

Fund 8726 FY 2019 Org 0603

1	Unclassified	09900	\$	982,705
2	Mountaineer ChalleNGe Academy.....	70900		4,550,000
3	Martinsburg Starbase.....	74200		410,000
4	Charleston Starbase	74300		400,000
5	Military Authority	74800		<u>91,927,900</u>
6	Total		\$	98,270,605

7 The Adjutant General shall have the authority to transfer between appropriations.

350 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2019 Org 0603

1	Personal Services and Employee Benefits.....	00100	\$	1,350,000
2	Current Expenses	13000		300,000
3	Equipment.....	07000		<u>350,000</u>
4	Total		\$	2,000,000

351 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 8727 FY 2019 Org 0606

1	Personal Services and Employee Benefits.....	00100	\$	721,650
2	Current Expenses	13000		20,429,281
3	Repairs and Alterations.....	06400		5,000
4	Equipment.....	07000		<u>100,000</u>
5	Total.....		\$	21,255,931

352 - Division of Corrections

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

Fund 8836 FY 2019 Org 0608

1	Unclassified	09900	\$	1,100
2	Current Expenses	13000		<u>108,900</u>
3	Total.....		\$	110,000

353 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2019 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	2,435,539
2	Current Expenses	13000		2,125,971
3	Repairs and Alterations.....	06400		42,000
4	Equipment.....	07000		2,502,285
5	Buildings	25800		750,500
6	Other Assets	69000		144,500
7	Land	73000		<u>500</u>
8	Total.....		\$	8,001,295

354 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2019 Org 0619

1	Current Expenses	13000	\$	80,000
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355 - Division of Justice and Community Services

(WV Code Chapter 15)

Fund 8803 FY 2019 Org 0620

1	Personal Services and Employee Benefits.....	00100	\$	1,058,570
2	Unclassified	09900		25,185
3	Current Expenses	13000		18,771,973
4	Repairs and Alterations.....	06400		1,750
5	Total		\$	19,857,478

DEPARTMENT OF REVENUE

356 - Insurance Commissioner

(WV Code Chapter 33)

Fund 8883 FY 2019 Org 0704

1	Current Expenses	13000	\$	3,000,000
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DEPARTMENT OF TRANSPORTATION

357 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2019 Org 0802

1	Personal Services and Employee Benefits.....	00100	\$	501,394
2	Current Expenses	13000		10,498,106
3	Repairs and Alterations.....	06400		500
4	Total		\$	11,000,000

358 - Division of Public Transit

(WV Code Chapter 17)

Fund 8745 FY 2019 Org 0805

1	Personal Services and Employee Benefits.....	00100	\$	702,637
2	Current Expenses	13000		9,163,149
3	Repairs and Alterations.....	06400		2,500
4	Equipment.....	07000		2,801,714
5	Buildings	25800		650,000
6	Other Assets	69000		<u>200,000</u>
7	Total.....		\$	13,520,000

DEPARTMENT OF VETERANS' ASSISTANCE

359 - Department of Veterans' Assistance

(WV Code Chapter 9A)

Fund 8858 FY 2019 Org 0613

1	Personal Services and Employee Benefits.....	00100	\$	2,751,100
2	Current Expenses	13000		3,925,900
3	Repairs and Alterations.....	06400		50,000
4	Equipment.....	07000		200,000
5	Buildings	25800		600,000
6	Other Assets	69000		100,000
7	Land	73000		<u>100,000</u>
8	Total.....		\$	7,727,000

360 - Department of Veterans' Assistance –

Veterans' Home

(WV Code Chapter 9A)

Fund 8728 FY 2019 Org 0618

1	Personal Services and Employee Benefits.....	00100	\$	877,915
2	Current Expenses	13000		844,092

3	Repairs and Alterations.....	06400	220,000
4	Equipment.....	07000	198,000
5	Buildings	25800	296,000
6	Other Assets	69000	20,000
7	Land	73000	<u>10,000</u>
8	Total.....		\$ 2,466,007

BUREAU OF SENIOR SERVICES

361 - Bureau of Senior Services

(WV Code Chapter 29)

Fund 8724 FY 2019 Org 0508

1	Personal Services and Employee Benefits.....	00100	\$ 721,393
2	Current Expenses	13000	13,811,853
3	Repairs and Alterations.....	06400	<u>3,000</u>
4	Total.....		\$ 14,536,246

MISCELLANEOUS BOARDS AND COMMISSIONS

362 - Public Service Commission –

Motor Carrier Division

(WV Code Chapter 24A)

Fund 8743 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$ 1,286,913
2	Current Expenses	13000	368,953
3	Repairs and Alterations.....	06400	<u>40,000</u>
4	Total.....		\$ 1,695,866

363 - Public Service Commission –

Gas Pipeline Division

(WV Code Chapter 24B)

Fund 8744 FY 2019 Org 0926

1	Personal Services and Employee Benefits.....	00100	\$	596,600
2	Current Expenses	13000		124,628
3	Equipment.....	07000		3,000
4	Unclassified	09900		<u>4,072</u>
5	Total		\$	728,300

364 - National Coal Heritage Area Authority

(WV Code Chapter 29)

Fund 8869 FY 2019 Org 0941

1	Personal Services and Employee Benefits.....	00100	\$	159,235
2	Current Expenses	13000		631,365
3	Repairs and Alterations.....	06400		5,000
4	Equipment.....	07000		3,000
5	Other Assets	69000		<u>2,000</u>
6	Total		\$	<u>800,600</u>
7	Total TITLE II, Section 6 - Federal Funds.....			<u>\$ 5,029,638,750</u>

1 **Sec. 7. Appropriations from federal block grants.** — The following items are hereby
 2 appropriated from federal block grants to be available for expenditure during the fiscal year 2019.

365 - West Virginia Development Office –

Community Development

Fund 8746 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	10,648,117
2	Unclassified	09900		2,375,000
3	Current Expenses	13000		<u>224,476,883</u>
4	Total		\$	237,500,000

366 - Department of Commerce

West Virginia Development Office –

Office of Economic Opportunity –

Community Services

Fund 8902 FY 2019 Org 0307

1	Personal Services and Employee Benefits.....	00100	\$	362,389
2	Unclassified	09900		125,000
3	Current Expenses	13000		12,002,111
4	Repairs and Alterations.....	06400		1,500
5	Equipment.....	07000		<u>9,000</u>
6	Total.....		\$	12,500,000

367 - WorkForce West Virginia –

Workforce Investment Act

Fund 8749 FY 2019 Org 0323

1	Personal Services and Employee Benefits.....	00100	\$	2,912,606
2	Unclassified	09900		23,023
3	Current Expenses	13000		39,263,511
4	Repairs and Alterations.....	06400		1,600
5	Equipment.....	07000		500
6	Buildings	25800		<u>1,100</u>
7	Total.....		\$	42,202,340

368 - Division of Health –

Maternal and Child Health

Fund 8750 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	2,124,294
2	Unclassified	09900		110,017
3	Current Expenses	13000		<u>8,767,420</u>
4	Total.....		\$	11,001,731

*369 - Division of Health –**Preventive Health*Fund 8753 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	265,868
2	Unclassified	09900		22,457
3	Current Expenses	13000		1,895,366
4	Equipment.....	07000		<u>165,642</u>
5	Total.....		\$	2,349,333

*370 - Division of Health –**Substance Abuse Prevention and Treatment*Fund 8793 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	822,766
2	Unclassified	09900		115,924
3	Current Expenses	13000		<u>10,653,740</u>
4	Total.....		\$	11,592,430

*371 - Division of Health –**Community Mental Health Services*Fund 8794 FY 2019 Org 0506

1	Personal Services and Employee Benefits.....	00100	\$	936,557
2	Unclassified	09900		33,533
3	Current Expenses	13000		<u>3,083,307</u>
4	Total.....		\$	4,053,397

*372 - Division of Human Services –**Energy Assistance*Fund 8755 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$	1,514,312
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2	Unclassified	09900	350,000
3	Current Expenses	13000	<u>33,181,300</u>
4	Total		\$ 35,045,612

*373 - Division of Human Services –
Social Services*

Fund 8757 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 14,231,684
2	Unclassified	09900	171,982
3	Current Expenses	13000	<u>2,870,508</u>
4	Total		\$ 17,274,174

*374 - Division of Human Services –
Temporary Assistance for Needy Families*

Fund 8816 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 18,371,875
2	Unclassified	09900	1,250,000
3	Current Expenses	13000	<u>105,847,136</u>
4	Total		\$ 125,469,011

*375 - Division of Human Services –
Child Care and Development*

Fund 8817 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 4,682,166
2	Unclassified	09900	350,000
3	Current Expenses	13000	<u>31,999,456</u>
4	Total		<u>\$ 37,031,622</u>

5	Total TITLE II, Section 7 – Federal Block Grants		<u>\$ 536,019,650</u>
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1 **Sec. 8. Awards for claims against the state.** — There are hereby appropriated for fiscal
2 year 2018, from the fund as designated, in the amounts as specified, general revenue funds in

3 the amount of \$1,753,740 special revenue funds in the amount of \$22,442 and state road funds
4 in the amount of \$408,811 for payment of claims against the state.

1 **Sec. 9. Appropriations from general revenue surplus accrued.** — The following item
2 is hereby appropriated from the state fund, general revenue, and is to be available for expenditure
3 during the fiscal year 2019 out of surplus funds only, accrued from the fiscal year ending June 30,
4 2018, subject to the terms and conditions set forth in this section.

5 It is the intent and mandate of the Legislature that the following appropriation be payable
6 only from surplus as of July 31, 2018 from the fiscal year ending June 30, 2018, only after first
7 meeting requirements of W.Va. Code §11B-2-20(b).

8 In the event that surplus revenues available on July 31, 2018, are not sufficient to meet
9 the appropriation made pursuant to this section, then the appropriation shall be made to the extent
10 that surplus funds are available as of the date mandated to meet the appropriation in this section
11 and shall be allocated first to provide the necessary funds to meet the first appropriation of this
12 section and each subsequent appropriation in the order listed in this section.

376 - Public Port Authority

(WV Code Chapter 17)

Fund 0581 FY 2019 Org 0806

1 Port Authority – Surplus 44399 \$ 4,870,000

2 The above appropriation to Port Authority - Surplus (fund 0581, appropriation 44399) shall
3 serve as reimbursement for expenses incurred by the State Road Fund related construction and
4 operation of the Heartland Intermodal Gateway in Wayne County.

5 Total TITLE II, Section 9 – General Revenue Surplus Accrued..... \$ 4,870,000

1 **Sec. 10. Appropriations from lottery net profits surplus accrued.** — The following
2 item is hereby appropriated from the lottery net profits, and is to be available for expenditure
3 during the fiscal year 2019 out of surplus funds only, as determined by the director of lottery,
4 accrued from the fiscal year ending June 30, 2018, subject to the terms and conditions set forth
5 in this section.

6 It is the intent and mandate of the Legislature that the following appropriation be payable
7 only from surplus accrued from the fiscal year ending June 30, 2018.

8 In the event that surplus revenues available from the fiscal year ending June 30, 2018,
9 are not sufficient to meet the appropriation made pursuant to this section, then the appropriation
10 shall be made to the extent that surplus funds are available.

377 - Bureau of Senior Services –

Lottery Senior Citizens Fund

(WV Code Chapter 29)

Fund 5405 FY 2019 Org 0508

1	Senior Services Medicaid Transfer – Lottery Surplus	68199	\$	6,000,000
2	Total TITLE II, Section 10 – Surplus Accrued.....			<u>\$ 6,000,000</u>

1 **Sec. 11. Appropriations from state excess lottery revenue surplus accrued.** — The
 2 following item is hereby appropriated from the state excess lottery revenue fund, and is to be
 3 available for expenditure during the fiscal year 2019 out of surplus funds only, as determined by
 4 the director of lottery, accrued from the fiscal year ending June 30, 2018, subject to the terms and
 5 conditions set forth in this section.

6 It is the intent and mandate of the Legislature that the following appropriation be payable
 7 only from surplus accrued from the fiscal year ending June 30, 2018.

8 In the event that surplus revenues available from the fiscal year ending June 30, 2018,
 9 are not sufficient to meet the appropriation made pursuant to this section, then the appropriation
 10 shall be made to the extent that surplus funds are available.

378 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2019 Org 0511

1	Medical Services – Lottery Surplus	68100	\$	8,000,000
2	Total TITLE II, Section 11 – Surplus Accrued.....			<u>\$ 8,000,000</u>

1 **Sec. 12. Special revenue appropriations.** — There are hereby appropriated for
 2 expenditure during the fiscal year 2019 appropriations made by general law from special revenues
 3 which are not paid into the state fund as general revenue under the provisions of W.Va. Code
 4 §12-2-2: *Provided*, That none of the money so appropriated by this section shall be available for
 5 expenditure except in compliance with the provisions of W.Va. Code §12-2 and 3, and W.Va.
 6 Code §11B-2, unless the spending unit has filed with the director of the budget and the legislative
 7 auditor prior to the beginning of each fiscal year:

8 (a) An estimate of the amount and sources of all revenues accruing to such fund; and

9 (b) A detailed expenditure schedule showing for what purposes the fund is to be
 10 expended.

11 **Sec. 13. State improvement fund appropriations.** — Bequests or donations of
 12 nonpublic funds, received by the Governor on behalf of the state during the fiscal year 2019, for
 13 the purpose of making studies and recommendations relative to improvements of the
 14 administration and management of spending units in the executive branch of state government,
 15 shall be deposited in the state treasury in a separate account therein designated state
 16 improvement fund.

17 There are hereby appropriated all moneys so deposited during the fiscal year 2019 to be
 18 expended as authorized by the Governor, for such studies and recommendations which may
 19 encompass any problems of organization, procedures, systems, functions, powers or duties of a

20 state spending unit in the executive branch, or the betterment of the economic, social,
21 educational, health and general welfare of the state or its citizens.

1 **Sec. 14. Specific funds and collection accounts.** — A fund or collection account which
2 by law is dedicated to a specific use is hereby appropriated in sufficient amount to meet all lawful
3 demands upon the fund or collection account and shall be expended according to the provisions
4 of Article 3, Chapter 12 of the Code.

1 **Sec. 15. Appropriations for refunding erroneous payment.** — Money that has been
2 erroneously paid into the state treasury is hereby appropriated out of the fund into which it was
3 paid, for refund to the proper person.

4 When the officer authorized by law to collect money for the state finds that a sum has been
5 erroneously paid, he or she shall issue his or her requisition upon the Auditor for the refunding of
6 the proper amount. The Auditor shall issue his or her warrant to the Treasurer and the Treasurer
7 shall pay the warrant out of the fund into which the amount was originally paid.

1 **Sec. 16. Sinking fund deficiencies.** — There is hereby appropriated to the Governor a
2 sufficient amount to meet any deficiencies that may arise in the mortgage finance bond insurance
3 fund of the West Virginia housing development fund which is under the supervision and control of
4 the municipal bond commission as provided by W.Va. Code §31-18-20b, or in the funds of the
5 municipal bond commission because of the failure of any state agency for either general obligation
6 or revenue bonds or any local taxing district for general obligation bonds to remit funds necessary
7 for the payment of interest and sinking fund requirements. The Governor is authorized to transfer
8 from time to time such amounts to the municipal bond commission as may be necessary for these
9 purposes.

10 The municipal bond commission shall reimburse the state of West Virginia through the
11 Governor from the first remittance collected from the West Virginia housing development fund or
12 from any state agency or local taxing district for which the Governor advanced funds, with interest
13 at the rate carried by the bonds for security or payment of which the advance was made.

1 **Sec. 17. Appropriations for local governments.** — There are hereby appropriated for
2 payment to counties, districts and municipal corporations such amounts as will be necessary to
3 pay taxes due counties, districts and municipal corporations and which have been paid into the
4 treasury:

5 (a) For redemption of lands;

6 (b) By public service corporations;

7 (c) For tax forfeitures.

1 **Sec. 18. Total appropriations.** — Where only a total sum is appropriated to a spending
2 unit, the total sum shall include personal services and employee benefits, annual increment,
3 current expenses, repairs and alterations, buildings, equipment, other assets, land, and capital
4 outlay, where not otherwise specifically provided and except as otherwise provided in TITLE I –
5 GENERAL PROVISIONS, Sec. 3.

1 **Sec. 19. General school fund.** — The balance of the proceeds of the general school fund
2 remaining after the payment of the appropriations made by this act is appropriated for expenditure
3 in accordance with W.Va. Code §18-9A-16.

TITLE III – ADMINISTRATION

1 **Sec. 1. Appropriations conditional.** — The expenditure of the appropriations made by
2 this act, except those appropriations made to the legislative and judicial branches of the state
3 government, are conditioned upon the compliance by the spending unit with the requirements of
4 Article 2, Chapter 11B of the Code.

5 Where spending units or parts of spending units have been absorbed by or combined with
6 other spending units, it is the intent of this act that appropriations and reappropriations shall be to
7 the succeeding or later spending unit created, unless otherwise indicated.

1 **Sec. 2. Constitutionality.** — If any part of this act is declared unconstitutional by a court
2 of competent jurisdiction, its decision shall not affect any portion of this act which remains, but the
3 remaining portion shall be in full force and effect as if the portion declared unconstitutional had
4 never been a part of the act.

The bill (Com. Sub. for S. B. 152), as amended, was then ordered to engrossment and third reading.

Senator Blair, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Senate Bill 635 (originating in the Committee on Finance)—A Bill to amend the Code of West Virginia, 1931, as amended, and to amend and reenact §5-5-4 of said code, all relating to a 2019 across-the-board salary adjustment for employees of the Department of Health and Human Resources.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (S. B. 635) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. House Bill 2869, Providing for paid leave for certain state officers and employees during a declared state of emergency.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. H. B. 2869) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 2799, Prohibiting the superintendent of schools from requiring a physical examination to be included to the application for a minor's work permit.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 2799) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 3089, Relating to the adoption of instructional resources for use in the public schools.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 3089) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4006, Revising the processes through which professional development is delivered for those who provide public education.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4006) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4251, Permitting employees of baccalaureate institutions and universities outside of this state to be appointed to board of governors.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4251) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 4350, Eliminating the regulation of upholstery.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4350) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Blair, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Eng. House Bill 4389, Expiring funds to the Enterprise Resource Planning System Fund.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. H. B. 4389) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4394, Relating to forest fires.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4394) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4407, Relating to eligibility for alternative program teacher certificate.

And reports the same back without recommendation as to passage; but with the further recommendation that it be rereferred to the Committee on Education.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Karnes, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4407) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

At the request of Senator Karnes, and by unanimous consent, the bill was rereferred to the Committee on Education.

Senator Karnes, from the Committee on Education, submitted the following report, which was received:

Your Committee on Education has had under consideration

Eng. Com. Sub. for House Bill 4428, Allowing training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Robert Karnes,
Vice Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4428) contained in the preceding report from the Committee on Education was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 4447, Providing for a uniform and efficient system of broadband conduit installation.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4447) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. House Bill 4465, Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. H. B. 4465) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Blair, from the Committee on Finance, submitted the following report, which was received:

Your Committee on Finance has had under consideration

Eng. House Bill 4628, Relating to authorizing the redirection of amounts collected from certain surcharges and assessments on workers' compensation insurance policies for periods prior to January 1, 2019.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Craig Blair,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. H. B. 4628) contained in the preceding report from the Committee on Finance was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Smith, from the Committee on Energy, Industry, and Mining, submitted the following report, which was received:

Your Committee on Energy, Industry, and Mining has had under consideration

House Concurrent Resolution 8, Funding for feasibility study of Coal-to-Chemicals Project.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Randy E. Smith,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the resolution (H. C. R. 8) contained in the preceding report from the Committee on Energy, Industry, and Mining was taken up for immediate consideration.

The question being on the adoption of the resolution, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

The Senate proceeded to the seventh order of business.

Com. Sub. for Senate Concurrent Resolution 29, US Army SGT Benny Fleming Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk.

The question being on the adoption of the resolution, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Senate Concurrent Resolution 52, Deputy Sheriff John Janey Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk and referred to the Committee on Transportation and Infrastructure.

House Concurrent Resolution 5, U. S. Army PFC Jessie Franklin Crow Memorial Bridge.

On unfinished business, coming up in regular order, was reported by the Clerk.

The following amendments to the resolution, from the Committee on Transportation and Infrastructure, were reported by the Clerk, considered simultaneously, and adopted:

On page one, in the fourth Whereas clause, after the word "Crow" by inserting a comma;

And,

On page one, in the fourth Whereas clause, by striking out the word "to" and inserting in lieu thereof a comma and the word "should".

The question now being on the adoption of the resolution (H. C. R. 5), as amended, the same was put and prevailed.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

The Senate proceeded to the eighth order of business.

Eng. Com. Sub. for House Bill 4016, Relating to combatting waste, fraud, and misuse of public funds through investigations, accountability and transparency.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4016) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 4035, Creating a legislative coalition to study and report to the Legislature on palliative care.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4035) passed.

The following amendment to the title of the bill, from the Committee on Health and Human Resources, was reported by the Clerk and adopted:

Eng. Com. Sub. for House Bill 4035—A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new article, designated §16-54-1, §16-54-2, §16-54-3, §16-54-4, §16-54-5, §16-54-6, and §16-54-7, all relating to palliative care; creating a state advisory coalition to improve palliative care in West Virginia; providing definitions; designating members of the coalition; providing for the powers and duties of the coalition; establishing that certain and other state agencies shall cooperate with the coalition; and establishing a termination date for the coalition.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 4042, Redefining school zone to facilitate placement of school zone signs.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4042) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. House Bill 4183, Relating generally to standardized testing requirements for nonpublic schools.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. H. B. 4183) passed.

The following amendment to the title of the bill, from the Committee on Education, was reported by the Clerk and adopted:

Eng. House Bill 4183—A Bill to amend and reenact §18-28-3 of the Code of West Virginia, 1931, as amended, relating generally to testing requirements for nonpublic schools; requiring a nationally normed standardized achievement test be administered at the same grade levels and in the same subject areas as required in the public schools; requiring test to be published or normed within the last ten years; requiring the student participation rate on the standardized achievement test be the same as that required in the public schools; removing exemption for nonpublic schools that exclusively teach special education students or students with learning disabilities from provisions pertaining to accountability for the school's composite test results

falling below the 40th percentile; requiring for those schools assessment to be made of students at the same grade levels and in the same subject areas as required in the public schools; allowing testing in additional subject areas or grade levels at sole discretion of school; and conforming provisions pertaining to accountability for a school's composite test results falling below the 40th percentile.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate and request concurrence therein.

Eng. Com. Sub. for House Bill 4275, Relating to the law-enforcement authority of the director and officers of the division of protective services.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4275) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 4400, Relating to the West Virginia Physicians Mutual Insurance Company.

On third reading, coming up in regular order, was read a third time and put upon its passage.

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4400) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

Eng. Com. Sub. for House Bill 4546, Relating to where an application for a marriage license may be made.

On third reading, coming up in regular order, was read a third time and put upon its passage.

Pending discussion,

The question being “Shall Engrossed Committee Substitute for House Bill 4546 pass?”

On the passage of the bill, the yeas were: Arvon, Azinger, Baldwin, Beach, Blair, Boley, Boso, Clements, Cline, Drennan, Facemire, Ferns, Gaunch, Jeffries, Karnes, Maroney, Maynard, Ojeda, Palumbo, Plymale, Prezioso, Romano, Rucker, Smith, Stollings, Swope, Sypolt, Takubo, Trump, Unger, Weld, Woelfel, and Carmichael (Mr. President)—33.

The nays were: None.

Absent: Mann—1.

So, a majority of all the members present and voting having voted in the affirmative, the President declared the bill (Eng. Com. Sub. for H. B. 4546) passed with its title.

Ordered, That the Clerk communicate to the House of Delegates the action of the Senate.

The Senate proceeded to the ninth order of business.

Senate Bill 633, Expiring funds from Insurance Commission Fund and appropriating funds to Consolidated Medical Services Fund.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Senate Bill 634, Adding, increasing, and decreasing appropriations from General Revenue to DHHR.

On second reading, coming up in regular order, was read a second time and ordered to engrossment and third reading.

Eng. Com. Sub. for House Bill 2028, Relating to the venue for suits and other actions against the state.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. Com. Sub. for House Bill 4214, Increasing penalties for unlawfully possessing or digging ginseng.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

On page eight, section thirty-five, line eight, after “\$500” by inserting the words “nor more than \$1000, and, for each subsequent offense, shall be fined not less than \$1000”.

The bill (Eng. Com. Sub. for H. B. 4214), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 4276, Allowing magistrates to grant work release privileges.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. Com. Sub. for House Bill 4336, Updating the schedule of controlled substances.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 4376, Expiring funds to the balance of the Department of Health and Human Resources.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 4379, Supplementing, amending, decreasing, and increasing items of the existing appropriations to the Department of Transportation.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. Com. Sub. for House Bill 4401, Relating to the registration of business.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on Finance, was reported by the Clerk:

By striking out everything after the enacting section and inserting in lieu thereof the following:

CHAPTER 21. LABOR

ARTICLE 3. SAFETY AND WELFARE OF EMPLOYEES.

§21-3-7. Regulation of operation of steam boilers.

(a) Any person owning or operating a steam boiler carrying more than fifteen pounds pressure per square inch (except boilers on railroad locomotives subject to inspection under federal laws; portable boilers used for agricultural purposes; boilers on automobiles; boilers of steam fire engines brought into the state for temporary use in times of emergency for the purpose of checking conflagrations; boilers used in private residences which are used solely for residential purposes; any sectional boilers; small portable boilers commonly used in the oil and gas industry about their wells and tool houses; and boilers under the jurisdiction of the United States) in this state shall first obtain a permit to operate a steam boiler from the Commissioner of Labor, or from an inspector working under his or her jurisdiction.

(b) Applications for permits to operate a steam boiler must be accompanied by a sworn statement made by the owner or operator of such boiler, setting forth the condition of the boiler and its appurtenances at which time, if the facts disclosed by such statement meet the safety requirements established under this article, the Commissioner of Labor shall issue a temporary permit, which shall be valid until such boiler has been inspected by a boiler inspector authorized by the state Commissioner of Labor; thereupon, if the boiler meets the safety requirements

established under this article, the Commissioner of Labor shall issue an annual permit to operate such steam boiler: *Provided*, That boilers which are insured by an insurance company operating in this state and which are inspected by such insurance company's boiler inspector shall not be subject to inspection by the state Division of Labor, during any twelve-month period during which an inspection is made by the insurance company's boiler inspector.

(c) The Commissioner of Labor or state boiler inspector shall have the authority to inspect steam boilers in this state. To carry out the provisions of this section, the Commissioner of Labor shall prescribe rules and regulations under which boilers may be constructed and operated, according to their class. The Commissioner of Labor may revoke any permit to operate a steam boiler if the rules prescribed by the Commissioner of Labor, or his or her authorized representative, are violated or if a condition shall prevail which is hazardous to the life and health of persons operating or employed at or around the boiler. Any person or corporation who shall operate a steam boiler for which a permit is necessary under the provisions of this section, without first obtaining such permit to operate a steam boiler, is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than \$100 nor more than \$500. Every day a steam boiler requiring a permit to operate is operated without the permit is a separate offense.

(d) The commissioner shall charge an annual fee to be established by legislative rule for the inspection of boilers by the division, for the processing of inspection reports from insurance companies, for the issuing of annual permits to operate boilers and for the commissioning of insurance company boiler inspectors. The commissioner shall propose rules for legislative approval, in accordance with ~~article three, chapter twenty-nine-a of this code~~ §29A-3-1 et seq. of this code for the implementation and enforcement of this section. No fee may be charged for the inspection of boilers used on mobile equipment or vehicles used for occasional entertainment or display purposes.

(e) All fees paid pursuant to this section shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account hereby created in the State Treasury to be known as the Steam Boiler Fund and expended for the implementation and enforcement of this section. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this section may be utilized by the commissioner as needed to meet the division's funding obligations: *Provided*, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division's funding obligations.

ARTICLE 3C. ELEVATOR SAFETY.

§21-3C-11. Disposition of fees; legislative rules.

(a) The division shall propose rules for legislative approval in accordance with ~~article three, chapter twenty-nine-a of this code~~ §29A-3-1 et seq. of this code, for the implementation and enforcement of the provisions of this article, which shall provide:

(1) Standards, qualifications and procedures for submitting applications, taking examinations and issuing and renewing licenses, certificates of competency and certificates of operation of the three licensure classifications set forth in ~~section ten-a of this article~~ §21-3C-10a of this code;

(2) For the renewal of a license, even if the licensee is unemployed or not working in the industry: *Provided*, That to engage or offer to engage in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining an elevator or related conveyance covered

by this article, the licensee shall be a contractor, or be employed by a contractor licensed pursuant to ~~section six, article eleven, chapter twenty-one~~ §21-11-6 of the code;

(3) Qualifications and supervision requirements for elevator apprentices;

(4) Provisions for the granting of licenses without examination, to applicants who present satisfactory evidence of having the expertise required to perform work as defined in this article and who apply for licensure on or before July 1, 2010: *Provided*, That if a license issued under the authority of this subsection subsequently lapses, the applicant may, at the discretion of the commissioner, be subject to all licensure requirements, including the examination;

(5) Provisions for the granting of emergency licenses in the event of an emergency due to disaster, act of God or work stoppage when the number of persons in the state holding licenses issued pursuant to this article is insufficient to cope with the emergency;

(6) Provisions for the granting of temporary licenses in the event that there are no elevator mechanics available to engage in the work of an elevator mechanic as defined by this article;

(7) Continuing education requirements;

(8) Procedures for investigating complaints and revoking or suspending licenses, certificates of competency and certificates of operation, including appeal procedures;

(9) Fees for testing, issuance and renewal of licenses, certificates of competency and certificates of operation, and other costs necessary to administer the provisions of this article;

(10) Enforcement procedures; and

(11) Any other rules necessary to effectuate the purposes of this article.

(b) The rules proposed for promulgation pursuant to subsection (a) of this section shall establish the amount of any fee authorized pursuant to the provisions of this article: *Provided*, That in no event may the fees established for the issuance of certificates of operation exceed \$90.

(c) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account hereby created in the State Treasury known as the Elevator Safety Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(d) The division may enter into agreements with counties and municipalities whereby such counties and municipalities be permitted to retain the inspection fees collected to support the enforcement activities at the local level.

(e) The commissioner or his or her authorized representatives may consult with engineering authorities and organizations concerned with standard safety codes, rules and regulations governing the operation, maintenance, servicing, construction, alteration, installation and the qualifications which are adequate, reasonable and necessary for the elevator mechanic and inspector.

ARTICLE 3D. CRANE OPERATOR CERTIFICATION ACT.**§21-3D-8. Crane Operator Certification Fund; fees; disposition of funds.**

(a) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account known as the Crane Operator Certification Fund in the State Treasury and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed the funds needed for purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(b) The commissioner may set reasonable application fees for the issuance or renewal of certificates and other services associated with crane operator certification.

ARTICLE 5. WAGE PAYMENT AND COLLECTION.**§21-5-5c. License required for psychophysiological detection of deception examiners; qualifications; promulgation of rules governing administration of psychophysiological detection of deception examinations.**

(a) No person, firm or corporation shall administer a psychophysiological detection of deception examination, lie detector or other similar examination utilizing mechanical or electronic measures of physiological reactions to evaluate truthfulness without holding a current valid license to do so as issued by the Commissioner of Labor. No examination shall be administered by a licensed corporation except by an officer or employee thereof who is also licensed.

(b) A person is qualified to receive a license as an examiner if he or she:

(1) Is at least twenty-one years of age;

(2) Is a citizen of the United States;

(3) Has not been convicted of a misdemeanor involving moral turpitude or a felony;

(4) Has not been released or discharged with other than honorable conditions from any of the armed services of the United States or that of any other nation;

(5) Has passed an examination conducted by the Commissioner of Labor or under his or her supervision to determine his or her competency to obtain a license to practice as an examiner;

(6) Has satisfactorily completed not less than six months of internship training; and

(7) Has met any other qualifications of education or training established by the Commissioner of Labor in his or her sole discretion which qualifications are to be at least as stringent as those recommended by the American Polygraph Association.

(c) The Commissioner of Labor may designate and administer any test he or she considers appropriate to those persons applying for a license to administer psychophysiological detection of deception, lie detector or similar examination. The test shall be designed to ensure that the applicant is thoroughly familiar with the code of ethics of the American Polygraph Association and has been trained in accordance with association rules. The test must also include a rigorous

examination of the applicant's knowledge of and familiarity with all aspects of operating psychophysiological detection of deception equipment and administering psychophysiological detection of deception examinations.

(d) The license to administer psychophysiological detection of deception, lie detector or similar examinations to any person shall be issued for a period of one year. It may be reissued from year to year. The licenses to be issued are:

(1) "Class I license" which authorizes an individual to administer psychophysiological detection of deception examinations for all purposes which are permissible under the provisions of this article and other applicable laws and rules.

(2) "Class II license" which authorizes an individual who is a full-time employee of a law-enforcement agency to administer psychophysiological detection of deception examinations to its employees or prospective employees only.

(e) The Commissioner of Labor shall charge an annual fee to be established by legislative rule. All fees paid pursuant to this section shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account hereby created in the State Treasury to be known as the Psychophysiological Examiners Fund and expended for the implementation and enforcement of this section. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this section may be utilized by the commissioner as needed to meet the division's funding obligations. In addition to any other information required, an application for a license shall include the applicant's Social Security number.

(f) The Commissioner of Labor shall propose rules for legislative approval in accordance with ~~article three, chapter twenty-nine-a~~ §29A-3-1 et seq. of this code governing the administration of psychophysiological detection of deception, lie detector or similar examination to any person: *Provided*, That all applicable rules in effect on the effective date of ~~sections five-a, five-b, five-c and five-d of this article~~ §21-5-5a, §21-5-5b, §21-5-5c and §21-5-5d of this code will remain in effect until amended, withdrawn, revoked, repealed or replaced. The legislative rules shall include:

(1) The type and amount of training or schooling necessary for a person before which he or she may be licensed to administer or interpret a psychophysiological detection of deception, lie detector or similar examination;

(2) Testing requirements including the designation of the test to be administered to persons applying for licensure;

(3) Standards of accuracy which shall be met by machines or other devices to be used in psychophysiological detection of deception, lie detector, or similar examination;

(4) The conditions under which a psychophysiological detection of deception, lie detector, or similar examination may be administered;

(5) Fees for licenses, renewals of licenses, and other services provided by the commissioner;

(6) Any other qualifications or requirements, including continuing education, established by the commissioner for the issuance or renewal of licenses; and

(7) Any other purpose to carry out the requirements of ~~sections five-a, five-b, five-c and five-d of this article~~ §21-5-5a, §21-5-5b, §21-5-5c and §21-5-5d of this code.

ARTICLE 9. MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS.

§21-9-9. License required; fees; form of license; display of license; denial, suspension, or revocation.

(a) No manufacturer, dealer, distributor or contractor shall engage in business in this state without first having applied for and received a license pursuant to this section. The license shall authorize the holder to engage in the business permitted by the license. All license applications shall be accompanied by the required fee and surety bond or other form of assurance or fee assessed in satisfaction of assurance as required by rule or regulation promulgated by the board.

(b) All licenses shall be granted or refused within thirty days after proper and complete application. All licenses shall expire on June 30 of each year, unless sooner revoked or suspended. Applications shall be deemed valid for a period of thirty days.

(c) The annual license fees shall be in the amounts prescribed from time to time by rules promulgated by the board but in no event less than the following amounts:

(1) For manufacturers, \$300;

(2) For dealers, \$100;

(3) For distributors, \$100; and

(4) For contractors, \$50: *Provided*, That if a contractor has met the licensing requirements of this article and the West Virginia Contractor Licensing Act in ~~article eleven of this chapter~~ §21-11-1 et seq. of this code, has paid the annual license fee under ~~section eight of said article~~ §21-11-8 of this code and has furnished bond or other assurance or fee under ~~section ten of this article~~ §21-9-10 of this code, he or she shall not be required to pay the annual license fee set forth in this section.

(d) The board shall prescribe the form of license and each license shall have affixed thereon the seal of the state Division of Labor.

(e) Each licensee shall conspicuously display the license in its established place of business.

(f) Pursuant to such rules and regulations as may be promulgated by the board, the board may deny the issuance of a license or revoke or suspend any license.

(g) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account in the State Treasury to be known as the State Manufactured Housing Administration Fund. Expenditures from the fund shall be for the administration and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

ARTICLE 10. AMUSEMENT RIDES AND AMUSEMENT ATTRACTIONS SAFETY ACT.**§21-10-4. Inspection and permit fees.**

(a) The division shall charge inspection and permit fees. The annual permit fee is \$100 for each ride or attraction. The annual inspection fee, if an inspection is to be done by the division, is \$100 for each ride or attraction. The annual inspection fee, if an inspection is to be done by the division, is due at the time of application for the annual permit. The division shall waive the inspection fee for any ride or attraction whose owner provides proof of nonprofit business status or for any ride or attraction whose owner provides proof that an inspection has been completed within the last year by a certified special inspector as provided in ~~section six of this article~~ §21-10-6 of this code.

(b) The division may charge additional inspection fees equal to the annual inspection fee for additional inspections required as the result of the condemnation of a device for safety standards violations and for inspections required as a result of accidents involving serious or fatal injury. If any owner or operator requires an inspection as the result of a violation of the permitting requirements of ~~section six of this article~~ §21-10-6 of this code, the division shall charge the owner or operator \$75 per hour in addition to the established inspection fee, including travel time.

(c) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account in the State Treasury known as the Amusement Rides and Amusement Attractions Safety Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(d) No inspection fee may be charged public agencies.

(e) The division shall issue, and the owner, operator, or both of the amusement rides and amusement attractions shall visibly display to the public, inspection stickers denoting and signifying that the inspection and permit fee authorized by this section has been paid or waived.

ARTICLE 11. WEST VIRGINIA CONTRACTOR LICENSING ACT.**§21-11-17. Recordkeeping; fees.**

(a) The division shall keep a record of all actions taken and account for moneys received. All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account in the State Treasury to be known as the West Virginia Contractor Licensing Board Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed the funds needed for purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(b) The division shall maintain at its principal office, open for public inspection during regular office hours, a complete indexed record of all applications, licenses issued, licenses renewed and all revocations, cancellations, and suspensions of licenses. Applications shall show the date of application, name, qualifications, place of business and place of residence of each applicant; and whether the application was approved or refused.

(c) (1) All investigations, complaints, reports, records, proceedings, and other information received by the commissioner and board and related to complaints made to the commissioner or board or investigations conducted by the commissioner or board pursuant to this article, including the identity of the complainant or respondent, shall be confidential and shall not be knowingly and improperly disclosed by any member or former member of the board, the commissioner or staff, except as follows:

(A) Upon a finding that probable cause exists to believe that a respondent has violated the provisions of this article, the complaint and all reports, records, nonprivileged and nondeliberative materials introduced at any probable cause hearing held pursuant to the complaint are thereafter not confidential: *Provided*, That confidentiality of such information shall remain in full force and effect until the respondent has been served with a copy of the statement of charges.

(B) Any subsequent hearing held in the matter for the purpose of receiving evidence or the arguments of the parties or their representatives shall be open to the public and all reports, records, and nondeliberative materials introduced into evidence at such subsequent hearing, as well as the board's and commissioner's orders, are not confidential.

(C) The commissioner or board may release any information relating to an investigation at any time if the release has been agreed to in writing by the respondent.

(D) The complaint as well as the identity of the complainant shall be disclosed to a person named as respondent in any such complaint filed immediately upon such respondent's request.

(E) Where the commissioner or board is otherwise required by the provisions of this article to disclose such information or to proceed in such a manner that disclosure is necessary and required to fulfill such requirements.

(2) If, in a specific case, the commissioner or board finds that there is a reasonable likelihood that the dissemination of information or opinion in connection with a pending or imminent proceeding will interfere with a fair hearing or otherwise prejudice the due administration of justice, the commissioner or board shall order that all or a portion of the information communicated to the commissioner or board to cause an investigation and all allegations of violations or misconduct contained in a complaint shall be confidential, and the person providing such information or filing a complaint shall be bound to confidentiality until further order of the board.

(d) If any person violates the provisions of subsection (c) of this section by knowingly and willfully disclosing any information made confidential by such section or by the commissioner or board, such person is guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500 nor more than \$5,000, or confined in jail not more than one month, or both fined and confined.

(e) The commissioner shall certify to the State Auditor and to the board a detailed statement of all moneys received and spent during the preceding fiscal year.

ARTICLE 14. SUPERVISION OF PLUMBING WORK.

§21-14-9. Disposition of fees.

All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in a special revenue account in the State Treasury to be known as the Plumbing Work Fund and

expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

ARTICLE 15. ZIPLINE AND CANOPY TOUR RESPONSIBILITY ACT.

§21-15-7. Inspection and permit fees.

(a) The division shall charge inspection and permit fees. The annual permit fee is \$100 for each zipline or canopy tour.

(1) The annual inspection fee, if an inspection is to be done by the division, is \$100 for each zipline or canopy tour.

(2) The annual inspection fee, if an inspection is to be done by the division, is due at the time of application for the annual permit.

(3) The division shall waive the inspection fee for a zipline or canopy tour whose operator provides proof of nonprofit business status or for any zipline or canopy tour whose operator provides proof that an inspection has been completed within the last year by a certified special inspector as provided in ~~section nine of this article~~ §21-15-9 of this code.

(b) The division may charge additional inspection fees equal to the annual inspection fee for additional inspections required as the result of the condemnation of a device for safety standards violations and for inspections required as a result of accidents involving serious or fatal injury. If any operator requires an inspection as the result of a violation of the permitting requirements of ~~section nine of this article~~ §21-15-9 of this code, the division shall charge the operator \$75 per hour in addition to the established inspection fee, including travel time.

(c) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account in the State Treasury known as the Amusement Rides and Amusement Attractions Safety Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(d) No inspection fee may be charged public agencies.

ARTICLE 16. REGULATION OF HEATING, VENTILATING, AND COOLING WORK.

§21-16-10. Disposition of fees.

All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account hereby created in the State Treasury to be known as the HVAC Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

CHAPTER 47. REGULATION OF TRADE.**ARTICLE 1. WEIGHTS AND MEASURES.****§47-1-8. Requirements for the registration of service persons and service agencies for commercial weighing and measuring devices.**

(a) The uniform regulation for the voluntary registration of service persons and service agencies for commercial weighing and measuring devices as adopted by The National Conference of Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, Uniform Laws and Regulations and supplements thereto or revisions thereof, shall apply to the registration of service persons and service agencies in the state, except insofar as modified or rejected by legislative rule.

(b) Beginning January 1, 2018, the commissioner shall charge an annual registration fee for service persons and service agencies to be established by legislative rule: Provided, That upon the effective date of the amendments to this section adopted in the 2018 Regular Session of the Legislature, the division may not charge an annual registration fee. The commissioner may file an emergency rule prior to January 1, 2018, to implement and administer the amendments made to this section during the 2017 regular session. The commissioner may also propose rules for legislative approval, in accordance with article three, chapter twenty-nine-a of this code for the implementation and enforcement of this section.

(c) All fees paid pursuant to this section shall be paid to the Commissioner of Labor and deposited in the Weights and Measures Fund for use by the commissioner for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

§47-1-20. State measurement laboratory.

(a) The commissioner shall operate and maintain a state measurement laboratory certified and approved by the National Institute of Standards and Technology. The laboratory shall be used to both house and maintain the state primary standards and secondary standards as traceable to the national standards and to test or calibrate any secondary or working standards which are submitted for test as required by this article.

(b) The commissioner shall promulgate rules, pursuant to ~~chapter twenty-nine-a~~ §29A-1-1 et seq. of this code to assess fees for weights and measures, laboratory calibration, and testing. All fees paid pursuant to this section shall be paid to the Commissioner of Labor and deposited into an appropriated special revenue account in the State Treasury to be known as the Weights and Measures Fund and expended for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed the funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(c) The commissioner shall provide such personnel as required to operate the laboratory in a manner which is consistent with the needs of this article. Personnel shall be trained and certified to perform all such calibrations and tests as required by the National Institute of Standards and Technology to maintain traceability of the state standards to national standards, and to properly

maintain the laboratory facility as certified and traceable to the National Institute of Standards and Technology.

§47-1-21. Registration of business.

(a) On or before October 1, 1994, every commercial business in the state which, in the course of conducting business, utilizes weights, measures, and weighing and measuring devices covered by this article shall obtain a certificate of device registration for the commercial devices covered by this article, from the division. After October 1, 1994, it shall be unlawful in the state to conduct business subject to the provisions of this article without having first obtained a certificate of device registration from the division. Application for a certificate of device registration shall be made on a form provided by the division.

(b) A certificate of device registration is valid for 12 months from the date of issue. The certificate of device registration shall be posted within the place of business.

(c) Application for the renewal of a certificate of device registration shall be made on a form provided by the division at least 30 days prior to the renewal due date. The commissioner may deny the renewal of device registration for cause where the cause is the result of the conviction of the applicant, in a court of competent jurisdiction, for a violation of this article.

(d) Beginning January 1, 2018, the division shall charge an annual device registration fee, to be established by legislative rule: Provided, That upon the effective date of the amendments to this section adopted in the 2018 Regular Session of the Legislature, the division may not charge an annual device registration fee. The commissioner may file an emergency rule prior to January 1, 2018, to implement and administer the amendments made to this section during the 2017 regular session. The commissioner may also propose rules for legislative approval, in accordance with article three, chapter twenty-nine-a of this code for the implementation and enforcement of this section.

(e) All fees paid pursuant to this section shall be paid to the Commissioner of Labor and deposited in the Weights and Measures Fund for use by the commissioner for the implementation and enforcement of this article. Through June 30, 2019, Amounts amounts collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

§47-1-22. Civil penalties.

(a) No person may:

(1) Use or have in possession for use in commerce any incorrect weight or measure;

(2) Sell or offer for sale for use in commerce any incorrect weight or measure;

(3) Remove any tag, seal, or mark from any weight or measure, without specific authorization from the Weights and Measures Section; or

(4) Violate any provisions of this article or rules promulgated under it, not defined in ~~subsection (a), section twenty-three of this article~~ §47-1-23(a) of this code .

(b) Any person who violates subsection (a) of this section or any rule promulgated by the commissioner may be assessed a civil penalty by the commissioner, which penalty may not be more than \$1,000 for each violation. Each violation shall constitute a separate offense. In determining the amount of the penalty, the commissioner shall consider the person's history of previous violations, the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation and the demonstrated good faith of the person charged in attempting to achieve rapid compliance after notification of a violation.

(c) All civil penalties paid pursuant to this section shall be paid to the Commissioner of Labor and deposited in the Weights and Measures Fund for use by the commissioner for the implementation and enforcement of this article. ~~Through June 30, 2019, Amounts amounts~~ collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

(d) A civil penalty may be assessed by the commissioner only after the commissioner has given at least ten days' notice to the person. Notice shall be in writing, shall contain a short, plain statement of the matter asserted and shall designate a time and place for a hearing where the person may show cause why the civil penalty should not be imposed. Notice of hearing shall be sent by certified mail. The person may, at the time designated for the hearing, produce evidence on his or her behalf and be represented by † counsel.

(e) Any person aggrieved by a decision of the commissioner has the right to a contested case hearing under ~~article five, chapter twenty-nine-a of this code, §29A-5-1 et seq. of this code.~~

ARTICLE 1A. REGULATION AND CONTROL OF BEDDING AND UPHOLSTERY BUSINESSES.

§47-1A-14. Annual registration and permit fees.

(a) The annual registration fee for all manufacturers shipping or selling articles of bedding and for upholsterers or renovators, as defined in this article, in the State of West Virginia shall be \$90, payable on the first day of the fiscal year. Any manufacturer, upholsterer, or renovator who submits an annual registration fee on or after July 16, shall pay a \$25 late fee in addition to the annual fee.

(b) The annual sterilizer permit fee shall be \$90, payable on the first day of the fiscal year. Any sterilizer who submits an annual permit fee on or after July 16, shall pay a \$25 late fee in addition to the annual fee.

(c) The fee for reissuing a revoked or expired registration or permit shall be \$90.

(d) All fees paid pursuant to this article shall be paid to the Commissioner of Labor and deposited in an appropriated special revenue account hereby created in the State Treasury to be known as the Bedding and Upholstery Fund and expended for the implementation and enforcement of this article. ~~Through June 30, 2019, Amounts amounts~~ collected which are found from time to time to exceed funds needed for the purposes set forth in this article may be utilized by the commissioner as needed to meet the division's funding obligations.

Following discussion,

The question being on the adoption of the Finance committee amendment to the bill, the same was put and prevailed.

The bill (Eng. Com. Sub. for H. B. 4401), as amended, was then ordered to third reading.

Eng. Com. Sub. for House Bill 4453, Relating to judicial review of contested cases under the West Virginia Department of Health and Human Resources Board of Review.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. House Bill 4529, Relating to oath by municipal official certifying list of delinquent business and occupation taxes.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. Com. Sub. for House Bill 4571, Relating to the final day of filing announcements of candidates for a political office.

On second reading, coming up in regular order, was read a second time and ordered to third reading.

Eng. Com. Sub. for House Bill 4618, Relating to the authority of the Division of Protective Services.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 6. CRIMES AGAINST THE PEACE.

§61-6-1. Suppression of riots and unlawful assemblages.

All members of the ~~Department of Public Safety~~ West Virginia State Police, the Division of Protective Services, all sheriffs within their respective counties and all mayors within their respective jurisdiction, may suppress riots, routs and unlawful assemblages. It shall be the duty of each of them to go among, or as near as may be with safety, to persons riotously, tumultuously, or unlawfully assembled, and in the name of the law command them to disperse; and if they shall not thereupon immediately and peaceably disperse, such member of the ~~Department of Public Safety~~ West Virginia State Police, or of the Division of Protective Services, sheriff or mayor giving the command, and any other present, shall command the assistance of all persons present, and of all or any part of other law-enforcement personnel available to him or her, as need be, in arresting and securing those so assembled. If any person present, on being required to give his or her assistance, depart, or fail to obey, he or she shall be deemed a rioter.

§61-6-1a. Control of riots and unlawful assemblages.

Members of the ~~Department of Public Safety~~ West Virginia State Police, the Division of Protective Services, sheriffs and mayors, and those acting under their order, may, when engaged

in suppressing a riot, rout or unlawful assemblage, cordon off any area or areas threatened by such riot, rout or unlawful assemblage, and may take all actions which are necessary and reasonable under the emergency to restore law and order, and such actions may be, but are not limited to, the following:

(a) Prohibit the sale, offering for sale, dispensing, furnishing, or transportation of firearms or other dangerous weapons, ammunition, dynamite, or other dangerous explosives in, to or from such areas.

(b) Prohibit the sale, offering for sale, dispensing, furnishing, or consumption of alcoholic beverages or nonintoxicating beer in a public place in such areas, and prohibit the transportation of alcoholic beverages or nonintoxicating beer in, to, or from such areas.

(c) Impose curfews, as required, to control movement of persons in, to, and from such areas.

(d) Enter a private dwelling or other building or other private place in such areas when in fresh pursuit of a rioter, when in search of a sniper who has fired upon a person from such a dwelling or other building or place or when in search of firearms, other dangerous weapons, ammunition, dynamite, or other dangerous explosives when there is reason to believe that such items are stored in the said dwelling, building, or place and that they will be removed therefrom before a search warrant could be obtained.

No person shall willfully fail to obey a lawful order of any mayor, sheriff, deputy sheriff, municipal police officer, member of the ~~Department of Public Safety~~ West Virginia State Police, or the Division of Protective Services, or other officer, given pursuant to this section.

Any person who violates an order given pursuant to the authority of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$500, or imprisoned in the county jail not more than six months, or both fined and imprisoned.

§61-6-3. Failure of member of ~~department of public safety~~ West Virginia State Police officer, officer of the Division of Protective Services, mayor, or sheriff to exercise powers at riots and unlawful assemblages; penalty.

If any member of the ~~Department of Public Safety~~ West Virginia State Police, the Division of Protective Services, sheriff, or mayor have notice of a riotous, tumultuous, or unlawful assemblage in his or her respective jurisdiction as provided in section one of this article, and fail to proceed immediately to the place of such assemblage, or as near as he or she may safely go, or fail to exercise his or her authority for suppressing it and arresting the offenders, he or she shall be fined not to exceed \$100.

§61-6-4. Summoning of persons to aid in suppressing riots and unlawful assemblages.

If any person engaged in such assemblage, being commanded, as hereinbefore provided, to disperse or to peaceably leave the scene of such assemblage, fail to do so without delay, any such member of the ~~Department of Public Safety~~ West Virginia State Police, the Division of Protective Services, sheriff or mayor may require the aid of a sufficient number of persons, in arms or otherwise, and proceed, in such manner as he or she may deem expedient, to disperse and suppress such assemblage, and arrest and secure those engaged in it.

§61-6-5. Death of person in suppression of riots and unlawful assemblages.

If, by any means taken under the authority of this article to disperse any such assemblage or arrest those engaged in it, any person present, as spectator or otherwise, be killed or wounded, and neither malice, nor premeditation be present, any member of the ~~Department of Public Safety~~ West Virginia State Police, the Division of Protective Services, sheriff, or mayor exercising such authority, and everyone acting under his or her order, shall be held guiltless.; ~~and if the member of the Department of Public Safety sheriff or mayor, or any person acting under the order of either of them, be killed or wounded in taking such means, or by the rioters, all persons engaged in such assemblage shall be deemed guilty of such killing or wounding.~~

The bill (Eng. Com. Sub. for H. B. 4618), as amended, was then ordered to third reading.

Eng. House Bill 4627, Relating to providing a limitation on the eminent domain authority of a municipal park board.

On second reading, coming up in regular order, was read a second time.

The following amendment to the bill, from the Committee on the Judiciary, was reported by the Clerk and adopted:

By striking out everything after the enacting clause and inserting in lieu thereof the following:

ARTICLE 21. BOARD OF PARK AND RECREATION COMMISSION.**§8-21-8. Purchase, lease or condemnation of real property.**

The board is hereby granted the power and authority to acquire in its name or in the name of the city by purchase, lease, or by exercise of the power of eminent domain, or otherwise, such land or lands as it shall determine to be necessary, appropriate, convenient or incidental to the establishment, construction, improvement, extension, development, maintenance or operation of a system of public parks, parkways, playgrounds, athletic fields, stadiums, swimming pools, skating rinks or arenas and other public park and recreational facilities for the city, whether of a like or different nature: Provided, That any such acquisition by the board made by exercise of the power of eminent domain must be approved by a majority vote of the governing body of that municipality. Approval by the governing body must be granted as to each specific parcel or tract of land to be acquired by power of eminent domain.

The bill (Eng. H. B. 4627), as amended, was then ordered to third reading.

The Senate proceeded to the tenth order of business.

The following bills on first reading, coming up in regular order, were each read a first time and ordered to second reading:

Eng. Com. Sub. for House Bill 2008, Relating to the Dealer Recovery Program.

Eng. Com. Sub. for House Bill 4036, Increasing the maximum salaries of family case coordinators and secretary-clerks.

Eng. Com. Sub. for House Bill 4157, Eliminating the refundable exemption for road construction contractors.

Eng. Com. Sub. for House Bill 4166, Establishing a special revenue fund to be known as the “Capital Improvements Fund — Department of Agriculture Facilities”.

Eng. Com. Sub. for House Bill 4431, Establishing the Mountaineer Trail Network Recreation Authority.

And,

Eng. Com. Sub. for House Bill 4558, Establishing the Entrepreneurship and Innovation Investment Fund in the West Virginia Development Office.

The Senate proceeded to the thirteenth order of business.

Senator Carmichael (Mr. President) announced the replacement of Senator Beach with Senator Woelfel on the committee of conference as to

Eng. Com. Sub. for House Bill 4186, Relating generally to guaranteed asset protection waivers.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, at 1:23 p.m., the Senate recessed until 5 p.m. today.

The Senate reconvened at 5:47 p.m. today and, without objection, returned to the third order of business.

Executive Communications

Senator Carmichael (Mr. President) laid before the Senate the following proclamation from His Excellency, the Governor, extending this current legislative session until and including the eleventh day of March, two thousand eighteen, which was received and read by the Clerk:

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT
Charleston**

A P R O C L A M A T I O N

By the Governor

WHEREAS, the Constitution of West Virginia sets forth the respective powers, duties, and responsibilities of the three separate branches of government; and

WHEREAS, Article VI, Section 22 of the Constitution of West Virginia provides that the current regular session of the Legislature shall not exceed sixty calendar days computed from and including the second Wednesday of January two thousand eighteen; and

WHEREAS, pursuant to Article VI, Section 22 of the Constitution of West Virginia, the two thousand eighteen regular session of the Legislature is scheduled to conclude on the tenth day of March, two thousand eighteen; and

WHEREAS, Article VI, Section 51 of the Constitution of West Virginia sets forth the obligations of the Governor and the Legislature relating to the preparation and enactment of the Budget Bill; and

WHEREAS, Subsection D, Article VI, Section 51 of the Constitution of West Virginia requires the Governor to issue a proclamation extending the regular session of the Legislature if the Budget Bill shall not have been finally acted upon by the Legislature three days before the expiration of its regular session; and

WHEREAS, the Budget Bill has not been finally acted upon by the Legislature as of this seventh day of March, two thousand eighteen.

NOW, THEREFORE, I, JIM JUSTICE, Governor of the State of West Virginia, do hereby issue this Proclamation, in accordance with Subsection D, Article VI, Section 51 of the Constitution of West Virginia, extending the two thousand eighteen regular session of the Legislature for an additional period not to exceed one day, through and including the eleventh day of March, two thousand eighteen; but no matters other than the Budget Bill shall be considered during this extension of the regular session, except a provision for the cost thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol in the City of Charleston, State of West Virginia, on this the seventh day of March, in the year of our Lord, Two Thousand Eighteen, and in the One Hundred Fifty-Fifth year of the State.

JIM JUSTICE
GOVERNOR

By the Governor

MAC WARNER
SECRETARY OF STATE

The Senate again proceeded to the fourth order of business.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2655, Defining and establishing the crime of cyberbullying.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 2655) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 2982, Relating to allowing draw games winners to remain anonymous.

Eng. Com. Sub. for House Bill 4002, Providing that all delegates shall be elected from one hundred single districts following the United States Census in 2020.

Eng. Com. Sub. for House Bill 4011, Requiring agencies, when submitting a new rule or changes, to also identify two existing rules that could be repealed.

Eng. Com. Sub. for House Bill 4150, Prohibiting telecommunications and IP-enabled voice services from displaying the name or telephone number of the recipient.

Eng. Com. Sub. for House Bill 4233, Relating generally to fraudulent transfers.

Eng. Com. Sub. for House Bill 4309, Restricting the sale and trade of dextromethorphan.

Eng. Com. Sub. for House Bill 4320, Limiting the ability of an agent under a power of attorney to take self-benefiting actions.

Eng. House Bill 4324, Relating to the employment of individuals by municipal paid fire departments under civil service.

Eng. Com Sub. for H. B. 4345, Relating to limitations on permits for growers, processors and dispensaries of medical cannabis.

Eng. House Bill 4486, Relating to persons required to obtain a license to engage in the business of currency exchange.

And,

Eng. House Bill 4488, Relating to the Hatfield-McCoy Recreation Authority.

And reports the same back without recommendation as to passage; but with the further recommendation that they each be rereferred to the Committee on the Judiciary.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 2982, 4002, 4011, 4150, 4233, 4309, 4320, and 4345 and Eng. H. B. 4324, 4486, and 4488) contained in the preceding report from the Committee on the Judiciary were each taken up for immediate consideration, read a first time, and ordered to second reading.

At the request of Senator Ferns, and by unanimous consent, the bills were rereferred to the Committee on the Judiciary.

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4001, Relating to eligibility and fraud requirements for public assistance.

And reports the same back without recommendation as to passage; but with the further recommendation that it be rereferred to the Committee on Health and Human Resources.

Respectfully submitted,

Tom Takubo,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4001) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

At the request of Senator Ferns, and by unanimous consent, the bill was rereferred to the Committee on Health and Human Resources.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4009, State Settlement and Recovered Funds Accountability Act.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4009) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4156, Establishing the qualifications of full and part time nursing school faculty members.

And has amended same.

Eng. Com. Sub. for House Bill 4392, Relating to Medicaid subrogation liens of the Department of Health and Human Resources.

And has amended same.

And,

Eng. Com. Sub. for House Bill 4524, Establishing guidelines for the substitution of certain biological pharmaceuticals.

And has amended same.

And reports the same back with the recommendation that they each do pass, as amended.

Respectfully submitted,

Tom Takubo,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bills (Eng. Com. Sub. for H. B. 4156, 4392, and 4524) contained in the preceding report from the Committee on Health and Human Resources were each taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4187, Business Liability Protection Act.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4187) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

Eng. Com. Sub. for House Bill 4217, Permitting an attending physician to obtain a patient's autopsy report.

And reports the same back with the recommendation that it do pass.

Respectfully submitted,

Tom Takubo,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4217) contained in the preceding report from the Committee on Health and Human Resources was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4270, Providing for the timely payment of moneys owed from oil and natural gas production.

With an amendment from the Committee on Energy, Industry, and Mining pending;

And has also amended same.

And reports the same back with the recommendation that it do pass as last amended by the Committee on the Judiciary.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4270) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. Com. Sub. for House Bill 4338, Relating to the powers and authority of the Divisions of Administrative Services, and Corrections and Rehabilitation of the Department of Military Affairs and Public Safety.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4338) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4424, Providing that the Ethics Act applies to certain persons providing services without pay to state elected officials.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4424) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Trump, from the Committee on the Judiciary, submitted the following report, which was received:

Your Committee on the Judiciary has had under consideration

Eng. Com. Sub. for House Bill 4603, Providing immunity from civil liability to facilities and employees providing crisis stabilization.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

Charles S. Trump IV,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. Com. Sub. for H. B. 4603) contained in the preceding report from the Committee on the Judiciary was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Gaunch, from the Committee on Government Organization, submitted the following report, which was received:

Your Committee on Government Organization has had under consideration

Eng. House Bill 4629, Relating to broadband enhancement and expansion policies generally.

And has amended same.

And reports the same back with the recommendation that it do pass, as amended.

Respectfully submitted,

C. Edward Gaunch,
Chair.

At the request of Senator Ferns, unanimous consent being granted, the bill (Eng. H. B. 4629) contained in the preceding report from the Committee on Government Organization was taken up for immediate consideration, read a first time, and ordered to second reading.

Senator Takubo, from the Committee on Health and Human Resources, submitted the following report, which was received:

Your Committee on Health and Human Resources has had under consideration

House Concurrent Resolution 19, World Moyamoya Awareness Day.

And reports the same back with the recommendation that it be adopted.

Respectfully submitted,

Tom Takubo,
Chair.

Pending announcement of meetings of standing committees of the Senate,

On motion of Senator Ferns, at 6:07 p.m., the Senate adjourned until tomorrow, Thursday, March 8, 2018, at 11 a.m.

SENATE CALENDAR

**Thursday, March 08, 2018
11:00 AM**

UNFINISHED BUSINESS

- S. C. R. 53 - US Army SGT Harold Scott White Memorial Bridge
H. C. R. 19 - World Moyamoya Awareness Day

THIRD READING

- Eng. Com. Sub. for S. B. 152 - Budget Bill.
- Eng. S. B. 633 - Expiring funds from Insurance Commission Fund and appropriating funds to Consolidated Medical Services Fund
- Eng. S. B. 634 - Adding, increasing, and decreasing appropriations from General Revenue to DHHR
- Eng. Com. Sub. for H. B. 2028 - Relating to the venue for suits and other actions against the state
- Eng. Com. Sub. for H. B. 4214 - Increasing penalties for unlawfully possessing or digging ginseng - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 4276 - Allowing magistrates to grant work release privileges
- Eng. Com. Sub. for H. B. 4336 - Updating the schedule of controlled substances - (Com. title amend. pending)
- Eng. H. B. 4376 - Expiring funds to the balance of the Department of Health and Human Resources
- Eng. H. B. 4379 - Supplementing, amending, decreasing, and increasing items of the existing appropriations to the Department of Transportation
- Eng. Com. Sub. for H. B. 4401 - Relating to the registration of business - (Com. title amend. pending) (original similar to SB497)
- Eng. Com. Sub. for H. B. 4453 - Relating to judicial review of contested cases under the West Virginia Department of Health and Human Resources Board of Review
- Eng. H. B. 4529 - Relating to oath by municipal official certifying list of delinquent business and occupation taxes
- Eng. Com. Sub. for H. B. 4571 - Relating to the final day of filing announcements of candidates for a political office - (Com. title amend. pending)
- Eng. Com. Sub. for H. B. 4618 - Relating to the authority of the Division of Protective Services - (Com. title amend. pending)

Eng. H. B. 4627 - Relating to providing a limitation on the eminent domain authority of a municipal park board

SECOND READING

- S. B. 635 - Relating to 2019 salary adjustment for employees of DHHR
- Eng. Com. Sub. for H. B. 2008 - Relating to the Dealer Recovery Program
- Eng. Com. Sub. for H. B. 2655 - Defining and establishing the crime of cyberbullying - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 2799 - Prohibiting the superintendent of schools from requiring a physical examination to be included to the application for a minor's work permit - (Com. amend. pending)
- Eng. H. B. 2869 - Providing for paid leave for certain state officers and employees during a declared state of emergency - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 3089 - Relating to the adoption of instructional resources for use in the public schools
- Eng. Com. Sub. for H. B. 4006 - Revising the processes through which professional development is delivered for those who provide public education - (Com. amends. pending)
- Eng. Com. Sub. for H. B. 4009 - State Settlement and Recovered Funds Accountability Act - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4036 - Increasing the maximum salaries of family case coordinators and secretary-clerks
- Eng. Com. Sub. for H. B. 4156 - Establishing the qualifications of full and part time nursing school faculty members - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4157 - Eliminating the refundable exemption for road construction contractors
- Eng. Com. Sub. for H. B. 4166 - Establishing a special revenue fund to be known as the "Capital Improvements Fund — Department of Agriculture Facilities"
- Eng. Com. Sub. for H. B. 4187 - Business Liability Protection Act - (Com. amend. and title amend. pending) (original similar to SB484)
- Eng. Com. Sub. for H. B. 4217 - Permitting an attending physician to obtain a patient's autopsy report
- Eng. Com. Sub. for H. B. 4251 - Permitting employees of baccalaureate institutions and universities outside of this state to be appointed to board of governors - (Com. amends. and title amend. pending)

- Eng. Com. Sub. for H. B. 4270 - Providing for the timely payment of moneys owed from oil and natural gas production - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4338 - Relating to the powers and authority of the Divisions of Administrative Services, and Corrections and Rehabilitation of the Department of Military Affairs and Public Safety - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4350 - Eliminating the regulation of upholstery - (Com. amend. and title amend. pending)
- Eng. H. B. 4389 - Expiring funds to the Enterprise Resource Planning System Fund - (Com. amend. pending)
- Eng. Com. Sub. for H. B. 4392 - Relating to Medicaid subrogation liens of the Department of Health and Human Resources - (Com. amends. pending)
- Eng. Com. Sub. for H. B. 4394 - Relating to forest fires - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4424 - Providing that the Ethics Act applies to certain persons providing services without pay to state elected officials - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4428 - Allowing training hours earned through public school education or apprenticeship to count towards an applicant's occupational certification - (Com. amends. pending)
- Eng. Com. Sub. for H. B. 4431 - Establishing the Mountaineer Trail Network Recreation Authority - (Com. amend. and title amend. pending)
- Eng. Com. Sub. for H. B. 4447 - Providing for a uniform and efficient system of broadband conduit installation
- Eng. H. B. 4465 - Authorizing the acupuncture board to issue certificates to perform auricular acudetox therapy
- Eng. Com. Sub. for H. B. 4524 - Establishing guidelines for the substitution of certain biological pharmaceuticals - (Com. amends. and title amend. pending)
- Eng. Com. Sub. for H. B. 4558 - Establishing the Entrepreneurship and Innovation Investment Fund in the West Virginia Development Office
- Eng. Com. Sub. for H. B. 4603 - Providing immunity from civil liability to facilities and employees providing crisis stabilization - (Com. amend. and title amend. pending)
- Eng. H. B. 4628 - Relating to authorizing the redirection of amounts collected from certain surcharges and assessments on workers' compensation insurance policies for periods prior to January 1, 2019
- Eng. H. B. 4629 - Relating to broadband enhancement and expansion policies generally - (Com. amend. and title amend. pending)

ANNOUNCED SENATE COMMITTEE MEETINGS

Regular Session 2018

Thursday, March 8, 2018

9:30 a.m.	Judiciary	(Room 208W)
1 p.m.	Health & Human Resources	(Room 451M)