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FIFTY-NINTH DAY

Friday, March 9, 2018

FIFTY-NINTH DAY

[MR. SPEAKER, MR. ARMSTEAD, IN THE CHAIR]

The House of Delegates met at 9:00 a.m., and was called to order by the Honorable Tim Armstead, Speaker.

Prayer was offered and the House was led in recitation of the Pledge of Allegiance.

The Clerk proceeded to read the Journal of Thursday, March 8, 2018, being the first order of business, when the further reading thereof was dispensed with and the same approved.

Committee Reports

Delegate Hanshaw, Chair of the Joint Committee on Enrolled Bills, submitted the following report, which was received:

Your Joint Committee on Enrolled Bills has examined, found truly enrolled and, on the 8th day of March, 2018, presented to His Excellency, the Governor, for his action, the following bills, signed by the President of the Senate and the Speaker of the House of Delegates:

Com. Sub. for H. B. 2696, Relating to crossbow hunting,

Com. Sub. for H. B. 4175, Preventing requirement that an advanced practice registered nurse participate in a collaborative relationship to obtain payment,

H. B. 4332, Relating to home peritoneal renal dialysis,

Com. Sub. for H. B. 4619, Relating to supporting implementation of comprehensive systems for teacher and leader induction and professional growth,

Com. Sub. for H. B. 2694, Relating to the development and implementation of a program to facilitate commercial sponsorship of rest areas,

Com. Sub. for H. B. 2843, Permitting Class III municipalities to be included in the West Virginia Tax Increment Act,

Com. Sub. for H. B. 2890, Establishing a Library Facilities Improvement Fund that will serve to support library facilities construction, maintenance and improvement projects,

Com. Sub. for H. B. 3104, Transfer of the West Virginia Traumatic Brain and Spinal Cord Injury Rehabilitation Fund,

Com. Sub. for H. B. 4022, Exempting the consumer sales and service tax and use tax for services for the repair, remodeling and maintenance of certain aircraft,

Com. Sub. for H. B. 4138, Requiring certain public or private schools and daycare centers to install carbon monoxide detectors,

Com. Sub. for H. B. 4199, Permitting a nursing home to use trained individuals to administer medication,

H. B. 4285, Relating to the West Virginia Safe Mortgage Licensing Act,

And,

H. B. 4385, Making a supplementary appropriation to the Department of Health and Human Resources, Division of Human Services.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 2028, Relating to the venue for suits and other actions against the state.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2464, Relating to disclaimers and exclusions of warranties in consumer transactions for goods.

On motion of Delegate Cowles, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 6. GENERAL CONSUMER PROTECTION.

§46A-6-107. Disclaimer of warranties and remedies prohibited.

~~(a) Notwithstanding any other provision of law to the contrary~~ Except as otherwise provided in subsection (b) of this section, with respect to goods which are the subject of or are intended to become the subject of a consumer transaction, no merchant ~~shall~~ may:

(1) Exclude, modify, or otherwise attempt to limit any warranty, express, or implied, including the warranties of merchantability and fitness for a particular purpose; or

(2) Exclude, modify or attempt to limit any remedy provided by law, including the measure of damages available, for a breach of warranty, express, or implied.

~~Any such exclusion, modification or attempted limitation shall be void.~~

(b) A consumer who purchases a used manufactured home may waive the warranties of merchantability and fitness for a particular purpose, or waive a warranty as to a particular defect or malfunction which the merchant has identified and disclosed in writing to the consumer, if the used manufactured home is not being sold for human habitation: *Provided*, That notice be posted on the front door of the used manufactured home that it is not being sold for human habitation: *Provided, however*, That the waiver is not effective unless the waiver:

(1) Is in writing;

(2) Is conspicuous and is in plain language;

(3) Identifies with particularity the disclosed defect or malfunction, if any, in the used manufactured home for which the warranty is to be waived;

(4) Describes any additional defects or malfunctions, if any, disclosed to the merchant by a previous owner of the used manufactured home or discoverable by the merchant after an inspection of the used manufactured home;

(5) States that the warranty being waived applies only to the disclosed defect or malfunction, if any, to the extent the merchant intends to waive a warranty as to a specific defect;

(6) Acknowledges that the used manufactured home will not be used for human habitation: *Provided*, That the consumer shall sign or initial such provision in order to evidence the consumer's acknowledgment thereof; and

(7) Is signed by both the consumer and the merchant before the sales contract is executed.

For purposes of this subsection, 'used manufactured home' means a manufactured home, as defined in §21-9-2 of this code, that is more than four years old from its date of production and has previously been occupied, used, or sold for purposes other than resale."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2464 - "A Bill to amend and reenact §46A-6-107 of the Code of West Virginia, 1931, as amended, relating to disclaimers and exclusions of warranties for used manufactured homes; providing that a consumer may waive the warranties of merchantability and fitness for a particular use; providing that a consumer may waive a particular defect or malfunction which the merchant has identified and disclosed in writing to the consumer; providing for the manner and content of waivers; and providing a definition."

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 433**), and there were—yeas 91, nays none, absent and not voting 8, with the absent and not voting being as follows:

Absent and Not Voting: Barrett, Deem, Fluharty, Hicks, Isner, Lovejoy, R. Romine and White.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2464) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 2916, Authorizing certain first responders to carry firearms.

Delegate Foster moved that the House of Delegates concur in the following amendment of the bill by the Senate, with further title amendment:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES, COMMISSIONS, OFFICES, PROGRAMS, ETC.

ARTICLE 3. ATTORNEY GENERAL.

§5-3-6. Attorney General’s investigators authority to carry concealed weapon.

(a) The Attorney General may allow, consistent with the provisions of this section, an investigator to carry a concealed firearm while performing his or her official duties.

(b) An investigator employed by the Attorney General may carry a concealed firearm approved by the Attorney General solely for purposes of defense of self or others if the investigator has:

(1) Obtained the written authorization by the Attorney General;

(2) Been determined not to be prohibited from possessing a firearm under state or federal law;

(3) Obtained and maintains a concealed handgun license pursuant to §61-7-1 et seq. of this code; and

(4) Successfully completed a firearms training and certification program equivalent to that provided to officers attending the entry level law-enforcement certification course provided at the West Virginia State Police Academy. The investigator must thereafter successfully complete an annual firearms qualification counsel equivalent to that required of certified law-enforcement officers as established by legislative rule. The Attorney General may reimburse the investigator for the cost of the training and requalification.

(c) Neither the state, a political subdivision, an agency nor an employee of the state acting in an official capacity, may be held personally liable for an act of an investigator employed by the Attorney General if the act or omission was done in good faith while the investigator was performing official duties or responsibilities under the office of the Attorney General.

CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.

ARTICLE 3. DEPUTY OFFICERS AND CONSERVATORS OF THE PEACE.

§6-3-1a. Deputy sheriff's reserve; purpose; appointment and qualifications of members; duties; equipment; attire; training; oath; bond; not employee of sheriff or county commission for certain purposes; limitation on liability.

(a) The sheriff of any county may, for the purposes set forth in this section, designate and appoint a deputy sheriffs' reserve, hereinafter referred to as 'reserve' or 'reserves'. A reserve may not be designated or created without the prior approval of the county commission for the establishment of the reserve.

(b) Each sheriff may appoint as members of the reserve bona fide citizens of the county who are of good moral character and who have not been convicted of a felony or other crime involving moral turpitude. Any person appointed shall serve at the will and pleasure of the sheriff and is not subject to the provisions of §7-14-1 *et seq.* seven of this code. A member of the reserve may not engage in any political activity or campaign involving the office of sheriff or from which activity or campaign the sheriff or candidates for sheriff appointing the member would directly benefit.

(c) Members of the reserves shall not serve as law-enforcement officers, nor carry firearms, except that a member of the reserves may carry a firearm approved by the sheriff while acting in the capacity as a reserve deputy sheriff solely for purpose of defense of self or others, if that member has

(1) Obtained the written authorization of the sheriff;

(2) Been determined not to be prohibited from possessing a firearm under state or federal law;
and

(3) Successfully completed a firearms training and certification program equivalent to that provided to officers attending the entry level law-enforcement certification course provided at the West Virginia State Police Academy. The member must thereafter successfully complete an annual firearms qualification course equivalent to that required of certified law-enforcement officers as established by legislative rule. The department may reimburse the member for the cost of the training and requalification. but

Members may carry other weapons, provided that the sheriff certifies in writing to the county commission that the reserve has met the special training requirements for the weapon as established by the Governor's Committee on Crime, Delinquency and Corrections. The Governor's Committee on Crime, Delinquency and Corrections ~~is authorized to promulgate~~ may propose legislative rules for promulgation and emergency rules pursuant to the provisions of §29A-3-1 *et seq.* this code to establish appropriate training standards. The reserves may be provided with radio communication equipment for the purpose of maintaining contact with the sheriff's department or other law-enforcement agencies. The duties of the reserves shall be limited to crowd control or traffic control and direction within the county. In addition, the reserves may perform ~~such~~ any other duties of a nonlaw-enforcement nature ~~as are~~ designated by the sheriff or by a deputy sheriff designated and appointed by the sheriff for that purpose: *Provided,* That a member of the reserves may not aid or assist any law-enforcement officer in enforcing the statutes and laws of this state in any labor trouble or dispute between employer and employee.

(d) Members of the reserves may be uniformed; however, if ~~se~~ uniformed, the uniforms shall clearly differentiate these members from other law-enforcement deputy sheriffs.

(e) After appointment to the reserves, but prior to service each member of the reserves shall receive appropriate training and instruction in ~~their~~ his or her functions and authority as well as the limitations of authority. In addition, each member of the reserves shall annually receive in-service training.

(f) Each member of the reserve shall take the same oath as prescribed by section five, article IV of the Constitution of the State of West Virginia, but the taking of the oath does not serve to make the member a public officer.

(g) The county commission of each county shall provide for the bonding and liability insurance of each member of the reserve.

(h) A member of the reserve is not an employee of either the sheriff or of the county commission for any purpose or purposes, including, but not limited to, the purposes of workers' compensation, civil service, unemployment compensation, public employees retirement, public employees insurance, or for any other purpose. A member of the reserves may not receive any compensation or pay for any services performed as a member, nor may a member use the designated uniform for any other similar work performed.

(i) Neither the county commission nor the sheriff is liable for any of the acts of any member of the reserves except in the case of gross negligence on the part of the county commission or sheriff in the appointment of the member or in the case of gross negligence on the part of either the sheriff or any of his or her deputies in directing any action on the part of the member."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 2916 - "A Bill to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-3-6 and to amend and reenact §61-3a of said code all relating to authorizing investigators employed by the Attorney General to carry a concealed handgun while engaged in official duties; requiring such investigators to obtain and maintain a concealed handgun license; establishing training and recertification requirements; authorizing certain reserve deputy sheriffs to carry firearms; requiring written permission of the sheriff to carry a firearm while acting as a reserve deputy sheriff; authorizing the carrying of a firearm by on-duty reserve deputies only for purposes of defense of self or others, establishing qualifications to carry; specifying the training required for such persons to be eligible to carry a firearm; and allowing for reimbursement for the cost of the training."

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 434**), and there were—yeas 79, nays 12, absent and not voting 8, with the nays and absent and not voting being as follows:

Nays: Brewer, Canestraro, Caputo, Ferro, Fleischauer, Iaquina, Love, Lynch, Miley, Pethtel, Pyles and Williams.

Absent and Not Voting: Barrett, Deem, Eldridge, Fluharty, Hicks, Isner, Lovejoy and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2916) passed.

On motion of Delegate of Hanshaw, the title of the bill was amended to read as follows:

Com. Sub. for H. B. 2916 - "A Bill to amend of the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-3-6 and to amend and reenact §6-3-1a of said code all relating to authorizing the carrying of firearms; authorizing investigators employed by the Attorney General to carry a concealed handgun while engaged in official duties; requiring such investigators to obtain and maintain a concealed handgun license; establishing training and recertification requirements; authorizing certain reserve deputy sheriffs to carry firearms; requiring written permission of the sheriff to carry a firearm while acting as a reserve deputy sheriff; authorizing the carrying of a firearm by on-duty reserve deputies only for purposes of defense of self or others, establishing qualifications to carry; specifying the training required for such persons to be eligible to carry a firearm; and allowing for reimbursement for the cost of the training."

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

Com. Sub. for S. B. 51, Relating to domestic relations.

On motion of Delegate Cowles, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Foster, Harshbarger and Isner.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

S. B. 282, Exempting State Conservation Committee from Purchasing Division requirements for contracts related to flood recovery.

On motion of Delegate Cowles, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Hanshaw, Ambler and Byrd.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

S. B. 545, Relating to driving privileges and requirements for persons under 18.

On motion of Delegate Cowles, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Zatezalo, Hollen and Isner.

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

Resolutions Introduced

Mr. Speaker, Mr. Armstead and Delegates Miley and Bates offered the following resolution, which was reported by the Clerk:

H. R. 13 - "Recognizing the Fiftieth Anniversary of the establishment of the Commission on Special Investigations and commending the work of its staff."

Whereas, The West Virginia Legislature established a Purchasing Practices and Procedures Commission by concurrent resolution in 1968 during its Second Extraordinary Session to monitor the state's contracting and purchasing practices to prevent abuses that had been uncovered in the past; and

Whereas, The Purchasing Practices and Procedures Commission drafted legislation in 1970 that became the basis for state government purchasing procedures that have continued to the present day and, in that same year, the commission drafted the language for the Bribery and Corrupt Practices Act that is now codified in Chapter 61 of the West Virginia Code; and

Whereas, This commission began with a staff of just two employees and the Legislature soon saw the need to dedicate more resources to the mission of the commission, establishing it as a statutory body in 1971; and

Whereas, This commission was and is a unique institution, composed of members of the Legislature and staffed by professional investigators to serve as a special investigatory team for the Legislature; and

Whereas, This commission was renamed the Commission on Special Investigations in 1980 and, at that time, the role of the commission was extended to include the investigation of conflicts

of interest, bribery of state officials, malfeasance, and misfeasance of state officials and employees; and

Whereas, After these duties were added, the new commission hired Gary Slater, a retired State Trooper who had previously been assigned to the commission, to become its Director, a position in which he served for 25 years; and

Whereas, The Commission on Special Investigations has worked with nearly every federal agency that has investigatory powers, including, but not limited to, the Federal Bureau of Investigation, Internal Revenue Service, Department of Health and Human Services, Secret Service, U.S. Marshall Service, Environmental Protection Agency, and General Services Administration; and

Whereas, This commission and its employees have, over the years, received numerous awards and commendations for outstanding investigation by United States Attorneys in Northern and Southern Districts, state executive agencies, the Attorney General's office, and county prosecutors across the state, as well as uncountable accolades from private citizens and government workers; and

Whereas, The commission staff now includes six investigators with combined experience of over 200 years in law enforcement and investigation and who have served the Legislature and the state with distinction; therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby recognizes the Fiftieth Anniversary of the establishment of the Commission on Special Investigations and commends the work of its staff; and, be it

Further Resolved, That the Clerk of the House deliver a copy of this resolution to the staff of the Commission on Special Investigations.

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the resolution (H. R. 13) to a committee was dispensed with, and it was taken up for immediate consideration and adopted.

Delegates R. Miller, Bates, Boggs, Brewer, Byrd, Campbell, Canestraro, Caputo, Eldridge, E. Evans, Ferro, Fluharty, Frich, Hartman, Hicks, Iaquina, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Maynard, Miley, Moye, Pushkin, Pyles, Robinson, Rodighiero, Sponaugle, Thompson, Ward and Westfall offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. R. 14 - "Expressing support for Taiwan's signing of a Bilateral Trade Agreement with the United States, reaffirming support for Taiwan's meaningful participation and contribution in international organizations, and expressing a desire for strengthening and expanding sister-state ties between the State of West Virginia and Taiwan."

Whereas, The Republic of China (Taiwan) and the United States have enjoyed a longstanding partnership and share the common values of freedom, democracy, human rights, and the rule of law. In 2018, Freedom House ranked by Taiwan as the second freest country in Asia, and the Heritage Foundation rated Taiwan as third in Asia in terms of economic freedom, demonstrating

the strength and vitality of its democratic system and showcasing Taiwan as a beacon of democracy for Asia and beyond; and

Whereas, The State of West Virginia is proud of the sister-state relationship it has enjoyed with Taiwan since August 4, 1980, marked by strong bilateral trade, education and cultural exchange. In 2017, the bilateral trade between West Virginia and Taiwan amounted to nearly \$64 million, making Taiwan our seventh-largest Asian trading partner, demonstrating that Taiwan is not only a friendly sister-state of West Virginia but also an important trading partner; and

Whereas, The United States is Taiwan's second largest trading partner and second-largest destination of Taiwan outward investment. Taiwan is the eleventh largest trading partner of the United States, with bilateral trade reaching \$68.2 billion in 2017, eighth largest export destination for U.S. agricultural goods, and, overall, the fourteenth largest export market; and

Whereas, West Virginia welcomes all opportunities for an even closer economic partnership to increase trade and investment and endorses Taiwan's effort to secure the signing of a U.S.-Taiwan Bilateral Trade Agreement, to boost greater West Virginia exports to Taiwan and to bring in more Taiwanese investment such as the \$34 million project which Far Eastern New Century Corporation recently announced; and

Whereas, In the 2016/17 academic year, 21,516 students from Taiwan studied in the U.S., making Taiwan the seventh leading place of origin for students coming to the U.S. and contributed more than \$738 million to the U.S. economy, through their spending on tuition, accommodation and living expenses; and

Whereas, Taiwan pursues a "New Southbound Policy" to promote more diverse bilateral and multilateral collaboration with Southeast Asia, South Asia, Australia and New Zealand, serving the best interests of the Asia-Pacific region in the continuation of stability and growth; and

Whereas, Taiwan has been proven to be a very valuable contributor in a broad range of global issues, and it is necessary be granted access to meaningfully participate in various international organizations including the World Health Organization (WHO), International Civil Aviation Organization (ICAO), United Nation Framework Convention on Climate Change (UNFCCC), and International Criminal Police Organization (INTERPOL); therefore, be it

Resolved by the House of Delegates:

That the House of Delegates hereby (reaffirms) its commitment to the strengthening and deepening of the sister-state relationship between Taiwan and the State of West Virginia; (commends) Taiwan's vibrant full-fledged democracy; (endorses) Taiwan's efforts to secure the signing of Bilateral Trade Agreement with the United States; and (continues) to support Taiwan's meaningful participation and contribution in international organizations which impact the health, safety, and well-being of its people, and supports its aspiration to make more contribution in international societies; and, be it

Further Resolved, That the Clerk of the House hereby directed to forward a copy of this resolution be sent to the Honorable Jim Justice, Governor of West Virginia, and to Mr. Stanley Kao, Representative of the Taipei.

Delegates Rowan, Boggs, Eldridge, A. Evans, Ferro, Fleischauer, Graves, Kelly, Love, Lovejoy, Lynch, Martin, Maynard, Moye, Paynter, Pethtel, Pyles, Queen, Rohrbach, C. Romine,

R. Romine, Sypolt, White and Zatezalo offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 111 - "Requesting the Joint Committee on Government and Finance study the issues, needs and challenges facing senior citizens in this state and study the feasibility of developing and providing additional effective tools, resources, and best practices to address the health, safety, welfare and other concerns of our senior citizens."

Whereas, West Virginia has the third largest percentage of senior population in the nation; over 16 percent of West Virginians are senior citizens 65 years of age or older. It has been projected that by 2035, the senior citizen population will constitute almost one fourth of the state's total population; and

Whereas, It is well known that many of our seniors lack adequate resources and have limited financial ability to meet their needs for increased services for the necessities of life, such as personal care, health care, housing, utilities, nutrition, transportation, and mobility needs and, ultimately, long-term care which they need and have the decreasing ability to provide for themselves as they mature; and

Whereas, Findings from recent studies reveal several negative trends of seniors in this state: Approximately 45 percent of West Virginia seniors have a disability, compared to 37 percent nationally; one in three elder state residents is in fair to poor health; for approximately one in three seniors, Social Security is the sole source of income; and relatively few of those seniors eligible take advantage of other supports like SNAP or utility assistance; and

Whereas, The increasing demand for current public, as well as private senior services in West Virginia already has become an increasing topic of concern by public as well as private agencies and service providers serving seniors in the state as well as various private senior advocacy groups; and

Whereas, There is an increase of children being raised in this state by senior grandparents who assume the responsibility to care for these children because of unstable parents. These seniors in many instances face difficulties or are denied the ability to attend to the child's educational needs and may be denied other public benefits available for the child as a result of not having proper legal guardianship or custody, thereby resulting in increased physical, emotional and financial strain on these senior grandparents; and

Whereas, These senior demographic trends are going to have increasing consequences for senior citizens and their families as well as on the many state and local programs that provide senior services; and

Whereas, The Legislature finds that these emerging complex issues facing seniors today and in the immediate future in this state need to be addressed by a comprehensive study and examination; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the issues, needs and challenges facing senior citizens in this state and to study the feasibility of developing and providing additional effective tools, resources, and best practices to address the health, safety, welfare and other concerns of our senior citizens; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Legislature, on the first day of the regular session, 2019, on its findings, conclusions and recommendations, together with drafts of any legislation to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

Delegates Eldridge, Maynard, R. Miller, Barrett, Rodighiero, Marcum, Love, Diserio, Phillips, White and Kelly offered the following resolution, which was read by its title and referred to the Committee on Roads and Transportation then Rules:

H. C. R. 112 - "Requesting the Division of Highways to make and erect signs on the roads entering the town of Madison in Boone County, proclaiming that Madison is the 'Home of Professional Boxing Champion Perry 'The Punisher' Ballard'."

Whereas, Perry Ballard, known as 'The Punisher' during his days as a professional boxer, was born on June 19, 1967, in Madison; and

Whereas, During his illustrious boxing career, Mr. Ballard held the following titles:

United States Boxing Council (USBC) Middleweight Title;

WBF Intercontinental Welterweight Title;

WBS Intercontinental Welterweight Title;

GBF Intercontinental Welterweight Title;

WBE Welterweight Title;

WBE Middleweight Title; and

WBE Light Middleweight Title; and

Whereas, On his growing up, Mr. Ballard said, "Being born and raised in southern West Virginia, one becomes tough on the day that you are born. The ups and downs of the coal industry indirectly touches everyone's lives. When the railroad trains are not carrying coal cars out of the mountains, it symbolizes that in the majority of the area there is no work. I was born the 8th child of 10 children from a father who worked on the railroad for 43 and a half years (with no lost time injury ever reported) and a mother who could whip up a goulash supper when there was no money to buy groceries. Tough was a standard. Being tough was savoring the moment to go to school the next day to get a breakfast and lunch to ease the pain"; and

Whereas, Mr. Ballard's biggest bout came against Boxing Hall of Fame inductee Hector "Macho" Camacho at Reliant Arena in Houston, Texas. But when asked what might be his most satisfying bouts he said, "You know it is really hard to say what was my most satisfying victory. One in particular, I had my jaw broken in the second round yet went 7 more rounds before TKO'ing my opponent and taking the victory. After a stop at my sponsor (the Moose Lodge in Leesburg, Virginia), I immediately went to the hospital where they admitted me and where I had emergency

jaw surgery. Another victory was against a larger opponent, Bobby Elkins, who was known for his left hook and KO'ing his opponent. He caught me in the first round with a big shot and followed it up with a massive left hook that momentarily stunned me. I made it to the second round and I was feeling my opponent out and I knew there was an opening for an uppercut. Johnny Johnson, my trainer, had a plan for me to go to his round and he told me and it worked like clockwork. He had a big hook yet I still went to his left and he walked right into a massive uppercut. I rattled him as he stumbled across the ring eventually falling. World class referee Dave Johnson gave him the eight count yet he looked as if he did not have his faculties all together. I jumped on him until Dave Johnson called off the fight. With that victory I became a middleweight champion. Lastly, my victory over Jimmy LeBlanc rings high on my list. Jimmy was a technical fighter but just did not have the power to put one away. He knocked me down two or three times in the first three or four rounds but yet I kept coming forward. I knew in the fourth round when my corner man Keith Keller said that I was taking too much punches that he may stop the fight and I told him I am a fighter. I know what I'm doing and I got him. The referee gave him warning after warning because of his excessive holding but I pounded away at his ribs. The punishment was too great for Jimmy and I realized that I was taking his air out of him and this would win me the fight. This was a classic moment for me fighting in front of a lot of family and friends in the Northern Panhandle of West Virginia for the USBC Middleweight title. There was a lot of stress on me because I had a terrible training camp due to an illness I had and also seeing me getting beat down in the earlier rounds. This was truly a victory of will and endurance. This again was one of my Rocky Balboa moments"; and

Whereas, There is one knockout that won't go on Mr. Ballard's record, but he doesn't mind. When he was the World Boxing Empire middleweight champion, Mr. Ballard chased and tackled a robber who had stolen \$473 from a taxi driver, saying "I just made a decision and said I was going to help this person. I was going to do everything I could to try and help this gentleman." Mr. Ballard said he was making his daily stop at a convenience store when he heard a commotion. A man had grabbed a bank bag the taxi driver was carrying and fled from the store. Mr. Ballard chased him into the store's parking lot, where he tackled the man. Another patron helped Mr. Ballard restrain the suspect until police arrived. The Police charged Jason Neil Ennis, 22, with misdemeanor petit larceny. The money was returned to the victim, according to court records. Mr. Ballard said of his heroics, "I have 14 KOs but this one doesn't count. This one doesn't go on my record"; and

Whereas, It is appropriate to let everyone entering Madison, West Virginia know that it is the hometown of boxing champion Perry Ballard, a coal country warrior and one of the true good guys in Appalachian boxing who has always given back to the community; therefore, be it

Resolved by the Legislature of West Virginia:

That the Division of Highways is hereby requested to make and erect signs on the roads entering the town of Madison in Boone County, proclaiming that Madison is the "Home of Professional Boxing Champion Perry 'The Punisher' Ballard"; and be it

Further Resolved, That the Clerk of the House of Delegates forward a copy of this resolution to the Commissioner of the Division of Highways.

Delegates Ellington, Lane, E. Evans, Longstreth, R. Miller, Atkinson, Hollen, Hornbuckle, Queen, Byrd, Bates, Canestraro and Rowe offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 113 - "Requesting the Joint Committee on Government and Finance study the health outcomes of high sugar diets, and the short-term and long-term health and economic benefits of a sugar drink tax."

Whereas, 37.7 percent of West Virginians are obese, which ranks West Virginia the highest nationally; and

Whereas, West Virginia ranks fourth nationally in obesity-attributable costs of absenteeism in the workforce; and

Whereas, More than one in seven West Virginia adults have diabetes (15.0 percent), which ranks West Virginia the highest nationally; and

Whereas, 35.1 percent of West Virginia children age 10 to 17 are overweight or obese, which ranks West Virginia the seventh worst nationally; and

Whereas, West Virginia has the highest prevalence in the nation of adults reporting fair or poor health (25.9 percent); and

Whereas, The combination of rising health care costs and an unhealthy population put a financial strain on PEIA as well as private insurers; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the health outcomes of high sugar diets and short-term and long-term health and economic benefits of a sugar drink tax; and, be it

Further Resolved, That the study include the examination of the economic impact on businesses, including those located in border counties, while also considering the healthy initiatives currently being implemented in our surrounding states and potential health care cost savings to the State of West Virginia; and, be it

Further Resolved, That the study investigate possible uses of the inevitable revenue stream created by the tax; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2019, on its findings, conclusions and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study be paid from legislative appropriations to the Joint Committee on Government and Finance.

Delegate Westfall offered the following resolution, which was read by its title and referred to the Committee on Rules:

H. C. R. 114 - "Requesting the Joint Committee on Government and Finance study the feasibility and propriety of modernizing state code as it relates to rental of motor vehicles and the manner in which individually owned passenger motor vehicles and rental car fleets are rented, registered, maintained and insured."

Whereas, With technology constantly advancing and the means of doing business in all industries rapidly changing, the rental of motor vehicles is no different; and

Whereas, Americans are increasingly depending on the “sharing” economy to provide, as well as to obtain, transportation, travel and overnight accommodations. Customers use services like Airbnb, Uber, and Lyft, relying on peers instead of businesses for travel and transportation. Drivers and hosts have created cottage industries making money renting their cars and homes, charging rates for these services at a competitive advantage over traditional businesses; and

Whereas, The rental of individually owned passenger motor vehicles to the public under rental agreements has become an increasing common transaction throughout the country; and

Whereas, There has been a nationwide emergence of private vehicle rental program providers who operate, facilitate or administer the rental of individually owned private passenger motor vehicles to the public via digital and or other electronic means, without the necessity of personal, direct, in-person contact between the parties; and

Whereas, When a motor vehicle is rented and a ticket or citation is issued that does not require the driver of the motor vehicle to supply his or her license, there is a great administrative burden on the rental car company to determine the driver at the time of ticket or citation. Thus, the Legislature finds it prudent to study and examine the issues and cost to the state and rental car companies in seeing the tickets are timely and properly paid by the individual renting the motor vehicle at the time of ticket or citation; and

Whereas, Currently, West Virginia law provides that no person may rent a motor vehicle to another person unless the renter is licensed to operate a motor vehicle, and the renter of the motor vehicle has inspected the license of the renter and has compared and verified the signature of the operator’s license with the signature of such person, written in his or her presence, thereby requiring that the parties be in each other’s physical presence to do so, and thereby inhibiting the ability to conduct rental transactions via digital or electronic means; and

Whereas, West Virginia law also provides that persons who rent a motor vehicle to another person must keep records of the registration of the rented vehicle as well as information about the person renting the vehicle, which shall be open to inspection by law enforcement and the DMV; and

Whereas, There are other issues to be considered in the rental of individually owned passenger motor vehicles via digital or electronic means, including issues of insurance coverage on private, individually owned passenger vehicles used for hire as well as potential regulation of such transactions and activity that may be subject to regulation as a motor carrier for hire; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the feasibility and propriety of modernizing state code as it relates to rental of motor vehicles and the manner in which individually owned passenger motor vehicles and rental car fleets are rented, registered, maintained and insured; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the Legislature, on the first day of the regular session, 2019, on its findings, conclusions and

recommendations, together with drafts of any legislation to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report, and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

Special Calendar

Third Reading

Com. Sub. for S. J. R. 3, Judicial Budget Oversight Amendment; on third reading, coming up in regular order, was read a third time.

On the adoption of the resolution, the yeas and nays were taken (**Roll No. 435**), and there were—yeas 94, nays 1, absent and not voting 3 with the yeas, nays and absent and not voting being as follows:

Yeas: Adkins, Ambler, Anderson, Atkinson, Barrett, Bates, Blair, Boggs, Brewer, Butler, Campbell, Canestraro, Capito, Caputo, Cooper, Cowles, Criss, Dean, Diserio, Eldridge, Ellington, Espinosa, A. Evans, E. Evans, Ferro, Fleischauer, Fluharty, Folk, Foster, Frich, Gearheart, Graves Hamilton, Hamrick, Hanshaw, Harshbarger, Hartman, Higginbotham, Hill, Hollen, Hornbuckle, Householder, Howell, Iaquina, Isner, Jennings, Kelly, Kessinger, Lane, Longstreth, Love, Lovejoy, Lynch, Marcum, Martin, Maynard, McGeehan, Miley, C. Miller, R. Miller, Moore, Moye, Nelson, Overington, Pack, Paynter, Pethtel, Phillips, Pushkin, Pyles, Queen, Robinson, Rodighiero, Rohrbach, C. Romine, Rowan, Rowe, Shott, Sobonya, Sponaugle, Statler, Storch, Summers, Sypolt, Thompson, Upson, Wagner, Ward, Westfall, White, Williams, Wilson, Zatezalo and Mr. Speaker, Mr. Armstead.

Nays: Hicks.

Absent and Not Voting: Byrd, Deem and R. Romine.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the resolution (Com. Sub. for S. J. R. 3) adopted, as follows:

Com. Sub. for S. J. R. 3 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section 51, article VI thereof, relating to the authority of the Legislature with regard to the state budget; giving the Legislature the authority to reduce items in the budget relating to the judiciary; providing that the Legislature may not make any law that conditions an increase or decrease of an item relating to the judiciary upon a particular ruling, order, or decision of a court of this state; amending obsolete language regarding when the Governor shall submit the budget to the Legislature and matters that may be considered during an extended session, to accurately reflect current constitutional requirements; making numerous technical corrections; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment."

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

On motion of Delegate, the title of the resolution was amended to read as follows:

Com. Sub. for S. J. R. 3 - "Proposing an amendment to the Constitution of the State of West Virginia, amending section 51, article VI thereof, relating to the state budget and related matters; giving the Legislature the authority to reduce items in the budget relating to the judiciary; providing that the Legislature may not make any law that conditions an increase or decrease of an item relating to the judiciary upon a particular ruling, order, or decision of a court of this state; providing rights and duties of the Chief Justice of the Supreme Court of Appeals relating to appearances before the Legislature and answering inquiries with respect to any budget bill; amending and adding language regarding when the Governor shall submit the budget to the Legislature and matters that may be considered during an extended session to conform the section to more recent amendments to the constitution; making technical corrections to gender related language; numbering and designating such proposed amendment; and providing a summarized statement of the purpose of such proposed amendment."

Resolved by the Legislature of West Virginia, two thirds of the members elected to each house agreeing thereto:

"That the question of ratification or rejection of an amendment to the Constitution of the State of West Virginia be submitted to the voters of the state at the next general election to be held in the year 2018, which proposed amendment is that section 51, article VI thereof be amended to read as follows:

ARTICLE VI.

§51. Budget and supplementary appropriation bills.

The Legislature shall not appropriate any money out of the treasury except in accordance with the provisions of this section.

Subsection A – Appropriation Bills

(1) Every appropriation bill shall be either a budget bill, or a supplementary appropriation bill, as hereinafter provided.

Subsection B – Budget Bills

(2) ~~Within ten days after the convening of the regular session of the Legislature in odd-numbered years, unless such time shall be extended by the Legislature, On the second Wednesday of February in the year 2021 and every fourth year thereafter and on the second Wednesday of January in even-numbered all other years, unless a later time in any year be fixed by the Legislature,~~ the Governor shall submit to the Legislature a budget for the next ensuing fiscal year. The budget shall contain a complete plan of proposed expenditures and estimated revenues for the fiscal year and shall show the estimated surplus or deficit of revenues at the end of each fiscal year. Accompanying each budget shall be a statement showing: (a) An estimate of the revenues and expenditures for the current fiscal year, including the actual revenues and actual expenditures to the extent available, and the revenues and expenditures for the next preceding fiscal year; (b) the current assets, liabilities, reserves, and surplus or deficit of the state; (c) the debts and funds of the state; (d) an estimate of the state's financial condition as of the beginning and end of the fiscal year covered by the budget; and (e) any explanation the Governor may desire to make as to the important features of the budget and any suggestions as to methods for reduction or increase of the state's revenue.

(3) Each budget shall embrace an itemized estimate of the appropriations, in such form and detail as the Governor shall determine or as may be prescribed by law: (a) For the Legislature as certified to the Governor in the manner hereinafter provided; (b) for the executive department; (c) for the judiciary department, as provided by law, certified to the Governor by the Auditor; (d) for payment and discharge of the principal and interest of any debt of the state created in conformity with the constitution, and all laws enacted in pursuance thereof; (e) for the salaries payable by the state under the constitution and laws of the state; and (f) for such other purposes as are set forth in the constitution and in laws made in pursuance thereof.

(4) The Governor shall deliver to the presiding officer of each house the budget and a bill for all the proposed appropriations of the budget clearly itemized and classified, in such form and detail as the Governor shall determine or as may be prescribed by law; and the presiding officer of each house shall promptly cause the bill to be introduced therein, and such bill shall be known as the "Budget Bill". The Governor may, with the consent of the Legislature, before final action thereon by the Legislature, amend or supplement the budget to correct an oversight, or to provide funds contingent on passage of pending legislation, and in case of an emergency, he or she may deliver such an amendment or supplement to the presiding officers of both houses; and the amendment or supplement shall thereby become a part of the budget bill as an addition to the items of the bill or as a modification of or a substitute for any item of the bill the amendment or supplement may affect.

(5) The Legislature shall not amend the budget bill so as to create a deficit but may amend the bill by increasing or decreasing any item therein: *Provided*, That ~~no item relating to the total appropriation relating to the judiciary shall not be decreased, by more than ten percent compared to the appropriation for the prior fiscal year without a separate vote of the Legislature requiring a two-thirds vote of the members elected to each house determined by yeas and nays and entered on the journals: *Provided, however*, That such separate vote is not required if the percentage of decrease in the total appropriation relating to the judiciary is equivalent to or less than the percentage of decrease for the entire general revenue budget as compared to the prior fiscal year.~~ and except Except as otherwise provided in this constitution, the salary or compensation of any public officer shall not be increased or decreased during his or her term of office: and *Provided further*, That the Legislature shall not increase the estimate of revenue submitted in the budget without the approval of the Governor.

(6) The Chief Justice of the Supreme Court of Appeals, the Governor, and such representatives of the executive departments, boards, officers, and commissions of the state expending or applying for state moneys as have been designated by the Governor for this purpose, shall have the right, and when requested by either house of the Legislature it shall be their duty, to appear and be heard with respect to any budget bill, and to answer inquiries relative thereto.

Subsection C – Supplementary Appropriation Bills

(7) Neither house shall consider other appropriations until the budget bill has been finally acted upon by both houses, and no such other appropriations shall be valid except: in accordance with the provisions following (a) Every such appropriation shall be embodied in a separate bill limited to some single work, object, or purpose therein stated and called therein a supplementary appropriation bill; (b) each supplementary appropriation bill shall provide the revenue necessary to pay the appropriation thereby made by a tax, direct or indirect, to be laid and collected as ~~shall~~ be directed in the bill unless it appears from such budget that there is sufficient revenue available.

Subsection D – General Provisions

(8) If the budget bill shall not have been finally acted upon by the Legislature three days before the expiration of its regular session, the governor shall issue a proclamation extending the session for such further period as may, in his or her judgment, be necessary for the passage of the bill; but no matter other than the bill shall be considered during such an extension of a session except the matters detailed in section 14, article VII of this Constitution and a provision for the cost thereof.

(9) For the purpose of making up the budget, the Governor shall have the power and it shall be his or her duty, to require from the proper state officials, including herein all executive departments, all executive and administrative officers, bureaus, boards, commissions, and agencies expending or supervising the expenditure of, and all institutions applying for state moneys and appropriations, such itemized estimates and other information, in such form and at such times as he or she shall direct. The estimates for the legislative department, certified by the presiding officer of each house, and for the judiciary, as provided by law, certified by the Auditor, shall be transmitted to the Governor in such form and at such times as he or she shall direct and shall be included in the budget.

(10) The Governor may provide for public hearings on all estimates and may require the attendance at such hearings of representatives of all agencies and all institutions applying for state moneys. After such public hearings he or she may, in his or her discretion, revise all estimates except those for the legislative and judiciary departments.

(11) Every budget bill or supplementary appropriation bill passed by a majority of the members elected to each house of the Legislature shall, before it becomes a law, be presented to the Governor. The Governor may veto the bill, or he or she may disapprove or reduce items or parts of items contained therein. If he or she approves, he or she shall sign it and thereupon, it shall become a law. The bill, items or parts thereof, disapproved or reduced by the Governor, shall be returned with his or her objections to each house of the Legislature.

Each house shall enter the objections at large upon its journal and proceed to reconsider. If, after reconsideration, two thirds of the members elected to each house agree to pass the bill, or such items or parts thereof, as were disapproved or reduced, the bill, items or parts thereof, approved by two thirds of such members, shall become law, notwithstanding the objections of the Governor. In all such cases, the vote of each house shall be determined by yeas and nays to be entered on the journal.

A bill, item or part thereof, which is not returned by the Governor within five days (Sundays excepted) after the bill has been presented to him or her shall become a law in like manner as if he or she had signed the bill, unless the Legislature, by adjournment, prevents such return, in which case it shall be filed in the office of the Secretary of State, within five days after such adjournment, and shall become a law; or it shall be so filed within such five days with the objections of the governor, in which case it shall become law to the extent not disapproved by the Governor.

(12) The Legislature may, from time to time, enact such laws, not inconsistent with this section, as may be necessary and proper to carry out its provisions.

(13) In the event of any inconsistency between any of the provisions of this section and any of the other provisions of the constitution, the provisions of this section shall prevail. But nothing

herein shall be construed as preventing the Governor from calling extraordinary sessions of the Legislature, as provided by section nineteen of this article, or as preventing the Legislature at such extraordinary sessions from considering any emergency appropriation or appropriations.

(14) If any item of any appropriation bill passed under the provisions of this section shall be held invalid upon any ground, such invalidity shall not affect the legality of the bill or of any other item of such bill or bills.

Resolved further, That in accordance with the provisions of article eleven, chapter three of the Code of West Virginia, 1931, as amended, such amendment is hereby numbered "Amendment No. 1" and designated as the "Judicial Budget Oversight Amendment" and the purpose of the proposed amendment is summarized as follows: "Giving the Legislature the authority to reduce items in the budget related to the judiciary, preventing the Legislature from any decrease of the appropriation to the judiciary greater than ten percent without a two-thirds vote of each House of the Legislature; providing that such separate vote is not required if the total budget has been decreased by an equivalent proportion, providing that when requested by the Legislature, the Chief Justice of the Supreme Court of Appeals must appear and be heard and answer inquiries relative any budget bill, and conforming language relating to the introduction of the budget and matters that may be taken up during extended sessions to more recent amendments to the constitution."

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

Com. Sub. for S. B. 10, Relating generally to PSC jurisdiction; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 436**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Deem, Moore and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 10) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 437**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Byrd, Deem and R. Romine.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 10) takes effect from its passage.

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

Com. Sub. for S. B. 82, Including rebuttable presumptions in certain cases for firefighters with regard to workers' compensation; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 438**), and there were—yeas 96, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Foster.

Absent and Not Voting: Deem and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 82) passed.

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

Com. Sub. for S. B. 141, Expanding county assessment and collection of head tax on breeding cows; on third reading, coming up in regular order, was read a third time.

Delegate Summers requested to be excused from voting on the passage of Com. Sub. for S. B. 141 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 439**), and there were—yeas 84, nays 11, absent and not voting 4, with the nays and absent and not voting being as follows:

Nays: Butler, Fast, Graves, Hanshaw, Hill, Kelly, Kessinger, Love, Martin, Summers and Wilson.

Absent and Not Voting: Boggs, Deem, Hicks and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 141) passed.

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

Com. Sub. for S. B. 230, Authorizing Department of Commerce promulgate legislative rules; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 440**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Deem, R. Miller and R. Romine.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 230) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 441**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Deem, R. Miller and R. Romine.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 230) takes effect from its passage.

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

Com. Sub. for S. B. 244, Specifying conditions for unlawful possession of firearm at school-sponsored activities; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 442**), and there were—yeas 86, nays 12, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Bates, Byrd, Caputo, Diserio, Fleischauer, Hornbuckle, Lane, Pushkin, Pyles, Rowe, Wagner and Williams.

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 244) passed.

On motion of Delegate Shott, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 244 - "A Bill to amend and reenact §61-7-11a of the Code of West Virginia, 1931, as amended, relating to specifying the conditions under which it is unlawful to possess a firearm or other deadly weapon on a school bus, in a public primary or secondary education building, structure, facility or grounds, or at certain school-sponsored functions; revising the conditions under which a retired law-enforcement officer may possess a firearm or other deadly weapon on a school bus, in a public primary or secondary education building, structure, facility or grounds, or at certain school-sponsored functions; clarifying when a person, other than a student of a primary or secondary facility, may possess a firearm or other deadly weapon on a school bus, in a public primary or secondary education building, structure, facility or grounds, or at certain school-sponsored functions if specifically authorized by the board of education or principal of the school where the property is located to conduct programs with valid educational purposes; and revising conditions for which certain persons holding a valid concealed handgun permit can possess a concealed handgun in a motor vehicle in in a parking lot, traffic circle, or other areas of vehicular ingress or egress to a public school."

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

Com. Sub. for S. B. 271, Creating centralized Shared Services Section of Department of Administration; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 443**), and there were—yeas 96, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Upson.

Absent and Not Voting: Dean and Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 271) passed.

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

Com. Sub. for S. B. 283, Relating generally to procurement by state agencies; on third reading, coming up in regular order, was read a third time.

Delegate Foster requested to be excused from voting on the passage of Com. Sub. for S. B. 283 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 444**), and there were—yeas 69, nays 29, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Brewer, Byrd, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Gearheart, Hicks, Hornbuckle, Iaquina, Isner, Kelly, Longstreth, Lovejoy, Martin, Miley, Moye, Paynter, Pethel, Pushkin, Pyles, Robinson, Rowe, Thompson and Williams.

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 283) passed.

On motion of Delegate Nelson, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 283 - "A Bill to amend and reenact §5-22-1 of the Code of West Virginia, 1931, as amended; to amend and reenact §5A-3-10b, §5A-3-10c, §5A-3-10e, §5A-3-33d, §5A-3-33f, §5A-3-37, and §5A-3-45 of said code; to amend said code by adding thereto a new section, designated §5A-3-61; to amend and reenact §5G-1-3 and §5G-1-4 of said code; to amend and reenact §6D-1-1 of said code; and to amend and reenact §18B-5-4 of said code, all relating generally to procurement by state agencies; defining terms; authorizing competitive bidding of certain open-ended repair and maintenance contracts; modifying use and consideration of alternates in solicitations; prohibiting alternates from being accepted out of order; modifying criteria to be considered in best value procurement awards; eliminating sole source procurement;

establishing direct award procurement requirements; establishing prequalification agreements and their requirements and procedures; authorizing agency-delegated bidding and its procedure; increasing certain cost limits from \$50,000 to \$1 million; authorizing awarding contracts without competitive bidding if certain requirements are met; eliminating master contracts and direct ordering process; expanding the scope of those who may be debarred; eliminating preferences for resident vendors, vendors employing state residents, and veteran residents; establishing the concept of 'reciprocal preference' for an in-state vendor over an out-of-state vendor from any state that gives or requires a preference to bidders from that state and setting forth its requirements; providing certain preferences for purchases of motor vehicles; modifying the value determination of certain motor vehicles that are to be sold; permitting funds from sale of surplus property be deposited in alternate fund if original fund no longer exists; permitting spending units to use a standardization process to purchase commodities and setting forth its requirements; permitting an architectural or engineering firm to be selected without bidding if certain conditions exist; increasing the cost of projects under which division of highways is permitted to procure services of architectural and engineering firms under certain provisions; increasing certain contract limits from \$100,000 to \$1 million; modifying provisions requiring disclosure of interested parties; requiring certain reporting; removing preference requirements for higher education; and authorizing rulemaking."

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

Conference Committee Report Availability

At 11:14 a.m., the Clerk announced that the report of the Committee of Conference on **Com. Sub. for H. B. 4186**, Relating generally to guaranteed asset protection waivers, shall be available in the Clerk's Office.

Special Calendar

Third Reading

- continued -

Com. Sub. for S. B. 288, Regulating cremation, embalming and directing of funeral service; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 445**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Hamrick.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 288) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 288 - "A Bill to repeal §30-6-22a, §30-6-23, §30-6-24, §30-6-25, §30-6-26, §30-6-27, §30-6-28, §30-6-29, §30-6-30, and §30-6-31 of the Code of West Virginia, 1931, as

amended; and to amend and reenact §30-6-1, §30-6-2, §30-6-3, §30-6-4, §30-6-5, §30-6-6, §30-6-7, §30-6-8, §30-6-9, §30-6-10, §30-6-11, §30-6-12, §30-6-13, §30-6-14, §30-6-15, §30-6-16, §30-6-17, §30-6-18, §30-6-19, §30-6-20, §30-6-21, and §30-6-22 of said code, all relating to regulation of cremation, embalming, and funeral service directing; defining terms; terminating the Board of Funeral Service Examiners; transferring the functions of the board to the Secretary of State; specifying timeline and duties for the transfer of functions and property; providing special provisions and authority to Secretary of State to facilitate transfer; providing rule-making authority for Secretary of State; continuing existing rules previously promulgated by the board; authorizing Secretary of State to request repeal of rules previously promulgated by the board; establishing timeline for promulgation of rules by Secretary of State in 2018; authorizing the promulgation of emergency rules; transferring control of a special revenue account utilized by Board of Funeral Service Examiners to the Secretary of State; providing for the transfer of assets and liabilities to new account; providing for periodic sweep of funds into General Revenue Fund; eliminating outdated and obsolete language; authorizing Secretary of State to grant funeral service license; updating requirements for funeral service license; continuing certificates to operate a crematory; authorizing Secretary of State to grant certificate to operate a crematory; updating requirements for certificate to operate a crematory; updating language related to license and certificate reciprocity and courtesy card holders to give authority to Secretary of State; authorizing Secretary of State to enter into reciprocity agreements; authorizing Secretary of State to issue registration to be an apprentice; updating requirements for licensure of funeral establishments; authorizing Secretary of State to issue funeral establishment license; updating requirements for licensure of crematories; authorizing Secretary of State to issue crematory license; modifying requirements for inspectors and inspections; authorizing Secretary of State to appoint inspectors; updating requirements for renewal of licenses, certificates, courtesy cards, and registrations; eliminating requirement for Board of Funeral Service Examiners to provide continuing education; modifying order of persons authorized to give written permission for cremation; updating language concerning preneed affidavit; requiring Secretary of State to refuse to issue a license, certificate, renewal, or registration if certain requirements are not met; authorizing Secretary of State to take action against licensee, certificate holder, registrant, or applicant under certain circumstances; requiring Secretary of State establish means for public to submit complaints; requiring Secretary of State to investigate all complaints received; setting procedures for investigations; specifying powers and procedures for conducting hearings and rendering disposition of contested cases; granting the authority to suspend or revoke an authorization to practice without a prior hearing under certain circumstances; setting burden of proof; providing right of appeal from determination of Secretary of State; authorizing informal disposition; making violations of article a criminal act; establishing criminal penalties; authorizing Secretary of State or interested person to seek injunctions for violations of article; providing for referral of criminal matters to appropriate authorities; permitting criminal actions to be brought by Attorney General, United States Attorney, or local prosecuting attorney; providing that a single act is evidence of violation; providing for certain inapplicability of article; and correcting references and updating terms throughout.”

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 446**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Boggs, Canestraro and Deem.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 288) takes effect from its passage.

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

Com. Sub. for S. B. 313, Waiving occupational fees and licensing requirements for certain low-income individuals, military families, and young workers; on third reading, coming up in regular order, was read a third time.

Delegate Kelly demanded the previous question, which demand was sustained.

Delegate Wilson requested to be excused from voting on the passage of Com. Sub. for S. B. 313 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

On this question, the yeas and nays were taken (**Roll No. 447**), and there were—yeas 43, nays 55, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Adkins, Ambler, Atkinson, Blair, Butler, Cooper, Criss, Ellington, Espinosa, A. Evans, Fast, Folk, Foster, Gearheart, Hamrick, Hanshaw, Harshbarger, Higginbotham, Hill, Hollen, Jennings, Kelly, Martin, Maynard, McGeehan, C. Miller, Moore, Nelson, Pack, Paynter, Phillips, C. Romine, R. Romine, Rowan, Shott, Sobonya, Summers, Sypolt, Wagner, Ward, Wilson, Zatezalo and Mr. Speaker, Mr. Armstead.

Absent and Not Voting: Deem.

So, a majority of the members present and voting not having voted in the affirmative, the motion was rejected.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 448**), and there were—yeas 82, nays 16, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Bates, Brewer, Canestraro, Caputo, Diserio, Ferro, Fleischauer, Hicks, Lane, Longstreth, Lynch, Pushkin, Pyles, Robinson, Rowe and Williams.

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 313) passed.

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

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate 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

Com. Sub. for S. B. 51, Relating to domestic relations.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Trump, Smith and Woelfel.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate 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

S. B. 282, Exempting State Conservation Committee from Purchasing Division requirements for contracts related to flood recovery.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Boso, Maynard and Palumbo.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate 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

S. B. 545, Relating to driving privileges and requirements for persons under 18.

The message further announced that the President of the Senate had appointed as conferees on the part of the Senate the following:

Senators Trump, Weld and Woelfel.

At 12:14 p.m., on motion of Delegate Cowles, the House of Delegates recessed until 1:30 p.m.

* * * * *

Afternoon Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had refused to concur in the amendment of the House of Delegates and requested the House to recede from its amendment to

Com. Sub. for S. B. 582, Allowing candidate for political party executive committee serve as election official.

On motion of Delegate Cowles, the House of Delegates refused to recede from its amendment and requested the Senate to agree to the appointment of a Committee of Conference of three from each house on the disagreeing votes of the two houses.

Whereupon,

The Speaker appointed as conferees on the part of the House of Delegates the following:

Delegates Lane, Capito and R. Miller.

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

Special Calendar

Third Reading

- Continued -

S. B. 339, Relating to WV Retirement Health Benefit Trust Fund within PEIA; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 449**), and there were—yeas 88, nays none, absent and not voting 11, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Espinosa, Ferro, Fleischauer, Hartman, Lovejoy, Maynard, R. Miller, Moore, Statler and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 339) passed.

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

Com. Sub. for S. B. 355, Dissolving IS&C Division under Office of Technology; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 450**), and there were—yeas 93, nays none, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Espinosa, Lovejoy, Maynard, Moore and White.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 355) passed.

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

Com. Sub. for S. B. 375, Relating to farmers markets; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 451**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Espinosa.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 375) passed.

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

Com. Sub. for S. B. 401, Requiring specified coverage in health benefit plans for treatment of substance abuse disorders; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 452**), and there were—yeas 90, nays 7, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Butler, Fast, Folk, Foster, McGeehan, Overington and Wilson.

Absent and Not Voting: Deem and Espinosa.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 401) passed.

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

S. B. 406, Clarifying that ground emergency medical transportation is eligible for Medicare and Medicaid reimbursement; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 453**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Dean, Deem and Hollen.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 406) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

S. B. 406 - "A Bill to amend and reenact §9-5-26 of the Code of West Virginia, 1931, as amended, relating to supplemental Medicare and Medicaid reimbursement; and clarifying that ground emergency medical transportation services providers owned or operated by, or providing services under contract with the state and certain political subdivisions thereof, are eligible for reimbursement from Medicare."

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 454**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Dean, Deem and Marcum.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 406) takes effect from its passage.

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

S. B. 407, Licensing and approval of child care programs; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 455**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Marcum and Sobonya.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 407) passed.

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

Com. Sub. for S. B. 408, Licensing of nursing homes and assisted living residences; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 456**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 408) passed.

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

S. B. 425, Removing sunset dates which members of policemen's or firemen's pension fund elect to participate in deferred retirement option plan; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 457**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 425) passed.

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

Com. Sub. for S. B. 434, Specifying documents not subject to discovery in certain proceedings; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 458**), and there were—yeas 87, nays 10, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Canestraro, Eldridge, Fluharty, Isner, Miley, Moyer, Pushkin, Robinson, Rowe and Sponaugle.

Absent and Not Voting: Deem and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 434) passed.

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

Com. Sub. for S. B. 438, Relating to debt service on bonds secured by State Excess Lottery Revenue Fund; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 459**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 438) passed.

An amendment to the title of the bill, recommended by the Committee on Finance, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 438 - "A Bill to amend and reenact §29-22-18e of the Code of West Virginia, 1931, as amended; and to amend said code by adding thereto a new section, designated §31-15-16d, all relating to authorizing additional bonds for state park projects; requiring certain deposits from the state excess lottery revenue fund; providing for allocation of certain funds not needed for debt service to state park improvements; authorizing the Economic Development Authority to issue certain revenue bonds; providing limitations on bond issuance; creating a special revenue account; and providing for allocation of bond proceeds."

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

Com. Sub. for S. B. 442, Establishing universal forms and deadlines when submitting prior authorization electronically; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 460**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 442) passed.

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

Com. Sub. for S. B. 443, Terminating parental rights when certain conditions are met; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 461**), and there were—yeas 96, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Upson.

Absent and Not Voting: Deem and Moore.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 443) passed.

On motion of Delegate Shott, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 443 - “A Bill to amend and reenact §49-4-605 of the Code of West Virginia, 1931, as amended, relating to requiring the department to file a petition to terminate parental rights when parents voluntarily fail to have contact or attempt to have contact with the child for a period of 18 consecutive months; and creating exceptions thereto.”

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

Com. Sub. for S. B. 445, Allowing DOH acquire real or personal property for utility accommodation; on third reading, coming up in regular order, was reported by the Clerk.

Delegate Hanshaw asked and obtained unanimous consent to amend the bill on third reading, and the rule was suspended to permit the offering and consideration of such.

On motion of Delegates Hanshaw and Folk, the bill was amended on page two, section 17A, line thirty-nine, immediately following the word “Commissioner”, by inserting the following “: *Provided, however*, for any utility which is not subject to the jurisdiction of the Public Service Commission, the lease shall not contain any exclusivity provisions.”

The bill was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 462**), and there were—yeas 89, nays 8, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Anderson, Hill, Kessinger, Martin, McGeehan, Paynter, Wagner and Ward.

Absent and Not Voting: Deem and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 445) passed.

Com. Sub. for S. B. 446, Creating Agritourism Responsibility Act; on third reading, coming up in regular order, with an amendment pending and with the restricted right to amend jointly by Delegates Hanshaw and Byrd, was reported by the Clerk.

Whereupon,

Delegate Hanshaw asked and obtained unanimous consent that the amendment recommended by the Committee on the Judiciary be withdrawn.

An amendment, offered by Delegates Hanshaw and Byrd, was reported by the Clerk on page one, by striking out everything after the enacting section and inserting in lieu thereof the following:

“ARTICLE 36. AGRITOURISM RESPONSIBILITY ACT.

§19-36-1. Legislative purposes; authority.

Every year, in rapidly increasing numbers, residents and nonresidents of the State of West Virginia are enjoying the recreational value of the state’s many agritourism venues. The tourist trade is of vital importance to the State of West Virginia and the services offered by agritourism significantly contribute to the revenue enterprise and economic development of the state. The Legislature recognizes that there are inherent risks in the recreational activities provided by agritourism which should be understood by each participant. It is essentially impossible for agritourism to eliminate these risks. It is the purpose of this article to define those areas of responsibility and affirmative acts for which agritourism is liable for loss, damage, or injury.

The Commissioner of Agriculture is hereby authorized to, and shall devise means of, advancing agritourism in the state, and in the performance of such duty, he or she shall have the authority to call upon any department, division, or officer of the state or county to cooperate with him or her in promoting agritourism in the state.

The Commissioner of Agriculture, in consultation with the Secretary of Commerce, shall promulgate rules in accordance with chapter 29A of this code for the promotion, marketing, and regulation of agritourism.

§19-36-2. Definitions.

Unless the context of usage clearly requires otherwise:

'Agritourism' activity means any lawful activity carried out on a farm or ranch that allows members of the general public for recreational, entertainment or educational purposes to view or enjoy rural activities.

'Agritourism business' means any person, fiduciary, firm, association, partnership, limited liability company, corporation, unit of government, or any other group or entity which is engaged in the business of providing one or more agritourism activities, whether or not for compensation.

'Agritourism professional' means owners, operators, employees, and volunteers working for or under the direction of the operators of an agritourism business.

'Farm' or 'Ranch' means an area of land used for the production, cultivation, growing, harvesting or processing of agricultural products.

'Inherent risks of agritourism activity' are those dangers or conditions that are part of an agritourism activity including certain hazards, natural conditions of land and terrain, vegetation, and waters, the behavior of wild or domestic animals, and ordinary dangers of structures or equipment ordinarily used in farming and ranching operations. Inherent risks of agritourism activity also include the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, including failing to follow instructions given by the agritourism professional or failing to exercise reasonable caution while engaging in the agritourism activity.

'Participant' as used in this article means any person, other than the agritourism professional, who engages in an agritourism activity.

§19-36-3. Duties of agritourism businesses and participants.

(a) An agritourism business, or agritourism business employee or volunteer acting under the direction of the agritourism business operator, is not liable for injury or death of a participant, or loss or damage to a participant's property, as the result of the inherent risks of agritourism activities if such agritourism business has posted the notice in substantially the form as is provided in §19-36-4(b).

(b) The provisions of subsection (a) of this section shall not prevent or in any way limit the liability of an agritourism business that does any of the following:

(1) Commits an act or omission that constitutes gross negligence or willful or wanton disregard for the health and safety of the participant which proximately causes injury, death, loss, or damage to the participant; or

(2) Commits an intentional act or omission which proximately causes injury, death, loss, or damage to the participant.

(c) Any limitation on legal liability afforded by this section to an agritourism business is in addition to any other limitations of legal liability otherwise provided by law.

(d) Participants have a duty to act as a reasonably prudent person when engaging in recreational activities offered by agritourism businesses in this state.

§19-36-4. Liability of agritourism businesses.

(a) To qualify for the limitation on liability afforded by §19-36-3, an agritourism business shall post and maintain signs that contain the notice specified in §19-36-4(b) of this code. The sign must be placed in a clearly visible location at the entrance to the agritourism location and at the site of the agritourism activity. The notice must be clearly legible, with each letter to be a minimum of one inch in height. Every written contract entered into by an agritourism professional for the providing of professional services, instruction, or the rental of equipment to a participant, whether or not the contract involves agritourism activities on or off the location or at the site of the agritourism activity, must contain in clearly legible print the notice specified in §19-36-4(b) of this code.

(b) The signs and contracts described in subsection (a) of this section must contain the following notice:

NOTICE

Under West Virginia law, there may be limited liability for an injury to or death of a participant in an agritourism activity conducted at this agritourism business if the injury or death results from the inherent risks of the agritourism activity. Inherent risks of agritourism activities include, among others, risks of injury inherent to landscape, terrain, equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity.

(c) Failure to comply with the requirements concerning notices provided in this section will prevent an agritourism business from invoking the privileges of immunity provided by this article.

§19-36-5. Maintenance of property status for certain purposes; exceptions.

(a) Notwithstanding any provision of this code to the contrary, the occurrence of agritourism does not change the nature or use of property that otherwise qualifies as agricultural for building code and property tax classification purposes.

(b) An agritourism business may use certain of its facilities for occasional events without complying with building codes applicable to structures used for such purposes on a full-time basis as long as such facilities are deemed structurally sound and otherwise safe for the intended use.

Delegate Fast then asked and obtained unanimous consent to offer an amendment to the amendment.

Delegate Fast moved to amend the amendment, on page one, section one, lines thirteen through fifteen, by striking out lines thirteen through fifteen in its entirety and inserting in lieu thereof the following:

“The Commissioner of Agriculture, in consultation with the Secretary of Commerce, shall promulgate rules in accordance with chapter 29A of this code for the promotion and marketing of agritourism business.”

On page two, section two, line seven, after the word “business”, by adding the word “enterprise”.

And,

On page two, section two, line twenty, after the word “agritourism”, by adding the word “business”.

On the adoption of the amendment to the amendment, Delegate Fast demanded the yeas and nays, which demand was sustained.

The yeas and nays having been ordered, they were taken (**Roll No. 463**), and there were—yeas 5, nays 93, absent and not voting 1, with the yeas and absent and not voting being as follows:

Yeas: Fast, Hornbuckle, Isner, Love and Lovejoy.

Absent and Not Voting: Deem.

So, a majority of the members present and voting not having voted in the affirmative, the amendment to the amendment was rejected.

The amendment offered by Delegates Hanshaw and Byrd was then adopted.

The bill was then read third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 464**), and there were—yeas 88, nays 9, absent and not voting 2, with the yeas and absent and not voting being as follows:

Nays: Canestraro, Eldridge, Fast, Fluharty, Gearheart, Isner, Love, Miley and Rowe.

Absent and Not Voting: Deem and Robinson.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 446) passed.

On motion of Delegate Hanshaw, the title of the bill was amended to read as follows:

Delegate Hanshaw moves to amend the bill by striking out the title and substituting therefor a new title, to read as follows:

S. B. 446 - “A Bill to amend the Code of West Virginia, 1931, by adding thereto a new article, designated §19-36-1, §19-36-2, §19-36-3, §19-36-4, and §19-36-5, all relating to agritourism generally; creating the Agritourism Responsibility Act; making findings; establishing authority and duties of the Commissioner of Agriculture related to agritourism; authorizing Commissioner of Agriculture, in consultation with the Secretary of Commerce, to promulgate and propose rules; defining terms; establishing duties of agritourism businesses and participants in agritourism activities; immunizing agritourism business, employees, and volunteers associated therewith from certain acts of simple negligence and creating exceptions thereto; requiring notice of certain rights, limitations on liability, and responsibilities of participants in agritourism activities; clarifying that operation of agritourism business does not change status of the facilities and property used for building code and tax purposes; and exempting structures of agritourism business occasionally used for events from building code requirements for entities engaged in such activities on a full-time basis.”

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

S. B. 468, Changing date and recipients for submission of Auditor's annual report; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 465**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 468) passed.

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

Com. Sub. for S. B. 469, Converting Addiction Treatment Pilot Program to permanent program; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 466**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 469) passed.

On motion of Delegate Ellington, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 469 - "A Bill to amend and reenact §62-15A-1, §62-15A-2, and §62-15A-3 of the Code of West Virginia, 1931, as amended, all relating to converting the Addiction Treatment Pilot Program into a permanent program; placing the program under the control of the Department of Military Affairs and Public Safety; permitting certain funding to come from a combination of sources; and requiring reports to be submitted annually."

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

Com. Sub. for S. B. 495, Designating specific insurance coverages exempt from rate filing requirements; on third reading, coming up in regular order, was read a third time.

Delegate Fast requested to be excused from voting on the passage of Com. Sub. for S. B. 495 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegate would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Member from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 467**), and there were—yeas 96, nays 2, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Fast and Robinson.

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 495) passed.

An amendment to the title of the bill, recommended by the Committee on the Judiciary, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 495 - "A Bill to amend and reenact §33-20-4 of the Code of West Virginia, 1931, as amended, relating to commercial insurance rates applicable to fire, marine, casualty and surety insurance; and designating specific insurance coverages which are exempt from the requirements of filing rates with the insurance commissioner."

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

Com. Sub. for S. B. 501, Relating to accrued benefit of retirees in Deputy Sheriff Retirement System; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 468**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 501) passed.

Delegate Cowles moved that the bill take effect July 1, 2018.

On this question, the yeas and nays were taken (**Roll No. 469**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 501) takes effect July 1, 2018.

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

Com. Sub. for S. B. 521, Requiring chief executive of municipal law-enforcement agency be certified law-enforcement officer; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 470**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 521) passed.

An amendment to the title of the bill, recommended by the Committee on the Judiciary, was reported by the Clerk and adopted, amending the title to read as follows:

Com. Sub. for S. B. 521 - "A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-29-13, relating to requiring any newly appointed chief executive of a municipal law-enforcement agency to be either a certified law-enforcement officer, or to be certifiable as such, according to the requirements set forth in other applicable provisions of this code; and, providing that chief executives employed prior to the effective date are exempt from this requirement."

Delegate Cowles moved that the bill take effect July 1, 2018.

On this question, the yeas and nays were taken (**Roll No. 471**), and there were—yeas 96, nays none, absent and not voting 3, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Fleischauer and Fluharty.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 521) takes effect July 1, 2018.

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

Com. Sub. for S. B. 528, Providing additional circuit judge for nineteenth judicial circuit; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 472**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 528) passed.

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

Com. Sub. for S. B. 445, Allowing DOH acquire real or personal property for utility accommodation; still being in possession of the Clerk, was taken up for further consideration.

On motion of Delegate Hanshaw, the title of the bill, was amended to read as follows:

Com. Sub. for S. B. 445 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §17-2A-17a; and to amend and reenact §17-4-17b of said code, and to add thereto a new section, designated §17-4-17e; all relating to utility relocation; stating legislative findings; defining term; authorizing the Division of Highways to acquire real or personal property for utility accommodation; authorizing the division to lease real property to utilities; allowing the division to pay for utility relocation costs subject to reimbursement agreement; specifying methods of preliminary engineering design work completion and utility relocation construction work payment; providing legislative and emergency rule-making authority; and providing for allocation of costs and the repayments thereof for utility relocation on any state highway construction projects financed by proceeds of bonds or notes which are issued before July 1, 2021.”

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

Conference Committee Report Availability

At 3:14 p.m., the Clerk announced that the report of the Committee of Conference on **Com. Sub. for S. B. 46**, Permitting pharmacists to inform customers of lower-cost alternative drugs, shall be available in the Clerk’s Office.

Special Calendar

Third Reading

- continued -

S. B. 551, Relating to failure of employers to make contributions on behalf of employees to retirement plan administered by CPRB; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 473**), and there were—yeas 97, nays 1, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Upson.

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 551) passed.

On motion of Delegate Shott, the title of the bill was amended to read as follows:

S. B. 551 - “A Bill to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-10D-13; and to amend and reenact §61-10-20 of said code, all relating to failure of employers to make contributions on behalf of employees to a retirement plan administered by the Consolidated Public Retirement Board; authorizing the State Auditor, county commission, or sheriff of the county in which the employer is located to withhold moneys due to a public employer that is delinquent in required contributions to a retirement plan after the Consolidated Public Retirement Board has certified the delinquency; authorizing withheld moneys

to be applied to the retirement system the delinquent payments would have been made to; providing for interest on delinquencies; requiring the Consolidated Public Retirement Board to provide notice to a participating employer thirty days prior to certifying a delinquency under this section; making it a criminal offense for persons who are responsible for ensuring that an entity complies with the requirements of a retirement plan administered by the Consolidated Public Retirement Board to knowingly and willfully fail to make employee or employer contributions to a retirement plan for a period of sixty days after the payment is due; and providing criminal penalties.

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

Com. Sub. for S. B. 556, Creating small business and minority populations economic and workforce development taskforce to assist Economic Development Authority; on third reading, coming up in regular order, with restricted right to amend by Delegates Cowles and Miley, was reported by the Clerk.

On motion of Delegates Cowles and Miley, the bill was amended on page seven, section three, line one hundred fifty-two after the words “small businesses”, by inserting the words “with less than seventy-five full-time employees or full-time equivalent employees” and a comma.

On page seven, section three, line one hundred fifty-six after the words “African Americans”, by inserting a comma and the words “American Indian, Alaskan Native, Hispanic (including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin), Pacific Islander or other economically disadvantaged ethnic group” and a comma.

And,

On page seven, section three, line one hundred fifty-seven, after the word “The”, by inserting the words “Small and”.

The bill was then read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 474**), and there were—yeas 84, nays 13, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Butler, Cowles, Fast, Folk, Foster, Gearheart, Graves, Harshbarger, Hill, McGeehan, Overington, Storch and Wilson.

Absent and Not Voting: Deem and Hicks.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 556) passed.

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

S. B. 592, Adding examination of advanced care technician for firefighter paramedic; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 475**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Marcum.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 592) passed.

An amendment to the title of the bill, recommended by the Committee on Government Organization, was reported by the Clerk and adopted, amending the title to read as follows:

S. B. 592 - "A Bill to amend and reenact §8-15-20a of the Code of West Virginia, 1931, as amended; to amend and reenact §16-4C-6 of this code; and to amend said code by adding thereto a new section, designated §16-4C-6d, all relating to advanced care technicians and emergency medical technicians; authorizing commissioner of the Bureau of Public Health to certify certain scopes of practice and levels of certification; requiring an applicant to be certified; requiring examination for certification; and providing for qualified veterans to take certification examinations."

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

S. B. 612, Relating to sale of municipal property; on third reading, coming up in regular order, was read a third time.

Delegates Kessinger and Ward requested to be excused from voting on the passage of S. B. 612 under the provisions of House Rule 49.

The Speaker replied that any impact on the Delegates would be as a member of a class of persons possibly to be affected by the passage of the bill, and refused to excuse the Members from voting.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 476**), and there were—yeas 96, nays 1, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Sobonya.

Absent and Not Voting: Cowles and Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 612) passed.

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

Com. Sub. for S. B. 625, Creating WV Volunteer Fire and Rescue Act of 2018; on third reading, coming up in regular order, was read a third time.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 477**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Cowles and Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for S. B. 625) passed.

On motion of Delegate Nelson, the title of the bill was amended to read as follows:

Com. Sub. for S. B. 625 - “A Bill to amend and reenact §5A-3-8 of the Code of West Virginia, 1931, as amended; to amend said code by adding thereto a new section, designated §5A-3-8a; to amend and reenact §5H-1-2 of said code; to amend and reenact §7-1-3d of said code; to amend and reenact §8-15-3 of said code; to amend and reenact §16-4C-6 and §16-4C-8 of said code; to amend said code by adding thereto two new sections, designated §16-4C-8a and §16-4C-24; to amend said code by adding thereto a new section, designated §17-2A-8d; to amend said code by adding thereto three new sections, designated §29-3-5e, §29-3-5f and §29-3-8; to amend and reenact §29-3-12 of said code; and to amend said code by adding thereto a new section, designated §33-3-33b, all relating to fire and other emergency hazards generally; requiring Director of Purchasing Division make facilities and services of the division available to fire departments and companies and certain emergency medical services agencies; authorizing director to provide for implementation by legislative rules or other agreement; authorizing payment of death benefits to survivors of firefighter, emergency medical services, or law-enforcement provider who dies as a proximate result of the performance of his or her duties; providing for written designation of beneficiary to be made with State Fire Marshal or Commissioner of the Bureau for Public Health; requiring any county fire prevention units to be formed and recognized under the regulations of the State Fire Commission for local fire departments; increasing authorized reimbursement rate amount; providing exception for incidents or accidents involving hazardous materials or extended search and rescue and water rescue incidents; requiring payment of amounts owed as reimbursement within 90 days; authorizing written agreements between fire department or company and responsible party; modifying provisions relating to fire fees imposed on nonresidents of a municipality who are users of that municipality’s fire service; capping the amount of the fees which can be imposed; excluding charges for certain buildings; requiring contract to impose fees for services provided to property outside municipal boundaries; authorizing Commissioner of the Bureau for Public Health to establish one or more statewide contracts for equipment and supplies utilized by emergency medical services agencies; requiring statewide contracts be made available to certain emergency medical services agencies; authorizing development of uniform standards for equipment and supplies used by emergency medical services agencies; giving legislative rule-making authority to Commissioner of the Bureau for Public Health to implement provisions; requiring Commissioner of the Bureau for Public Health to recognize and give full credit for all continuing education credits approved or recognized by state or nationally recognized accrediting body; establishing courtesy certification program for certified emergency medical service personnel in states bordering West Virginia; relieving courtesy certification applicants from requirement to comply with state certification standards; authorizing rulemaking to implement courtesy certification program; providing for biennial renewal of courtesy certification; authorizing revocation of courtesy certification under certain conditions; establishing special revenue fund known as Emergency Medical Services Equipment and Training Fund; authorizing use of fund for grants to equip emergency medical service providers and train emergency medical services personnel; requiring Commissioner of the Bureau for Public Health establish grant program for equipment and training of emergency medical services

providers and personnel; setting eligibility and certain priorities for grant program; granting rule-making authority to implement grant program; authorizing Commissioner of Division of Highways enter into reimbursement agreements with certain fire departments for services provided relating to tree or debris removal from state highways and rights-of-way; setting conditions for and defining scope of reimbursement; retaining authority of commissioner to properly remove and dispose of cleared trees, debris, or other obstacles; granting legislative rule-making authority to implement reimbursement program; setting minimum provisions for legislative rule; authorizing State Fire Marshal establish one or more statewide contracts for equipment and supplies utilized by fire companies and departments; requiring statewide contracts be made available to certain fire companies and departments as well as any other agency or subdivision with a need for those equipment or supplies; authorizing development of uniform standards for equipment and supplies used by fire companies and departments; giving legislative rule-making authority to State Fire Commission to implement provisions; establishing courtesy certification program for certified firefighters in states bordering West Virginia as volunteer firefighters; relieving courtesy certification applicants from requirement to comply with state certification standards for volunteer firefighters; authorizing rulemaking to implement courtesy certification program; providing for biennial renewal of courtesy certification; authorizing revocation of courtesy certification under certain conditions; establishing special revenue fund known as Fire Service Equipment and Training Fund; authorizing use of fund for grants to equip volunteer and part-volunteer fire companies and departments and their members, and train volunteer and part-volunteer firefighters; requiring State Fire Marshal establish grant program for equipment and training of volunteer and part-volunteer fire companies and departments and volunteer firefighters; setting eligibility and certain factors for State Fire Marshal to consider in making grants; granting rule-making authority to implement grant program; requiring State Fire Marshal prepare certain reports and make certain recommendations; requiring study and report from Insurance Commissioner regarding issues related to workers' compensation for volunteer and part-volunteer fire departments; eliminating obsolete language; and making technical corrections.”

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

At 3:48 p.m., on motion of Delegate Foster, the House of Delegates recessed until 4:30 p.m.

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Evening Session

* * * * *

The House of Delegates was called to order by the Honorable Tim Armstead, Speaker.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4401, Relating to the registration of business.

Delegate Cowles moved that the House of Delegates concur in the following amendment of the bill by the Senate, with further amendment:

On page one, by striking out everything after the enacting clause 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."

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4401 - "A Bill to amend and reenact §21-3-7 of the Code of West Virginia, 1931, as amended; to amend and reenact §21-3C-11; to amend and reenact §21-3D-8; to amend and reenact §21-5-5c; to amend and reenact §21-9-9; to amend and reenact §21-10-4; to amend and reenact §21-11-17; to amend and reenact §21-14-9; to amend and reenact §21-15-7; to amend and reenact §21-16-10; to amend and reenact §47-1-8, §47-1-20, §47-1-21 and §47-1-22; and to amend and reenact §47-1A-14, all relating to the collection and use of fees by the Commissioner of the Division of Labor; authorizing commissioner to utilize certain excess funds to meet the division's funding obligations through June 30, 2019; eliminating authority to use certain excess funds after June 30, 2019; eliminating authority to charge annual registration fee for service persons and service agencies; eliminating authority to charge annual device registration fee; and eliminating certain rulemaking authority."

On motion of Delegate Cowles, the House concurred in the Senate amendment with further amendment, on page 4, section 11, line 39, following the word "obligation", by inserting a semicolon and the following: "Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division's funding obligations";

On page 5, section 8, line 6, following the word "obligation", by inserting a semicolon and the following: "Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division's funding obligations";

On page 7, section 5c, line 41, following the word "obligation", by inserting a semicolon and the following: "Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division's funding obligations";

On page 9, section 9, line 32, following the word "obligation", by inserting a semicolon and the following: "Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division's funding obligations";

On page 10, section 4, line 20, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 10, section 17, line 7, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 12, section 9, line 6, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 13, section 7, line 22, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 14, section 10, line 6, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 15, section 8, line 19, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 15, section 20, line 13, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 16, section 21, line 45, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”;

On page 17, section 22, line 20, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”; and

On page 18, section 14, line 15, following the word “obligation”, by inserting a semicolon and the following: “Provided, That beginning July 1, 2019, amounts collected may not be utilized by the commissioner as needed to meet the division’s funding obligations”.

The bill, as amended by the Senate, and further amended by the House, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 478**), and there were—yeas 92, nays none, absent and not voting 7, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Ferro, Foster, Harshbarger, Hicks, Isner and Marcum.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4401) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 479**), and there were—yeas 93, nays 0, absent and not voting 6, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Ferro, Foster, Harshbarger, Isner and Moore.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4401) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 633 - "A Bill expiring funds to the unappropriated surplus balance in the State Fund, General Revenue, for the fiscal year ending June 30, 2018, in the amount of \$1,620,000 from the Department of Revenue, Insurance Commissioner - Insurance Commission Fund, fund 7152, fiscal year 2018, organization 0704, and making a supplementary appropriation of public moneys out of the Treasury from the balance of moneys remaining as an unappropriated surplus balance in the State Fund, General Revenue, to the Department of Health and Human Resources, Division of Health – Consolidated Medical Services Fund, fund 0525, fiscal year 2018, organization 0506, by supplementing and amending the appropriations for the fiscal year ending June 30, 2018."

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 633) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 480**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Foster, Harshbarger and Isner.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 481**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Foster, Harshbarger and Isner.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 633) passed.

Delegate Cowles moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 482**), and there were—yeas 95, nays none, absent and not voting 4, with the absent and not voting being as follows:

Absent and Not Voting: Deem, Foster, Harshbarger and Isner.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (S. B. 633) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate and requested the concurrence of the House of Delegates in the passage, of

S. B. 635 - "A Bill to amend and reenact §5-5-4 of the Code of West Virginia, 1931, as amended, relating to a 2019 across-the-board salary adjustment for employees of the Department of Health and Human Resources."

At the respective requests of Delegate Cowles, and by unanimous consent, reference of the bill (S. B. 635) to a committee was dispensed with, and it was taken up for immediate consideration, read a first time and ordered to second reading.

Delegate Cowles moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 483**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Isner.

So, four fifths of the members present having voted in the affirmative, the constitutional rule was dispensed with.

The bill was read a second time, and ordered to third reading.

The bill was then read a third time and put upon its passage.

The question being on the passage of the bill, the yeas and nays were taken (**Roll No. 484**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (S. B. 635) passed.

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

Special Calendar

Third Reading

- continued -

H. B. 4630, Relating to a 2019 across-the-board salary adjustment for employees of the Department of Health and Human Resources; on third reading, coming up in regular order, was, on motion of Delegate Cowles, laid upon the table.

H. B. 4631, Expiring funds to the unappropriated surplus balance in the State Fund - Insurance Commission Fund; on third reading, coming up in regular order, was, on motion of Delegate Cowles, laid upon the table.

Second Reading

Com. Sub. for S. B. 152, Budget Bill; on second reading, coming up in regular order, was read a second time.

On motion of Delegate Nelson, the bill was amended 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
2 the 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
4 amended.

5 ‘Spending unit’ shall mean the department, bureau, division, office, board, commission, agency
6 or institution to which an appropriation is made.

7 The ‘fiscal year 2019’ shall mean the period from July 1, 2018, through June 30, 2019.

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

11 ‘Special revenue funds’ shall mean specific revenue sources which by legislative enactments
12 are not required to be accounted for as general revenue, including federal funds.

13 ‘From collections’ shall mean that part of the total appropriation which must be collected by the
14 spending unit to be available for expenditure. If the authorized amount of collections is not collected,

15 the total appropriation for the spending unit shall be reduced automatically by the amount of the
16 deficiency in the collections. If the amount collected exceeds the amount designated 'from collections',
17 the excess shall be set aside in a special surplus fund and may be expended for the purpose of the
18 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-
3 time and temporary employees of the spending unit but shall not include fees or contractual payments
4 paid to consultants or to independent contractors engaged by the spending unit. 'Personal services'
5 shall include 'annual increment' for 'eligible employees' and shall be disbursed only in accordance
6 with Article 5, Chapter 5 of the Code.

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

9 'Employee benefits' shall mean social security matching, workers' compensation,
10 unemployment compensation, pension and retirement contributions, public employees insurance
11 matching, personnel fees or any other benefit normally paid by the employer as a direct cost of
12 employment. Should the appropriation be insufficient to cover such costs, the remainder of such cost
13 shall be paid by each spending unit from its 'unclassified' appropriation, or its 'current expenses'
14 appropriation or other appropriate appropriation. Each spending unit is hereby authorized and required
15 to make such 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
17 to 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
20 and includes the present value of projected losses and administrative expenses. Premiums are
21 assessed for coverages, as defined in the applicable policies, for claims arising from, inter alia, general
22 liability, wrongful acts, property, professional liability and automobile exposures.

23 Should the appropriation for 'BRIM Premium' be insufficient to cover such cost, the remainder
24 of 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
30 Policy 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
34 include equipment, repairs and alterations, buildings or lands. Each spending unit shall be responsible
35 for and charged monthly for all postage meter service and shall reimburse the appropriate revolving
36 fund 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
46 category 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
51 purposes as defined above and only for the spending units herein designated: *Provided*, That the
52 secretary of each department shall have the authority to transfer within the department those general
53 revenue funds appropriated to the various agencies of the department: *Provided, however*, That no
54 more than five percent of the general revenue funds appropriated to any one agency or board may be
55 transferred to other agencies or boards within the department: and no funds may be transferred to a
56 'personal services and employee benefits' appropriation unless the source funds are also wholly from
57 a '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', 'land',
65 and 'buildings' to other appropriations within the same account and no funds from other appropriations
66 shall be transferred to the 'personal services and employee benefits' or the 'unclassified' appropriation
67 except that for funds appropriated in Title II – Section 3, 6, or 7 funds may be transferred to the
68 'personal services and employee benefits' appropriation of the same fund in an amount not to exceed
69 5% of the enrolled appropriation for 'personal services and employee benefits': *And provided further*,
70 That no authority exists hereunder to transfer funds into appropriations to which no funds are
71 legislatively appropriated: *And provided further*, That if the Legislature consolidates, reorganizes or
72 terminates agencies, boards or functions, the secretary or other appropriate agency head, or in the
73 case of the termination of a spending unit of the state, the Director of the State Budget Office, in the
74 absence of general law providing otherwise, may transfer the funds formerly appropriated to such
75 agency, board or function, allocating items of appropriation as may be necessary if only part of the
76 item may be allocated, in order to implement such consolidation, reorganization or termination. No
77 funds may be transferred from a Special Revenue Account, dedicated account, capital expenditure
78 account or any other account or fund specifically exempted by the Legislature from transfer, except
79 that the use of the appropriations from the State Road Fund for the office of the Secretary of the
80 Department of Transportation is not a use other than the purpose for which such funds were dedicated
81 and is permitted.

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

1 **Sec. 4. Method of expenditure.** — Money appropriated by this bill, unless otherwise
2 specifically directed, shall be appropriated and expended according to the provisions of Article 3,
3 Chapter 12 of 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		<u>29,482</u>
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		<u>5,000</u>
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		<u>12,077</u>
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

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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

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		<u>950</u>
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		<u>120,654</u>
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

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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
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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	14,078,888
11	Other Assets	69000	500
12	Land (R).....	73000	500
13	BRIM Premium.....	91300	<u>129,983</u>
14	Total		\$ 17,639,867

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

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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
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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		868
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		101,418

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

5 Included in the above appropriation for Current Expenses (fund 0280, appropriation
6 13000) up to \$29,000 shall be used for the Coal Mine Safety and Technical Review Committee.

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	21 st 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	21 st Century Learners (R).....	88600	1,726,944
32	BRIM Premium.....	91300	342,859
33	21 st Century Assessment and Professional Development	93100	2,004,447
34	21 st 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 of
46 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	21 st 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
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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
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
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
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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

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 10,764

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

2018]

HOUSE OF DELEGATES

1513

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/ Maintenance of Effort	70700	25,819,096
22	Child Care – Maintenance of Effort Match.....	70800	5,693,743
23	Grants for Licensed Domestic Violence 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

2018] HOUSE OF DELEGATES 1517

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	\$	58,857,744
2	Children's Protection Act.....	09000		972,973
3	Current Expenses	13000		10,384,394
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		3,185,756
13	BRIM Premium.....	91300		<u>5,743,921</u>
14	Total.....		\$	105,726,220

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
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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
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2018] HOUSE OF DELEGATES 1523

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
 6 expenditure 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 1,800,735
 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
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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
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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
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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
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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
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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
2	WVU – School of Health Sciences	17400		16,778,145
3	WVU – School of Health Sciences – Charleston Division	17500		2,218,598
4	Rural Health Outreach Programs	37700		162,520
5	West Virginia University School of Medicine			
6	BRIM Subsidy	46000		<u>1,203,087</u>
7	Total		\$	22,520,709

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
2	Jackson's Mill	46100		480,879
3	West Virginia University Institute of Technology	47900		7,717,964
4	State Priorities – Brownfield Professional Development	53100		316,556
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
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104 - Concord University

(WV Code Chapter 18B)

Fund 0357 FY 2019 Org 0483

1	Concord University.....	41000	\$	8,552,843
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105 - Fairmont State University

(WV Code Chapter 18B)

Fund 0360 FY 2019 Org 0484

1	Fairmont State University	41400	\$	15,111,777
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106 - Glenville State College

(WV Code Chapter 18B)

Fund 0363 FY 2019 Org 0485

1	Glenville State College	42800	\$	5,885,700
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107 - Shepherd University

(WV Code Chapter 18B)

Fund 0366 FY 2019 Org 0486

1	Shepherd University	43200	\$	9,671,542
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108 - West Liberty University

(WV Code Chapter 18B)

Fund 0370 FY 2019 Org 0488

1	West Liberty University	43900	\$	7,823,727
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109 - West Virginia State University

(WV Code Chapter 18B)

Fund 0373 FY 2019 Org 0490

1	West Virginia State University	44100	\$	9,861,240
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2	West Virginia State University Land Grant Match	95600		<u>1,586,340</u>
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3	Total		\$	11,447,580
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4 Total TITLE II, Section 1 – General Revenue

5	(Including claims against the state).....		\$	<u>4,381,808,884</u>
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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>\$ 1,354,239,538</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-		Other
	priation		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
2	Current Expenses	13000		503,200
3	Martin Luther King, Jr. Holiday Celebration	03100		8,926
4	Total		\$	684,926

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
2	Unclassified	09900		15,139
3	Current Expenses	13000		715,291
4	Repairs and Alterations.....	06400		2,600
5	Equipment.....	07000		426,741
6	Cost of Delinquent Land Sales.....	76800		1,341,168
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
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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

2018] HOUSE OF DELEGATES 1543

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
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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

2018] HOUSE OF DELEGATES 1549

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

2018] HOUSE OF DELEGATES 1553

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

2018] HOUSE OF DELEGATES 1555

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

*164 - Division of Labor -**Weights and Measures Fund*

(WV Code Chapter 47)

Fund 3196 FY 2019 Org 0308

2018] HOUSE OF DELEGATES 1557

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

165 - 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

166 - 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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167 - 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.

168 - 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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169 - 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		<u>106,615</u>
4	Total.....		\$	986,654

170 - 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
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2018] HOUSE OF DELEGATES 1559

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

171 - 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

172 - 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

173 - 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		<u>1,000,000</u>
7	Total.....		\$	4,098,506

174 - 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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175 - 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

176 - 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		<u>765,000</u>

4 Total \$ 900,000

177 - 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 1,371,182

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.

178 - 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 26,000

5 Total \$ 1,368,402

DEPARTMENT OF EDUCATION AND THE ARTS

179 - 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.

*180 - 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
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

181 - 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

182 - 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

183 - 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

184 - 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

185 - 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

186 - 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

187 - 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

2018] HOUSE OF DELEGATES 1565

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

188 - 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

189 - 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

190 - 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

191 - 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

192 - 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
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

193 - 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

194 - 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

*195 - 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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*196 - 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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*197 - 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

2018]	HOUSE OF DELEGATES	1569
5	Unclassified	09900 400
6	Other Assets	69000 <u>2,500</u>
7	Total	\$ 3,385,707

198 - 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

199 - 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

200 - 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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201 - 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
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2	Unclassified	09900		15,500
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3	Current Expenses	13000		<u>1,257,788</u>
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4	Total		\$	2,150,059
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202 - 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
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2	Medical Services Trust Fund – Transfer.....	51200		<u>27,800,000</u>
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3	Total		\$	63,355,221
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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.

203 - 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

204 - 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

205 - 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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*206 - 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		17,875
4	Total.....		\$	37,348

*207 - 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		28,053,549
4	Total.....		\$	28,925,093

*208 - 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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*209 - Division of Health –
Medical Cannabis Program Fund
(WV Code Chapter 16A)*

Fund 5420 FY 2019 Org 0506

2018] HOUSE OF DELEGATES 1573

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

210 - 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.

211 - 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

212 - 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.)

*213 - 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

*214 - 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.

215 - 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		<u>693,000</u>
3	Total		\$	700,000

216 - 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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217 - 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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218 - 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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219 - 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		<u>25,000</u>
3	Total		\$	35,000

DEPARTMENT OF MILITARY AFFAIRS AND PUBLIC SAFETY*220 - 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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*221 - 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).

*222 - 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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*223 - 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.

*224 - 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		40,129
6	Total		\$	1,852,206

*225 - 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.

226 - 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

227 - 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

2018]

HOUSE OF DELEGATES

1579

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.

228 - 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

229 - 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

230 - 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		<u>18,524</u>
7	Total.....		\$	908,348

*231 - 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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*232 - 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		<u>40,000</u>
3	Total.....		\$	200,000

233 - 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

2018]	HOUSE OF DELEGATES		1581
4	Repairs and Alterations.....	06400	4,000
5	Equipment.....	07000	<u>1,743</u>
6	Total		\$ 11,472,634

234 - 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

235 - 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

236 - 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

*237 - 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

238 - 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		<u>12,000</u>
5	Total		\$	3,229,076

239 - 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).

240 - Tax Division –

Cemetery Company Account

(WV Code Chapter 35)

Fund 7071 FY 2019 Org 0702

1	Personal Services and Employee Benefits.....	00100	\$	23,459
2	Current Expenses	13000		<u>7,717</u>
3	Total		\$	31,176

241 - 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

242 - 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

243 - 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

244 - 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

245 - 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
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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.

246 - 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.

247 - 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

248 - 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

249 - 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

250 - 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

251 - 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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*252 - 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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*253 - 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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*254 - 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

*255 - 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.

256 - 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
2	Current Expenses	13000		93,335
3	Other Assets	69000		<u>5,000</u>
4	Total		\$	355,000

*257 - 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

*258 - 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

259 - 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.

260 - 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.

261 - 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

262 - 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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263 - 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

2018] HOUSE OF DELEGATES 1591

5	Other Assets	69000		10,000
6	BRIM Premium.....	91300		<u>84,737</u>
7	Total		\$	7,911,511

264 - 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

265 - 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		<u>10,000</u>
6	Total		\$	2,380,207

266 - 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		<u>50,000</u>
3	Total		\$	750,000

BUREAU OF SENIOR SERVICES

267 - 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

268 - 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.

269 - 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.

270 - 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.

271 - 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

272 - 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.

273 - 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.

274 - 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

275 - 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

276 - 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.

277 - 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.

278 - 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.

279 - 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
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.

280 - 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.

281 - 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
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2	Current Expenses	13000	<u>65,623</u>
3	Total		\$ 138,813

282 - 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

283 - 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

284 - 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

285 - Board of Medicine –

Medical Licensing Board Fund

(WV Code Chapter 30)

Fund 9070 FY 2019 Org 0945

1	Personal Services and Employee Benefits.....	00100	\$	1,287,752
2	Current Expenses	13000		1,113,789
3	Repairs and Alterations.....	06400		<u>20,000</u>
4	Total		\$	2,421,541

*286 - 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

*287 - 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	3,500,000
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)..... \$ 1,485,773,568

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.

288 - 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

289 - 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
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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.

290 - 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.

291 - 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	21 st 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.

292 - 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.

293 - 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 21 st 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.

294 - 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
 24 Creek Memorial (Logan) \$2,970, Carnegie Hall (Greenbrier) \$46,899, Ceredo Historical
 25 Society (Wayne) \$1,188, Ceredo Kenova Railroad Museum (Wayne) \$1,188, Ceredo Museum
 26 (Wayne) \$720, Children's Theatre of Charleston (Kanawha) \$3,127, Chuck Mathena Center
 27 (Mercer) \$62,532, Collis P. Huntington Railroad Historical Society (Cabell) \$5,941, Country
 28 Music Hall of Fame and Museum (Marion) \$4,159, First Stage Children's Theater Company
 29 \$1,188, Flannigan Murrell House (Summers) \$3,781, Fort Ashby Fort (Mineral) \$891, Fort
 30 New Salem (Harrison) \$2,198, Fort Randolph (Mason) \$2,970, General Adam Stephen
 31 Memorial Foundation (Berkeley) \$11,006, Grafton Mother's Day Shrine Committee (Taylor)
 32 \$5,049, Hardy County Tour and Crafts Association \$11,881, Heartwood in the Hills (Calhoun)
 33 \$5,040, Heritage Farm Museum & Village (Cabell) \$29,703, Historic Fayette Theater (Fayette)
 34 \$3,267, Historic Middleway Conservancy (Jefferson) \$594, Jefferson County Black History
 35 Preservation Society \$2,970, Jefferson County Historical Landmark Commission \$4,753,
 36 Maddie Carroll House (Cabell) \$4,455, Marshall County Historical Society \$5,049, McCoy
 37 Theater (Hardy) \$11,881, Morgantown Theater Company (Monongalia) \$11,881, Mountaineer
 38 Boys' State (Lewis) \$5,941, Nicholas Old Main Foundation (Nicholas) \$1,188, Norman Dillon
 39 Farm Museum (Berkeley) \$5,941, Old Opera House Theater Company (Jefferson) \$8,911,
 40 Parkersburg Arts Center (Wood) \$11,881, Pocahontas Historic Opera House \$3,564, Raleigh
 41 County All Wars Museum \$5,941, Rhododendron Girl's State (Ohio) \$5,941, Roane County
 42 4-H and FFA Youth Livestock Program \$2,970, Scottish Heritage Society/N. Central WV
 43 (Harrison) \$2,970, Society for the Preservation of McGrew House (Preston) \$2,079, Southern
 44 West Virginia Veterans' Museum \$3,393, Summers County Historic Landmark Commission
 45 \$2,970, Those Who Served War Museum (Mercer) \$2,376, Three Rivers Avian Center
 46 (Summers) \$5,311, Tug Valley Arts Council (Mingo) \$2,970, Tug Valley Chamber of
 47 Commerce Coal House (Mingo) \$1,188, Tunnelton Historical Society (Preston) \$1,188,
 48 Veterans Committee for Civic Improvement of Huntington (Wayne) \$2,970, West Virginia
 49 Museum of Glass (Lewis) \$2,970, West Virginia Music Hall of Fame (Kanawha) \$20,792,
 50 YMCA Camp Horseshoe (Tucker) \$59,406, Youth Museum of Southern West Virginia (Raleigh)
 51 \$7,129, Z.D. Ramsdell House (Wayne) \$720.

52 From the above appropriation for Fairs and Festivals (fund 3534, appropriation 12200)
 53 funding shall be provided to A Princeton 4th (Mercer) \$1,800, African-American Cultural Heritage
 54 Festival (Jefferson) \$2,970, Alderson 4th of July Celebration (Greenbrier) \$2,970, Allegheny
 55 Echo (Pocahontas) \$4,456, Alpine Festival/Leaf Peepers Festival (Tucker) \$6,683, American
 56 Civil War (Grant) \$3,127, American Legion Post 8 Veterans Day Parade (McDowell) \$1,250,
 57 Angus Beef and Cattle Show (Lewis) \$891, Annual Birch River Days (Nicholas) \$1,296, Annual
 58 Don Redman Heritage Concert & Awards (Jefferson) \$938, Annual Ruddle Park Jamboree
 59 (Pendleton) \$4,690, Antique Market Fair (Lewis) \$1,188, Apollo Theater-Summer Program
 60 (Berkeley) \$1,188, Apple Butter Festival (Morgan) \$3,564, Arkansas Homemaker's Heritage
 61 Weekend (Hardy) \$2,079, Armed Forces Day-South Charleston (Kanawha) \$1,782, Arthurdale
 62 Heritage New Deal Festival (Preston) \$2,970, Athens Town Fair (Mercer) \$1,188, Augusta Fair
 63 (Randolph) \$2,970, Autumn Harvest Fest (Monroe) \$2,448, Barbour County Fair \$14,851,
 64 Barboursville Octoberfest (Cabell) \$2,970, Bass Festival (Pleasants) \$1,099, Battelle District
 65 Fair (Monongalia) \$2,970, Battle of Dry Creek (Greenbrier) \$891, Battle of Point Pleasant
 66 Memorial Committee (Mason) \$2,970, Belle Town Fair (Kanawha) \$2,673, Belleville
 67 Homecoming (Wood) \$11,881, Bergoo Down Home Days (Webster) \$1,485, Berkeley County
 68 Youth Fair \$10,990, Black Bear 4K Mountain Bike Race (Kanawha) \$684, Black Heritage
 69 Festival (Harrison) \$3,564, Black Walnut Festival (Roane) \$5,940, Blast from the Past (Upshur)
 70 \$1,440, Blue-Gray Reunion (Barbour) \$2,079, Boone County Fair \$5,940, Boone County Labor
 71 Day Celebration \$2,376, Bradshaw Fall Festival (McDowell) \$1,188, Brandonville Heritage Day
 72 (Preston) \$1,048, Braxton County Fair \$6,832, Braxton County Monster Fest / West Virginia

73 Autumn Festival \$1,485, Brooke County Fair \$2,079, Bruceton Mills Good Neighbor Days
74 (Preston) \$1,188, Buckwheat Festival (Preston) \$5,050, Buffalo 4th of July Celebration
75 (Putnam) \$400, Buffalo October Fest (Putnam) \$3,240, Burlington Apple Harvest Festival
76 (Mineral) \$17,821, Burlington Pumpkin Harvest Festival (Raleigh) \$2,970, Burnsville Harvest
77 Festival (Braxton) \$1,407, Cabell County Fair \$5,940, Calhoun County Wood Festival \$1,188,
78 Campbell's Creek Community Fair (Kanawha) \$1,485, Cape Coalwood Festival Association
79 (McDowell) \$1,485, Capon Bridge Founders Day Festival (Hampshire) \$1,188, Capon Springs
80 Ruritan 4th of July (Hampshire) \$684, Cass Homecoming (Pocahontas) \$1,188, Cedarville
81 Town Festival (Gilmer) \$684, Celebration in the Park (Wood) \$2,376, Celebration of America
82 (Monongalia) \$3,564, Ceredo Freedom Festival (Wayne) \$700, Chapmanville Apple Butter
83 Festival (Logan) \$684, Chapmanville Fire Department 4th of July (Logan) \$1,782, Charles
84 Town Christmas Festival (Jefferson) \$2,970, Charles Town Heritage Festival (Jefferson)
85 \$2,970, Cherry River Festival (Nicholas) \$3,861, Chester Fireworks (Hancock) \$891, Chester
86 4th of July Festivities (Hancock) \$2,970, Chief Logan State Park-Civil War Celebration (Logan)
87 \$4,752, Chilifest West Virginia State Chili Championship (Cabell) \$1,563, Christmas In Our Town
88 (Marion) \$3,127, Christmas in Shepherdstown (Jefferson) \$2,376, Christmas in the Park
89 (Brooke) \$2,970, Christmas in the Park (Logan) \$14,851, City of Dunbar Critter Dinner
90 (Kanawha) \$5,940, City of Logan Polar Express (Logan) \$4,456, City of New Martinsville
91 Festival of Memories (Wetzel) \$6,534, Clay County Golden Delicious Apple Festival \$4,158,
92 Clay District Fair (Monongalia) \$1,080, Coal Field Jamboree (Logan) \$20,792, Coalton Days
93 Fair (Randolph) \$4,158, Country Roads Festival (Fayette) \$1,188, Cowen Railroad Festival
94 (Webster) \$2,079, Craigsville Fall Festival (Nicholas) \$2,079, Cruise into Princeton (Mercer)
95 \$2,160, Culturefest World Music & Arts Festival (Mercer) \$4,690, Delbarton Homecoming
96 (Mingo) \$2,079, Doddridge County Fair \$4,158, Dorcas Ice Cream Social (Grant) \$3,564,
97 Durbin Days (Pocahontas) \$2,970, Elbert/Filbert Reunion Festival (McDowell) \$891, Elkins
98 Randolph County 4th of July Car Show (Randolph) \$1,188, Fairview 4th of July Celebration
99 (Marion) \$684, Farm Safety Day (Preston) \$1,188, Farmer's Day Festival (Monroe) \$2,330,
100 Farmers' Day Parade (Wyoming) \$720, Fenwick Mountain Old Time Community Festival
101 (Nicholas) \$2,880, FestivALL Charleston (Kanawha) \$11,881, Flatwoods Days (Braxton) \$700,
102 Flemington Day Fair and Festival (Taylor) \$2,079, Follansbee Community Days (Brooke)
103 \$4,900, Fort Gay Mountain Heritage Days (Wayne) \$2,970, Fort Henry Days (Ohio) \$3,148,
104 Fort Henry Living History (Ohio) \$1,563, Fort New Salem Spirit of Christmas Festival (Harrison)
105 \$2,432, Frankford Autumnfest (Greenbrier) \$2,970, Franklin Fishing Derby (Pendleton) \$4,456,
106 Freshwater Folk Festival (Greenbrier) \$2,970, Friends Auxiliary of W.R. Sharpe Hospital (Lewis)
107 \$2,970, Frontier Days (Harrison) \$1,782, Frontier Fest/Canaan Valley (Taylor) \$2,970, Fund
108 for the Arts-Wine & All that Jazz Festival (Kanawha) \$1,485, Gassaway Days Celebration
109 (Braxton) \$2,970, Gilbert Elementary Fall Blast (Mingo) \$2,188, Gilbert Kiwanis Harvest Festival
110 (Mingo) \$2,376, Gilbert Spring Fling (Mingo) \$3,595, Gilmer County Farm Show \$2,376, Grant
111 County Arts Council \$1,188, Grape Stomping Wine Festival (Nicholas) \$1,188, Great
112 Greenbrier River Race (Pocahontas) \$5,940, Greater Quinwood Days (Greenbrier) \$781,
113 Guyandotte Civil War Days (Cabell) \$5,941, Hamlin 4th of July Celebration (Lincoln) \$2,970,
114 Hampshire Civil War Celebration Days (Hampshire) \$684, Hampshire County 4th of July
115 Celebration \$11,881, Hampshire County Fair \$5,002, Hampshire Heritage Days (Hampshire)
116 \$2,376, Hancock County Oldtime Fair \$2,970, Hardy County Commission - 4th of July \$5,940,
117 Hatfield McCoy Matewan Reunion Festival (Mingo) \$12,330, Hatfield McCoy Trail National ATV
118 and Dirt Bike Weekend (Wyoming) \$2,970, Heat'n the Hills Chilifest (Lincoln) \$2,970, Heritage
119 Craft Festival (Monroe) \$1,044, Heritage Days Festival (Roane) \$891, Hilltop Festival (Cabell)
120 \$684, Hilltop Festival of Lights (McDowell) \$1,188, Hinton Railroad Days (Summers) \$4,347,
121 Holly River Festival (Webster) \$891, Hometown Mountain Heritage Festival (Fayette) \$2,432,
122 Hundred 4th of July (Wetzel) \$4,307, Hundred American Legion Earl Kiger Post Bluegrass
123 Festival (Wetzel) \$1,188, Hurricane 4th of July Celebration (Putnam) \$2,970, Jaeger Town Fair

124 (McDowell) \$891, Irish Heritage Festival of West Virginia (Raleigh) \$2,970, Irish Spring Festival
 125 (Lewis) \$684, Italian Heritage Festival-Clarksburg (Harrison) \$17,821, Jackson County Fair
 126 \$2,970, Jamboree (Pocahontas) \$2,970, Jane Lew Arts and Crafts Fair (Lewis) \$684, Jefferson
 127 County Fair Association \$14,851, Jersey Mountain Ruritan Pioneer Days (Hampshire) \$684,
 128 John Henry Days Festival (Monroe) \$4,698, Johnnie Johnson Blues and Jazz Festival (Marion)
 129 \$2,970, Johnstown Community Fair (Harrison) \$1,485, Junior Heifer Preview Show (Lewis)
 130 \$1,188, Kanawha Coal Riverfest-St. Albans 4th of July Festival (Kanawha) \$2,970, Keeper of
 131 the Mountains-Kayford (Kanawha) \$1,485, Kenova Autumn Festival (Wayne) \$4,377, Kermit
 132 Fall Festival (Mingo) \$1,782, Keystone Reunion Gala (McDowell) \$1,563, King Coal Festival
 133 (Mingo) \$2,970, Kingwood Downtown Street Fair and Heritage Days (Preston) \$1,188, L.Z.
 134 Rainelle West Virginia Veterans Reunion (Greenbrier) \$2,970, Lady of Agriculture (Preston)
 135 \$684, Larry Joe Harless Center Octoberfest Hatfield McCoy Trail (Mingo) \$5,940, Larry Joe
 136 Harless Community Center Spring Middle School Event (Mingo) \$2,970, Last Blast of Summer
 137 (McDowell) \$2,970, Lewis County Fair Association \$2,079, Lewisburg Shanghai (Greenbrier)
 138 \$1,188, Lincoln County Fall Festival \$4,752, Lincoln County Winterfest \$2,970, Lindsie
 139 Veterans' Day Parade \$720, Little Levels Heritage Festival (Pocahontas) \$1,188, Lost Creek
 140 Community Festival (Harrison) \$4,158, Main Street Arts Festival (Upshur) \$3,127, Main Street
 141 Martinsburg Chocolate Fest and Book Fair (Berkeley) \$2,813, Mannington District Fair (Marion)
 142 \$3,564, Maple Syrup Festival (Randolph) \$684, Marion County FFA Farm Fest \$1,485, Marmet
 143 Labor Day Celebration (Kanawha) \$3,078, Marshall County Antique Power Show \$1,485,
 144 Marshall County Fair \$4,456, Mason County Fair \$2,970, Mason Dixon Festival (Monongalia)
 145 \$4,158, Matewan Massacre Reenactment (Mingo) \$5,004, Matewan-Magnolia Fair (Mingo)
 146 \$15,932, McARTS-McDowell County \$11,881, McDowell County Fair \$1,485, McGrew House
 147 History Day (Preston) \$1,188, McNeill's Rangers (Mineral) \$4,752, Meadow Bridge Hometown
 148 Festival (Fayette) \$743, Meadow River Days Festival (Greenbrier) \$1,782, Mercer Bluestone
 149 Valley Fair (Mercer) \$1,188, Mercer County Fair \$1,188, Mercer County Heritage Festival
 150 \$3,474, Mid Ohio Valley Antique Engine Festival (Wood) \$1,782, Milton Christmas in the Park
 151 (Cabell) \$1,485, Milton 4th of July Celebration (Cabell) \$1,485, Mineral County Fair \$1,040,
 152 Mineral County Veterans Day Parade \$891, Molasses Festival (Calhoun) \$1,188,
 153 Monongahfest (Marion) \$3,752, Moon Over Mountwood Fishing Festival (Wood) \$1,782,
 154 Morgan County Fair-History Wagon \$891, Moundsville Bass Festival (Marshall) \$2,376,
 155 Moundsville July 4th Celebration (Marshall) \$2,970, Mount Liberty Fall Festival (Barbour)
 156 \$1,485, Mountain Fest (Monongalia) \$11,881, Mountain Festival (Mercer) \$2,747, Mountain
 157 Heritage Arts and Crafts Festival (Jefferson) \$2,970, Mountain Music Festival (McDowell)
 158 \$1,485, Mountain State Apple Harvest Festival (Berkeley) \$4,456, Mountain State Arts & Crafts
 159 Fair Cedar Lakes (Jackson) \$26,732, Mountaineer Hot Air Balloon Festival (Monongalia)
 160 \$2,376, Mullens Dogwood Festival (Wyoming) \$4,158, Multi-Cultural Festival of West Virginia
 161 (Kanawha) \$11,881, Music and Barbecue - Banks District VFD (Upshur) \$1,278, New
 162 Cumberland Christmas Parade (Hancock) \$1,782, New Cumberland 4th of July (Hancock)
 163 \$2,970, New River Bridge Day Festival (Fayette) \$23,762, Newburg Volunteer Fireman's Field
 164 Day (Preston) \$684, Nicholas County Fair \$2,970, Nicholas County Potato Festival \$2,079,
 165 Oak Leaf Festival (Fayette) \$6,253, Oceana Heritage Festival (Wyoming) \$3,564, Oglebay City
 166 Park - Festival of Lights (Ohio) \$47,524, Oglebay Festival (Ohio) \$5,940, Ohio County Country
 167 Fair \$5,346, Ohio River Fest (Jackson) \$4,320, Ohio Valley Beef Association (Wood) \$1,485,
 168 Ohio Valley Black Heritage Festival (Ohio) \$3,267, Old Central City Fair (Cabell) \$2,970, Old
 169 Century City Fair (Barbour) \$1,250, Old Tyme Christmas (Jefferson) \$1,425, Paden City Labor
 170 Day Festival (Wetzel) \$3,861, Parkersburg Homecoming (Wood) \$8,754, Patty Fest
 171 (Monongalia) \$1,188, Paw Paw District Fair (Marion) \$2,079, Pax Reunion Committee (Fayette)
 172 \$2,970, Pendleton County 4-H Weekend \$1,188, Pendleton County Committee for Arts \$8,910,
 173 Pendleton County Fair \$6,253, Pennsboro Country Road Festival (Ritchie) \$1,188, Petersburg
 174 4th of July Celebration (Grant) \$11,881, Petersburg HS Celebration (Grant) \$5,940, Piedmont-

175 Annual Back Street Festival (Mineral) \$2,376, Pinch Reunion (Kanawha) \$891, Pine Bluff Fall
176 Festival (Harrison) \$2,376, Pine Grove 4th of July Festival (Wetzel) \$4,158, Pineville Festival
177 (Wyoming) \$3,564, Pleasants County Agriculture Youth Fair \$2,970, Poca Heritage Days
178 (Putnam) \$1,782, Pocahontas County Pioneer Days \$4,159, Point Pleasant Stern Wheel
179 Regatta (Mason) \$2,970, Pratt Fall Festival (Kanawha) \$1,485, Princeton Autumnfest (Mercer)
180 \$1,563, Princeton Street Fair (Mercer) \$2,970, Putnam County Fair \$2,970, Quartets on Parade
181 (Hardy) \$2,376, Rainelle Fall Festival (Greenbrier) \$3,127, Rand Community Center Festival
182 (Kanawha) \$1,485, Randolph County Community Arts Council \$1,782, Randolph County Fair
183 \$4,158, Randolph County Ramp and Rails \$1,188, Ranson Christmas Festival (Jefferson)
184 \$2,970, Ranson Festival (Jefferson) \$2,970, Renick Liberty Festival (Greenbrier) \$684, Ripley
185 4th of July (Jackson) \$8,910, Ritchie County Fair and Exposition \$2,970, Ritchie County Pioneer
186 Days \$684, River City Festival (Preston) \$684, Roane County Agriculture Field Day \$1,782,
187 Rock the Park (Kanawha) \$3,240, Rocket Boys Festival (Raleigh) \$1,710, Romney Heritage
188 Days (Hampshire) \$1,876, Ronceverte River Festival (Greenbrier) \$2,970, Rowlesburg Labor
189 Day Festival (Preston) \$684, Rupert Country Fling (Greenbrier) \$1,876, Saint Spyridon Greek
190 Festival (Harrison) \$1,485, Salem Apple Butter Festival (Harrison) \$2,376, Sistersville 4th of
191 July (Tyler) \$3,267, Skirmish on the River (Mingo) \$1,250, Smoke on the Water (Wetzel)
192 \$1,782, South Charleston Summerfest (Kanawha) \$5,940, Southern Wayne County Fall Festival
193 \$684, Spirit of Grafton Celebration (Taylor) \$5,940, Springfield Peach Festival (Hampshire)
194 \$738, St. Albans City of Lights - December (Kanawha) \$2,970, Sternwheel Festival (Wood)
195 \$1,782, Stoco Reunion (Raleigh) \$1,485, Stonewall Jackson Heritage Arts & Crafts Jubilee
196 (Lewis) \$6,534, Stonewall Jackson's Roundhouse Raid (Berkeley) \$7,200, Storytelling Festival
197 (Lewis) \$400, Strawberry Festival (Upshur) \$17,821, Sylvester Big Coal River Festival \$1,944,
198 Tacy Fair (Barbour) \$684, Taste of Parkersburg (Wood) \$2,970, Taylor County Fair \$3,267,
199 Terra Alta VFD 4th of July Celebration (Preston) \$684, The Gathering at Sweet Creek (Wood)
200 \$1,782, Three Rivers Coal Festival (Marion) \$4,604, Thunder on the Tygart - Mothers' Day
201 Celebration (Taylor) \$8,910, Town of Delbarton 4th of July Celebration (Mingo) \$1,782, Town
202 of Fayetteville Heritage Festival (Fayette) \$4,456, Town of Matoaka Hog Roast (Mercer) \$684,
203 Town of Rivesville 4th of July Festival (Marion) \$3,127, Town of Winfield - Putnam County
204 Homecoming \$3,240, St. Albans Train Fest (Kanawha) \$6,120, Treasure Mountain Festival
205 (Pendleton) \$14,851, Tri-County Fair (Grant) \$22,548, Tucker County Arts Festival and
206 Celebration \$10,692, Tucker County Fair \$2,821, Tucker County Health Fair \$1,188, Tunnelton
207 Depot Days (Preston) \$684, Tunnelton Volunteer Fire Department Festival (Preston) \$684,
208 Turkey Festival (Hardy) \$1,782, Tyler County Fair \$3,088, Tyler County 4th of July \$400, Tyler
209 County OctoberFest \$720, Union Community Irish Festival (Barbour) \$648, Uniquely West
210 Virginia Festival (Morgan) \$1,188, Upper Kanawha Valley Oktoberfest (Kanawha) \$1,485,
211 Upper Ohio Valley Italian Festival (Ohio) \$7,128, Upshur County Youth Livestock Show \$1,440,
212 Valley District Fair (Preston) \$2,079, Veterans Welcome Home Celebration (Cabell) \$938,
213 Vietnam Veterans of America # 949 Christmas Party (Cabell) \$684, Volcano Days at Mountwood
214 Park (Wood) \$2,970, War Homecoming Fall Festival (McDowell) \$891, Wardensville Fall
215 Festival (Hardy) \$2,970, Wayne County Fair \$2,970, Wayne County Fall Festival \$2,970,
216 Webster County Fair \$3,600, Webster County Wood Chopping Festival \$8,910, Webster Wild
217 Water Weekend \$1,188, Weirton July 4th Celebration (Hancock) \$11,881, Welcome Home
218 Family Day (Wayne) \$1,900, Wellsburg 4th of July Celebration (Brooke) \$4,456, Wellsburg
219 Apple Festival of Brooke County \$2,970, West Virginia Blackberry Festival (Harrison) \$2,970,
220 West Virginia Chestnut Festival (Preston) \$684, West Virginia Coal Festival (Boone) \$5,940,
221 West Virginia Coal Show (Mercer) \$1,563, West Virginia Dairy Cattle Show (Lewis) \$5,940,
222 West Virginia Dandelion Festival (Greenbrier) \$2,970, West Virginia Day at the Railroad Museum
223 (Mercer) \$1,800, West Virginia Fair and Exposition (Wood) \$4,812, West Virginia Fireman's
224 Rodeo (Fayette) \$1,485, West Virginia Oil and Gas Festival (Tyler) \$6,534, West Virginia Peach
225 Festival (Hampshire) \$3,240, West Virginia Polled Hereford Association (Braxton) \$891, West

226 Virginia Poultry Festival (Hardy) \$2,970, West Virginia Pumpkin Festival (Cabell) \$5,940, West
 227 Virginia State Folk Festival (Gilmer) \$2,970, West Virginia Water Festival - City of Hinton
 228 (Summers) \$9,144, Weston VFD 4th of July Firemen Festival (Lewis) \$1,188, Wetzel County
 229 Autumnfest \$3,267, Wetzel County Town and Country Days \$10,098, Wheeling Celtic Festival
 230 (Ohio) \$1,166, Wheeling City of Lights (Ohio) \$4,752, Wheeling Sternwheel Regatta (Ohio)
 231 \$5,940, Wheeling Vintage Raceboat Regatta (Ohio) \$11,881, Whipple Community Action
 232 (Fayette) \$1,485, Wileyville Homecoming (Wetzel) \$2,376, Wine Festival and Mountain Music
 233 Event (Harrison) \$2,970, Winter Festival of the Waters (Berkeley) \$2,970, Wirt County Fair
 234 \$1,485, Wirt County Pioneer Days \$1,188, Wyoming County Civil War Days \$1,296, Youth
 235 Stockman Beef Expo (Lewis) \$1,188.

236 Any unexpended balances remaining in the appropriations for Preservation West Virginia
 237 (fund 3534, appropriation 09200), Fairs and Festivals (fund 3534, appropriation 12200),
 238 Archeological Curation/Capital Improvements (fund 3534, appropriation 24600), Historic
 239 Preservation Grants (fund 3534, appropriation 31100), Grants for Competitive Arts Program (fund
 240 3534, appropriation 62400), and Project ACCESS (fund 3534, appropriation 86500) at the close
 241 of the fiscal year 2018 are hereby reappropriated for expenditure during the fiscal year 2019.

242 Any Fairs & Festivals awards shall be funded in addition to, and not in lieu of, individual
 243 grant allocations derived from the Arts Council and the Cultural Grant Program allocations.

295 - 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.

296 - 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.

297 - 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.

*298 - 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.

299 - 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.

300 - 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..... \$ 574,986

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..... \$ 123,308,000

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.

301 - 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.

302 - 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.

303 - Higher Education Policy Commission –

Education Improvement Fund

Fund 4295 FY 2019 Org 0441

1 PROMISE Scholarship – Transfer..... 80000 \$ 29,000,000

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.

304 - 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).

305 - Department of Education –

School Building Authority

Fund 3514 FY 2019 Org 0402

1 Debt Service – Total 31000 \$ 19,000,000

306 - 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.

307 - Higher Education Policy Commission –

Higher Education Improvement Fund

Fund 4297 FY 2019 Org 0441

1	Directed Transfer	70000	\$	15,000,000
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2 The above appropriation shall be transferred to fund 4903, org 0442 as authorized by
3 Senate Concurrent Resolution No. 41.

308 - 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.

309 - 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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310 - Racing Commission –

Fund 7308 FY 2019 Org 0707

1	Special Breeders Compensation			
2	(WVC §29-22-18a, subsection (l))	21800	\$	2,000,000

311 - 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

312 - 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.

313 - 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.

314 - 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.

315 - Division of Human Services

(WV Code Chapters 9, 48 and 49)

Fund 5365 FY 2019 Org 0511

1	Medical Services.....	18900	\$	28,202,960
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316 - 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.....		\$	<u>290,257,000</u>
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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

317 - 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

318 - 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

319 - 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

320 - 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
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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

321 - 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

322 - 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

323 - 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

2018] HOUSE OF DELEGATES 1619

4	Repairs and Alterations.....	06400	15,000
5	Other Assets	69000	<u>100,000</u>
6	Total		\$ 748,451

DEPARTMENT OF COMMERCE

324 - 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

325 - 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

326 - 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

*327 - 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

328 - 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

329 - 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

*330 - 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

*331 - 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.

332 - Office of Energy

(WV Code Chapter 5B)

Fund 8892 FY 2019 Org 0328

1	Personal Services and Employee Benefits.....	00100	\$	411,574
2	Unclassified	09900		7,350
3	Current Expenses	13000		<u>2,816,076</u>
4	Total.....		\$	3,235,000

DEPARTMENT OF EDUCATION

333 - 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

334 - 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

335 - 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

336 - 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

337 - 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

338 - 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

339 - 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

340 - Educational Broadcasting Authority

(WV Code Chapter 10)

Fund 8721 FY 2019 Org 0439

1	Equipment.....	07000	\$ 200,000
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341 - State Board of Rehabilitation –

Division of Rehabilitation Services

(WV Code Chapter 18)

Fund 8734 FY 2019 Org 0932

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

342 - 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

343 - 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*344 - 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

*345 - 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

2018] HOUSE OF DELEGATES 1627

4	Equipment.....	07000	456,972
5	Buildings	25800	155,000
6	Other Assets	69000	<u>380,000</u>
7	Total		\$ 94,794,875

346 - 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

347 - 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

348 - 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

349 - 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

350 - 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.

351 - Adjutant General –

West Virginia National Guard Counterdrug Forfeiture Fund

(WV Code Chapter 15)

Fund 8785 FY 2019 Org 0603

2018] HOUSE OF DELEGATES 1629

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

*352 - 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

353 - 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

354 - West Virginia State Police

(WV Code Chapter 15)

Fund 8741 FY 2019 Org 0612

1	Personal Services and Employee Benefits.....	00100	\$	2,461,129
2	Current Expenses	13000		2,125,971
3	Repairs and Alterations.....	06400		42,000
4	Equipment.....	07000		2,502,285

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5	Buildings	25800	750,500
6	Other Assets	69000	144,500
7	Land	73000	<u>500</u>
8	Total		\$ 8,026,885

355 - Fire Commission

(WV Code Chapter 29)

Fund 8819 FY 2019 Org 0619

1	Current Expenses	13000	\$ 80,000
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356 - 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	<u>1,750</u>
5	Total		\$ 19,857,478

DEPARTMENT OF REVENUE

357 - 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

358 - Division of Motor Vehicles

(WV Code Chapter 17B)

Fund 8787 FY 2019 Org 0802

1	Personal Services and Employee Benefits.....	00100	\$ 501,394
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2018] HOUSE OF DELEGATES 1631

2	Current Expenses	13000	10,498,106
3	Repairs and Alterations.....	06400	<u>500</u>
4	Total		\$ 11,000,000

359 - 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

360 - 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

361 - 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*362 - 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*363 - 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

*364 - 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

*365 - 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>\$ 5,029,664,340</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.

*366 - West Virginia Development Office –
Community Development
Fund 8746 FY 2019 Org 0307*

1	Personal Services and Employee Benefits.....	00100	\$ 10,648,117
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2	Unclassified	09900	2,375,000
3	Current Expenses	13000	<u>224,476,883</u>
4	Total		\$ 237,500,000

367 - 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

368 - 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

369 - 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

370 - 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

371 - 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

372 - 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
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373 - Division of Human Services –

Energy Assistance

Fund 8755 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 1,514,312
2	Unclassified	09900	350,000
3	Current Expenses	13000	<u>33,181,300</u>
4	Total		\$ 35,045,612

374 - 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

375 - 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

376 - Division of Human Services –

Child Care and Development

Fund 8817 FY 2019 Org 0511

1	Personal Services and Employee Benefits.....	00100	\$ 4,682,166
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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>

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 \$226,619 and state road funds
 4 in the amount of \$408,830 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
 10 extent that surplus funds are available as of the date mandated to meet the appropriation in this
 11 section and shall be allocated first to provide the necessary funds to meet the first appropriation
 12 of this section and each subsequent appropriation in the order listed in this section.

377 - Division of Health –

Central Office

(WV Code Chapter 16)

Fund 0407 FY 2019 Org 0506

1	Office of Drug Control Policy - Surplus	#####	\$ 5,000,000
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378 - Division of Homeland Security and

Emergency Management

(WV Code Chapter 15)

Fund 0443 FY 2019 Org 0606

1	West Virginia Water Gaging Council - Surplus	#####	\$ 765,000
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379 - West Virginia Tourism Office

(WV Code Chapter 5B)

Fund 0246 FY 2019 Org 0304

1 Tourism – Marketing – Surplus ##### \$ 2,500,000

380 - West Virginia Development Office

(WV Code Chapter 5B)

Fund 0256 FY 2019 Org 0307

1 Sales and Marketing Enhancement - Surplus ##### \$ 2,500,000

381 - Auditor's Office

General Administration

(WV Code Chapter 12)

Fund 0116 FY 2019 Org 1200

1 VFD Workers' Compensation Subsidy – Surplus ##### \$ 2,000,000

382 - Public Port Authority

(WV Code Chapter 17)

Fund 0581 FY 2019 Org 0806

1 Port Authority – Surplus 44399 \$ 1,000,000

2 The above appropriation to Port Authority - Surplus (fund 0581, appropriation 44399)
 3 shall serve as reimbursement for expenses incurred by the State Road Fund related
 4 construction and operation of the Heartland Intermodal Gateway in Wayne County.

5 Total TITLE II, Section 9 – General Revenue Surplus Accrued..... \$ 13,765,000

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.

383 - 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.

384 - 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.

Delegate Cowles moved to dispense with the constitutional rule requiring the bill to be fully and distinctly read on three different days.

On this question, the yeas and nays were taken (**Roll No. 485**), and there were—yeas 63, nays 35, absent and not voting 1, with the nays and absent and not voting being as follows:

Nays: Barrett, Bates, Boggs, Brewer, Byrd, Campbell, Canestraro, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hartman, Hicks, Hornbuckle, Iaquinta, Isner, Longstreth, Love, Lovejoy, Lynch, Miley, R. Miller, Moye, Pethtel, Pushkin, Pyles, Robinson, Rodighiero, Rowe, Sponaule, Thompson and Williams.

Absent and Not Voting: Deem.

So, four fifths of the members present not having voted in the affirmative, the motion to dispense with the constitutional rule was rejected.

Com. Sub. for S. B. 336, Providing certain DMV applicants ability to contribute to WV Department of Veterans Assistance; on second reading, coming up in regular order, was read a second time and ordered to third reading.

Messages from the Senate

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4035, Creating a legislative coalition to study and report to the Legislature on palliative care.

On motion of Delegate Cowles, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 54. STATE ADVISORY COALITION ON PALLIATIVE CARE.

§16-54-1. Purpose.

The purpose of the coalition created under this article is to improve quality and delivery of patient centered and family focused palliative care in West Virginia.

§16-54-2. Definitions

As used in this article:

‘Appropriate’ means consistent with applicable legal, health, and professional standards; the patient’s clinical and other circumstances; and the patient’s reasonably known wishes and beliefs.

‘Medical care’ means services provided, requested, or supervised by a physician or advanced practice nurse.

‘Palliative care’ means patient and family centered medical care that optimizes quality of life by anticipating, preventing, and treating suffering caused by serious illness throughout the continuum of illness, involves addressing physical, emotional, social, and spiritual needs, and facilitates patient autonomy, access to information, and choice.

‘Serious Illness’ means any medical illness or physical injury or condition that substantially impacts quality of life for more than a short time.

§16-54-3. Creation of the State Advisory Coalition on Palliative Care.

There is created the State Advisory Coalition on Palliative Care. The administrative functions of the coalition are the responsibility of staff assigned to the Joint Committee on Health.

§16-54-4. Members of the Advisory Coalition on Palliative Care.

(a) The Advisory Coalition on Palliative Care consists of the individuals appointed by the President of the Senate and the Speaker of the House of Delegates who are health professionals having palliative care work experience and/or expertise in palliative care delivery models in a variety of inpatient, outpatient, and community settings and with a variety of populations, including pediatric, youth, and adults.

(b) The members include:

(1) A physician who practices palliative care in this state and is licensed pursuant to the provisions of §30-3-1 et seq. of this code, who shall serve as chair of the coalition for the first meeting until a chairman is selected by the Advisory Coalition;

(2) A physician;

(3) A registered professional nurse;

(4) A social worker;

(5) A pharmacist;

(6) A spiritual advisor;

(7) A patient advocate;

(8) A family caregiver advocate;

(9) One additional palliative care practitioner; and

(10) The Executive Director of the Center for End of Life Care, or his or her designee.

(c) The co-chairs of the Joint Committee on Health serve as nonvoting members, ex-officio.

(d) Membership on the coalition shall be distributed among the congressional districts of the state, and each congressional district shall be represented in the membership of the coalition.

§16-54-5. Powers and duties.

(a) The coalition shall consult with and advise the Legislature on matters related to the establishment, maintenance, operation, and outcomes evaluation of palliative care initiatives in the state. The coalition may:

(1) Meet at least quarterly or at the call of the chairman. A quorum is a simple majority of the coalition;

(2) Keep accurate records of the actions of the coalition;

(3) Make recommendations to the Legislature as required by this article;

(4) Provide guidance to the Legislature on potential statutory solutions relative to regulation of palliative care;

(5) Establish workgroups and clinical advisory committees as the coalition considers necessary to address pertinent issues related to palliative care and to provide consistency in the development of further regulation;

(6) Consult with entities and persons with expertise as the coalition considers necessary in the fulfillment of its duties. This can include public and private sector partnerships;

(7) Establish a system for identifying patients or residents who could benefit from palliative care;

(8) Provide information about and facilitate access to appropriate palliative care; and

(9) Offer any additional guidance to the Legislature which the coalition sees is within its scope which would further enhance the palliative care.

(b) The coalition shall report its findings to the Joint Committee on Health by December 31, 2019, and annually after that until the coalition terminates pursuant to the provisions of this article. The report shall include, at a minimum, the following:

(1) Conclusions and recommendations to promote a better means for palliative care;

(2) Recommendations for statutory and regulatory modifications;

(3) Identification of any action which may be taken by the Legislature to better foster awareness of palliative care issues in this state;

(4) A means to raise palliative care awareness; and

(5) Any other ancillary issues relative to palliative care.

§16-54-6. Cooperation with the coalition.

The Department of Health and Human Resources, the West Virginia Insurance Commission, the Public Employees Insurance Agency, the Center for End of Life Care, and all other entities of state government shall cooperate with the coalition in the exchange of data, information, and expertise if so requested by the coalition, including, but not limited to:

(1) Providing the entity's plans to improve palliative care in West Virginia;

(2) Sharing information on the financial impact of palliative care on the State of West Virginia;

(3) Providing an assessment of the benefits of implemented programs and activities aimed at bettering palliative care;

(4) Assisting in the development or revision of detailed action plans to improve palliative care; and

(5) Providing resources required to implement the plan.

§16-54-7. Sunset.

The coalition terminates on December 31, 2021, unless continued by act of the Legislature.”

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 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.”

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 486**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4035) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4042, Redefining school zone to facilitate placement of school zone signs.

On motion of Delegate Foster, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, section one, line sixteen, after the word “zone”, by inserting the words “established by an engineering study conducted by the Division of Highways”.

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 487**), and there were—yeas 98, nays none, absent and not voting 1, with the absent and not voting being as follows:

Absent and Not Voting: Deem.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4042) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, to take effect from passage, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4079, Promulgating administrative rules by various executive or administrative agencies of the state.

On motion of Delegate Foster, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page three, by striking out everything after the enacting clause and inserting in lieu thereof the following:

“ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS TO PROMULGATE LEGISLATIVE RULES.

§64-9-1. Board of Accountancy.

The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-9-5 of this code, modified by the Board of Accountancy to meet the objections of the Legislative

Rule-Making Review Committee and refiled in the State Register on September 29, 2017, relating to the Board of Accountancy (board rules and rules of professional conduct, 1 CSR 1), is authorized.

§64-9-2. Commissioner of Agriculture.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §19-9-2 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 19, 2017, relating to the Commissioner of Agriculture (animal disease control, 61 CSR 1), is authorized.

(b) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §19-2C-3(a) of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 19, 2017, relating to the Commissioner of Agriculture (auctioneers, 61 CSR 11B), is authorized with the following amendment:

On page one, subsection 4.1, by striking out “ten thousand dollars (\$10,000)” and inserting in lieu thereof “twenty-five thousand dollars (\$25,000)”.

(c) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §19-12D-4 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 19, 2017, relating to the Commissioner of Agriculture (noxious weeds, 61 CSR 14A), is authorized.

(d) The legislative rule filed in the State Register on July 17, 2017, authorized under the authority of §19-2B-3 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 18, 2017, relating to the Commissioner of Agriculture (inspection of meat and poultry, 61 CSR 16), is authorized.

(e) The legislative rule filed in the State Register on July 18, 2017, authorized under the authority of §19-13-3 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 18, 2017, relating to the Commissioner of Agriculture (West Virginia apiary law, 61 CSR 2), is authorized.

(f) The legislative rule filed in the State Register on July 17, 2017, authorized under the authority of §19-29-4 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 29, 2017, relating to the Commissioner of Agriculture (inspection of nontraditional, domesticated animals, 61 CSR 23D), is authorized.

(g) The legislative rule filed in the State Register on December 1, 2017, authorized under the authority of §19-2-5 of this code, modified by the Commissioner of Agriculture to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 19, 2017, relating to the Commissioner of Agriculture (schedule of charges for inspection services: fruit, 61 CSR 8B), is authorized.

§64-9-3. Athletic Commission.

(a) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §29-5A-24 of this code, modified by the Athletic Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 3, 2017, relating to the Athletic Commission (administrative rules of the West Virginia State Athletic Commission, 177 CSR 1), is authorized.

(b) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §29-5A-24 of this code, modified by the Athletic Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on October 3, 2017, relating to the Athletic Commission (regulation of mixed martial arts, 177 CSR 2), is authorized.

§64-9-4. Board of Licensed Dietitians.

The legislative rule filed in the State Register on July 24, 2017, authorized under the authority of §30-35-4 of this code, modified by the Board of Licensed Dietitians to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 4, 2017, relating to the Board of Licensed Dietitians (licensure and renewal requirements, 31 CSR 1), is authorized with the following amendments:

On page two, subsection 6.3, following the words “provisional permit renewal fee” by striking the words “as stated in 4.1.2.3.” and inserting in lieu thereof the words “\$50.”;

On page three, subsection 7.5, following the words “professional license reinstatement fee” by striking the words “as stated in 4.1.2.5.” and inserting in lieu thereof the words “as stated in paragraph 4.1.2.3. of this rule”;

On page three, paragraph 8.1.1.3, following the words “professional license reinstatement fee” by striking the words “as stated in 4.1.2.5.” and inserting in lieu thereof the words “as stated in paragraph 4.1.2.3. of this rule”;

On page three, subdivision 8.1.2, by renumbering the incorrectly numbered subsections of that section to 8.1.2.1, 8.1.2.2, and 8.1.2.3, respectively;

And,

On page three, in the incorrectly numbered section 8.1.1.3, following the words “reinstatement fee as stated” by striking the words “in 4.1.2.5.” and inserting in lieu thereof the words “in paragraph 4.1.2.3. of this rule.”

§64-9-5. Board of Hearing Aid Dealers.

The legislative rule filed in the State Register on July 26, 2017, authorized under the authority of §30-26-3 of this code, relating to the Board of Hearing Aid Dealers (rules governing the West Virginia Board of Hearing Aid Dealers, 8 CSR 1), is authorized.

§64-9-6. Board of Medicine.

(a) The legislative rule filed in the State Register on August 29, 2017, authorized under the authority of §30-3E-3 of this code, modified by the Board of Medicine to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 6, 2017, relating to the Board of Medicine (licensure, disciplinary and complaint procedures, continuing education, physician assistants, 11 CSR 1B), is authorized.

(b) The legislative rule filed in the State Register on July 26, 2017, authorized under the authority of §30-3-7 of this code, relating to the Board of Medicine (continuing education for physicians and podiatric physicians, 11 CSR 6), is authorized with the amendment set forth below:

On page one, subsection 1.2 by striking out the words, “§30-3-12 and §30-1-7a” and inserting in lieu thereof “§30-3-7”.

(c) The Legislature directs the Board of Medicine, pursuant to the authority given to the board in §30-3-7 of this code, to promulgate the legislative rule filed in the State Register by the Board on June 5, 2017, relating to the Board (licensing and disciplinary procedures: physicians; podiatrists, 11 CSR 1A) with the following amendment:

On page 18, by striking out all of paragraph 12.1.ii.B. and re-lettering the remaining paragraphs.

§64-9-7. Board of Optometry.

The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-8-6 of this code, relating to the Board of Optometry (rules of the West Virginia Board of Optometry, 14 CSR 1), is authorized.

§64-9-8. Board of Osteopathic Medicine.

The legislative rule filed in the State Register on October 17, 2017, authorized under the authority of §30-3E-3 of this code, modified by the Board of Osteopathic Medicine to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 6, 2017, relating to the Board of Osteopathic Medicine (osteopathic physician assistants, 24 CSR 2), is authorized.

§64-9-9. Board of Pharmacy.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-5-7 of this code, relating to the Board of Pharmacy (licensure and practice of pharmacy, 15 CSR 1), is authorized with the following amendments:

On page fifteen, subdivision 6.5.1 after the words, "submit a fee of" by striking out "\$125)" and inserting in lieu thereof "\$250".

(b) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2017, relating to the Board of Pharmacy (pharmacist recovery networks, 15 CSR 10), is authorized.

(c) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 6, 2017, relating to the Board of Pharmacy (immunizations administered by pharmacists and pharmacy interns, 15 CSR 12), is authorized.

(d) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 18, 2017, relating to the Board of Pharmacy (centralized prescription processing, 15 CSR 14), is authorized.

(e) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §60A-3-301 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 6, 2017, relating to the Board of Pharmacy (uniform controlled substances act, 15 CSR 2), is authorized.

(f) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-5-7 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative

Rule-Making Review Committee and refiled in the State Register on December 18, 2017, relating to the Board of Pharmacy (registration of pharmacy technicians, 15 CSR 7), is authorized.

(g) The legislative rule filed in the State Register on September 19, 2017, authorized under the authority of §60A-9-6 of this code, modified by the Board of Pharmacy to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on November 7, 2017, relating to the Board of Pharmacy (controlled substances monitoring program, 15 CSR 8), is authorized.

§64-9-10. Board of Examiners of Psychologists.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-21-6 of this code, modified by the Board of Examiners of Psychologists to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 13, 2017, relating to the Board of Psychologists (fees, 17 CSR 1), is authorized.

(b) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-21-6 of this code, modified by the Board of Examiners of Psychologists to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 15, 2017, relating to the Board of Examiners of Psychologists (requirements for licensure as a psychologist and/or a school psychologist, 17 CSR 3), is authorized.

(c) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-21-6 of this code, relating to the Board of Examiners of Psychologists (code of conduct, 17 CSR 6), is authorized.

§64-9-11. Real Estate Appraiser Licensing and Certification Board.

The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §30-38-9 of this code, relating to the Real Estate Appraiser Licensing and Certification Board (requirements for licensure and certification, 190 CSR 2), is authorized.

§64-9-12. Real Estate Commission.

(a) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §30-40-8 of this code, modified by the Real Estate Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 6, 2017, relating to the Real Estate Commission (licensing real estate brokers, associate brokers and salespersons and the conduct of brokerage business, 174 CSR 1), is authorized.

(b) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §30-40-8 of this code, relating to the Real Estate Commission (schedule of fees, 174 CSR 2), is authorized.

(c) The legislative rule filed in the State Register on July 27, 2017, authorized under the authority of §30-40-8 of this code, modified by the Real Estate Commission to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 6, 2017, relating to the Real Estate Commission (requirements for real estate courses, course providers and instructors, 174 CSR 3), is authorized with the amendment set forth below:

On page six, by striking out all of subsection 3.9. and inserting in lieu thereof a new subsection 3.9. to read as follows:

3.9. All approved pre-license and continuing education instructors shall complete annual instructor development workshops when offered by the Commission, unless the attendance is waived by the Commission or the individual is an out-of-state instructor who a) is approved by the National Association of Realtors (NAR) or b) holds a Distinguished Real Estate Instructor (DREI) designation.

§64-9-13 Board of Examiners for Registered Professional Nurses.

The Legislature directs the Board of Examiners of Registered Professional Nurses, pursuant to the authority given to the Board in §30-7-4 of this code, to promulgate the legislative rule filed in the State Register by the Board on July 9, 2009, relating to the Board (policies, standards and criteria for the evaluation and accreditation of colleges, departments or schools of nursing, 19 CSR 1), with the following amendments:

On page three, by striking out all of subdivision 4.1.b. and renumbering the remaining subdivisions;

On page six, by striking out all of subsection 8.3. and renumbering the remaining subsections;

And,

On page nine, by striking out all of subsection 13.3 and renumbering the remaining subsections.

§64-9-14. Division of Rehabilitation Services.

(a) The legislative rule effective on May 1, 2007, authorized under the authority of §18-10A-1 of this code, relating to the Division of Rehabilitation Services (case services, 130 CSR 1), is repealed.

(b) The legislative rule effective on May 1, 2007, authorized under the authority of §18-10A-1 of this code, relating to the Division of Rehabilitation Services (resources manual, 130 CSR 2), is repealed.

§64-9-15. Secretary of State.

(a) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §3-1A-6 of this code, modified by the Secretary of State to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 12, 2017, relating to the Secretary of State (procedures for canvassing elections, 153 CSR 18), is authorized.

(b) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §3-1A-6 of this code, modified by the Secretary of State to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on December 12, 2017, relating to the Secretary of State (procedures for handling ballots and counting write-in votes in counties using optical scan ballots, 153 CSR 27), is authorized.

(c) The legislative rule filed in the State Register on July 28, 2017, authorized under the authority of §3-3A-3 of this code, relating to the Secretary of State (vote by mail pilot project phase 2: voting by mail, 153 CSR 39), is authorized.

§64-9-16. Board of Veterinary Medicine.

(a) The legislative rule filed in the State Register on July 18, 2017, authorized under the authority of §30-10-6 of this code, modified by the Board of Veterinary Medicine to meet the objections of the

Legislative Rule-Making Review Committee and refiled in the State Register on August 29, 2017, relating to the Board of Veterinary Medicine (organization and operation and licensing of veterinarians, 26 CSR 1), is authorized.

(b) The legislative rule filed in the State Register on July 18, 2017, authorized under the authority of §30-10-6 of this code, modified by the Board of Veterinary Medicine to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on September 20, 2017, relating to the Board of Veterinary Medicine (certified animal euthanasia technicians, 26 CSR 5), is authorized with the following amendments:

On page two, after subdivision 2.1.e., by adding the following new subdivisions:

“2.1.f. Verification of the status of the applicant’s certification in each state or jurisdiction where he or she currently holds or ever held a certificate;

2.1.g. Verification that the applicant has never been denied a certification in another state or jurisdiction, had his or her certification restricted, suspended or revoked or been disciplined in any manner;”

And,

By renumbering the remaining subdivisions.

(c) The legislative rule filed in the State Register on July 18, 2017, authorized under the authority of §30-10-6 of this code, modified by the Board of Veterinary Medicine to meet the objections of the Legislative Rule-Making Review Committee and refiled in the State Register on August 29, 2017, relating to the Board of Veterinary Medicine (schedule of fees, 26 CSR 6), is authorized.”

And,

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4079 – “A Bill to amend and reenact §64-9-1, §64-9-2, §64-9-3, §64-9-4, §64-9-5, §64-9-6, §64-9-7, §64-9-8, §64-9-9, §64-9-10, §64-9-11, §64-9-12, §64-9-13, §64-9-14, §64-9-15, and §64-9-16 of the Code of West Virginia, 1931, as amended, all relating generally to the promulgation of administrative rules by various executive or administrative agencies of the state; authorizing certain agencies to promulgate certain legislative rules in the form that the rules were filed in the State Register; authorizing certain agencies to promulgate certain legislative rules with various modifications presented to and recommended by the Legislative Rule-Making Review Committee; authorizing certain agencies to promulgate certain legislative rules with amendments recommended by the Legislative Rule-Making Review Committee; authorizing certain agencies to promulgate certain legislative rules with amendments recommended by the Legislature; directing various agencies to amend and promulgate certain legislative rules; repealing certain legislative rules; authorizing the Board of Accountancy to promulgate a legislative rule relating to board rules and rules of professional conduct; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to animal disease control; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to auctioneers; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to noxious weeds; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to inspection of meat and poultry; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to West Virginia apiary law; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to inspection of nontraditional, domesticated animals; authorizing the Commissioner of Agriculture to promulgate a legislative rule relating to schedule of charges for inspection services; fruit; authorizing the Athletic Commission to

promulgate a legislative rule relating to administrative rules of the West Virginia State Athletic Commission; authorizing the Athletic Commission to promulgate a legislative rule relating to regulation of mixed martial arts; authorizing the Board of Licensed Dieticians to promulgate a legislative rule relating to licensure and renewal requirements; authorizing the Board of Hearing Aid Dealers to promulgate a legislative rule relating to rules governing the West Virginia Board of Hearing Aid Dealers; authorizing the Board of Medicine to promulgate a legislative rule relating to licensure, disciplinary and complaint procedures, continuing education and physician assistants; authorizing the Board of Medicine to promulgate a legislative rule relating to continuing education for physicians and podiatric physicians; directing the Board of Medicine to promulgate a legislative rule relating to licensing and disciplinary procedures: physicians; podiatrists; authorizing the Board of Optometry to promulgate a legislative rule relating to rules of the West Virginia Board of Optometry; authorizing the Board of Osteopathic Medicine to promulgate a legislative rule relating to osteopathic physician assistants; authorizing the Board of Pharmacy to promulgate a legislative rule relating to licensure and practice of pharmacy; authorizing the Board of Pharmacy to promulgate a legislative rule relating to pharmacist recovery networks; authorizing the Board of Pharmacy to promulgate a legislative rule relating to immunizations administered by pharmacists and pharmacy interns; authorizing the Board of Pharmacy to promulgate a legislative rule relating to centralized prescription processing; authorizing the Board of Pharmacy to promulgate a legislative rule relating to uniform controlled substances act; authorizing the Board of Pharmacy to promulgate a legislative rule relating to registration of pharmacy technicians; authorizing the Board of Pharmacy to promulgate a legislative rule relating to the controlled substances monitoring program; authorizing the Board of Psychologists to promulgate a legislative rule relating to fees; authorizing the Board of Psychologists to promulgate a legislative rule relating to requirements for licensure as a psychologist and/or a school psychologist; authorizing the Board of Psychologists to promulgate a legislative rule relating to code of conduct; authorizing the Board of Real Estate Appraiser Licensing and Certification to promulgate a legislative rule relating to requirements for licensure and certification; authorizing the Real Estate Commission to promulgate a legislative rule relating to licensing real estate brokers, associate brokers, and salespersons and the conduct of brokerage business; authorizing the Real Estate Commission to promulgate a legislative rule relating to schedule of fees; authorizing the Real Estate Commission to promulgate a legislative rule relating to requirements for real estate courses, course providers and instructors; directing the Board of Examiners for Registered Professional Nurses to promulgate a legislative rule relating to policies, standards and criteria for the evaluation and accreditation of colleges, departments or schools of nursing; repealing a Division of Rehabilitation Services rule relating to case services; repealing a Division of Rehabilitation Services rule relating to a resources manual; authorizing the Secretary of State to promulgate a legislative rule relating to procedures for canvassing elections; authorizing the Secretary of State to promulgate a legislative rule relating to procedures for handling ballots and counting write-in votes in counties using optical scan ballots; authorizing the Secretary of State to promulgate a legislative rule relating to vote by mail pilot project phase 2: Voting by Mail; authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to organization and operation and licensing of veterinarians; authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to certified animal euthanasia technicians; and authorizing the Board of Veterinary Medicine to promulgate a legislative rule relating to schedule of fees.”

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 488**), and there were—yeas 88, nays 9, absent and not voting 2, with the yeas and absent and not voting being as follows:

Nays: Byrd, E. Evans, Fluharty, Folk, Gearheart, Marcum, McGeehan, Paynter and Sponaugle.

Absent and Not Voting: Deem and Isner.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4079) passed.

Delegate Foster moved that the bill take effect from its passage.

On this question, the yeas and nays were taken (**Roll No. 489**), and there were—yeas 90, nays 7, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Fluharty, Folk, Gearheart, Marcum, McGeehan, Paynter and Sponaugle.

Absent and Not Voting: Deem and Isner.

So, two thirds of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4079) takes effect from its passage.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

Com. Sub. for H. B. 4276, Allowing magistrates to grant work release privileges.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with a title amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4336, Updating the schedule of controlled substances.

On motion of Delegate Cowles, the House of Delegates concurred in the following Senate title amendment:

Com. Sub. for H. B. 4336 - "A Bill to amend and reenact §60A-2-204, §60A-2-206, §60A-2-210, and §60A-2-212 of the Code of West Virginia, 1931, as amended, all relating to updating schedules of controlled substances; reorganizing each schedule by removing numbering and lettering for subparts; by providing that the drugs listed in each schedule include not just the drug's chemical substance but also any isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, when the existence of the such compounds are possible within the chemical designation; and by adding specific chemical compounds to three of the schedules."

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 490**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Isner.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4336) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates as follows:

H. B. 4376, Expiring funds to the balance of the Department of Health and Human Resources.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, to take effect from passage, a bill of the House of Delegates as follows:

H. B. 4379, Supplementing, amending, decreasing, and increasing items of the existing appropriations to the Department of Transportation.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

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.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, without amendment, a bill of the House of Delegates as follows:

H. B. 4529, Relating to oath by municipal official certifying list of delinquent business and occupation taxes.

A message from the Senate, by

The Clerk of the Senate, announced that the Senate had passed, with amendment, a bill of the House of Delegates, as follows:

Com. Sub. for H. B. 4618, Relating to the authority of the Division of Protective Services.

On motion of Delegate Foster, the House of Delegates concurred in the following amendment of the bill by the Senate:

On page one, 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.”~~

By amending the title of the bill to read as follows:

Com. Sub. for H. B. 4618 – “A Bill to amend and reenact §61-6-1, §61-6-1a, §61-6-3, §61-6-4, and §61-6-5 of the Code of West Virginia, 1931, as amended, relating to the authority of the Division of Protective Services to compel dispersal of a riot or unlawful assemblage; to the authority of the Division of Protective Services to control riots and unlawful assemblages; to include officers of the Division of Protective Services among those officers on whom the penalty for failure to exercise power at riots and unlawful assemblages may be imposed; allowing Division of Protective Services officers to summon persons to suppress unlawful assemblages; to hold harmless Division of Protective Services officers from liability for the death of persons in riots and unlawful assemblages; correcting references to the State Police; removing language making all persons unlawfully assembled criminally liable for deaths of persons quelling unlawful assembly or riot; and to make technical corrections.”

The bill, as amended by the Senate, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 491**), and there were—yeas 75, nays 22, absent and not voting 2, with the nays and absent and not voting being as follows:

Nays: Barrett, Brewer, Byrd, Caputo, Diserio, Eldridge, E. Evans, Ferro, Fleischauer, Fluharty, Hornbuckle, Iaquina, R. Miller, Paynter, Pushkin, Pyles, Robinson, Rowe, Sponagle, Storch, Thompson and Williams.

Absent and Not Voting: Deem and Isner.

So, a majority of the members elected to the House of Delegates having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4618) passed.

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

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

H. C. R. 19, World Moyamoya Awareness Day.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate, without amendment, of a concurrent resolution of the House of Delegates as follows:

Com. Sub. for H. C. R. 40, U. S. Air Force SMSgt Billie E. 'Bunky' Hodge Bridge.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 298, Authorizing county assessors make separate entries in landbooks when real property is partly used for exempt and partly for nonexempt purposes.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 299, Relating to mandatory insurance coverage for medical foods for amino acid-based formulas.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 347, Relating to operation of motorboats.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 461, Extending time to file petition for motor fuel excise tax refund.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 575, Approving additional beds for intermediate care facilities.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 576, Relating to Patient Injury Compensation Fund.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, to take effect from passage, of

S. B. 584, Finding certain claims against state to be moral obligations of state.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

Com. Sub. for S. B. 616, Establishing maximum gross weight for certain wood-bearing trucks.

A message from the Senate, by

The Clerk of the Senate, announced concurrence in the amendment of the House of Delegates and the passage, as amended, of

S. B. 626, Relating generally to coal mining.

A message from the Senate, by

The Clerk of the Senate, announced the passage by the Senate, to take effect from passage, and requested the concurrence of the House of Delegates in the passage, of

S. B. 634 - "A Bill supplementing and amending by adding, increasing, and decreasing the appropriations of public moneys out of the Treasury in the State Fund, General Revenue, to the Department of Health and Human Resources – Division of Human Services, fund 0403, fiscal year 2018, organization 0511, and to the Department of Health and Human Resources, Division of Health – Central Office, fund 0407, fiscal year 2018, organization 0506, by supplementing, amending, adding, increasing, and decreasing the appropriations for the fiscal year ending June 30, 2018"; which was referred to the Committee on Finance.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

S. C. R. 54 - "Requesting the Joint Committee on Government and Finance study the effect of new vehicle and load configurations and vehicles with increased gross weights and sizes on roads and related infrastructure in West Virginia."

Whereas, The increased capacity and ability of modern vehicles to transport commodities and products, together with increased economic pressures to reduce industry transportation costs and increased environmental pressures to lower carbon dioxide emissions, create economic incentives to increase the loads vehicles may transport; and

Whereas, Increasing the types of vehicles, weight of vehicles, and types of loading and trucking configurations permitted on roads would increase economic development opportunities in West Virginia; and

Whereas, Excessive weights of vehicles can result in the deterioration of roads and bridges, creating significant costs in lost road and bridge use and life; and

Whereas, Certain vehicle types, vehicle configurations, load configurations, and other factors can alleviate or avoid damaging effect on infrastructure from increased vehicle and load weights; and

Whereas, The West Virginia Department of Transportation and Division of Highways, the West Virginia Department of Commerce, private industry, including manufacturers of commodities or products, and the engineering community, including the College of Information Technology and Engineering at Marshall University and the Statler College of Engineering and Mineral Resources at West Virginia University, should be encouraged to cooperate and to study the effect various trucking configurations and weights have on West Virginia's road system; and

Whereas, Such study should include an analysis of which vehicle and load configurations and weights may be utilized with minimal consequence to West Virginia's infrastructure while permitting industry to transport commodities and products in the most economical ways; therefore, be it

Resolved by the Legislature of West Virginia:

That the Joint Committee on Government and Finance is hereby requested to study the effect of new vehicle and load configurations and vehicles with increased gross weights and sizes on roads and related infrastructure in West Virginia; and, be it

Further Resolved, That the Joint Committee on Government and Finance enlist the assistance of the West Virginia Department of Transportation and Division of Highways, private industry, the West Virginia Department of Commerce, and West Virginia schools with engineering programs; and, be it

Further Resolved, That the Joint Committee on Government and Finance report to the regular session of the Legislature, 2019, on its findings, conclusions, and recommendations, together with drafts of any legislation necessary to effectuate its recommendations; and, be it

Further Resolved, That the expenses necessary to conduct this study, to prepare a report and to draft necessary legislation be paid from legislative appropriations to the Joint Committee on Government and Finance.

A message from the Senate, by

The Clerk of the Senate, announced the adoption by the Senate and requested the concurrence of the House of Delegates in the adoption of the following concurrent resolution, which was read by its title and referred to the Committee on Rules:

S. C. R. 55 - "Urging the Congress of the United States to pass a law permitting West Virginia to increase the weight of vehicles permitted to operate on interstate highways so that West Virginia may implement a pilot program to study various vehicle configurations and weights."

Whereas, Federal law currently imposes vehicle weight limitations on vehicles that operate on the National System of Interstate and Defense Highways, The Dwight D. Eisenhower System of Interstate and Defense Highways, hereafter "Interstate Highways"; and

Whereas, The maximum gross weight typically allowed by any State for vehicles using the Interstate Highways is twenty thousand pounds carried on one axle, a tandem axle weight of thirty-four thousand pounds, and an overall maximum gross weight by formula; and

Whereas, Federal law also contains many exceptions to such weight limits; and

Whereas, The increased capacity and ability of modern vehicles to transport commodities and products, together with increased economic pressures to reduce industry transportation costs and increased environmental pressures to lower carbon dioxide emissions, create economic incentives to increase the loads vehicles may transport; and

Whereas, Increasing the types of vehicles, weight of vehicles, and types of loading and trucking configurations permitted on roads would increase economic efficiencies; and

Whereas, Excessive weights of vehicles can result in the deterioration of roads and bridges, creating significant costs in lost road and bridge use and life; and

Whereas, Certain vehicle types, vehicle configurations, load configurations, and other factors can alleviate or avoid damaging effect on infrastructure from increased vehicle and load weights; and

Whereas, The West Virginia Legislature is directing the West Virginia Department of Transportation and Division of Highways, the West Virginia Department of Commerce, private industry, including manufacturers of commodities or products, and the engineering community, including the College of Information Technology and Engineering at Marshall University and the Statler College of Engineering and Mineral Resources at West Virginia University, to cooperate and study the effect various trucking configurations and weights have on West Virginia's entire road system, including Interstate Highways; and

Whereas, Such study would include an analysis of which vehicle and load configurations and weights may be utilized with minimal consequence to West Virginia's infrastructure, including Interstate Highways, while permitting industry to transport commodities and products in the most economical ways; and

Whereas, In order to complete such a study and pilot program, West Virginia needs permission from the Congress of the United States to increase the weight of vehicles permitted to operate on Interstate Highways; therefore, be it

Resolved by the Legislature of West Virginia:

That the Legislature urges the Congress of the United States to pass legislation permitting West Virginia to increase the weight of vehicles permitted to operate on Interstate Highways so that West Virginia may implement a pilot program to study various vehicle configurations and weights; and, be it

Further Resolved, That the Legislature urges the President of the United States to sign such legislation; and, be it

Further Resolved, That the Clerk of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the United States Senate, and to each Senator and Representative from West Virginia in the Congress of the United States.

Conference Committee Report Availability

At 7:08 p. m., the Clerk announced that the report of the Committee of Conference on **Com. Sub. for S. B. 51**, Relating to domestic relations, shall be available in the Clerk's Office.

Conference Committee Reports

Delegate Hanshaw, from the Committee of Conference on matters of disagreement between the two houses, as to

H. B. 4013, Clarifying venue in West Virginia state courts as it applies to nonresidents of the state.

Submitted the following report, which was received:

Your committee of conference on the disagreeing votes of the two houses as to the amendments of the Senate to Engrossed Committee Substitute for House Bill 4013 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate, striking out everything after the enacting clause, and agree to the same as follows:

CHAPTER 6. GENERAL PROVISIONS RESPECTING OFFICERS.

ARTICLE 9A. OPEN GOVERNMENTAL PROCEEDINGS.

§6-9A-6. Enforcement by injunctions; actions in violation of article voidable; voidability of bond issues.

The circuit court in the county where the public agency regularly meets has jurisdiction and is a proper venue to enforce this article upon civil action commenced by any citizen of this state within 120 days after the action complained of was taken or the decision complained of was made. Where the action seeks injunctive relief, no bond may be required unless the petition appears to be without merit or made with the sole intent of harassing or delaying or avoiding return by the governing body.

The court is empowered to compel compliance or enjoin noncompliance with the provisions of this article and to annul a decision made in violation of this article. An injunction may also order that subsequent actions be taken or decisions be made in conformity with the provisions of this article: *Provided*, That no bond issue that has been passed or approved by any governing body in this state may be annulled under this section if notice of the meeting at which the bond issue was finally considered was given at least 10 days prior to the meeting by a Class I legal advertisement published in accordance with the provisions of §59-3-1 *et seq.* of this code in a qualified newspaper having a general circulation in the geographic area represented by that governing body.

In addition to or in conjunction with any other acts or omissions which may be determined to be in violation of this article, it is a violation of this article for a governing body to hold a private meeting with the intention of transacting public business, thwarting public scrutiny and making decisions that eventually become official action.

Any order which compels compliance or enjoins noncompliance with the provisions of this article, or which annuls a decision made in violation of this article shall include findings of fact and conclusions of law and shall be recorded in the minutes of the governing body.

CHAPTER 14. CLAIMS DUE AND AGAINST THE STATE.

ARTICLE 2. CLAIMS AGAINST THE STATE.

§14-2-2a. Venue for suits and actions involving ~~West Virginia University and Marshall University~~ state institutions of higher education.

(a) Notwithstanding the provisions of §14-2-2 of this code, any civil action in which ~~the West Virginia University board of Governors, West Virginia University, the West Virginia University Medical School~~ the governing board of any state institution of higher education, any state institution of higher education, or any department or office of any of those entities, or any officer, employee, agent, intern or resident of any of those entities, acting within the scope of his or her employment, is made a party defendant, shall be brought in the circuit court of any county wherein the cause of action arose, unless otherwise agreed by the parties.

(b) ~~Notwithstanding the provisions of section two of this article, any civil action in which Marshall University board of Governors, Marshall University, the Marshall University School of Medicine or any department or office of any of those entities, or any officer, employee, agent, intern or resident of any of those entities, acting within the scope of his or her employment, is made a party defendant, shall~~

~~be brought in the circuit court of any county wherein the cause of action arose, unless otherwise agreed by the parties.~~

~~(e)~~ (b) The exclusive venue provisions of this section are not applicable to:

(1) An action involving an entity or person named in subsections (a) ~~or (b)~~ of this section as garnishee or suggestee; and

(2) A proceeding for injunctive or mandamus relief involving the taking, title, or collection for or prevention of damage to real property, and where general laws or court rules provide that proper venue is in the county in which the real property affected is situate.

~~(e)~~ (c) This section ~~shall apply~~ applies only to ~~such~~ proceedings ~~as are~~ not prohibited by the constitutional immunity of the state from suit under section thirty-five, article VI of the Constitution of the State.

CHAPTER 56. PLEADING AND PRACTICE.

ARTICLE 1. VENUE.

§56-1-1. Venue generally.

(a) Any civil action or other proceeding, except where it is otherwise specially provided, may hereafter be brought in the circuit court of any county:

(1) Wherein any of the defendants may reside or the cause of action arose, except that an action of ejectment or unlawful detainer must be brought in the county wherein the land sought to be recovered, or some part thereof, is;

(2) If a corporation or other corporate entity ~~be is~~ a defendant, wherein its principal office is or wherein its mayor, president or other chief officer resides; or if its principal office ~~be~~ not in this state, and its mayor, president or other chief officer do not reside therein, wherein it does business; or if it ~~be is~~ a corporation or other corporate entity organized under the laws of this state which has its principal office located outside of this state and which has no office or place of business within the state, the circuit court of the county in which the plaintiff resides or the circuit court of the county in which the seat of state government is located ~~shall have~~ has jurisdiction of all actions at law or suits in equity against the corporation or other corporate entity, where the cause of action arose in this state or grew out of the rights of stockholders with respect to corporate management;

(3) If it ~~be~~ is to recover land or subject it to a debt, where the land or any part may be;

(4) If it ~~be~~ is against one or more nonresidents of the state, where any one of them may be found and served with process or may have estate or debts due him, her, or them;

(5) If it ~~be~~ is to recover a loss under any policy of insurance upon either property, life or health or against injury to a person, where the property insured was situated either at the date of the policy or at the time when the right of action accrued or the person insured had a legal residence at the date of his or her death or at the time when the right of action accrued;

(6) If it ~~be~~ is on behalf of the state in the name of the Attorney General or otherwise, where the seat of government is; or

(7) If a judge of a circuit ~~be~~ is interested in a case which, but for such interest, would be proper for the jurisdiction of his or her court, the action or suit may be brought in any county in an adjoining circuit.

(b) Whenever a civil action or proceeding is brought in the county where the cause of action arose under the provisions of subsection (a) of this section, if no defendant resides in the county, a defendant to the action or proceeding may move the court before which the action is pending for a change of venue to a county where one or more of the defendants resides and upon a showing by the moving defendant that the county to which the proposed change of venue would be made would better afford convenience to the parties litigant and the witnesses likely to be called, and if the ends of justice would be better served by the change of venue, the court may grant the motion

(c) For all civil actions filed on or after July 1, 2018, a nonresident of the state may not bring an action in a court of this state unless all or a substantial part of the acts or omissions giving rise to the claim asserted occurred in this state: *Provided*, That unless barred by the statute of limitations or otherwise time barred in the state where the action arose, a nonresident of this state may file an action in state court in this state if the nonresident cannot obtain jurisdiction in either federal or state court against the defendant in the state where the action arose. A nonresident bringing such an action in this state shall be required to establish, by filing an affidavit with the complaint for consideration by the court, that the action cannot be maintained in the state where the action arose due to lack of any legal basis to obtain personal jurisdiction over the defendant: *Provided, however*, that the provisions of this subsection do not apply to civil actions filed against West Virginia citizens, residents, corporations, or other corporate entities.

In a civil action where more than one plaintiff is joined, each plaintiff must independently establish proper venue. A person may not intervene or join in a pending civil action as a plaintiff unless the person independently establishes proper venue. If venue is not proper as to any such nonresident plaintiff in any court of this state, the court shall dismiss the claims of such plaintiff without prejudice to refile in a court in any other state or jurisdiction. When venue is proper as to one defendant, it is also proper as to any other defendant with respect to all actions arising out of the same transaction or occurrence.

For purposes of this subsection, "nonresident" means any person, whether a citizen of this state or another state, who was domiciled outside the State of West Virginia at the time of the acts or omissions giving rise to the claim asserted: *Provided*, That a member of the armed forces of the United States who is stationed beyond the territorial limits of this state, but who was a resident of this state at the time of his or her entry into such service, and any full-time student of any college or university of this state, even though he or she is paying nonresident tuition, is considered a resident under this subsection.

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

H. B. 4013 - "A Bill to amend and reenact §6-9A-6 of the Code of West Virginia, 1931, as amended; to amend and reenact §14-2-2a of said code, and to amend and reenact §56-1-1 of said code, all relating to venue in West Virginia state courts; providing that the circuit court in the county where the public agency regularly meets is a proper venue for certain claims; providing that any civil action in which the governing board of any state institution of higher education or any state institution of higher education is made a party defendant shall be brought in the circuit court of the county wherein the cause of action arose, unless otherwise agreed upon; providing that nonresidents may

not bring actions in the courts of this state unless all or a substantial part of the acts or omissions giving rise to the claim occurred in the state; providing an effective date; providing that nonresidents may file actions in the state courts if they cannot otherwise obtain jurisdiction in the state where the action arose, unless barred by the statute of limitations in the state the action arose; requiring the filing of an affidavit; providing that the provisions do not apply to actions filed against West Virginia citizens, residents, corporations, or other corporate entities; providing that each plaintiff must establish venue; providing that persons may not intervene or join in a pending action as plaintiff unless they independently establish venue; providing that courts shall dismiss claims without prejudice if venue is not proper as to a nonresident plaintiff; providing that venue is proper as to other defendants if venue is proper as to one defendant with respect to all actions arising out of the same transaction or occurrence; providing a definition of "nonresident"; and providing exceptions for members of the armed forces of the United States and students of any college or university of this state."

Respectfully submitted,

Roger Hanshaw, *Chair*
Riley Moore,
Did not Sign
Chad Lovejoy,
Conferees on the part of the House

Charles S. Trump, IV,
Ryan Weld,

Stephen Baldwin,
Conferees on the part of the Senate.

On motion of Delegate Hanshaw, the report of the Committee of Conference was adopted.

The bill, as amended by said report, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 492**), and there were—yeas 97, nays none, absent and not voting 2, with the absent and not voting being as follows:

Absent and Not Voting: Deem and Isner.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 4013) passed.

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

Delegate Hamrick, from the committee of conference on matters of disagreement between the two houses, as to

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

Submitted the following report, which was received:

Your Committee of Conference on the disagreeing votes of the two houses as to the amendment of the Senate to Engrossed Committee Substitute for House Bill 2995 having met, after full and free conference, have agreed to recommend and do recommend to their respective houses, as follows:

That both houses recede from their respective positions as to the amendment of the Senate striking out everything after the enacting clause, and agree to the same as follows:

ARTICLE 10. VETERINARIANS.**§30-10-12. Requirements to be a certified animal euthanasia technician.**

(a) To be eligible to be a certified animal euthanasia technician a person must:

(1) Apply at least thirty days prior to the date the next written examinations are scheduled, using a form prescribed by the board;

(2) Have a high school diploma or GED;

(3) Pay application and examination fees;

(4) Complete the certified animal euthanasia technician's program established by the board;

(5) Pass the written and practical skills examinations;

(6) Pass the prescribed background check; and

(7) Complete all the other requirements established by the board.

(b) A certified animal euthanasia technician may practice animal euthanasia at a legally operated animal control facility.

(c) A person certified as an animal euthanasia technician by the board prior to July 1, 2010, shall for all purposes be considered certified under this article and may renew pursuant to the provisions of this article.

(d) A person certified by another state or jurisdiction with certification requirements equivalent to, or exceeding, the certification standards of this state may be issued a certification under this section upon the submission of a completed application and the appropriate fees, as established by the board in legislative rules.;

And,

That both houses recede from their respective positions as to the title of the bill and agree to the same as follows:

Com. Sub. for H. B. 2995 - "A Bill to amend and reenact §30-10-12 of the Code of West Virginia, 1931, as amended, relating to qualifications for certification as an animal euthanasia technician; authorizing issuance of animal euthanasia technician certificate to certain persons certified by another state or jurisdiction; setting requirements for issuance of certificate; and authorizing application and fees to be prescribed by the Board of Veterinary Medicine in legislative rule.

Respectfully submitted,

Danny Hamrick, *Chair*
Terri Sypolt,
Dana Lynch,
Conferees on the part of the House.

Randy Smith, *Chair*
Mark Maynard,
Stephen Baldwin,
Conferees on the part of the Senate.

On motion of Delegate Hamrick, the report of the Committee of Conference was adopted.

The bill, as amended by said report, was then put upon its passage.

On the passage of the bill, the yeas and nays were taken (**Roll No. 493**), and there were—yeas 92, nays 4, absent and not voting 3, with the nays and absent and not voting being as follows:

Nays: Byrd, Folk, McGeehan and Pushkin.

Absent and Not Voting: Deem, Hicks and Isner.

So, a majority of the members present and voting having voted in the affirmative, the Speaker declared the bill (Com. Sub. for H. B. 2995) passed.

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

Leaves of Absence

At the request of Delegate Cowles, and by unanimous consent, leave of absence for the day was granted Delegate Deem.

Miscellaneous Business

Delegate R. Miller announced that he was absent on today when the votes were taken on Roll Nos. 440 and 441, and that had he been present, he would have voted “Yea” thereon.

Delegate Byrd noted to the Clerk that he was absent on today when the votes were taken on Roll Nos. 435, 436 and 437, and had he been present he would have voted “Yea” thereon.

Delegate Lovejoy noted to the Clerk that he was absent on today when the votes were taken on Roll Nos. 449 and 450, and had he been present he would have voted “Yea” thereon.

Delegate White noted to the Clerk that he was absent on today when the votes were taken on Roll Nos. 449 and 450, and had he been present he would have voted “Yea” thereon.

Delegate Espinosa announced that he was absent on today when the votes were taken on Roll Nos. 449, 450, 451 and 452, and that had he been present, he would have voted “Yea” thereon.

Pursuant to House Rule 132, unanimous consent was requested and obtained to print the remarks of the following Members in the Appendix to the Journal:

- All Delegates during the debate regarding Com. Sub. for S. B. 244
- Delegate Adkins during the debate regarding Com. Sub. for S. B. 313

At 7:17 p.m., the House of Delegates adjourned until 10:00 a.m., Saturday, March 10, 2018.

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470

SPECIAL CALENDAR

Saturday, March 10, 2018

60th Day

10:00 A. M.

THIRD READING

Com. Sub. for S. B. 152 - Budget Bill (NELSON) (EFFECTIVE FROM PASSAGE)

Com. Sub. for S. B. 336 - Providing certain DMV applicants ability to contribute to WV Department of Veterans Assistance (NELSON) (REGULAR)

HOUSE CALENDAR

Saturday, March 10, 2018

60th Day

10:00 A.M.

THIRD READING

- Com. Sub. for H. B. 4235 - Permitting full-time nonresident students attending an in-state college or university to purchase lifetime resident hunting, trapping, and fishing licenses (NELSON) (REGULAR)
- Com. Sub. for H. B. 4296 - Establishing the Southern West Virginia Lake Development Study Commission (NELSON) (REGULAR)

SECOND READING

- Com. Sub. for S. B. 116 - Providing court costs collected under Second Chance Driver's License Program are not subject to 5 percent offset (SHOTT) (REGULAR)
- S. B. 297 - Eliminating taxation on annuity considerations collected by life insurer (NELSON) (REGULAR)
- H. B. 2114 - Providing a procedure for West Virginia to select delegates to an Article V convention for proposing amendments to the Constitution of the United States of America (SHOTT) (REGULAR)
- Com. Sub. for H. B. 2383 - Providing for the redistricting office of the Joint Committee on Government and Finance to propose redistricting plans during census years (SHOTT) (REGULAR)
- Com. Sub. for H. B. 4158 - Relating to municipal home rule (HOWELL) (REGULAR)
- Com. Sub. for H. B. 4241 - Transitioning foster children into managed care (NELSON) (REGULAR)
- Com. Sub. for H. B. 4563 - Relating to the severance tax on oil and gas produced from low producing wells (NELSON) (REGULAR)

FIRST READING

Com. Sub. for S. B. 491 - Establishing fee for expungement of certain criminal convictions (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)

Com. Sub. for S. B. 508 - Establishing State Trail Authority (HOWELL) (REGULAR)

S. B. 632 - Allowing retired judicial officers recalled to service to avoid limit on temporary payments under certain circumstances (SHOTT) (REGULAR) (JUDICIARY COMMITTEE AMENDMENT PENDING)

Com. Sub. for H. B. 4494 - Authorizing certain motor vehicle manufacturers to operate as new car dealers (SHOTT) (REGULAR)

**WEST VIRGINIA
HOUSE OF DELEGATES**

SATURDAY, MARCH 10, 2018

HOUSE CONVENES AT 10:00 A.M.

**COMMITTEE ON RULES
9:45 A.M. – BEHIND CHAMBER**

HOUSE OF DELEGATES
STEPHEN J. HARRISON, Clerk
Building 1, Room M-212
1900 Kanawha Blvd., East
Charleston, WV 25305-0470